

## City Commission Summaries – May – August 2009

### City Commission Meeting Summary May 13, 2009

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

Recognized and welcomed Boy Scouts from Troop 251, working on their merit badge, and from Troop 120, working on their citizenship and community badge

**Item 1** - Mayor Pro Tem Gillum presented the Distinguished Budget Presentation Award received from the Government Finance Officers Association to the Office of Budget and Policy. Director of Management and Administrative Services Raoul Lavin appeared before the Commission relative to this item.

**Item 2** - Mayor Pro Tem Gillum presented a proclamation proclaiming May 17-23, 2009, as National Public Works Week in the City of Tallahassee and recognizing the contributions of public works personnel to the community's health, safety, comfort and quality of life. Director of Public Works Gabriel Menendez appeared before the Commission relative to this item. Mr. Menendez also announced that Public Works had also won an award for excellence from the Big Bend Branch of the American Public Works Association.

**Item 3** - Mayor Pro Tem Gillum presented a proclamation acknowledging KC McWilliams and Comcast for providing free access to technology to the homes of R. Frank Nims Middle School students through the Digital Harmony Pilot Program.

Ms. KC McWilliams, Vice President & General Manager; Ms. Stefanie Bowden, Executive Assistant; and Ms. Briana House, Customer Service Coordinator, of Comcast Cablevision, appeared before the Commission relative to this item.

**Item 3.1** - Voted 4-0 (Mayor Marks absent) to accept a \$3,000 donation from MWH Constructors for the Digital Harmony Project at R. Frank Nims Middle School, and appropriate the funds in Project #0101362.

Mr. Tom Machinski, from MWH Constructors, and Mr. Sean Pittman appeared before the Commission relative to this item.

**Item 4** - Mayor Pro Tem Gillum presented a proclamation proclaiming May 2009 as National Preservation Month in the City of Tallahassee.

Mr. Edwardo Robles, Vice Chair, and Mr. Andy McLeod, Board Member, of the Tallahassee Trust for Historic Preservation, appeared before the Commission relative to this item.

**Item 5** - Mayor Pro Tem Gillum presented a proclamation proclaiming May 17-23, 2009, as National Safe Boating Week in the City of Tallahassee.

U. S. Coast Guard Auxiliary Public Affairs Staff Officer Chuck Hickman, on behalf of Vice Flotilla Commander B. T. (Tim) Ashley; Marine Science Staff Officer Bob Asztalos; and Diversity Staff Officer Gloria Sammens appeared before the Commission relative to this item.

**Items 6-20** - Voted 4-0 (Mayor Marks absent) to approve the staff's recommendations presented in Consent Agenda Items 6-20, taking the following action:

Item 6 - Approved the reappointment of Angela Poole to serve on the City's Audit Committee to a term expiring June 2012 *(recommended by the Mayor)*

Item 7 - Approved the reappointment of Echo Gates and Corey McFarlane to serve on the Municipal Code Enforcement Board to terms expiring June 2012 *(recommended by the Mayor)*

Item 8 - Approved the reappointment of J. Kimbrough Davis to serve on the Sinking Fund Commission to a term expiring June 2012 *(recommended by the Mayor)*

Item 9 - Approved the reappointment of Zachary Ward to serve on the Environmental Code Enforcement Board to a term expiring November 2011 *(recommended by the Mayor)*

Item 10 - Approved the Selection Committee's ranking for Program Management Services for the Tallahassee Regional Airport Runway 9-27 Reconstruction Project (RFP 0071-09-KR-RC), and authorized the City Manager to execute a contract with AECOM, the highest ranked firm, in an amount not to exceed \$1.25 million *(Option 1 recommended by Aviation/Airport Capital Program)*

Item 11 - Approved a budget transfer of \$100,000 from Project 07127 (GA Access Road Improvements) to Project 07126, the Airport Landside Directional Signage Project, bringing the project budget to \$600,000; and allowing the "Fast Tracking" award of the vendor contract to Bass Construction, Inc., of Tallahassee, through the City bid selection process, in the estimated amount of \$565,000 plus contingencies *(Option 1 recommended by Aviation/Airport Capital Program)*

Item 12 - Approved recommended changes to the 2009 City Commission meeting schedule *(recommended by the Assistant to the City Manager)*

Item 13 - Approved a change order, in the amount of \$121,981, to the current task order with Ampirical Solutions, LLC, for certain design change services related to the design and permitting of Fallschase Substation BP21 *(Option 1 recommended by Electric Utility)*

Item 14 - Approved acceptance of a grant award from the Department of Homeland Security through the Florida Department of Community Affairs (FDCA), Division of Emergency Management, in the amount of \$82,000; and authorized the City Manager to expend the funds utilizing \$40,000 to enhance the City-County Incident Tracking System and \$42,000 for the development of Continuity of Operations Plans *(Option 1 recommended by Emergency Management)*

Item 15 - Approved a settlement agreement with Sprint/Nextel to accept the cost of rebanding the 800 MHz System to operate on replacement frequencies, in the amount of \$2,941,165; and authorize payments to the technical consultant, Science Applications International Corporation (SAIC); special legal consultant Shulman, Rogers, Gandal, Porody, and Ecker, PA (SGRPE); and to Motorola for equipment and services that will directly benefit the digital upgrade project; and divide the net amount of approximately \$1,437,016 between the owners -- \$574,806 to the County and \$964,209 to the City; and authorize the City Manager, or her designee, to execute all agreements and documents required to effect that settlement and to close the rebanding process *(Option 1 recommended by the Chief Information Systems Officer [CISO])*

Item 16 - Approved in-kind matching authorization for the Public Safety Interoperable Communications (PSIC) Grant, in the amount of \$469,795, using the newly-installed 800 MHz P25 Digital Upgrade Project Master Site Zone Controller, currently valued to exceed \$1 million; and authorized the City Manager to execute a Memorandum of Understanding with the State of Florida outlining the agreed upon use of the grant funds *(Option 1 recommended by CISO)*

Item 17 - Approved a Maintenance Memorandum of Agreement with FDOT for the City Public Works Department, Streets & Drainage Division to perform rights-of-way maintenance along the State's streets within the City limits during the period July 1, 2009 through June 30, 2010, at a reimbursement cost of \$775,031.20 to be paid on a quarterly basis (\$193,757.80 each quarter); and authorized the City Manager to execute this Agreement (*Option 1 recommended by Public Works/Streets & Drainage*)

Item 18 - Approved the replacement of two high capacity printers and authorized Utility Business & Customer Services (UBCS) to enter into a new five-year lease with Xerox Corp. for two Xerox 4127 printers including hardware, software, training and other support services, utilizing Marion County Contract #3029JD, for a 60-month lease rate of \$75,471 per year (\$377,356.80 for the term of the contract) (*Option 1 recommended by UBCS*)

Item 19 - Adopted Resolution No. 09-R-12, establishing intent for the City to reimburse itself from the State Revolving Fund (SRF) low-interest loan proceeds up to an amount of \$3 million to partially fund the preconstruction of an advanced wastewater treatment facility because it is reasonably expected that some or all of the total project costs will be incurred prior to the financing (*Option 1 recommended by the City Treasurer-Clerk and Underground Utilities*)

Item 20 - Approved the minutes of the following City Commission meetings (*recommended by the City Treasurer-Clerk/Records Management*):

February 18, 2009 / Regular Target Issues Meeting  
February 25, 2009 / Regular Meeting  
April 15, 2009 / Special Budget Workshop

**Item 21** - Received a Power Point presentation on a proposed Litter Control Program, and received feedback from the Commission for a final program plan to be brought back for adoption in July (*presented by Environmental Policy & Energy Resources [EPER]*)

**Item 22** - Voted 4-0 (Mayor Marks absent) to approve a proposed negotiated settlement agreement with G & A Enterprises, LLC, whose principals are Thomas Asbury and members of the Ghazvini family, and associated developer entities for the acquisition of Parcels 104 and 804, consisting of 6.5939 acres, which had been necessary for right-of-way and a stormwater easement to complete the Orange Avenue Extension Project (*Option 1 recommended by the City Attorney*)

**Item 23** - Voted 4-0 (Mayor Marks absent) to approve the Public Safety Communication Board (PSCB) and its Selection Committee's recommendation of Clemons Rutherford and Associates (CRA)/Morris Allen Joint Venture, the top-ranked vendor candidate, to provide architectural and engineering design services for the Public Safety Complex; and direct staff to proceed with contract negotiations (*Option 1 recommended by Public Works*)

**Item 24** - Received a staff update on the Building Inspection Fund and the projected FY2009 deficit of (\$824,000) adjusted for non-Florida Building Code costs such as code enforcement; discussed the need for an additional loan to the Building Inspection Fund from the Deficiencies Fund, in the amount of \$609,200, and the following options presented for consideration(*brought forward by Budget & Policy*):

1. Authorize staff to work with representatives of the construction industry to develop a proposal for modifying the current fee structure, to include automatic annual adjustments, to fully recover costs for implementation by July 15, 2009.
2. Authorize staff to work with representatives of the construction industry to develop a fee increase consistent with County fees that will fully cover all costs, to be implemented by July 15, 2009.

3. Direct staff to eliminate a minimum of three (3) additional positions by either relocation, if available, or by separation prior to the new budget year.
4. Authorize staff to discuss with the County the potential for combining the City and County building and permit functions.
5. Consider outsourcing services as an option for the future.

Voted 4-0 (Mayor Marks absent) to move forward on a joint building inspection operation and graduate the fee structure to bring it closer to the County's Designated Commissioner Lightsey to work with the County Commission on consolidating the City and County Building Inspection Operations and bringing the fees together

**Item 25** - Held a public hearing and voted 4-0 (Mayor Marks absent) to approve the Homeless Prevention and Rapid Re-housing Program (HPRP) and the Community Development Block Grant - Recovery (CDBG-R) Program, for submission to the U.S. Department of Housing and Urban Development (HUD) before May 18, 2009 (*Option 1 recommended by Economic & Community Development*).

There were no speakers on this item.

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### **Target Issue Committee Updates**

**Health and Human Services.** Commissioner Katz reported on activities of the Health and Human Services Target Issue Committee, including receiving an update and progress report on MGT activities on a Human Services Needs Analysis and CHSP Needs Assessment Work Plan, with the results of the assessment process anticipated to be available in July 2009.

**Long Range Planning.** Commissioner Gillum gave a report on activities of the Long Range Planning Target Issue Committee, including:

1. received an update on the Regional Transit Authority (RTA) Study, and discussed marketing strategies and recommendations to generate more public involvement;
2. received an update on the Downtown Overlay, and directing staff to give further review to height, setback and floor area ratio (FAR) changes, and the preservation of neighborhoods within the Downtown Overlay, particularly the Call Street Neighborhood; agreed with the step back approach to neighborhood transition areas and reducing height limitations; agreed with the need to replace the old Downtown Plan with the current Downtown Overlay; and clarified with staff that the South Monroe Street section was part of the Downtown Overlay to allow implementation of the South Monroe Sector Plan
3. received an update on Quadrant Maps and accepted Map #4 that reflected the townships and range; directed staff to add the Downtown Boundary to the townships and range map, add the population within each quadrant, and find a simple way to identify township and range within each quadrant (*A Power Point presentation of Map #4 was displayed and has been placed on file in the Office of the City Treasurer-Clerk.*)

Commissioner Gillum also reported on progress made on the Tennessee Street mass transit lane initiative.

Commissioner Lightsey advised that the sector plans were being reviewed for any major recommendations.

City Commission Information and Sharing of Ideas - Commissioner Lightsey requested clarification of the process for consideration of the Charter Review Committee (CRC) recommendations and the Commission concurred with directing staff to schedule a workshop, with all members of the CRC invited, for some discussion to learn more about the rationale for

some of the recommendations, at which time the staff would be given direction on when to schedule the next formal discussion on the CRC recommendations.

**Unagendaed** - The City Manager advised that the public hearing on Ordinance No. 09-O-22, which would create a Red Light Camera Safety Program (automated camera enforcement program) in the City of Tallahassee, would be scheduled for the May 27, 2009 Commission meeting.

*CTC:RM:ecg:05-14-09*

## City Commission Meeting Summary May 20, 2009

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

**Item 1** - Received a Power Point presentation, presented by General Manager of the Electric Utility Kevin Wailes, updating the Commission on the Energy Resource Plan and related issues (brought forward by Electric Utility)

The Commission agreed that close attention should be given to the Electric Utility's base rates, operation and maintenance costs, as well as alternatives/options to further investigate power supply diversity; expressed a willingness to consider options, such as a diversity partnership, but not any kind of asset sale; and concurred with a suggestion by the City Manager that a RFQ/RFI be developed and shared with the Commission before release.

Additionally, Mayor Marks expressed some hope that state and national energy policies would be adopted to provide some guidance for local governments.

Commissioner Lightsey suggested that a goal of 20% renewables for the future would be difficult to achieve since the City was already clean and green, therefore, it might be helpful to have a national partner.

Commissioner Mustian questioned whether there was a need to expand the City's transmission interconnection capability, and determined from Mr. Wailes that a prior study by R.W. Beck indicated it was not economically beneficial. Mr. Wailes identified that the results of this study were driven by the significant amount of upgrades that would have to be made far outside the City's system and in many cases, utilities have determined that localized electric power generation was cheaper than adding new major transmission facilities.

Commissioner Mustian also clarified with City Manager Thompson that a budget reduction in the Demand Side Management (DSM) Program would be considered during the budget process.

**Item 2** - Received an update on City Indices, presented by City Auditor Sam McCall, and voted 3-0 (Commissioners Gillum and Katz absent) to review proposals for the organization performance measures and provide direction for the City Indices Project, based on direction from the Financial Viability of the Government Target Issue Committee, which directed that initial efforts focus on organization performance measures (brought forward by the City Auditor)

The Commission briefly discussed the need for a survey, potentially with community partners, and the need for information on how the City of Tallahassee compared to other cities in the state; concurred with the suggestion that it would be helpful to look at questions from other governments and to work with other City departments; and directed staff to evaluate security at City Hall.

The Commission also congratulated Dr. McCall on receiving his doctorate.

CTC:RM:ecg:06-04-09

### City Commission Meeting Summary May 27, 2009

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

Congratulated Commissioner Gillum and his wife, R.Jai, on their nuptials the previous weekend

Commissioner Katz advised that he would be unable to attend the next meeting on June 10th, as he would be in the State of Israel celebrating his son's wedding, and the Commission congratulated him on his son's upcoming wedding

The Commission congratulated and thanked Director of Human Resources Gloria Hall McNeil on her retirement after 32 years of working for the City of Tallahassee

**Item 1** - Held a meeting of the Sinking Fund Commission (SFC), with City Investment Advisory Committee Members Kim Davis, Darrin Holloman and Tom Harrison joining the City Commissioners at the dais

Discussed the proposed expansion of City Commission Policy 234, Non-Pension Investment Policy to allow an option for the investment of funds in an enhanced cash fund that would be insulated from certain risks and would be managed specifically for the City while sacrificing no credit quality

Voted 7-0 (SFC/City Commissioner Gillum absent) to approve the amendment of City Commission Policy 234, Non-Pension Investment Policy -- providing guidance for the investment of City funds not associated with the City's pension plan, investment guidelines for securities lending, separate requirements for investments in corporate securities and in municipal securities, and expanded criteria to allow options other than Florida's State Board of Administration (SBA) Local Government Investment Pool (LGIP) (Option 1 recommended by the City Treasurer-Clerk)

**Item 2-5 and 7-10** - Voted 4-0 (Commissioner Gillum absent) to approve the staff's recommended actions presented in Consent Agenda Items 2-5 and 7-10, taking the action shown:

Item 2 - Reappointed Maribel Nicholson-Choice to serve on the Tallahassee-Leon County Planning Commission/Local Planning Agency (LPA) to a term expiring June 2012 (recommended by Mayor Marks)

Item 3 - Approved revisions to City Commission Policy 112 reflecting changes made to the City Commission Agenda format and protocol (Option 1 recommended by the City Manager's Office)

Item 4 - Approved an amendment to P.O. #0001022634, in the amount of \$98,804.81, to Central Electric Manufacturing Company for the purchase of a supply of metalclad switchgear, required for the expansion of Substation BP12 (Option 1 recommended by Electric Utility)

Item 5 - Approved the award of RFP No. 0039-09-RM-RC, Power Plant Chemical Treatment Program - A.B. Hopkins and Sam O. Purdom Generating Stations, to Nalco Company, the vendor receiving the highest ranking from the selection committee, for a base period of three years; and authorized staff to exercise the contract extension provisions for up to an additional two years, with an economic adjustment to be applied in year four and year five (Option 1 recommended by Electric Utility)

Item 6 - PULLED FOR DISCUSSION a request for approval of a Local Agency Program (LAP) Supplemental Agreement with the Florida Department of Transportation (FDOT) to increase funding available for the construction of the Campbell Connector, a shared use path from the St. Marks Trail at the intersection of Gaile Avenue and South Monroe Street to Jack McLean Park at the intersection of Paul Russell Road and Zillah road (brought forward by Public Works/Project Management) - SEE BELOW

Item 7 - Approved a request to apply for, execute and administer the 2007 Section 5316 JARC funding in the amount of \$139,757; the 2007 Section 5317 NFP funding in the amount of \$42,761; and the 2008 Section 5317 NFP funding in the amount of \$46,193 (Option 1 recommended by StarMetro)

Item 8 - Approved a request to submit the application, and upon award, execute and expend the funding from Section 5307 FTA Grant in the amount of \$2,601,545 (Option 1 recommended by StarMetro)

Item 9 - Approved participation in the coalition to conduct two Stormwater Regulatory/Compliance Related Studies and authorize funding in the amount of \$40,000 available in Stormwater Management Project No. 03084 - Total Maximum Daily Load (TMDL) (Option 1 recommended by Underground Utilities/Water Resources Engineering)

Item 10 - Approved the minutes of the Regular City Commission meetings of March 11 and 25, 2009 (recommended by the City Treasurer-Clerk/Records Management)

**Item 6 (pulled from Consent)** - Voted 4-0 (Commissioner Gillum absent) to approve a LAP Supplemental Agreement with FDOT to reimburse the City for actual costs in an amount not to exceed \$618,000 that were directly related to the design, construction, and construction engineering and inspection (CEI) of the Campbell Connector - Bicycle and Pedestrian Trail Project; and authorized the Mayor to execute the LAP Supplement Agreement (Option 1 recommended by Public Works/Project Management)

Directed staff to report back to the Commission in July on the fast-tracking of this project

**Item 11** - DELETED FROM THE AGENDA the presentation of a report by Mr. Charles Pattison, of the 1000 Friends of Florida, on the April 28, 2009 Wakulla Springs Symposium presented (brought forward by Commissioner Lightsey) - to be rescheduled for June 10, 2009

**Item 12** - Voted 4-0 (Commissioner Gillum absent) to return to the Good News Outreach Ministries unspent grant funds, in the amount of \$17,934.20, remaining from the \$25,081.10

previously provided to the City's Streets and Drainage Division for needed drainage and roadway improvements for the Maryland Oaks Crossing rent-subsidized affordable housing project, located off Bicycle Road in west Tallahassee, completed for a total cost of \$7,146.90 (Option 1 recommended by Public Works/Streets & Drainage)

**Item 13** - Voted 4-0 (Commissioner Gillum absent) to approve the lease of one acre of City-owned property in the Providence Neighborhood to the Delta Kappa Omega Foundation to develop and operate the Providence Community Center, subject to the terms and conditions referenced in the agenda item (Option 1 recommended by Economic and Community Development [ECD])

**Item 14** - Voted 4-0 (Commissioner Gillum absent) to adopt Resolution No. 09-R-14, supporting the membership apportionment plan of the Capital Region Transportation Planning Agency (CRTPA) to include all of Gadsden, Jefferson, Leon and Wakulla Counties; and designated Commissioners Katz and Mustian as alternate members of the CRTPA (Option 1 recommended by CRTPA as amended)

**Item 15** - Voted 4-0 (Commissioner Gillum absent) to approve and authorize the City Manager or her designee to execute the Tallahassee Community College (TCC) "C-Pass" Agreement, a two-year agreement to provide transit services to enrolled TCC students (Option 1 recommended by StarMetro)

**Item 16** - Voted 4-0 (Commissioner Gillum absent) to approve the 2009 Transit Development Plan (TDP) Minor Update, allowing the City's transit system to continue to provide service to the community and offsetting the use of City funds (Option 1 recommended by StarMetro)

**Item 17** - Held a public hearing and voted 4-0 (Commissioner Gillum absent) to adopt Ordinance No. 09-Z-10, rezoning approximately 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 HPO (Historic Preservation Overlay, and adding the property to the Local Register of Historic Places, based on the findings of the Planning Commission and any evidence submitted at the hearing (Option 1 recommended by Planning)

There were no speakers on this item.

**Item 18** - Held the second and final public hearing, and voted 4-0 (Commissioner Gillum absent) to adopt Ordinance no. 09-O-18, amending the Land Development Code to update the Central Urban (CU) zoning districts, repealing obsolete code sections related thereto, and finalizing the CU rezoning project (PTX 090003) (Option 1 recommended by Planning)

There were no speakers on this item.

**Item 19** - Held a public hearing and voted 4-0 (Commissioner Gillum absent) to adopt Ordinance No. 09-O-22, introduced on April 22, 2009, creating the Red Light Camera Safety program to monitor vehicles running red lights, based on the findings of fact and conclusions as presented and any evidence submitted at the hearing -- taking no action on how to implement the ordinance (brought forward by Public Works)

Requested that staff bring back a recommendation on how to implement the ordinance and suggested some potential issues that could be considered, including fast-tracking the implementation of the program without going through the City's RFP process, the possibility of adding some additional intersections, extending the yellow light, and the administrative impact of selecting two or more vendors

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



- Mr. Evan Power, 2740 W. Tharpe Street #307 (opponent)
- Ms. Suzanne Martin, ACS Sales Director, 6324 Pickney Hill Road (proponent)

CTC:RM:ecg:05-28-09

**Joint Session on 2009-2 Comp Plan Amendments Summary May 26, 2009**

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

Item #	Amendment To:	Tentative Positions Taken
PCM090201	Future Land Use Map (withdrawn)	
PCM090202	Future Land Use Map Proposed map amendment change from Lake Protection to Recreation/Open Space on 16 acres on Timberlane School Road, bounded on the south by I-10	City - Voted 3-0 to approve (City Commissioners Marks and Gillum absent)  County - Voted 6-0 to approve (County Commissioner Proctor absent)
PCM090203	Future Land Use Map Proposed map amendment change from Residential Preservation to IE Education Facilities on 49 acres on Swift Creek Middle School	City - Voted 3-0 to deny (City Commissioners Marks and Gillum absent)  County - Voted 6-0 to approve (County Commissioner Proctor absent)
PCM090204	Future Land Use Map Proposed map amendment change from Residential Preservation to Suburban on 0.7 acres located at the northeast corner of the intersection of Woodville Highway and Briandav Street)	City - Voted 3-0 to approve (City Commissioners Marks and Gillum absent)  County - Voted 6-0 to approve (County Commissioner Proctor absent)
PCM090205	Future Land Use Map Proposed map amendment change from Residential Preservation to Suburban on 1.22 acres fronting on the east and west sides of Cadiz Street (118, 124 and 125 Cadiz Street)	City - Voted 3-0 to approve (City Commissioners Marks and Gillum absent)  County - Voted 6-0 to

approve (County Commissioner Proctor absent)

PCM090206	Future Land Use Map Proposed map amendment change from Urban Residential 2 and Residential Preservation to Recreation/Open Space on 27.6 acres contained in three (3) parcels lying south of Creek Road and east and west of North Ridge Road and in addition Silver Lake City Park	City - Voted 3-0 to approve as modified (City Commissioners Marks and Gillum absent)  County - Voted 6-0 to approve (County Commissioner Proctor absent)
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PCM090207	Future Land Use Map Proposed map amendment change from Suburban to Recreation/Open Space on 23.5 acres fronting on the south side of West Tennessee Street and lying west of Lukeman lane and north of Shuler Road	City - Voted 3-0 to approve (City Commissioners Marks and Gillum absent)  County - Voted 6-0 to approve (County Commissioner Proctor absent)
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PCM090208	Future Land Use Map Proposed map amendment change on 1.07 acres from Residential Preservation to Suburban on three properties located at the northwest corner of Orange Avenue and Saxon Street and the northeast and northwest corners of Holton Street and Orange Avenue	City - Voted 3-0 to approve as modified (City Commissioners Marks and Gillum absent)  County - Voted 6-0 to approve (County Commissioner Proctor absent)
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PCM090209 Future Land Use Map - Withdrawn

PCT090210 Future Land Use Map - Withdrawn

PCT090211	Future Land Use Map Proposed map amendment change from Residential Corridor and Residential Corridor Node to Mahan Gateway Node (a proposed category) on 274 acres fronting on the north and south sides of Mahan Drive and located at the following intersections: Dempsey Mayo Road, Edenfield Road, and Thornton Road	City - Voted 3-1 to approve as modified (City Commissioner Lightsey opposed, and City Commissioners Marks and Gillum absent)  County - Voted 5-1 to approve as modified (County Commissioner
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		Thaell opposed, and County Commissioner Proctor absent)
PCT090212	<p>Land Use Element</p> <p>Proposed text amendment to the Future Land use Element to combine the Mahan Drive Land Use Categories, Residential Corridor and Residential Corridor Node, as a new category, Mahan Gateway Node, replacing the other categories -- the two existing categories to be removed from the Land Development Matrices.</p>	<p>City - Voted 3-1 to approve as modified (Commissioner Lightsey opposed, and Commissioner Gillum absent)</p> <p>County - Voted 5-1 to approve as modified (County Commissioner Thaell opposed, and County Commissioner Proctor absent)</p>
PCT090213	<p>Land Use Element</p> <p>Proposed text amendment to the Future Land use Element to add policy language to the Southern Strategy Area (SSA) policies encouraging healthcare facilities to locate in the SSA.</p>	<p>City - Voted 4-0 to approve (Commissioner Gillum absent)</p> <p>County - Voted -0 to approve (County Commissioner Proctor absent)</p>
PCT090214	<p>Land Use Element</p> <p>Proposed text amendment change to add an objective and policy to provide guidance regarding adoption of a "Regional Activity Center" pursuant to Florida Statutes. Objective and policy include additional language recommended by Water Resources Committee</p>	<p>City - Voted 3-0 to approve as modified (City Commissioners Marks and Gillum absent)</p> <p>County - Voted 6-0 to approve (County Commissioner Proctor absent)</p>
PCT090215	<p>Land Use and Conservation Elements and Glossary</p> <p>Proposed text amendment change to the Vision Statement and Land Use and Conservation Elements to rename the Downtown future land use category Central Core and facilitate development of a form-based zoning code, eliminate the Urban Central Business District overlay, establish a Downtown Overlay in the text of the Comprehensive Plan, and exempt development within the proposed Downtown</p>	<p>City - Voted 3-0 to approve (City Commissioners Marks and Gillum absent)</p> <p>County - Voted 6-0 to approve (County Commissioner Proctor absent)</p>

Overlay from the steep slope requirements. Also amends other sections of the Comp Plan to substitute Central Core future land use map (FLUM) category for the Downtown (FLUM) category

PCT090216	<p>Transportation Element Proposed text amendment change to the Northwest Functional Classification Map to reclassify certain sections of the following roads: San Luis Road, Solana Avenue, and Mission Road</p>	<p>City - Voted 3-0 to approve (City Commissioners Marks and Gillum absent)</p> <p>County - Voted 6-0 to approve (County Commissioner Proctor absent)</p>
PCT090217	<p>Utilities Element (Sanitary Sewer Sub-Element) Proposed text amendment to the Sanitary Sewer Sub-Element to amend the level of service (LOS) for sanitary sewer systems from a two-part LOS of 140 gallons per capita per day for mixed land uses and 100 gallons per capita per day for residential only land uses to a single LOS of 100 gallons per capita per day for any land use. The proposed change is based on flows and loads data collected for the Wastewater Treatment Master Plan.</p>	<p>City - Voted 4-0 to approve (Commissioner Gillum absent)</p> <p>County - Voted 6-0 to approve (County Commissioner Proctor absent)</p>
PCT090218	<p>Housing Element Proposed text amendment to the Housing Element, including the City and Leon County sections, to add new goals addressing increased energy efficiency in the design and construction of new housing and the use of renewable energy resources</p>	<p>City - Voted 3-0 to approve (City Commissioners Marks and Gillum absent)</p> <p>County - Voted 6-0 to approve (County Commissioner Proctor absent)</p>
PCT090219	Withdrawn	
PCT090220	Withdrawn	
PCT090221	Withdrawn	
PCT090222	<p>Conservation Element Proposed text amendment to allow for the reconstruction and moderate expansion of legal nonconformities within elevations consistent with the Special Development Zones provided</p>	<p>City - Voted 4-0 to approve as modified, and contingent upon inclusion of a sunset provision (Commissioner Gillum absent)</p>

in Policy 2.2.12:[C].

County - Voted 6-0 to approve as modified, and contingent upon inclusion of a sunset provision (County Commissioner Proctor absent)

PCT090223 Withdrawn

Additionally,

Received a status report on Senate Bill 360, which had not yet been signed by the Governor. Staff recommended that Commissioners review the staff analysis, which had been distributed with the agenda materials, and give individual direction to respective Planning and Legal Department staffs

Directed staff to bring back an agenda item to both City and County Commissions with options and recommendation on ways to streamline the Comprehensive Plan Cycle Amendments process without limiting public input

Confirmed with staff that the joint transmittal public hearing on these amendments was scheduled for June 3, 2009, at 6:00 p.m., in the County Commission Chambers.

CTC:RM:ecg

#### City Commission Meeting Summary June 10, 2009

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

**Item 1** - Mayor Marks presented a proclamation honoring June 2009 as National Caribbean American Heritage Month in the City of Tallahassee with the following individuals joining him at the podium:

- Dr. Jan DeCosmo
- Dr. David Keen
- Dr. Hugh Lunan
- Ms. Zita Magloire
- Ms. Kara Palmer
- Mr. Denis Perrott
- Mr. Gilbert Queeley
- Mrs. Pamela Ridley
- Dr. Dennis Ridley
- Dr. Verian Thomas

**Item 2** - Mayor Marks, joined by General Manager of Underground Utilities Mike Tadros, Utilities Marketing Director Lorin Pratt, and Waterdrop, presented certificates recognizing the following Water Conservation Poster Contest winners:

- **Honorable Mention:** Kyle Howard, a student in Ms. Messeroll's class at Kate Sullivan Elementary
- **Third Place:** Jessica Watley, a student in Ms. Morris' class at Desoto Trail Elementary
- **Second Place:** Jaclyn Weinell, a student in Ms. Millard's class at W.T. Moore Elementary
- **First Place and Third Place in the state competition:** Donovan Duchene, a student in Ms. Teel's class at Buck Lake Elementary

**Item 2.1** - Chief Information Systems Officer Don DeLoach presented the 2009 Public Technology Institute (PTI) Significant Achievement Award in the Web & E-Government Services category for cities with similar populations to Commissioner Andrew Gillum for his role in initiating the Digital Harmony Program, which provides Nims Middle School students with computers to further their education.

Also appearing before the Commission relative to this achievement were Mayor Marks, Commissioner Aide Angie Whitaker, Jason Stamm of Go Beyond, LLC. and representatives from Nims Middle School.

**Items 3-4 and 6-11** - Voted 3-0 (Commissioners Mustian and Katz absent) to approve the staff's recommendations presented in Consent Agenda Items 3-4 and 6-11, taking the following action:

Item 3 - Approved the reappointments of William Moor, of Capital City Bank; Andrew Reiss, of Epicurean Partners, Ltd.; Thornton Williams, of Williams Wilson & Sexton, P.A., to serve on the Downtown Improvement Authority (DIA) Board to terms expiring June 2012 (recommended by Mayor Marks)

Item 4 - Approved the award and execution of a three-year contract for citywide ready concrete, mix in accordance with the terms and conditions of Bid No. 0092-09-VA-BC, with Couch Ready Mix, low bidder meeting specifications, for an estimated expenditure of \$370,000 over the life of the contract (Option 1 recommended by DMA/Procurement Services)

Item 5 - PULLED FOR DISCUSSION AND A SEPARATE VOTE a recommendation to approve the submittal of a joint City-County application for the FY2009 Justice Assistance Grant (JAG) and FY2009 Recovery Act JAG Grant (brought forward by the Tallahassee Police Department [TPD])

Item 6 - Adopted Resolution No. 09-R-13, authorizing an Electric Utility easement from the Florida Department of Environmental Protection (FDEP), necessary to construct new electric distribution facilities, including a transformer, to provide power to the First District Court of Appeals, which was under construction on Esplanade Way and Drayton Drive, in Southwood (Option 1 recommended by the Assistant to the City Manager)

Item 7 - Approved the Selection committee's ranking for continuing consulting civil engineering services, RFQ 0007-09-ER-RC, and authorized the City Manager to execute the related three-year general contracts with the top ten (10) ranked firms, including the following (recommended by Public Works/Project Management):

- George & Associates Consulting Engineers, Inc.
- Dyer, Riddle, Mills & Precourt, Inc.
- The LPA Group, Inc.
- GPI Southeast, Inc.

- American Consulting Engineers of Florida, LLC
- H. W. Lochner, Inc.
- Post, Buckley, Schuh & Jernigan d/b/a PBSJ
- GGI, LLC d/b/a Genesis Group
- Kimley-Horn & Associates, Inc.
- Reynolds, Smith and Hills, Inc.

Item 8 - Approved the submission and expenditure of the FY2009/2010 Florida Commission for the Transportation Disadvantaged Trip & Equipment Grant and execution of all documents, providing \$405,253 in funding with no required City match for StarMetro, as the designated Community Transportation Coordinator (CTC) for Leon County, to provide non-sponsored transportation services to citizens traveling within Leon County (Option 1 recommended by StarMetro/Paratransit Operations)

Item 9 - Approved the three-year Medicaid Waiver Service Agreement with the Agency for Persons with Disabilities and the execution of all related documents, providing funding to cover transportation costs for the riders to StarMetro as the designated CTC for Leon County (Option 1 recommended by StarMetro)

Item 10 - Introduced Ordinance No. 09-O-30, which would modify Section 14 of the City Charter to remove language calling for a special municipal election to be held for the purpose of filling an unanticipated city Commission vacancy (Option 1); and readopted City Commission Policy 144 - Filling Unanticipated City Commission Vacancies; City Charter Language, with a revision that provides that, if two or more Commissioners have the same seniority, those Commissioners will nominate in the order that they last served as mayor pro-tem, starting with the current mayor pro-tem (Option 2), and scheduled the ordinance for public hearing on June 24, 2009 (recommended by the City Treasurer-Clerk and the City Attorney)

Item 11 - Approved the minutes of the City Commission Regular Meetings of April 7, 2009 and April 22, 2009 (recommended by the City Treasurer-Clerk/Records Management)

**Item 5, pulled from Consent** - Voted 3-0 (Commissioners Mustian and Katz absent) to approve the submittal of a joint City-County application for the FY2009 Justice Assistance Grant (JAG) and FY2009 Recovery Act JAG Grant based on the recommended allocations of funding, for grant awards totaling \$1,036,785 with no required City match, and the scheduling of a public hearing on June 24, 2009 to meet Federal program requirements, subject to the Commission having the flexibility to reallocate the funds to include addressing some other needed purpose (Option 1 recommended by the Tallahassee Police Department [TPD] as amended)

Commissioner Gillum clarified with Police Chief Dennis Jones that, with City Commission approval, the use of these grant funds could be adjusted to re-allocate some of the funds for programmatic areas to address the simmering problem of gang activities. Chief Jones also advised that TPD was pursuing other grant funds that were available specifically for addressing gangs.

**Item 12** - Received an update report on the April 28, 2009 Wakulla Springs Symposium, presented by Charles Pattison, FAICP, President of 1000 Friends of Florida (brought forward by Commissioner Lightsey)

Wakulla County Commissioner Howard Kessler appeared before the Commission in support of this item and thanked the City Commission for its commitment to protecting the area's water resources and Wakulla Springs.

**Items 13-15 and 20** - By consensus, introduced Ordinances Nos. 09-Z-26, 09-O-27, 09-O-28 and 09-O-20, and set the ordinances for public hearings as recommended:

Item 13 was a staff recommendation to introduce Ordinance No. 09-Z-26, which would rezone approximately 0.73 acres located AT 2500 Springhill Road from M-1 (Light Industrial) to the CP (Commercial Parkway) Zoning District (PRZ #090008) (applicant: Mr. Seongjong Hong); and set the ordinance for public hearing on August 26, 2009 (Option 1 recommended by Planning)

Item 14 was a staff recommendation to introduce Ordinance No. 09-O-27, which would amend Tallahassee Land Development Code, Chapter 10, to create the Government Operational-1 and Government Operational-2 Zoning Districts, and set the ordinance for public hearings on August 26 and October 28, 2009 (Option 1 recommended by Planning)

Item 15 was a staff recommendation to introduce Ordinance No. 09-O-28, which would revise Ordinance No. 07-O-29AA to eliminate the registration and inspection requirements for golf carts on designated streets in Southwood, and leave all other aspects of the ordinance intact so that safety and age requirements can be enforced at the discretion of the enforcement agencies, and set the ordinance for public hearing on June 24, 2009 (Option 1 recommended by the City Treasurer-Clerk/Revenue Collection Administrator).

Item 20 was a staff recommendation to introduce Ordinance No. 09-O-20, which would amend the City's existing fire services fee ordinance to reflect the newly negotiated interlocal agreement with Leon County, and set the ordinance for public hearing on June 24, 2009 (recommended by the Department of Management and Administration [DMA]). (see continuation of Item 20 below)

**Item 16** - Received an End of Session Report from the City's State Lobbying Team, presented by City Lobbyists Ron Book and Sean Pittman, on the successes and challenges of the State's 2009 Legislative Session, and a brief overview from City Legislative Liaison Carrie Blanchard on the Federal 2009 Legislative Session (brought forward by the Mayor's Office/Intergovernmental Relations)

Mayor Marks reported that Ms. Blanchard would be attending a meeting of the stimulus funds coordinators in Washington, D.C. on June 14, 2009, and he confirmed that none of the funds authorized by the Commission to address these issues had been used to hire another lobbyist.

Commissioner Lightsey requested a chart on stimulus funds that the City had applied for and what stimulus funds were available.

**Item 17** - Received a Power Point presentation on the Nova 2010 Plan by StarMetro Director Ron Garrison, and voted 3-0 (Commissioners Mustian and Katz absent) to authorize staff to work with the General Planning Consultant to continue to develop and analyze the Nova 2010 Plan through public surveys, listening sessions and analysis -- for the creation of a decentralized bus route structure that would distribute transit services along major roadways in Tallahassee, with several routes not serving the downtown so that passengers would receive greater frequency of service and a system more closely resembling contemporary vehicular travel patterns rather than the current hub-and-spoke system, which would be brought to the



Commission for approval in November 2009 or January 2010, for implementation shortly thereafter (Option 1 recommended by StarMetro/Transit Planning)

Commissioner Lightsey requested that an agenda item be sent through CRTPA and Public Works to prioritize the new segments of sidewalks that would be needed

City Treasurer-Clerk Herndon advised that Chairman of the Transit Advisory Committee Greg Thompson had requested that the Commission be informed of the Committee's full support for this item.

**Item 18** - Voted 3-0 (Commissioners Mustian and Katz absent) to approve and authorize the City Manager or her designee to execute an amendment to the Florida State University (FSU) "Seminole Express" agreement, providing the City with a total of \$2,027,378 in funding for the transit system for FY2010, which was a decrease of 7% from the 2008-2009 agreement and was directly associated with the decrease in fuel prices (Option 1 recommended by StarMetro/Transit Planning)

Commissioner Lightsey clarified with Mr. Garrison that the cost of oil was built into the current multi-year contract so that the cost of service was covered.

Mr. Garrison also advised that students at Florida A & M University, FSU and Tallahassee Community College would all be using fare cards for the first time.

**Item 19** - Voted 3-0 (Commissioners Mustian and Katz absent) to approve participation in Phase I of a regional On-site Treatment Disposal Systems (OSTDS) Alternatives and Management Feasibility Study, and authorize funding in the amount of \$20,000 from Wastewater Project No. 09057 (Option 1 recommended by Underground Utilities/Water Resources Engineering)

Commissioner Lightsey clarified that this item would be presented to Leon County and Wakulla County governments as well to fund this Phase I regional study on management alternatives for septic tanks, with each government providing \$20,000 for the study.

Water Resources Engineering Director John Buss clarified that with each of the three local governments contributing \$20,000, the total cost of Phase I will be \$60,000. He advised that the first phase would establish a regional consortium that could pursue grants in subsequent stages of the study.

**Item 20** - Received an overview of the negotiations on the Fire Services Assessment Program, replacing the existing contract expiring June 30, 2009, presented by DMA Director Raoul Lavin; received a briefing on the updated methodology that was used, presented by Ms. Camille Tharpe, of GSG Services Group; thanked Ms. Tharpe for her involvement in the negotiations; and thanked and commended Commissioner Gillum and the staff who were involved (see introduction of ordinance above)

Voted 3-0 (Commissioners Mustian and Katz absent) to adopt Resolution No. 09-R-10, amending the Fire Services Assessments and Fees effective October 1, 2009 contingent upon the adoption of Ordinance No. 09-O-20 (Option 1 recommended by DMA)

Congratulated Fire Chief Cindy Dick on receiving the statewide Glass Ceiling Award

**Item 20.1** - Provided feedback on a proposed voluntary separation incentive program, and directed staff to formalize and bring back a separation incentive package at the June 18, 2008 Budget Workshop (Option 1 recommended by DMA)

**Environmental and Energy Resources Target Issue Committee Update** - Commissioner Lightsey provided an update on activities of the Committee, indicating that the Advanced Wastewater Treatment Project was on track with primary focus on the T. P. Smith AWT improvements and designs for TPS WPI and WP2A at 90%; she commended staff on making some training improvements at TPS Plant that brought the nutrient quota down to nine (9), allowing some flexibility for the future. She stated that the MBE quotas were being met or exceeded, and advised that another update would be provided in six months.

CTC:RM:ecg:06-10-09

**City Commission Meeting Summary June 24, 2009**

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

Acknowledged and welcomed the attendance of members of the New Public Servant Initiative group (NPSI), a two-year program of training in professional development made up of City employees with five years or less experience with the City who show potential as future leaders -- headed by the Department of Equity and Workforce Development and an extension of the City's Succession Planning Program

**Item .1** - The American Society of Public Administration (ASPA) presented an Exemplary Service Achievement Award to Retirement Administrator Steve Chase in recognition of his outstanding contribution on a sustained basis during his 33 years of service to the City, nominated by City Manager Favors Thompson and City Treasurer-Clerk Herndon.

Dr. Ralph Brower, ASPA Board Member, appeared before the Commission to make the presentation.

**Items 1-6** - Voted 5-0 (Commissioner Katz voting telephonically) to approve the staff's recommendations presented in Consent Agenda Items 1-6, taking the following action:

**Item 1** - Reappointed J. Terry Peterson, representative of the Tallahassee Trust for Historic Preservation, Inc., and appointed J. Piers Rayling, owner of property zoned HPO, to serve on the Tallahassee-Leon County Architectural Review Board to terms expiring June 2012 (recommended by Mayor Marks)

Item 2 - Authorized staff to accept and execute the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant, and associated contract awards and projects amendments, as follows (Option 1 recommended by Aviation):

1. accept and execute FAA AIP Grant Agreement;
2. modify the Airport Security Program Project (COT NO. 07124) budget to show the grant funding budget modification to \$2.14 million AIP, \$25,000 Florida Department of Transportation (FDOT), and \$250,000 Passenger Facility Charge (PFC);
3. award the construction contract for the Airport Security Improvements Project to ADT Security Services, Inc., of Jacksonville, Florida, low bidder meeting specifications, in the amount of \$1,968,772;
4. establish a new project for related Airport Pavement Management Program Improvements with a budget established as \$271,000 AIP and \$25,000 RR&I; and

5. authorize staff to execute the Engineering Task Assignment for the Pavement Management Program Improvements to Kimley-Horn and Associates, Inc., in the amount of \$273,529

Item 3 - Approved modification of the scope of the Purdom Unit 8 - Zero Discharge Filter Cake Conveyor Project Reprogramming Project #0101251, to include the purchase of roll-off equipment, replacement vapor compressor, and filter press repair/replacement in lieu of the conveyor system, within the existing project budget totaling \$2,000,000 (Option 1 recommended by Electric Utility)

Item 4 - Adopted Resolution No. 09-R-11, requesting an easement from the Florida Department of Environmental Protection (FDEP), Division of State Lands, on behalf of the State of Florida, necessary for an electric utility distribution facilities and other infrastructure on property being purchased by the state off of Natural Bridge Road (Option 1 recommended by the Assistant to the City Manager/Property Management)

Item 5 - Approve the award of contract for Property Management Services at the Renaissance Building (for a proposed cost of \$2,334 per month) and the Gemini Building (for a proposed comparable cost to the current fee of \$1,250) (RFP No. 0128-09-ER-RC) to Tallahassee Land Management, Inc., the top recommendation of the Selection Committee, and authorized the City Manager to execute a contract with the recommended vendor, low bidder meeting specifications (Option 1 recommended by the Assistant to the City Manager/Property Management)

Item 6 - Approved the ranking of respondent firms for the purchase, installation, training and service for a Driver Training Simulation System, RFP No. 0031-09-BM-RC, and authorized the committee to negotiate with Doron Precision Systems, Inc., of Binghamton, New York, the top-ranked firm, and if an agreement cannot be reached, continue negotiations for an agreement with the second-ranked firm, FAAC Incorporated - with funding provided from a FDOT Joint Participation Agreement (JPA) providing \$271,000 in capital and operating assistance, plus City set aside funding of \$400,600 (Option 1 recommended by StarMetro)

**Item 7** - Voted 4-1 (Commissioner Katz voting telephonically, and Commissioner Mustian opposed) to approve an accelerated RFP for the Red Light Camera Safety Program as amended to monitor the designated six (6) intersections, listed below in priority order as prime candidates for red light camera enforcement; choose one (1) firm to provide and operate the program; authorize the City Manager to negotiate and execute the contract for said program during the Commission's summer break; and direct staff to evaluate the program over a two-year period (Option 2 brought forward by Public Works as amended):

- Capital Circle NE at Killearn Center Blvd.
- Magnolia Street at Park Avenue
- Tennessee Street at Monroe Street
- North Monroe Street at East 7th Avenue
- North Monroe Street at Tharpe Street
- West Tennessee Street at North Woodward Avenue

**Item 8** - Voted 5-0 (Commissioner Katz voting telephonically) to approve the City Manager's execution of the Clemons Rutherford & Associates/Morris Allen Joint Venture (CRA/Morris Allen JV) contract to provide architectural and engineering design services for the Public Safety Complex contingent upon the City's share of the contract amount not exceeding \$1 million;

and also, to approve the transfer of \$1.5 million from the Future Capital Bond Construction Fund to Project No. 08162 (Public Safety Complex) to fund these architectural services, future construction management services, permit fees and other contractual design services to support these architectural design services (Option 1 recommended by Public Works)

Clarified that the award of contract for construction management services for the Public Safety Complex would be brought to the Commission on July 1, 2009

Emphasized the importance of this special purpose building being constructed to be a hardened, hurricane proof, high security, LEED Certified Green Building

**Item 9** - Received a Power Point presentation on Public Safety and crime trends in Tallahassee, presented by Police Chief Dennis Jones

Directed staff to develop for discussion at the next budget workshop, within the range of \$100,000 to \$200,000 for the summer, a pilot program to provide some immediate employment for young people in areas such as parks maintenance, assistance at the animal shelter, and code enforcement grass mowing, along with skills/trade development and character/leadership workshops, potentially with some community partners, and also investigate obtaining some stimulus funds and grants focusing on jobs

Also, acknowledged the importance of keeping the City's youth occupied through positive programs such as those offered through the City's Parks and Recreation Department

**Item 10** - DELETED FROM THE AGENDA a request to adopt Resolution No. 09-R-15, authorizing the City to borrow from the State Revolving Loan Fund, under the Florida Department of Environmental Protection - RE-SCHEDULED TO JULY 1, 2009

**Item 11** - Held a public hearing and voted 3-0 (Commissioners Gillum and Katz absent) to approve recommendations for the allocation of \$216,501 in FY2009 Justice Assistance Grants through the U.S. Department of Justice, totaling \$129,901 for the Tallahassee Police Department (TPD) and \$86,600 for the Leon County Sheriff's Office, administered by TPD with Leon County as a sub-grant recipient; and authorized TPD to expend the JAG funds and approximately \$2,000 in interest earnings (Option 1 recommended by TPD)

There were no speakers on this item.

**Item 12** - Held a public hearing and voted 3-0 (Commissioners Gillum and Katz absent) to adopt Ordinance No. 09-O-28, introduced on June 10, 2009, revising amending the City Code to eliminate the registration and inspection requirements for golf carts on designated streets in Southwood, leaving all other aspects of Ordinance No. 07-O-29AA intact so that safety and age requirements of golf carts could be enforced at the discretion of the enforcement agencies (Option 1 recommended by the City Treasurer-Clerk/Revenue Collection Administrator).

There were no speakers on this item.

**Item 13** - Held a public hearing on Ordinance No. 09-O-30, introduced on June 10, 2009, which would modify Section 14 of the City Charter to remove language calling for a special municipal election to be held for the purpose of filling an unanticipated City Commission vacancy, and by consensus, continued the public hearing on Ordinance No. 09-O-30 to August 26, 2009 (brought forward by the City Treasurer-Clerk and the City Attorney)

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

- Mr. Evan Power, 2740 West Tharpe Street #307
- Mr. Bill Helmich, 303 Johns Drive
- Mr. Bob Fulford, 231 Westridge

**Item 14** - Held the first of two public hearings on a proposed development agreement with Seminole Tribe of Florida Holdings, Ltd. (S.T.O.F.) upon the demolition of two downtown structures near the intersection of Jefferson Street and South Monroe Street, allowing a Temporary Easement for landscaping and exhibits on the property; set the second and final public hearing for July 1, 2009 (Option 1 recommended by Legal)

There were no speakers on this item.

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### City Commission Information and Sharing of Ideas

Mayor Marks stressed the need to aggressively pursue projects for potential federal stimulus funding, and reported that approximately 30 ideas had been submitted pursuant to the "Homecooking Concept". He also advised that he was not pursuing some proposed activity relating to the Gaines Street Hotel Project.

CTC:RM:ecg:07-10-09

### City Commission Meeting Summary July 1, 2009

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

The Mayor recognized and welcomed 53 middle and high school girls who were members of the Smith Williams Mentoring Program, the DIVAS, i.e., Determined Individuals Vying for Awareness in Society.

**Item 1** - Presented a proclamation, presented by Mayor Marks, proclaiming June 23, 2009 as Olympic Day in the City of Tallahassee, and honoring the Tallahassee Sports Council and Olympians Walter McCoy, Rita Buck-Crockett, and Brian Hickey

**Items 2-8** - Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 2-8, taking the following action:

Item 2 - Adopted Resolution No. 09-R-19, stating the City's interest in acquiring five State-owned properties on East Gaines Street through a Lease/Purchase Agreement, including the Bloxham, Bloxham Annex, Firestone, Fuller Warren, and Winchester Buildings (Option 1 recommended by Economic and Community Development [ECD])

Item 3 - Approved the award of contract for the construction of the BP-21 Electrical Substation (Bid No. 0126-09-RM-BC) to MasTec North America, Inc., local low bidder meeting specifications, in the amount of \$4,035,000; authorized the City Manager to execute a contract with the selected firm; authorized the City Manager or designee to approve contract amendments in an amount not to exceed 25% of the initial contract value; approved an additional appropriation of \$490,000 from existing FY2007 Bond Issue Fund Balance; and approved combining project #0101237 (which is funded with

existing bond proceeds from the FY2007 issue) with project #07149 (Option 1 recommended by Electric Utility)

Item 4 - Approved the staff's recommendation for the Citywide purchase of limestone aggregate (Bid No. 0103-09-VA-BC), and authorized staff to award and execute three-year term contracts to Cabbage Grove Mining Company, and A-Mining Group, low bidders meeting specifications, for City expenditures totaling approximately \$405,000 over the life of the contract (Option 1 recommended by the Department of Management and Administration [DMA]/Procurement)

Item 5 - Approved Hartsfield Place Subdivision Plat, containing 0.97 acres subdivided into nine (9) lots, bounded on the north and west by Summer Meadow Drive and Summer Meadow Place, and on the south and east by Hartsfield Hills, planned for development as single and two-family residential by Summer lakes, LLC, as owner-in-fee-simple (recommended by Public Works/Engineering)

Item 6 - Approved the Paeonia Place Subdivision Plat, containing 26.67 acres subdivided into 106 lots, bounded on the north, south, east and west by unplatted land split by Four Points Way, off of South Adams Street, planned for development as single-family residential by Panhandle Building Services, Inc., as owner-in-fee-simple with Jim Munroe as its representative (recommended by Public Works/Engineering)

Item 7 - Approved four Local Agency Program (LAP) Agreements with the Florida Department of Transportation (FDOT) to reimburse the City of Tallahassee the actual costs directly related to the design, construction, and construction engineering and Inspection (CEI) for five selected sidewalk projects funded through the American Recovery and Reinvestment Act (ARRA) of 2009, including Idlewild Drive from SR 20 (Apalachee Parkway) to Prock Drive, Joe Louis Street from Alabama Street to Preston Street, Lucy Street from Hillcrest Street to Magnolia Drive, Ingleside Avenue from the end of the sidewalk east of Martin Street to Terrace Street, and Lake Bradford Road from Stadium Drive to Pineview Elementary - with Joe Louis Street and Ingleside Avenue combined into one LAP Agreement and let as one contract; and authorized the Mayor to execute the LAP Agreements (Option 1 recommended by Public Works/Project Management)

Item 8 - Approved the minutes of the following City Commission meetings (recommended by the City Treasurer-Clerk/Records Management Officer):

- May 13, 2009 Regular Meeting
- May 20, 2009 Regular Target Issue Workshop

**Item 9** - By consensus, introduced Ordinance No. 09-O-32, which provides consent and authorization to include the incorporated area of the City within Leon County's Emergency Medical Services (EMS) Municipal Services Taxing Unit (MSTU) until the end of the five-year term of the current City/County Interlocal Agreement, and set public hearing on the ordinance for August 26, 2009 (Option 1 recommended by Legal)

**Item 10** - Voted 5-0 to 1) authorize the City Manager to accept the Neighborhood Stabilization Grant and execute any documents necessary to receive the NSP-1 grant award, providing \$2,945,470 to support affordable housing, primarily to acquire and rehabilitate residential property that is in foreclosure and owned by financial institutions, and make the housing available to low-income households; 2) approve the proposed NSP Acquisition

Process; and 3) authorize the City Manager to apply for NSP-2 grant funding, potentially providing \$10,000,000 for affordable housing modeled after NSP-1, and execute all documents necessary to receive the NSP funds from the U.S. Department of Housing and Urban Development (HUD) (Options 1, 2 and 3 recommended by Economic and Community Development [ECD])

**Item 11** - Voted 5-0 to approve a \$446,666 loan from the City Affordable Housing Trust Fund to Lutheran Social Services of North Florida, Inc. for the completion of Phases I and II of the Magnolia Acres Project, with loan terms as provided in the agenda item, i.e., 0% interest for a 10-year term, for the purpose of providing affordable housing for disabled and low income persons (Option 1 recommended by ECD)

Commissioner Lightsey clarified with staff that this project was located in an area near Capital Circle on Balkin Circle and was potentially targeted for some NSP-2 grant funding.

Commissioner Katz commended the work of the ECD staff on this worthwhile project.

**Item 12** - DELETED FROM THE AGENDA a request for approval of the Florida A & M University (FAMU) 2009-2012 Venom Express and U-Pass Agreement for bus transit services (brought forward by StarMetro) - TO BE RE-SCHEDULED

**Item 13** - Voted 5-0 to approve an eminent domain Settlement and Concurrency Development Agreement with the English Family Enterprises, Ltd. and J. Colin English, Jr. in order to resolve full compensation for Parcel 100 (10.8 acres) and Parcel 800 (7,074 sq. ft.), necessary for the realignment of Paul Russell Road and the construction of a stormwater facility required for completion of the Orange Avenue Extension Project (Option 1 recommended by Legal and the City's Real Estate Committee)

Commissioner Katz complimented City Attorney English and the involved staff on doing a good job with this item.

**Item 14** - DELETED FROM THE AGENDA a request to approve the ranking and authorization for a program design and management services contract to support the City's Demand Side Management (DSM) Program Manager (RFP #0183-08-RM-RC) (brought forward by Energy Services) - RE-SCHEDULED FOR AUGUST 19, 2009

**Item 15** - Voted 5-0 to approve the purchase of an undivided one-half interest in the Public Safety Complex site at Easterwood Drive and Weems Road from Leon County for \$512,500 plus closing costs estimated at \$500, and authorize the City Manager to execute a purchase and Sale Agreement to proceed with the purchase, with funding provided from the City/County PSC Project No. 08162 - necessary for the Tallahassee-Leon County Public Safety Communications Center (Joint Dispatch Center), which would house the City's Regional Transportation Management Center (RTMC) and Fire Administration Headquarters, and the County's Emergency Management Services (EMS) Headquarters and Emergency Operations Center, now referred to collectively as the Public Safety Complex (PSC) (Option 1 recommended by Public Works)

**Item 16** - Voted 5-0 to approve the ranking of consultants for Program Manager Services for the Regional Transportation Management Center (RTMC), and authorize the City Manager to negotiate and execute an agreement for services with the top-ranked firm, Kimley-Horn and Associates Incorporated, for a sum not to exceed \$1,646,131; and, if agreement could not be reached, authorize the City Manager to terminate those negotiations and proceed in the same manner with the second-ranked firm, Genesis Corp, and if necessary, the third-ranked firm, PBS&J; with funding provided by the Florida Department of Transportation (FDOT) on a cost

reimbursable basis through a Joint Project Agreement (JPA) (Option 1 recommended by Public Works/Traffic Engineering)

The Commission clarified with staff that the FDOT JPA required the City to obtain the services of a program manager, which would furnish the PSC with equipment and a shared video wall to serve the whole building, while the second component would be the RTMC facility on Interstate 10, and the third component would provide connections between the facilities.

**Item 17** - Voted 5-0 to adopt the rolled-back rate of 3.7 mills as the FY2010 tentative millage rate for the City of Tallahassee (Option 1 as amended); voted 5-0 to adopt a tentative millage rate of 1.0 mill for the Downtown Improvement Authority (DIA) (Option 5); voted 5-0 to set the statutorily required public hearings on the adoption of the FY2010 City of Tallahassee and DIA budgets and millage rates for September 9 and 23, 2009, to begin at 6:00 p.m. in the City Hall Commission Chambers at 300 South Adams Street, and adopted an alternative date of September 10, 2009 for the first September 9th public hearing in the event of a conflict with Leon County public hearing dates (Option 6) (brought forward by the Office of Budget and Policy)

The Commission clarified that this adopted tentative City millage rate of 3.7 mills would be revisited prior to the adoption of the final millage rate at the final budget public hearing scheduled for September 23, 2009.

The Commission also urged staff to bring back some options that would begin 1) bringing down the City government's debt load and 2) increasing the City's reserve accounts.

Mayor Marks suggested that the upcoming summer break be used as an opportunity to educate the public regarding the City's budget situation and the impacts of reserve balances on the City's bond ratings, and he challenged entities in the community to become involved by understanding the City's budget and giving their advice.

Staff announced the next City Commission meeting following the summer break was scheduled for August 19, 2009, at 4:00 p.m., while the next City Commission Budget Workshop was scheduled for August 24, 2009, from 9:00 a.m. to 2:00 p.m.

**Item 17.1** - Voted 5-0 to authorize acceptance of the Jean Rich Murray Living Trust donation in the amount of \$10,000 for appropriation into the Animal Shelter donations Account #115-0-366005 for the purpose of supporting the Animal Service Center's operational needs (Option 1 recommended by Parks, Recreation and Neighborhood Affairs (PRNA))

The Commission also requested that staff give some publicity to the family who had made this donation.

**Item 18** - Held the second and final public hearing on the Annual Action Plan (AAP) for FY 2009-2010, which updated the five-year Consolidated Plan for the use of grant funds provided to the City by the U. S. Department of Housing and Urban Development (HUD), describing the activities to be carried out during the year to fulfill the Consolidated Plan goals -- the first public hearing having been held on April 28, 2009; received public comment on the projects and activities included in the AAP; voted 5-0 to approval the submittal of the AAP for FY2009-2010 and grant application to HUD, and authorize staff to negotiate and execute contracts and issue Request for Proposals (RFPs), as appropriate, for programs and projects listed in the FY2010 Grant Funding Summary spreadsheet; including a total of \$5,161,163 of proposed activities that are to be funded by general fund revenues designated in the AAP in anticipation



of federal and state grant revenue reimbursement amounts, including: \$2,228,889 from Community Development Block Grant (CDBG) funds, \$1,582,218 from HOME Investment Partnership Program (HOME) funds, \$1,035,000 from reprogrammed SHIP funds to be used in concert with the Local Housing Assistance Plan (LHAP), \$250,000 from the Florida Housing Opportunity Program (FHOP) funds, and \$84,256 from Emergency Shelter Grant (ESG) funds (Option 1 recommended by ECD)

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

- Mr. Richard Dusenbury, 439 W. Georgia Street (opponent of the use of the Tish Byrd property and the allocation of HUD/CDBG to the Frenchtown Community Development Corporation (CDC) for "top down" projects; distributed copies of Power Point presentation - on file in the Office of the City Treasurer-Clerk)
- Ms. Regina Davis, representing the Frenchtown CDC, 421 W. Georgia Street (proponent; distributed copies of material listing programs funded through the Frenchtown CDC and letters of support from residents of the community - on file in the Office of the City Treasurer-Clerk)

Additionally, the Commission voted 5-0 to direct the staff to work with The Shelter to get in place an agreed-upon data collection process and provide a report on data collected over the next three months that is in compliance with federal standards and demonstrates a willingness to collect minimally required data, and, if this is accomplished, make available the previously allocated \$30,000 to The Shelter by the end of the calendar year.

**Item 19** - Held the second and final public hearing on a proposed Development Agreement between the City of Tallahassee and Seminole Tribe of Florida (S.T.O.F.) Holdings, Ltd., related to the demolition of two downtown structures owned by the S.T.O.F. that were in disrepair, located near the intersection of Jefferson Street and South Monroe Street, the first public hearing having been held on June 24, 2009

(The City and the DIA were proposing to obtain a temporary easement over the property that would allow the City and the DIA to install landscaping and informative exhibits on the site until S.T.O.F., or its successors in interest, were ready to develop, and in exchange, S.T.O.F.'s redevelopment rights, which were time limited by the Land Development Code, would be preserved for the life of the development agreement, or 10 years. Cost estimates for landscaping the property would range from \$6,500 to \$10,560 for installation and \$1,440 to \$2,800 for annual maintenance, with the cost to be shared equally by the City, the DIA, and the Downtown CRA; and S.T.O.F. agreed to reimburse all costs up to \$10,000 if it or a successor in interest pull building permits within two (2) years of the proposed agreement.)

Voted 4-0 (Commissioner Mustian absent) to close the public hearing and defer taking action on the proposed agreement pending the determination on memorializing the site and how to best address safety concerns, with input from the adjoining property owners

Also, the Commission concurred with providing some type of historic marker recognizing the significant events related to the civil rights movement that had occurred in the area.

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

- Ms. Patricia Stephens Due, 1381 Timmons Road (presented photographs of herself and other Florida A & M University [FAMU] students conducting sit-ins and picketing, and

being arrested, in front of McCrory's Department Store at the subject location on March 12, 1960, through 1963 when the lunch counters in the store were opened to all; she encouraged the Commissioners to consider designating this spot for a civil rights museum for the State of Florida)

- Mr. John D. Due, Jr., 1381 Timmons Road (urged the Commission to not deny the history of this city and to make this location a historic spot)
- Mr. Steve Kahn, 204 S. Monroe Street (urged the Commission to obtain input from the adjoining property owners, and recommended the installation of an ornamental security fence and that the property be made into a limited access park, with no access after dark)

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

Mayor Marks congratulated the staff of Tallahassee Memorial Hospital (TMH) on TMH becoming certified as a Level II Trauma Center, noting that the City Commission had supported that process.

Commissioner Mustian announced his interest in being designated to assist Leon County over the summer break in a joint effort to identify the community's most urgent sidewalk improvement projects for federal stimulus funding, and the Commission voted 5-0 on a motion to designate Commissioner Mustian to assist in that effort.

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### **Unagendaed Business/Speaker**

Ms. Edwina Stephens, 608 FAMCEE Avenue, spoke against cutting funds for the Keep Tallahassee-Leon County Beautiful Program, and the budget to keep staff at the Smith-Williams Center.

Mayor Marks recognized Mr. John Due as a "living legend" and a renowned member of the Florida Bar since 1947.

CTC:RM:ecg:7-10-09

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## **City Commission Meeting Summary August 19, 2009**

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

Recognized the passing of Circuit Court Judge Kevin Davey with a moment of silence

The Commission acknowledged the strong progressive voice and commitment to the community of Commissioner Allan Katz, who had resigned from the City Commission effective August 15, 2009, noting that he would be missed. City Manager Thompson announced that a reception was being planned in recognition of Commissioner Katz following the August 26th City Commission meeting at 5:00 p.m.

**Item 1** - Mayor Marks, joined by General Manager of Underground Utilities Mike Tadros, and staff members of the City's Underground Utilities and Water Division, accepted the presentation of an award from the Environmental Protection Agency (EPA), presented by Mr. Van Hoofnagle, Administrator of the Florida Department of Environmental Protection Drinking Water Program, recognizing the City's "Outstanding 2008 Water Quality Report" and public education activities; also, recognized the 100th anniversary of the City of Tallahassee providing safe water to area citizens (brought forward by the Office of the Mayor)

**Item 2** - Applauded the acceptance of the award of a Safety Certificate from Phoenix Aviation Managers, Inc. to the City of Tallahassee and the Tallahassee Regional Airport, presented to Mayor Marks and Director of Aviation Ken Austin by Risk Manager Gail Shuffler, who noted that this certificate recognized the commitment and demonstrated record of superior performance in airport safety, as evidenced by Phoenix's recent completion of an Aviation Safety Audit of the Airport; and recognized and thanked members of the Airport Safety Team for their involvement in the Airport Safety Program (brought forward by Risk Management)

**Item 3** - Recognized participants of the City's recently-completed Summer Youth Sidewalk Program, which provided up to eight (8) weeks of full-time employment for youths from 16 to 24 years old; received a Power Point presentation on the Program; and thanked Commissioner Gillum, Public Works Director Gabriel Menendez and his staff, and all involved participants in this Program (brought forward by Public Works)

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

Leon County School's Booker T. Washington participants, including: Fredrick Andrews, Jamichael Clark, Antonio Gaskins, De'Tarious Jackson, Jamal Lord, Aaron Powell, Raheem Sparrow, Christopher Troupe, Taj Williams, Andrew Wiggins, and their mentor, Devin Davis, Engineering Student

Larry Thompson, Special Projects Coordinator

Dr. Marvin Henderson, Associate Superintendent of Schools

Chief Executive Officer Allan Stamm, of the Go Beyond Foundation

Workforce Plus staff, including: Desi Cochran, Korey Fryson, Shantwaun Turner, Michael Welch and Russell Whitlow (Otis Miller was not present)

Youth Career Specialist Debrechea Hopkins, of Workforce Plus

Director of Operations Dorcas Washington, of Workforce Plus

Chief Executive Officer Kimberly A. Moore, of Workforce Plus

**Item 4** - Mr. Mike Sittig, Executive Director of the Florida League of Cities (FLC), recognized Mayor Marks on his installation the previous weekend as President of the FLC, and the Commission congratulated Mayor Marks this achievement (brought forward by the City Manager's Office)

Additionally, Director of Environmental Policy and Energy Resources Cynthia Barber announced that the City of Tallahassee had also received the Florida League of Cities' Best Practices Award

**Items 5 and 7-15** - Voted 4-0 to approve the staff's recommendations presented in Consent Agenda Items 5 and 7-15, taking the following action:

Item 5 - Approved the appointments of Laverne Wells-Bowie to Seat 1 of the Urban Design Commission (UDC), to a term expiring July 2011, and Melissa Saunders to Seat 4 of the UDC, to a terms expiring July 2012 (recommended by Mayor Marks)

Item 6 - Pulled from Consent an item related to the City's collaboration with One Economy Corporation on the implementation of the 2009-2010 local

Comcast Digital Connectors Youth Program through the Apalachee Ridge Technology Learning Center (brought forward by Mayor Marks) - SEE BELOW

Item 7 - Adopted Resolution 09-R-23, amending the 2007-2010 Local Housing Assistance Plan (LHAP) to include the Florida Homebuyer Opportunities Program Strategy, making the City eligible to receive Florida Homebuyer Opportunities Program funds (Option 1 recommended by Economic and Community Development [ECD])

Item 8 - Approved a decrease in the maximum limit for first-time homebuyer down payment assistance loans from \$10,000 to \$8,000, effective October 1, 2009, for those at or below 80% of the area median income (AMI) (Option 1 recommended by ECD)

Item 9 - Ratified the City Manager's emergency authorization for \$250,000 of supplemental funding into the Residential Energy Loan Program (Fund 403); approved supplementing the Residential Energy Loan Program Fund with an additional \$1.5 million transfer from the Energy Conservation Fund (Fund 414); and authorized these funds to be allocated in the current fiscal year (Option 1 recommended by Energy Services)

Item 10 - Approved the award and execution of three-year term Professional Medical Services Contracts with John T. MacKay, MD; Patients First; Chris Van Sickle, MD; and The Doctors Center Health Services - for total estimated expenditures of \$260,700 over the life of the contracts (Department of Management and Administration [DMA]/Procurement Services)

Item 11 - Authorized acceptance and expenditure of the award of FY2009 grants received from the U. S. Department of Justice, in the amount of \$910,725 - the Community Oriented Policing Services Hiring Recovery Program (CHRP) grant to fund five (5) police officer positions for three fiscal years; the Florida Department of Law Enforcement, in the amount of \$199,836 - the regular FY2009 Justice Assistance Grant (JAG) to support multiple programs and equipment purchases as detailed in the agenda item; and Florida Department of Transportation, in the amount of \$20,000 - a Safe Driving grant to sponsor a competition between area high schools to create the best public service announcement targeting teen traffic safety (Option 1 recommended by Tallahassee Police Department [TPD])

Item 12 - Approved the development of contracts with community transportation carriers for the Community Transportation Program (RFP #0136-09-BM-RC) to Big Bend Transit and Sessaly Rose Transit, low bidders meeting specifications, based on their ability to perform and execution of agreements to provide ambulatory and wheelchair-bound clients countywide transportation (Option 1 recommended by StarMetro)

Item 13 - Adopted Resolution 09-R-15, authorizing borrowing an amount not to exceed \$2,800,000 from the State of Florida Department of Environmental Protection under the Clean Water State Revolving Loan Fund Agreement WW581260, and authorizing the issuance of not to exceed \$10,000,000 in City of Tallahassee Capital Improvement Refunding Revenue Bonds, Series 2008, delegating certain responsibilities to the Mayor and the City Treasurer-Clerk, providing certain other covenants and agreements in connection therewith, and providing an effective date (Option 1 recommended by the City Treasurer-Clerk and Underground Utilities)

Item 14 - Adopted Resolution 09-R-27, allowing the City to be reimbursed from the proceeds of a planned future bond sale for the Joint dispatch facility, as it is reasonably expected that a portion of the total \$27 million project costs will be incurred prior to the bond sale (Option 1 recommended by the City Treasurer-Clerk)

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

- May 27, 2009 Regular Meeting
- June 10, 2009 Regular Meeting
- June 18, 2009 Budget Workshop
- June 24, 2009 Regular Meeting

**Item 6 (pulled from Consent)** - Voted 4-0 to accept a Memorandum of Understanding as executed by the City of Tallahassee and One Economy Corporation relative to their collaboration on the implementation of the 2009-2010 local Comcast Digital Connectors Youth Program through the Apalachee Ridge Technology Learning Center (recommended by Mayor Marks)

Mr. Terrence Mills, Coordinator of the Apalachee Ridge Technology Learning Center, appeared before the Commission relative to this item.

**Items 16-19** - By consensus, introduced Ordinances Nos. 09-O-11, 09-O-24, 09-O-31 and 09-Z-33, and set the ordinances for public hearings as recommended:

**Item 16** - Introduced Ordinance No. 09-O-11, which would amend the Land Development Regulations to implement Comprehensive Plan Reform, including changes from Comprehensive Plan Amendment 2006-2-T-09, and set the ordinance for public hearings on August 26 and October 28, 2009 (Option 1 recommended by Planning)

**Item 17** - Introduced Ordinance No. 09-O-24, which would amend the Local Charitable Contribution Preference in Purchasing and Contracting, and set the ordinance for public hearing on September 23, 2009 (Option 1 recommended by the City Attorney)

**Item 18** - Introduced Ordinance No. 09-O-31, which would amend "glitches" and "minor policy" changes to Chapters 1, 2, 5, 9 and 10 of the Land Development Code, and set the ordinance for public hearings on August 26 and October 28, 2009 (Option 1 recommended by Growth Management)

**Item 19** - Introduced Ordinance No. 09-Z-33, which would rezone approximately 16.92 acres, located on the north side of Mahan Drive approximately 600 feet east of the intersection of Capital Circle Northeast and Mahan Drive, from the M-1 (Light Industrial) and PUD (Planned Unit Development) zoning districts to the CP (Commercial Parkway) zoning district, (PRZ 090009) (applicant: Iamonia Investments, Ltd; agent: Developers Realty & Investment Properties, Inc.) and set the ordinance for public hearing on September 23, 2009 (Option 1 recommended by Planning)

**Item 20** - Voted 4-0 to approve the award of contracts to Capital Area Community Action Agency (CACAA), Brehon Institute and Family Services, Inc., and Catholic Charities of Northwest Florida, to administer the Homeless Prevention and Rapid Re-housing Program (HPRP), which was created by the American Recovery and Reinvestment Act (ARRA) of 2009 - allowing the City to receive \$784,267 in HPRP funds to be administered by these non-profit agencies (Option 1 recommended by ECD)

Commissioner Gillum requested that staff monitor the administrative costs for these contracts to ensure they did not exceed the percentage recommendation of 5% as provided by Housing and Urban Development (HUD).

**Item 21** - Voted 4-0 to approve a Temporary Economic Emergency Concurrency Relief Agreement with the Florida Commerce Credit Union for a credit union facility at 1545 Raymond Diehl Road, which provides a 50% reduction in transportation concurrency fees -- reducing the fees to be collected from \$175,489 to \$87,744, as amended to include replacement page 17 of Attachment #1 to the agenda item reflecting the correct green building SEER rating and code (Option 1 recommended by Growth Management)

**Item 22** - DELETED FROM THE AGENDA a discussion of the Construction Management Contract Award for Pre-Construction Services of the Public Safety Complex (no material provided)

**Item 23** - Voted 4-0 to approve and authorize the City Manager to execute the 2009-2012 FAMU "Venom Express" Service Agreement for On-Campus and U-PASS Transit Services -- providing the City with a total of \$507,030 in funding for the transit system during the first year of the agreement (Option 1 recommended by StarMetro)

Target Issue Update, Long Range Planning Committee (LRPC) - Commissioner Gillum and Commissioner Lightsey briefly discussed the following issues that had come before them as the Long Range Planning Target Issue Committee (LRPC), and they commended the visionary and innovative thinking of City staff on these issues:

- draft ordinance that would amend the Land Development Code (LDC) to provide for two (2) alternate members to serve of the Board of Adjustment and Appeals, one appointed by the City and one by the County;
- draft amendment to the LDC to clarify that City staff may require applicants to meet only criteria that are applicable to the site plan;
- verbal update presentation on gateway projects;
- report on the establishment of a team of representatives of appropriate departments to address development projects within the downtown boundaries;
- verbal update on the Historic Preservation Overlay Ordinance; and,
- proposal to commemorate the 1960 civil rights sit-ins at the former McCrory's department store location at 220-224 South Monroe Street with a memorial and historic marker in the public right-of-way, apart from any landscape intended for the Seminole Tribe of Florida (S.T.O.F.) property, indicating that the Committee provided direction to the staff to meet with appropriate citizen groups and City departments to develop a design for a commemorative sidewalk.

Commissioner Gillum also commended Director of Public Works Gabriel Menendez and his staff on taking ownership of the Commission's directive to initiate the Summer Youth Sidewalk Program that program, and City Manager Thompson expressed hope that this program could be replicated and that such creativity could be demonstrated with other programs.

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### **Unagendaed Speakers -**

Mr. Erwin Jackson, 1348 Jackson Bluff Road, appeared before the Commission and reported that he had been successful in arranging funding for a campus redevelopment project and looked forward to working with City staff on the project. He commended the Solid Waste Department on the prompt removal of trash during move out/move in times with student housing, and he stated that the ethics complaint he had filed against Commissioner Allan Katz had not been dismissed. Mr. Jackson submitted a copy of the Order Finding Probably Cause,

Complaint No. 09-015 before the State Commission on Ethics (placed on file in the Office of the City Treasurer-Clerk).

Mr. Steve Stewart, 2904 Tyron Circle, appeared before the Commission and requested information on the dollar value of the deferred compensation program provided to members of the City Commission.

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### **City Commission Vacancy**

Confirmed details of the process that was in place and pertinent dates for filling the unexpired City Commission Seat, which became vacant with the August 15th resignation of Commissioner Katz, including:

August 25, 2009, at 12:00 noon deadline for all applications to be received in the Office of the City Treasurer-Clerk

August 25, 2009, end of day provide names of all applicants to members of the Commission

August 28, 2009, 12:00 noon each member of the Commission is asked to submit his or her top three (3) applicant choices to the Office of the City Treasurer-Clerk, and the staff would provide the overall top five (5) applicant names to the Commissioners

August 31, 2009, 12:00 noon the Commission will convene in special session and begin the nomination process, in seniority order, for selecting an appointee to fill the Commission vacancy created by the resignation of Commissioner Katz

Discussed the question of whether to impose any restrictions on the selection of a candidate to fill the Commission vacancy, including whether the incumbent should be restricted from running in the next election, and agreed with the importance of having the broadest possible list of applicants.

City Attorney English recommended that applicants sending their application by e-mail should call and confirm the receipt of the application in the Office of the City Treasurer-Clerk.

City Treasurer-Clerk Herndon advised that anyone who sent an application and received no confirmation from his office, should call his office and he clarified that all applications must be received and date stamped in his office prior to noon on Tuesday, August 25, 2009.

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### **Killearn Lakes Sewage System Concern**

Commissioner Lightsey requested a report on customer complaints that the hybrid individual sewage systems in place in Killearn Lakes was not functioning properly.

CTC:RM:ecg:08-24-09

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### **Joint Session on 2009-2 Comp Plan Amendments Summary May 26, 2009**

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

Recognized and thanked former City Commissioner Allan Katz for his dedicated service to the community during his tenure on the City Commission

Acknowledged the resignation of Police Captain Argatha Gilmore, who had accepted the Police Chief position in Lake City, Florida; also acknowledged that Police Chief John Proctor had already departed to assume the Police Chief position in Albany, Georgia; and thanked them for their service to the City of Tallahassee

**Items 1-6** - Voted 4-0 to approve the staff's recommendations presented in Consent Agenda Items 1-6, taking the following action:

Item 1 - Approved amendment to Reverter for Tallahassee Road Prison (Option 1 recommended by the City Attorney)

Item 2 - Approved Resolution 09-R-31 Authorizing Property Conveyance to Either the Florida Department of Transportation or Leon County (Option 1 recommended by the City Attorney)

Item 3 - Approved supplemental appropriation, in the amount of \$3,300,000, from Electric Undesignated RR&I for Project 08129 - Corn Hydro Spillway Modifications. Approve the Selection Committee's ranking and award the construction to PCL Civil Constructors, Inc., in the amount of \$7,708,000 (brought forward by Electric Utility)

Item 4 - Approved proposed revisions to City Commission Policy 106 related to permitting food vendor carts and approved Resolution 09-R-20 extending the area eligible for vendor permits to include Parks and Recreation facilities (brought forward by Parks, Recreation and Neighborhood Affairs)

Item 5 - Adopted Resolution 09-R-29 supporting FDEP rulemaking to amend the classification system of Florida's Waters (brought forward by Underground Utilities)

Item 6 - Approved minutes from the May 26, 2009 Joint City-County Commission Workshop, Cycle 09-2 Comp Plan Amendments and the July 1, 2009 Regular Commission Meeting (brought forward by the Treasurer-Clerk's Office)

**Item 7** - Voted 4-0 to approve the selection committee ranking and authorize staff to negotiate a compromise contract for Program Design and Management Services to Support the City's Demand Side Management (DSM) Program Manager (RFP 0183-08-RM-RC) with both companies, Honeywell Utility Solutions, and with Nexant, Inc., in which expertise from both vendors would be used, and bring back the issue with additional information, i.e., a defined scope of services and amount of funds expended locally (brought forward by Energy Services)

**Item 8** - Voted 4-0 to adopt Resolution 09-R-25, amending the terms of the assessment payments for the Habitat for Humanity Paving Assessment Project, assistant with the construction of affordable housing by extending the payment period from 10 to 20 years and lowering the interest rate from 5.375% to 4.90% (Option 1 recommended by Public Works/Engineering)

**Item 9** - Received a staff overview of the City of Tallahassee's FY2010 Proposed Operating and Capital Budgets (placed on the City's website and in the Office of the City Treasurer-Clerk); held the first public hearing on the Proposed FY2010 Budget, noting that the two statutorily-required public hearings on the Proposed FY2010 Budget were scheduled for September 10 and 23, 2009, at 6:00 p.m.

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



- Ms. Anne Munroe Vinson, 601 Middlebrooks Circle (proponent of keeping the Palmer Munroe Community Center open)
- Ms. Penny Herman, 1596 Marion Avenue (opponent of increasing the ad valorem millage rate)
- Mr. John Beeman, representing the Fraternal Order of Police (opposed to cutting any public safety positions)
- Mr. Erwin Jackson, 1341 Jackson Bluff, President of the Jackson Bluff Neighborhood Coalition (opponent of any increase in the ad valorem millage rate; proponent of keeping Palmer Munroe Neighborhood Community Center open and building a swimming pool at the Center)
- Ms. Kimberly Galban, Director of United Partners for Human Services, 317 E. Call Street (opponent of any budget cut for UPHS)
- Mr. Steven B. Slade, representing the Big Bend Police Benevolent Association, 300 E. Brevard Street (opponent of eliminating any Police positions)
- Mr. Evan Power, 2740 W. Tharpe Street #302 (opponent of asking taxpayers to pay more)
- Mr. Mike Bellamy, Vice President of Tallahassee Professional Firefighters (opponent of cutting any public safety positions)
- Mr. Herbert Roberts, representing ECHO, Inc., for UPHS (opponent of any cuts to not-for-profit-human service agencies)
- Mr. Leslie L. Harris, 2022 Hillsborough Street, representing Providence Neighborhood Association (proponent of moving forward with the high priority street improvements in Providence Neighborhood)
- Pastor Walter McDonald, 1901 Hillsborough Street, representing the providence Neighborhood Association (proponent of addressing safety concerns with the Providence neighborhood streets)
- Ms. Laura Lee Corbett, 1422 Devil's Dip, and Mr. Mike Wing, 1416 Hilltop Drive, did not appear before the Commission, but indicated their availability to provide information regarding no cuts to the contribution to Tallahassee Trust for Historic Preservation.

Commissioner Lightsey requested that staff contact Mr. Harris and other Providence Neighborhood residents and make sure they understood which streets in that neighborhood were scheduled for improvements under the Neighborhood Infrastructure Enhancements Program (NIEP).

Commissioner Lightsey clarified for the benefit of the public that the half mill property tax increase was a maximum increase and it was the hope of the Commission that the full half mill increase would not be necessary.

Mayor Marks suggested that interested citizens read the City Manager's Budget Message, which had been published on the City's website.

**Item 10** - Held the first of two public hearings on Ordinance 09-O-11AA, which would amend the Chapter 10 of the Land Development Code to implement Comprehensive Plan Reform Amendment 2006-2-T-09, and set the second and final public hearing for October 28, 2009 (Option 1 recommended by Planning)

There were no speakers on this item.

**Item 11** - Held a public hearing and voted 4-0 to adopt Resolution 09-R-16, with the amended terms for Habitat for Humanity's assessment payments, thus adopting and certifying the 2009 non-ad valorem assessment roll (Option 1 recommended by the City Treasurer-Clerk/Tax and Revenue Division)

There were no speakers on this item.

**Item 12** - Held a public hearing and voted 3-0 (Commissioner Mustian abstained) to adopt Ordinance 09-O-20, amending the City's existing fire services fee ordinance to reflect the new interlocal agreement; approve and adopt the Fire Assessment Memorandum dated June 2009, and authorize the Mayor to execute an amendment to the interlocal agreement incorporating the Fire Assessment Memorandum as an exhibit to the agreement (Option 1 recommended by the Department of Management & Administration [DMA])

Commissioner Gillum, Commissioner Lightsey and Mayor Marks flagged for further discussion the issue of surplus revenues being held to cover a projected fifth year deficit in the Fire Fund.

There were no speakers on this item.

**Item 13** - Held a public hearing and voted 4-0 to adopt Ordinance 09-Z-26AA, rezoning 0.73 acres at 2500 Springhill Road from M-1 (Light Industrial) to C-2 (General Commercial), based on the findings of fact and conclusions of law set forth in the agenda item and any evidence submitted at the hearing (Option 1 recommended by Planning)

There were no speakers on this item.

**Item 14** - Held the first of two public hearings on Ordinance 09-O-27AA, introduced on June 10, 2009, which would amend Chapter 10 of the Tallahassee Land Development Code to add Government Operational-1 and Government Operational-2 Zoning Districts, and set the second and final public hearing for October 28, 2009 (Option 1 recommended by Planning)

There were no speakers on this item.

**Item 15** - Held a public hearing on Ordinance 09-O-30, introduced on June 10, 2009, and continued from June 24 and August 26, 2009, amending Section 14 of the City Charter to eliminate the special election requirement to avoid the potential of incurring the added election costs, and voted 4-0 to adopt the ordinance as submitted (recommended by the City Attorney and the City Treasurer-Clerk)

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

- Mr. Evan Power, 2740 W. Tharpe Street #307 (opponent)
- Mr. Bill Helmich, 303 Johns Drive (opponent)
- Mr. Larry Hendricks, 406 Alpee Avenue (opponent)
- Mr. T. J. Lewis, 2020 Continental Avenue #135 (proponent)

**Item 16** - Held the first of two public hearings on Ordinance 09-O-31, introduced on August 19, 2009, which would amend the Tallahassee Land Development Code to clarify land use and environmental services glitch and minor policy clarifications, and set the second and final public hearing for October 28, 2009 (Option 1 recommended by Growth Management)

There were no speakers on this item.

**Item 17** - Held a public hearing on Ordinance 09-O-32, introduced on July 1, 2009, which would include the incorporated area of the City within the Leon County Emergency Medical Services (EMS) Municipal Service Taxing Unit (MSTU), and voted 4-0 to adopt the ordinance (Option 1 recommended by the City Attorney)

There were no speakers on this item.

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## **Unagendaed Speakers**

Mr. Larry Hendricks reappeared before the Commission and expressed severe disappointment and anger at the extent of funds spent on Gaines Street, on the Tram Road Truck Route segment, on the traffic control red light system, when compared with cost of holding a special election to fill the vacancy on the City Commission created by the resignation of Commissioner Katz.

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## **City Commissioner Sharing of Ideas**

The Commission and Appointed Officials recognized Commissioner Katz with a standing ovation and, presenting him with a plaque, thanking him for more than seven (7) years of excellent service to the City of Tallahassee. Ms. Edwina Stephens also gave a special presentation to Commissioner Katz with the reading of a poem, "Bridge Builder", and the presentation of a bronze eagle from the Southside folks. Mr. Eugene Butler, President of Ms. Edwina Foundation on Southside, characterized Commissioner Katz as caring about the people. City Manager Thompson welcomed everyone to attend a special reception in honor of Commissioner Katz, on the fourth floor of City Hall.

Commissioner Gillum referenced a letter that he had received from the Leon County Justice Coordinating Council and indicated his intent to work with the Council in the next few days.

Mayor Marks referenced a telephone call from Supervisor of Elections Ion Sancho regarding his suggestion to purchase the Circuit City facility on Apalachee Parkway, and he noted that the facility would remain available for use as a voting precinct.

The Commission thanked all of the individuals who had submitted applications for the vacant seat on the City Commission, which had been vacated with the resignation of former City Commissioner Katz.

City Treasurer-Clerk Herndon announced this was the last Commission Meeting that would be attended by Recording Secretary Eloise Connell-Gramling, as she had decided to retire from the City government. The Commission gave her a standing ovation and wished her well in her retirement.

CTC:RM:ecg:08-28-09