

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

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

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

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

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

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

The Commission thanked the CRC members for their hard work.

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

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

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

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

- Hub City Ford, of Crestview, Florida, pursuant to Florida Sheriffs Contract #08-0908, for \$107,934.00
- WorkTrux Truck Bodies, pursuant to City Contract #1494, for \$29,911.02

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

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

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

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

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

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

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

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

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

Juvenile Assessment Center - Three-year contract to continue booking services	\$210,000
Enhanced Pretrial Monitoring Program	\$124,000
Leon County Sheriff's Office Law Enforcement Equipment - 56 mobile data computers	\$278,434
TPD Law Enforcement Equipment	\$278,435
Total Allocations	\$890,869

There were no speakers on this item.

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

to allow the applicant to resolve Planning Commission Attorney's concerns regarding the sufficiency of the application (Option 1 recommended by Planning)

There were no speakers on this item.

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

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

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

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

Item 18 - Held a public hearing on Ordinance No. 09-Z-15, introduced on April 7, 2009 (On the same date, the Planning Commission voted 4-0 to recommend the adoption of this ordinance.); voted 5-0 to adopt the ordinance, rezoning 4.45 acres of a 4.65 acre parcel located at 117 Henderson Road from RP-1 (Residential Preservation-1) zoning district to the RP-2 (Residential Preservation-2) zoning district, the other portions of the parcel were already zoned RP-2 (PRZ 090006) (applicant: Prime Meridian Properties, LLC; agent: Inovia Consulting Group) (Option 1 recommended by Planning)

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

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

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

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

There were no speakers on this item.

Item 21 - Held the first of two public hearings on Ordinance No. 09-O-18, introduced on April 7, 2009, which would amend the Land Development code to update the CU (Central Urban) zoning districts, repeal obsolete code sections, and finalize the CU rezoning project (PTX090003) (On the same date, the Planning Commission voted 4-0 to recommend approval of the proposed ordinance.); announced the second and final public hearing scheduled for May 27, 2000 (Option 1 recommended by Planning)

There were no speakers on this item.

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

There were no speakers on this item.

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

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

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

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

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