

TALLAHASSEE-LEON COUNTY
BLUEPRINT 2000 INTERGOVERNMENTAL AGENCY
Meeting Minutes
September 9, 2003, 3:00 PM
County Commission Chambers, Leon County Courthouse, 5th Floor

MEMBERS PRESENT

County

Commissioner Tony Grippa
Commissioner Rudy Maloy
Commissioner Bill Proctor
Commissioner Bob Rackleff, Chair
Commissioner Jane Sauls
Commissioner Cliff Thaell
Commissioner Dan Winchester

City

Commissioner Andrew Gillum (via telephone)
Commissioner Allan Katz
Commissioner Debbie Lightsey
Mayor John Marks
Commissioner Mark Mustian, Vice-Chair

CITY/ COUNTY STAFF

DeLane Adams, County Commission Staff
Bruce Barrett, MPO
Marlon Brown, City Manager Office
Jim Davis, Director Blueprint 2000
David Bright, Blueprint 2000
Anita Davis, County Commission Staff
Jim English, City Attorney
Anita Favors, City Manager
Shelonda Gay, Blueprint 2000
Dinah Hart, Dept. of Mgmt. and Admin.
Theresa Heiker, County Public Works
Val Hubbard, Planning
Melanie Kopp, Mayor's Office
Vince Long, County Administration
Phil Maher, Blueprint 2000
Gabriel Menendez, City Public Works
Tony Park, County Public Works
Debra Schiro, City Attorney Office
Herb Thiele, County Attorney
Michael Wright, City Manager Office
Bill Woolery, City Engineering
Alan Williams, Mayor's Office

OTHERS PRESENT

Kathy Archibald, CAC
Eric Carl, Raymond James
Paco de la Fuente, Citizen
Todd French, PBS&J
David Freni, PBS&J
George Knight, League of Women Voters

Mark Llewellyn, Genesis Group
Nancy Miller, EECC
Jerry Oshesky, The LPA Group
Bonnie Pfuntner, The LPA Group
Ben Witmeier, MACTEC

CALL TO ORDER

The meeting was called to order by Chairman Bob Rackleff at 3:15 PM.

I. AGENDA MODIFICATIONS

Mr. Davis stated that for Item #9, Adoption of Fiscal Year 2004 Budget, the attachment contained a tabulation error, which is shown as a strike out on the attachment. He further stated that this error did not affect the bottom line of the budget and that it was simply a typo. He stated that the minutes of the June 16, 2003, meeting were inadvertently left off of the agenda and that they were attached to the agenda modification, which was previously sent to the Board.

Commissioner Rackleff stated that he would like to include the minutes as a part of the consent items unless there were objections.

He further stated that Commissioner Gillum was unable to attend the meeting in person; however he was able to call in on the speakerphone. He stated that Commissioner Gillum would not be able to vote or be counted for a quorum.

II. INFORMATIONAL ITEMS

Item #a: Introduction of Blueprint Finance Manager: Phil Maher

Item #b: RFP for Performance Audit

Item #c: RFP for Agency General Counsel

Item #d: Commercial Banking RFP

Item #e: Ethics Policy Development

Item #f: Relocation of the Blueprint 2000 Office

III. CONSENT ITEMS

- 1. Sensitive Lands Working Group**
- 2. Revisions to Agency By-laws, Policies, and Procedures**
 - a. Intergovernmental Agency**
 - b. Technical Coordinating Committee**
 - c. Citizen's Advisory Committee**
- 3. Agency Meeting Schedule Development**
- 4. Appointment to Citizen's Advisory Committee**
- 5. June 16, 2003 Intergovernmental Agency Meeting Minutes**

Commissioner Thaelle made a motion to move Consent, Commissioner Sauls seconded the motion.

Commissioner Gillum asked that the attorneys look at the IA policy of Commissioners attending the committee meetings via telephone and that they should be able to vote or be counted for a quorum. Commissioner Grippa stated he had no objection to this policy change.

Commissioner Grippa asked to pull Item #1, Sensitive Lands Working Group, for discussion. He asked who appointed the members of the working group and how was it created. Mr. Davis stated that previously an agenda item was presented to the Agency and it was passed that Ms. Favors and Mr. Alam approve the members of the group. He stated that this would be a blue ribbon panel with representatives from selective environmental or land preservation organizations who are experts in their fields. He further stated that the organizations would recommend members to represent their organizations. Commissioner Grippa stated that he did not feel comfortable approving a group with no criteria for the selection of members and without the authority of the Agency Board of Directors. He stated that he did not remember approving a process for the appointments to the working group.

Commissioner Rackleff stated that the previous agenda item included the organizations and that the organizations would select the members to represent their interests. Commissioner Grippa stated that the Board should have a say in the appointments to the working group.

Commissioner Thael stated that he had no problem allowing the organizations to appoint members from their organizations. He stated that he was confident that the representatives on the listing would represent their organizations well and he moved approval of the item. He asked if there would be bylaws for the committee that would establish the terms of appointments. Mr. Davis stated that he had not envisioned establishing bylaws and that the plan was to have approximately five meetings to establish criteria for land acquisition and conservation easements, and help in prioritization of acquisitions. He stated that the criteria would be brought back before the Board for approval and that the working group would not have the authority to approve the purchase of any property. Mr. Davis stated that once the criterion was approved that the working group would meet on an as needed basis only.

Commissioner Grippa stated that the committee should have bylaws and have an enabling statute, have an ethics policy, and determine if the Sunshine Law governs them. There should be parameters for the group to move forward. Commissioner Rackleff stated that the Board could direct staff to investigate and move forward with establishing policies on the issues raised by Commissioner Grippa.

Commissioner Katz asked to pull Item #4, Appointments to Citizen's Advisory Committee, for discussion. He asked how the members of the committee were selected. Commissioner Rackleff stated that the Board appointed the members. Mr. Davis stated that this committee had established bylaws noting the make-up of the twelve-member committee and that the specific agencies would nominate two candidates for vacant positions and that the Board would make the final selection.

Commissioner Proctor asked if sensitive lands were limited to wetlands and water quality issues. Mr. Davis stated that originally that was the general intent and to primarily look at the headwaters of the St. Marks River, however he stated that they felt that there might be some benefit to having the organization to look at other lake areas and sensitive lands. Commissioner Proctor asked if the criteria would be considering contamination, history and extinct species. Mr. Proctor stated that history and sociology should be considered as well.

Commissioner Lightsey stated that the City had created the Environmentally Sensitive Lands acquisition program which was established very similar to the Blueprint 2000 Sensitive Lands

working group. She stated that this program could be used as an example.

Commissioner Grippa moved a substitute motion to approve consent and that Mr. Davis get with the City to look at bylaws, the charge of the committee and provide an overview of the appointment process. Commissioner Sauls seconded the motion. Commissioner Mustian stated that the Board should guard against a bureaucracy and that Blueprint projects and committees should be done in a streamlined fashion. The motion passed unanimously 11-0.

IV. PRESENTATIONS/ACTIONS

5. Capital Cascades Trail

Mr. David Bright stated that the Board reviewed this item in June and at the previous meeting several members asked that the item be brought back for reconsideration. At the June meeting the Board voted to move forward with only Phase 1 of the Capital Cascade Trail Stormwater Management Plan. The staff recommendation had been to authorize combining Phase 1, Stormwater Existing Conditions Study, with Phase 2 tasks relating to Corridor Planning/ Concepts. He stated that during the Request for Proposal (RFP) firms were asked to “describe if or how the Phase 1 schedule could be shortened (from a maximum of 18 months), or what future (Phase 2 or Phase 3) project components could possibly be considered for advancement to shorten these future planning and design phases.” Mr. Bright stated that combining the phases would reduce costs and provide better coordination between the modeling, concept solutions, and future design. He further stated that the original estimated cost for Phase 1 was for \$600,000 and for Phase 2 of \$200,000. He stated that since the June meeting staff had the opportunity to better define some of the tasks and to take into account the holistic approach of Blueprint projects. He discussed the specific items as outlined in the agenda item related to Blueprint 2000 elements of the study that were not in a typical stormwater study, and would be needed at a later time in the planning and design. He stated that the proposed Phase 1 and Phase 2 scope is estimated to be approximately \$1,400,000.

Commissioner Grippa moved staff’s recommendation to move forward with Phase 1 and Phase 2. Commissioner Katz seconded the motion. There was further discussion of the cost increases.

Commissioner Grippa amended his motion to include that staff will bring Phase 3 (Technical Design and Construction Documents) back before the Board prior to awarding. The motion was seconded. The motion passed unanimously 11-0.

Mayor Marks asked what the plans were for Cascades Park. Mr. Davis stated that that had not been determined yet. He stated that once the studies were complete that this decision would be made. Mayor Marks stated that the property was owned by the state and that current negotiations indicated that the park would be cleaned up and made into green space. Negotiations need to start with the state for transfer of the property, and he wondered if there would be any restrictions on the property such as allowing buildings. Commissioner Katz stated the transfer agreement should be brought back to the IA.

There was further discussion of the uses for Capital Cascades Park and the need for a final

decision on the land transfer.

The substitute motion carried unanimously 11-0.

RECOMMENDED ACTION:

Option 1:

Per the RFP, combine Phase 1 and Phase 2 tasks into the contract being developed with Genesis Group.

Authorize a Phase 1 and Phase 2 contract to be signed not to exceed \$1,400,000, plus a 10 percent contingency (\$140,000).

Authorize advance funding for the Land Use Sector Study to be conducted by a consultant to the Planning Department, not to exceed \$150,000 plus a 10 percent contingency (\$15,000), and to be reimbursed at a future date.

ACTION TAKEN:

Commissioner Grippa moved staff's recommendation to move forward with Phase 1 Phase 2 and that staff will bring Phase 3 back before the Board prior to awarding. The motion was seconded. The motion passed unanimously 11-0.

6. BP2K IA Subcommittee Meeting (Springhill Road Issues)/Minutes

Commissioner Mustian stated that the minutes of the subcommittee meeting were included in the agenda and that unless there were questions his recommendation was to accept the report of the subcommittee.

RECOMMENDED ACTION:

Approve as presented

ACTION TAKEN:

Commissioner Mustian moved to accept the minutes of the Intergovernmental Agency Subcommittee. Commissioner Proctor seconded motion. Commissioner Grippa asked if the subcommittee had recommended including Springhill Road in the Phase 1 projects. Commissioner Mustian stated that the committee had recommended that Springhill Road be included in the PD&E study for Capital Circle SW (Blountstown Highway to Crawfordville Road). Commissioner Katz asked what the additional costs would be to add Springhill Road into the PD&E. Mr. Davis stated that the estimate is approximately \$350,000 to \$500,000. The motion carried unanimously 11-0.

7. Capital Circle NW/SW PD&E Scope of Services – 90 to Orange Avenue

There was no discussion of this item.

RECOMMENDED ACTION:

Option #1: Authorize the advertisement of consultant services for the Capital Circle NW/SW (US 90 to Orange Avenue) Expanded PD &E Study, at cost to not exceed \$1,300,000, plus a 10% contingency. Authorize the Intergovernmental Management Committee (IMC) to negotiate and award the contract once consultant selection activities are completed.

ACTION TAKEN:

Commissioner Grippa moved staff's recommendation. Commissioner Mustian seconded the motion. The motion carried unanimously 11-0.

8. 2003 Annual Performance Report

Ms. Kathy Archibald, CAC Chairperson, stated that overall the Citizen's Advisory Committee gave the Intergovernmental Agency Board a thumbs up. She stated that the Executive Summary of the Annual Report outlined the accomplishments of the IA. She stated that there were several recommendations for improvement outlined in the report as well, such as improving upon the untimely decision making process. Ms. Archibald stated that because the IA meets on a bi-monthly basis, if decisions are postponed it affects the timeliness of the projects. She report that the CAC recommended that the IA delegate more authority to the IMC and use the IA's time as a policy making board and less of a micro-managing board. The CAC recommended that there needed to be better coordination with staff of other departments such as the MPO. Ms. Archibald reviewed all of the items outlined in the report. It was suggested that the IMC bring back recommendations on MPO coordination and issues related to IMC functions and delegation. It was also suggested that Blueprint information be included in new Commissioner's orientations. The report of the CAC is available for review on the Blueprint 2000 website, at www.blueprint2000.org.

Commissioner Winchester thanked Ms. Archibald for the CAC report. He further asked if Blueprint would be bringing water quality reports back before the IA that would include both City and County lake information. He stated that he would like to see a report on the status of the lakes countywide incorporating the water sampling that was completed this summer by the City and the County staffs. He stated that this would be a good barometer of how Blueprint was doing relating to water quality. He stated that he would like to see this report brought back before the Board in a future agenda item.

Commissioner Rackleff stated that he was reluctant to add this item to the Blueprint Agency responsibilities. Commissioner Lightsey stated that the City's and the County's annual reports of the City's Water Sampling Program was completed recently and is available. She stated that these results could be combined into one report. She stated that the Board was not asking for new data but that the available data should be collated into one report.

RECOMMENDED ACTION:

Option #1: Accept the CAC Annual Report as meeting the requirements the first performance audit of the Blueprint program.

ACTION TAKEN:

Commissioner Grippa moved staff's recommendation. Commissioner Mustian seconded the motion. The motion carried unanimously 9-0. (Commissioner Winchester and Mayor Marks were not present at the time of the vote)

VII. ITEMS FROM MEMBERS OF THE COMMITTEE

Commissioner Katz stated that he would like to further discuss the General Counsel for Blueprint 2000. He stated that he was unable to attend the meeting regarding how the General Counsel would be selected and that the Board would not be selecting the Board's General Counsel. He stated that the current process is that the selection committee will interview the firms and that the IMC would make the final selection of the firm.

Commissioner Katz moved that the IA make the selection of the Intergovernmental Agency General Counsel. Mayor Marks seconded the motion.

Commissioner Lightsey stated that in the City's consultant selection process, the ranking would go back before the Commission. The general policy is that if the Commission chooses to overturn the rankings of the selection committee, then the consultant will make an oral presentation to the Commission.

Commissioner Katz stated that in previous consultant selections by the IA, the ranking was provided to the IA and a decision was made by the Board rather than delegating the decision to the IMC.

Commissioner Mustian and Commissioner Rackleff expressed reluctance to not delegate this decision to the IMC. They stated that they understood the CAC's point about the untimeliness of decisions delaying projects.

Commissioner Grippa stated that there needs to be a consistent process put into place on how consultant selection would be done, such as whether there are to be oral presentations, and who awards the contract

Commissioner Katz restated the motion that the IA will make the selection of the Intergovernmental Agency General Counsel. Commissioner Proctor seconded the motion. The motion carried 11-0.

Commissioner Proctor called to the attention of Mr. Bright, the November 19, 2001 minutes, page 3, paragraph 2 which stated:

Commissioner Proctor asked that the Frenchtown project not be rushed but to look at a complete network of Franklin Boulevard drainage situation with pending studies and to come up with a different solution. Mr. John Buss discussed the sense of urgency for this project, development of a Master Plan for the entire watershed and reason for advanced funding.

Commissioner Bailey made a motion and seconded to approve the use of \$1,346,236 of Blueprint 2000 sales tax revenue as matching funds for a grant from the US-EPA for the Frenchtown Watershed Project and authorized the City to advance fund the needed revenue, with the understanding the City will be repaid from Blueprint 2000 sales tax revenue. The motion carried with Commissioner Proctor opposed.

Commissioner Proctor asked that it should be noted he wanted to do an inclusive holistic review of the Frenchtown watershed with the Capital Cascade water project that was discussed and approved earlier in the meeting. He stated that he was looking for an alternative to the \$10,000,000 designated for Frenchtown and whether the water in that area could be re-routed. He further stated that he was asking for a comprehensive review of the flow of water in the stormwater system.

Commissioner Proctor further stated that the RFP for the Commercial Banking was scheduled to be advertised very soon. He stated that the bank selection should meet CRA standards and be an institution that loans money to all segments of the community.

Commissioner Rackleff stated that this RFP has to do with Commercial Banking only (like a checking account) and that there would be 10-12 transactions annually and that there would generally be no money held in the account. The Blueprint bond money is invested with the State Board of Administration as normal for moneys that go through the City. Mr. Davis stated that 25% was with the State Department of Revenue and the remainder was invested internally by the City.

Commissioner Grippa stated that the Board had not directed staff to issue an RFP for Commercial Banking, but instead to issue an RFP for Investment Banking. Mr. Davis stated that he previously misunderstood the Board's direction and that staff would work to issue an RFP for Investment Banking.

Commissioner Rackleff stated that currently the City is managing the money that was raised through the sale of the bonds. He stated that if a completely separate structure were set up for Blueprint funds, there would be extra costs.

Commissioner Mustian stated that he would be opposed to having a separate investment-banking firm if only to support local CRA banks, he stated that we should receive the best return on the money.

Commissioner Grippa stated that the local bank provided just as good of a return on investments as a national bank. He stated that the reason for this request is that Blueprint 2000 is a separate entity and that an RFP should be issued.

Commissioner Mustian stated that he would not be opposed to having the money invested with the County, however he did not feel that everything needed to be RFP'ed.

Commissioner Mustian moved to have staff to review the investment policies of the City and the County and to defer the decision until the report could be brought back.

Commissioner Lightsey seconded the motion. Commissioner Lightsey stated that early on in the program the Board made conscious decisions on how to handle these policies and that the decision was made to at that time not to reinvent the wheel and to use established systems. She stated that she supported Commissioner Mustian's view on this issue.

Commissioner Katz stated that staff should review the policies of both the City and the County investment policies and the returns on the investment. He stated that if investing the funds separately could make more money then it should be done. He also asked that staff bring back information on projected cash flow at the next meeting.

Commissioner Grippa stated that the earlier vote to issue the RFP for Commercial Banking needed to be reconsidered. He further stated that the intent of his motion was to have an RFP issued for Investment Banking and not Commercial Banking. He stated that Blueprint is a separate entity from the City and the County and therefore would hold money for a different period of time. He stated that the investment of the money raised for Blueprint 2000 need to come before the Board because of the large amount involved.

Commissioner Sauls asked where the proceeds of the \$70,000,000 bonds sale were and how that money was invested. Mr. Davis stated that some of the money had been forwarded to FDOT for right of way for the widening of Capital Circle NW and that the remainder was invested in accordance with the Blueprint investment policy with the City's investments. She asked if the money from this previous sale would have to be reinvested if there was a change to the investment policy for Blueprint. Mr. Davis stated that it would have to be reinvested.

Commissioner Rackleff called for the vote. The motion carried 10-1. Commissioner Grippa cast the dissenting vote.

Commissioner Katz moved to reconsider the motion to issue an RFP for Commercial Banking. The motion was seconded. Commissioner Proctor stated that the bank selected for the investing the Blueprint money should be a local bank that invests money back into the local community. He stated that the Board should modify their behavior to support local CRA banks. The motion carried unanimously 11-0.

Commissioner Katz moved to not issue an RFP for Commercial Banking. Commissioner Sauls seconded the motion. The motion carried unanimously 11-0.

V. PUBLIC HEARINGS - BUDGET

There was no one present to speak on the FY 2004 Blueprint 2000 Operating budget.

9. Proposed Fiscal Year 2004 Operating Budget

RECOMMENDED ACTION:

Adopt FY 2004 Budget and related Budget Resolution.

ACTION TAKEN:

Commissioner Grippa moved to approve the budget. Commissioner Lightsey seconded the motion and the committee passed it unanimously, 11-0.

VII. ITEMS FROM MEMBERS OF THE COMMITTEE

Commissioner Grippa stated that he would like a written description from Environmental Research & Design (ERD) for the reasons that projects do not meet the criteria for stormwater projects within 6 months of the evaluation request. He stated that he had submitted proposed water quality projects for review by ERD that were denied without any written explanation for why they had not met the criteria. Mr. Davis stated that he would insure that this was done.

Commissioner Grippa further questioned how items are added to the Board agenda, for example the bylaw revisions and the meeting scheduling. Commissioner Rackleff stated that he had asked for that these items be added to the agenda. Commissioner Grippa asked who sets the agenda items and meeting dates. He stated that he felt that Ms. Favors and Mr. Alam should set the meeting dates and the agendas. Mr. Davis stated that staff put the draft agenda items together with approval of Ms. Favors and Mr. Alam. He stated that his recommendation was that the Chairman of the IA approves the agenda and that Mr. Alam and Ms. Favors would approve the draft agenda. Commissioner Grippa stated that the Interlocal Agreement states that the IMC was to set the agenda.

There was discussion of whether or not the Chairman and the Vice-Chairman could set the agenda without there being a violation of the Sunshine Law.

There was discussion of whether Commissioners could add items to the agenda. There was also discussion of whether the meetings should be set on the same day as the MPO meetings. Mr. Davis stated that he is drafting a meeting schedule and agenda policy for review of the Board. Commissioner Katz stated that he would like to see the meetings scheduled for later in the day, such as after 5:00 p.m.

Commissioner Maloy asked the status of the General Engineering Consultant contract. Mr. Davis stated that the contract would be finalized within three weeks.

VIII. ADJOURNMENT

The meeting was adjourned at 5:30 p.m.

APPROVED:

ATTEST:

Bob Rackleff
Chairman of Blueprint 2000 IA

Shelonda Gay
Secretary to Blueprint 2000 IA