

TALLAHASSEE-LEON COUNTY
BLUEPRINT 2000 INTERGOVERNMENTAL AGENCY
Meeting Minutes
October 20, 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

City

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

CITY/ COUNTY STAFF

Parwez Alam, County Administrator
Bill Bogan, Leon County Clerk's Office
David Bright, Blueprint 2000
Marlon Brown, City Managers Office
Anita Davis, County Commission Staff
Jim Davis, Director Blueprint 2000
Anita Favors, City Manager
Shelonda Gay, Blueprint 2000
Gary Herndon, City Treasurer Clerk
Vince Long, County Administration
Theresa Heiker, Leon County Public Works
Bill Woolery, City Public Works
***** NOTE: Because the sign-in sheet was removed from the Commission Chambers, a full attendee list could not be developed.**

Phil Maher, Blueprint 2000
Dan Rigo, County Attorney's Office
Debra Schiro, City Attorney's Office

OTHERS PRESENT

Dr. Donald Long, MGT of America
Jerry Oshesky, The LPA Group
Bonnie Pfuntner, The LPA Group
Chris Merritt, PBS&J
Bobby Cooley, Hatch Mott MacDonald
Paco de la Fuente
Phyllis Gray, Greenhorne O'Mara
Maribel Nicholson-Choice, Greenburg Traurig
Billy Hattaway, BDI
John Forney, Raymond James
Nancy Miller, EECC

Reggie Bouthillier, Greenburg Traurig
Mora Mazzola, Greenburg Traurig
Kathleen Sha, Greenburg Traurig
William Hutchison, Greenburg Traurig
R.M. Futone, Greenburg Traurig
Iz Rodriguez, Greenburg Traurig
Fred Harris, Greenburg Traurig
David Van Leuven, Wilson Miller
Arlen White, Wilson Miller
Kathy Archibald, CAC

CALL TO ORDER

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

I. AGENDA MODIFICATIONS

Jim Davis stated there were two (2) Agenda modifications. The first is the revised enclosure that accompanies Item #3, Blueprint 2000 Investment Policy. The second is a new attachment that gives narrative regarding Item #II b, State of the Lakes Report.

II. INFORMATIONAL ITEMS

Item #a: State Infrastructure Bank (SIB) Loan Application (Capital Circle NW)

Commissioner Proctor posed a question about whether the SIB Loan will be used exclusively for the Capital Circle NW portion of Blueprint 2000 projects. Jim Davis explained that staff found that the State Infrastructure Bank had \$100 Million available for this FY 2004 and also FY 2005 for loans. Subsequently, staff looked at the best project to compete for a State loan and Capital Circle NW was the closest to construction and those projects tend to compete better. Jim further explained that if you consider the interest rate and payback schedule, we could expect to save approximately \$5 Million of interest payments with the \$22.6 Million loan versus traditional bond financing.

Item #b: State of the Lakes Report

Commissioner Grippa expressed his astonishment regarding the "Good" report Lake Lafayette received. He explained he was sure the lake was in poorer condition than reported. Commissioner Grippa further stated, overall he was pleased with the report and how it has helped him tremendously.

III. CONSENT ITEMS

- 1. Minutes of September 9, 2003, Intergovernmental Agency Meeting**
- 2. Sensitive Lands Working Group By-Laws**

Chairman Rackleff asked if there was motion to move Consent. Commissioner Grippa made a motion to move Consent, Commissioner Sauls seconded, and the committee passed the Consent Items unanimously.

IV. PRESENTATIONS/ACTIONS/DISCUSSIONS

3. Blueprint 2000 Investment Policy

Jim Davis gave a brief report on the Blueprint 2000 Investment Policy. He explained that staff was tasked with comparing how the City of Tallahassee and Leon County invest their excess revenue. Phil Maher stated that when the Budget policy was adopted for Blueprint 2000 in July

2002, the City was chosen to provide the services for accounting and finances. Phil directed attention to the spreadsheet that compared the City and County as well as other “benchmark” entities and their investment strategies. He further stated that more in depth questions could be answered by Gary Herndon, City Treasurer Clerk or Bill Bogan, from the Leon County Clerk of Courts Office.

Commissioner Thaelle stated that during the commissioner briefings, he asked that a longer time period for the rate of return be looked at than just the six-month period. He further realized that it was more favorable in the long term than in the short term.

Commissioner Grippa asked if the City has ever gone outside its investment policy in the last 20 years. He further explained his question was directly associated with the City’s policy of only investing in Commercial Paper and Government Backed Securities. He further stated that Investment Managers sometimes downgrade and the client won’t find out until later. Because of this, losses happen. Mr. Gary Herndon, City Treasurer Clerk explained to Commissioner Grippa that he has had downfalls as such from Investors purchasing securities that initially met the investment grade standards, but subsequently fell below, and was then sold as a result. Commissioner Grippa further asked if the money was recouped from the date it was downgraded to when it was sold. Mr. Herndon stated that when it is downgraded the City is contacted by the investment manager for direction and what money is received at that point is what is reflected in the portfolio. Commissioner Grippa posed the same question to Mr. Bogan on the County’s policy. Mr. Bogan stated the County handled the situation the same, and based it primarily on the market at the time. Commissioner Grippa stated he will vote against this Agenda item for the following reasons:

- Because the IA is a separate entity, it should have its own money management
- Help in the Bond market if the money was invested by the IA’s own Money Manager
- It is important to distinguish between what the IA does and what the City and County do

Further questions and discussion followed. Additional questions were asked which Gary Herndon, the City Treasurer clerk was going to be following up on.

RECOMMENDED ACTION:

Option 1: Remain with the City based on Blueprint currently utilizing the City’s accounting and finance services and the City’s investment performance.

ACTION TAKEN:

Mayor Marks made a motion to move staff’s recommendation, Commissioner Thaelle seconded, and the motion carried 10-1 with Commissioner Grippa casting the opposing vote.

4. Schedule and Agenda Development Policy

Jim Davis gave a report on the Meeting Schedule and Agenda Development Policy. He stated the by-laws of the Intergovernmental Agency state: *“the Staff Director shall work with the*

Chairperson to develop the agenda for meetings as scheduled.” He further stated the policy gives him the ability to develop the draft Agenda based on the material provided to him by anyone. Nothing is excluded from the agenda, subject to limitations on time and urgency, and then he will exercise judgment on what should be on the agenda. Following preparation of the draft Agenda, the Intergovernmental Management Committee will then approve the agenda and then it becomes final.

Commissioner Katz asked that a provision be included which provides a methodology for Commissioners to put items on the Agenda. He would like for the Commissioners to be able to include items without the IMC deciding it should not be included. Jim explained there should be a timeframe to allow staff preparation time for these items. Commissioner Katz agreed and stated he only wants a method put in place that will secure the Commissioners’ ability to have items placed on the agenda for the meetings. Commissioner Katz also stated he would like staff to create this process in a way such that the Commissioners will not violate the Sunshine Law. The city and county attorneys disagreed on the Sunshine Law’s validity as far as if it was permissible to pass memorandums internally as a mechanism to get items on the agenda.

Commissioner Proctor added that he believes the process will assist in enhancing the voice of the governing body.

RECOMMENDED ACTION:

Option1: Approve the Meeting Schedule and Agenda Development policy as provided in the agenda.

ACTION TAKEN:

Commissioner Grippa made a motion to approve the policy with the changes suggested by Commissioner Katz, Commissioner Sauls seconded, and the item passed unanimously.

5. Approval of 2004 Meeting Schedule

Jim Davis gave a brief report on the Meeting Schedule policy. He stated the policy states the IA will meet every other month, will not be in conjunction with the MPO, location will alternate between the City and County Commission Chambers; in addition, the schedule includes two (2) evening meetings from 5pm - 7pm, in the City Chambers.

Commissioner Thael asked that Legal Counsel, once chosen, address the issue surrounding telephonic meeting attendance, and the absent Commissioner be included towards the quorum. He also mentioned this should be in the case of an excused absence.

RECOMMENDED ACTION:

Option 1: Board of Directors approve the attached schedule for 2004.

ACTION TAKEN:

Commissioner Lightsey made a motion to approve the schedule for 2004, Commissioner Proctor seconded, and the item passed unanimously.

6. Blueprint 2000 Legal Counsel Selection

Commissioner Mustian moved staff recommendation (Greenberg, Traurig LLP), seconded by Commissioner Lightsey. Commissioner Mustian asked if the Legal Counsel workload for the MPO and the IA could be equalized. He further stated that because the IA and the MPO were so closely associated, perhaps the Counsels can share responsibility for different matters. Commissioner Lightsey added by stating the RFP for the Legal Counsel for the MPO has not yet been advertised and may not be awarded until January or February.

Commissioner Katz asked to make a substitute motion that will replace staff's recommendation of Greenburg Traurig as IA Legal Counsel with Williams, Wilson, & Sexton. He also stated he would be in favor of Greenberg, Traurig as Legal Counsel for the MPO. The motion was seconded by Mayor Marks.

Commissioner Gillum posed the question regarding the allocation of MBE points. Jim explained to him that firms who are certified MBE firms scored 10 full points, the maximum. He further explained that MBE points ranging from 2-8 points could be awarded for other reasons, including, minority sub-contractors, the percentage of professional workforce to be utilized on a project by minorities or minority graduate students, and if a firm has hired one or more minority trainees in a professional discipline.

Commissioner Lightsey stated she preferred staff recommendation and suggested that the discussion on expediting the RFP for MPO Legal Counsel should be held until the next MPO meeting on October 27, 2003. Further discussion followed.

Commissioner Proctor spoke on the scoring of the MBE. He stated he was disappointed that there was not a concrete application for awarding MBE points. He stated he was disappointed that Williams, Wilson, & Sexton was scored lower than Greenburg Traurig in the *Experience, Ability, & Understanding* category considering Thornton Williams served as Legal Counsel for the Florida Department of Transportation (FDOT). He further stated that Mr. Williams served under two administrations and for all 67 counties as counsel for FDOT, and therefore should have received the maximum point score. Commissioner Proctor also reminded the Board that Blueprint 2000 procurement was intended to favor local preference. He also questioned the point value given to Williams, Wilson, & Sexton regarding the *Ability to Support the Agency* category. He spoke to the six-point gap difference and how it could be so different when all offices are local.

Mayor Marks asked who the lead counsel will be for Greenburg, Traurig. He also discussed his liking of the graduated MBE scale. He spoke to firms who housed minority partners and the points that should be awarded to them, as well firms who housed only minority counsel or legal staff. Jim Davis stated the lead counsel for Greenburg, Traurig is Reggie Bouthillier and secondary counsel is Maribel Nichols.

Commissioner Grippa stated Greenburg Traurig is also as qualified, and local, as Williams, Wilson, & Sexton.

RECOMMENDED ACTION: (staff)

1. The firm of Greenburg Traurig, LLP be selected to be Legal Counsel for the Intergovernmental Agency.
2. The Staff Director of Blueprint 2000, assisted by the City and County Attorney, be authorized to negotiate and sign a contract with Greenburg Traurig for a period of three (3) years.

ACTION TAKEN:

Commissioner Katz's substitute motion to withdraw Greenburg Traurig, staff's recommendation as IA Legal Counsel, and replace them with Williams, Wilson, & Sexton, was voted on and failed 31-34.

Commissioner Mustian made a motion to approve staff recommendation, Commissioner Lightsey seconded, and discussion followed. The motion passed unanimously.

7. Strategies for Road Projects

There was no discussion.

RECOMMENDED ACTION:

Option 1: Approve the proposed strategy for the completion of the Blueprint 2000 Tier 1 projects.

ACTION TAKEN:

Commissioner Grippa made a motion to move Option 1, Commissioner Lightsey seconded, and the item passed unanimously.

8. Still Property Advance Acquisition (Capital Circle SW)

There was no discussion.

RECOMMENDED ACTION:

Option 1:

- a. Acquire the Still parcel prior to December 30, 2003.
- b. Authorize the Director of Blueprint 2000 to negotiate and finalize the sale at the appraised value.
- c. Authorize the Director of Blueprint 2000 to negotiate and finalize the sale of the adjacent property at the appraised value.
- d. Title the property in the name of the Agency.

ACTION TAKEN:

Commissioner Thaeil made a motion to move Option 1, Commissioner Lightsey seconded, and the item passed unanimously.

V. CITIZENS TO BE HEARD

There were none.

VI. ITEMS FROM MEMBERS OF THE COMMITTEE

Commissioner Grippa asked Jim Davis how many grants Blueprint 2000 has applied for this year. Jim stated that to date Blueprint has applied for grants from the Federal Government in the amount of \$2 Million and \$71 Million dollars from the next Transportation Bill, and recently the State Infrastructure Bank Loan in the amount of \$22.6 Million. Mr. Grippa asked if a structure could be developed for applying for grants for some of the Blueprint projects. He stated he knew of at least ten (10) grants available that could aide in Blueprint funds for leveraging, including funding from the NFWFMD.

Commissioner Lightsey asked staff to develop an agenda item to describe how public/private partnerships generally work around the State and how they have been effective. She also asked to compare how these partnerships might work for Blueprint projects. She suggested Bruce Barrett, MPO Director, might be a valuable resource.

VII. ADJOURNMENT

There being no further business, Chairman Rackleff adjourned the meeting at 5:00 pm.

APPROVED:

ATTEST:

Bob Rackleff
Chairman of Blueprint 2000 IA

Shelonda Gay
Secretary to Blueprint 2000 IA