

TALLAHASSEE-LEON COUNTY
BLUEPRINT 2000 INTERGOVERNMENTAL AGENCY
Meeting Minutes
October 21, 2002, 3:00 PM
City Commission Chambers, City Hall, 2nd Floor

MEMBERS PRESENT

County

Commissioner Ed Depuy
Commissioner Tony Grippa
Commissioner Bob Rackleff
Commissioner Jane Sauls
Commissioner Cliff Thaeil
Commissioner Dan Winchester

City

Mayor Scott Maddox
Comm. John Paul Bailey, Chairman
Commissioner Allan Katz
Commissioner Debbie Lightsey

CITY/ COUNTY STAFF

Mr. Parwez Alam, County Administrator
Mr. Jim Davis, Director Blueprint 2000
Mr. Tim Allen, City Growth Management
Mr. Dwight Arnold, City Growth Management
Mr. Bruce Barrett, MPO
Mr. David Bright, Blueprint 2000
Mr. Greg Burke, TLC Planning
Ms. Paula Cook, City Treasurer Clerk Office
Mr. Jim English, City Attorney
Ms. Shelonda Gay, Blueprint 2000
Ms. Dinah Hart, City DMA
Ms. Theresa Heiker, County Public Works

Ms. Val Hubbard, TLC Planning
Mr. Gary Johnson, County Comm. Dev.
Mr. Jack Kostrzewa, TLC Planning
Mr. Vince Long, Asst. County Admin.
Mr. Gabriel Menendez, City Traffic Eng.
Mr. Tony Park, County Public Works
Mr. Daniel Rigo, County Atty. Office
Ms. Debra Schiro, City Atty. Office
Mr. Herb Thiele, County Attorney
Mr. Bill Woolery, City Engineering
Mr. Michael Wright, Asst. City Manager

OTHERS PRESENT

Ms. Kathy Archibald, BP2K Citizen's Advisory Committee
Mr. Paco de la Fuente, Citizen
Mr. Patrick Elliott, Citizen
Mr. Jason M. Gibson, Citizen
Ms. JoLinda Herring, BMO
Mr. Michael Sheridan, BP2K Citizen's Advisory Committee
Mr. Jim Sullivan, Genesis Group
Ms. Jean Weekley, FDOT
Ms. Kristine Williams, CUTR

CALL TO ORDER

The meeting was called to order by Chairman John Paul Bailey at 3:15 PM.

I. AGENDA MODIFICATIONS

Mr. Davis stated that he had submitted several agenda modifications prior to the meeting. He stated that item #8, Legal Support, a fourth option had been added to the agenda item. Item #12, Revised Water Quality Criteria, the title of the item had been corrected to read "Stormwater Quality Enhancement Program and Regional Ponds". The minutes of the September 23, 2002, IA meeting were corrected to show Commissioner Bailey as the Chairman instead of Commissioner Winchester. He further stated that item #2, Changes to the Interlocal Agreement, had been removed from the agenda and that a new item, Alternate Locations for the IA meetings, had been added to the agenda.

II. INFORMATIONAL ITEMS

- a. **Request for Proposal – Bond Counsel** Mr. Davis stated that he would be working with Mr. Herb Thiele, County Attorney and Jim English, City Attorney to move forward to issue the Request For Proposal (RFP) for the Bond Counsel for Blueprint 2000. Mr. English stated that simultaneously an additional RFP would be issued for the Bond Disclosure Counsel. He further stated that the RFP would be patterned after the County's Bond Counsel RFP and he stated that the City and County were currently using the same Bond Counsel.

- b. **Introduction of BP2K Planning Manager – David Bright** Mr. Davis introduced Mr. Bright and provided a brief history of his employment and job qualifications.

III. CONSENT ITEMS

1. September 23, 2002 Intergovernmental Agency Meeting Minutes
3. Add MPO Director to TCC as Voting Member
4. Exception to Annual Performance Audit
5. Corridor Management Advisory Committee

Mayor Maddox moved approval of all consent items. Commissioner Lightsey seconded the motion. The motion carried unanimously.

IV. CONSENT ITEMS PULLED FOR DISCUSSION

No consent items were pulled for discussion.

V. DISCUSSION ITEMS

ITEM #6: COORIDOR MANAGEMENT UPDATE

Mr. Greg Burke provided an introduction of Kristine Williams, Program Director of Planning and Corridor Management for the Center for Urban Transportation Research (CUTR).

Ms. Williams stated that CUTR was working to develop a program for the Tallahassee–Leon County region to manage corridor development and access, and that the study would be the basis for future projects that would be developed and implemented in the current and future transportation plans. She stated that the project involved two key areas 1.) implementation of measures to assure that new development is located and designed in a manner that will accommodate future transportation improvements and 2.) implementation of measures to assure that roadway access is managed as development occurs and is designed in a manner that is compatible with those facilities. Ms. Williams stated that these measures were important to preserve the safety, efficiency and the character of these corridors as they are developed and to manage taxpayer resources effectively. She stated that CUTR was studying other communities on a statewide and national level that have implemented good practices. CUTR would build upon these examples to create a program that is proven and the strategies are effective. The program would assure that private property owners' rights are protected and there will be no undue hardships placed upon property owners.

Ms. Williams provided a brief description on the qualifications of the team that would be working on the development of the program. She stated that they would assess the current practices of the City and County, Comprehensive Plan Amendments and Code & Implementing Language. She stated that the assessment of the current practices had been completed, they had met with and are working with the steering committee and that they had completed a seminar with County and City development review staff. She discussed the steering committee's actions.

The Intergovernmental Agency members asked how other communities that have long range transportation plans and growth pressures handle their transportation plans while protecting the property owners'/taxpayers' interests.

Ms. Williams stated that Florida Department of Transportation (FDOT) has a comprehensive access management program that applies to state maintained roads. She stated that FDOT has set-up access spacing standards and that in the case of large developments, access can be designed that will provide an effective access and circulation system that does not conflict with the road. She stated that in the case of small lot frontages you must avoid the subdivision of property frontage into small lots unless there is also alternative access to those properties so that there are not numerous closely spaced driveways along major arterial roads. Interconnection of adjacent businesses is another effective strategy that is currently being used. She stated that improved coordination with local government and FDOT would further strengthen local governments' ability to carry out access management objectives.

Mr. English stated that the City and the County Commissions would work together to make substantial revisions to City and County code on Corridor Management Protection, Access Management Protection and to the Comprehensive Plan.

Comm. Lightsey asked how long it would be before CUTR returned with Comp. Plan Amendments and ordinance language. She was interested in finding out how much time would elapse before action would be taken and she was concerned that CUTR not miss the Comp. Plan cycle, which would delay the access management revisions by as much as six months. She asked for a realistic timeframe to insure that enough information would be provided to have a clear understanding of the needs.

Ms. Williams stated that she anticipated that CUTR would be bringing the Comp. Plan Amendments in late winter or early spring to be a part of the next Comprehensive Plan amendment process.

Comm. Winchester asked what could be done in the interim to prevent building within the proposed right of way. He was concerned that large sums of Blueprint money would be lost because efforts are not complete to preserve the corridor. He asked if there could be some mechanism in place during the permitting process to prevent building in these areas and thereby curbing the increasing cost of the right of way.

Mr. Michael Wright stated that the City had worked to reserve the right of way.

Mr. Jack Kostrzewa stated that although the PD &E study was underway, in order to identify and hold the needed right of way, a certain percent of the design would have to be completed. He further stated that the Home Depot site on Capital Circle NW was under review and they had agreed to the special setbacks prior to obtaining their permits. He further stated that if staff was aware of upcoming development within the Blueprint areas he would notify Mr. Davis, Mr. Michael Wright and Gary Johnson of the encroachment and they would work together make sure that there was no development within the proposed right of way.

Comm. Grippa asked if our transportation planning was similar to other jurisdictions and if the cross sections and right of way needs were the same. He asked if Ms. Williams would bring samples of cross sections from other cities to compare to the transportation needs of Tallahassee-Leon County.

Comm. Grippa asked if Blueprint would be reimbursed for the Capital Circle right of way costs for Capital Circle Northwest. Mr. Davis stated that FDOT projected that they would reimburse Blueprint in 2014 for the advance funding of the Capital Circle NW right of way. Comm. Grippa asked if FDOT had any specifications by which they reimburse and could the extra amenities that Blueprint is requesting be delineated from the normal amount that the FDOT spends.

Comm. Grippa asked for an update on the status of pursuing grants through the Intrastate Highway System (IHS) Mobility 2000 program. Mr. Bruce Barrett stated that he and numerous others from the City and County had attended the Strategic Intermodal System (SIS) steering committee meeting to lobby to designate Capital Circle NW an SIS intermodal facility from I-10 to the Airport. Becoming a part of the SIS may mean increased funding for highways in this area. He stated that SIS would be replacing the Transportation Outreach Program (TOPS) and Florida Interstate Highway System (FIHS) programs. He further stated

that there would be restrictions on access management, however these issues would be address with the CUTR study and there would also be restrictions on the level of service.

Comm. Lightsey stated that she would like to see a short report on FDOT's access management approach. She further stated that the City had been sued previously when an attempt was made to reserve right of way. Mr. English stated that there was an ordinance that allowed reservation of right of way and it had been revised since that litigation. He stated that there was a lot of work that needed to be done in order to compel property owners to donate right of way.

Comm. Bailey asked if there was a transportation planning model that would show the transportation flow increase versus the cost of construction for a fly over at Capital Circle NW and West Tennessee St. Mr. Barrett stated that there was software that would project this comparison.

RECOMMENDED ACTION: No action required, for Agency information only.

ACTION TAKEN: NONE

ITEM #7: BLUEPRINT 2000 DRAFT MASTER PLAN

Mr. Davis reviewed the draft Master Plan for Blueprint 2000 and stated that the Intergovernmental Agency, Blueprint 2000 Program draft Master Plan is a document that will define dates for the various phases of each of the Blueprint projects while providing an overview of the entire program. Further, that the Master Plan, once completed, will be the baseline program document for Blueprint. He mentioned that this plan is currently in draft (subject to change) and that the construction plan was aggressive. He stated that the draft did not include any finance cost, which would be as much as \$120M depending on the amount of money that is borrowed. He stated that the plan is not fully funded and that it was understood that the success was dependant upon leveraging the money that we have. He stated that he anticipated an \$82M shortfall based upon a conservative growth factor of 4.5% and that every ½% above this amount generates an additional \$30M in revenue.

RECOMMENDED ACTION: No action required, for Agency information only.

ACTION TAKEN: NONE

ITEM #8: BLUEPRINT 2000 LEGAL SUPPORT

Mr. Davis stated that he had discussed this issue with both the City and the County Attorneys and that they all felt that the best solution would be to hire outside counsel that would advise the IA on policy issues only. He stated that the City and/or the County attorneys would

handle the day-to-day mechanics, such as acquiring ROW, working on contracts, etc. Mr. Davis further stated that the details would be worked out in the future.

RECOMMENDED ACTION: Option #3: Hire an outside counsel to act as general legal advisor for policy and administrative issues only. Establish a memorandum of understanding between the City Attorney, the County Attorney and the Director of Blueprint 2000 to share the contracting functions and the real-estate functions (with all costs/salaries being charged to Blueprint funds and/or projects).

Comm. Lightsey moved approval option #3. Commissioner Katz seconded the motion for discussion. There was further discussion of the workload and the duties of the outside counsel versus the duties that would remain with the City and County attorneys. Mr. English stated that outside counsel would not be subject to political pressure. Comm. Katz stated that he felt that there should be outside counsel “for this body” of 12 elected officials that would respond to only “this body”. He further stated that the City and County attorneys did not always agree or interpret issues in the same way.

ACTION TAKEN: Comm. Grippa entered a substitute motion for option #4 For the City Attorney, the County Attorney and the Director of Blueprint 2000 to develop and sign a memorandum of understanding that equitably addresses the roles, responsibilities and billing for services provided by the respective legal offices. Commissioner Deputy seconded the motion. There was further discussion of how decisions would be made if the City and County attorneys disagreed on an issue. The motion carried 8-2.

ITEM #9: FUNDING FOR CONSTRUCTION FOR CAPITAL CIRCLE NW

Mr. Davis stated that Commissioner Winchester requested that funding for the construction of Capital Circle Northwest be committed to enable new development or businesses to expand by removing the 3-year concurrency limitations currently associated with the roadway. He further stated that Commissioner Deputy proposed a comprehensive plan amendment that provides that property owners who donate right of way along CCNW will be given 10 years of concurrency exemptions in return for their donation. Mr. Davis mentioned that there were several issues that need to be worked out through the Comp. Plan and he recommended that the funding issue be deferred until after the Comp. Plan meetings.

Comm. Winchester asked how the IA would be approaching concurrency and how do we allow development to move forward without risking future state dollars.

Ms. Val Hubbard stated that within the Comp. Plan Amendments she was addressing the concurrency issue. She had previously provided addendum 2003-1-T-008, dated September 20, 2002, that discusses both Commissioners Winchester’s and Deputy’s ideas. She stated that her concern was that if there was an IA policy statement to fund the project, the project must be included in the Capital Improvement Element of the Comprehensive Plan and that the CIE must be financially feasible; and a funding source must be identified. She further

stated that since the concurrency constraint also exists south of Tennessee to Blountstown Hwy., and that the current design project only goes to Tennessee St. the section south of Tennessee can not be moved forward fast enough through PD&E and design to meet the 3-year concurrency construction requirement.

Comm. Winchester asked what the recommendation would be to resolve the issues. Ms. Hubbard stated that the options were to lower the level of service and add policy language that would bring the level back up after the road is funded in conjunction with the elimination of vested trips in the County.

Mr. Davis stated that Comm. Winchester's and Comm. Depuy's initiatives were in conflict with each other because if the right of way is funded by Blueprint then there is no incentive for property owners to donate right of way. Mr. Davis stated that he would like to defer this issue until the issues could be resolved through the Comp. Plan Amendments or through the MPO.

RECOMMENDED ACTION: Option #1a.: Recommended rewording by the TCC, Defer any decision on funding for the construction of CCNW until the Joint Commission has acted on the proposed comprehensive plan amendment or until there is a response to the request for external funding for CCNW.

ACTION TAKEN: Comm. Lightsey moved staff recommendation. Mayor Maddox seconded the motion. The motion carried 8-2. Comm. Winchester and Comm. Grippa cast the dissenting votes.

ITEM #10: LIDAR FUNDING

There was no discussion of this issue.

RECOMMENDED ACTION: It is recommended that Blueprint 2000 fund one third of the cost (approx \$350,000) for the LiDAR project.

ACTION TAKEN: Mayor Maddox moved staff recommendation. The motion was seconded. The motion carried 10-0.

ITEM #11: NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT PARTNERSHIP FOR HEADWATERS OF THE ST. MARKS RIVER

There was no discussion of this issue.

RECOMMENDED ACTION: Approve Option 1: Authorize the Director of Blueprint 2000 to negotiate an agreement with the Northwest Florida Water Management District for the purpose of acquiring properties for the protection of the headwaters of the St. Marks. The agreement will incorporate the concepts listed in the Agenda Item (items 1-9). Any final agreement will be approved by the IA.

ACTION TAKEN: Mayor Maddox moved staff recommendation. The motion was seconded. The motion carried 10-0.

ITEM #12: STORMWATER QUALITY ENHANCEMENT PROGRAM AND REGIONAL PONDS

Mr. Davis stated that the title of this item was modified.

Comm. Lightsey asked what the goal was of including geography in the evaluation of stormwater criteria. Comm. Katz stated that the attempt was to share the funds geographically. Comm. Lightsey stated that the water body locations will not change and they all need to be cleaned up. She further stated that it would not be feasible to have a project in each commissioner's district. She mentioned that the clean-up would begin with one water body and the others are chosen because they are connecting water bodies and because of their topography and hydrology in relation to the initial water body. Comm. Lightsey stated that there was objective scientific information about the degraded level of the various water bodies and that emphasis on geography would take away from the goals of Blueprint. She stated that the most serious consideration should be on correcting problems with the water bodies and not making sure that projects are done in each political district.

Comm. Grippa stated the purpose of including geography in the criteria was not for political reasons. He stated that the purpose of the study was to identify areas of flooding, regional stormwater facilities and to improve water quality.

Mr. Davis stated that this item proposed no change to the technical criteria, that it was simply adding a second phase to the project evaluation. He stated that a second phase would include a map that identified, by quadrant, the location of the previously approved projects and the location of new projects being submitted for approval. He stated that this would allow members of the IA to consider location in their final decision for project approval.

Mayor Maddox stated that the science will reveal that most of the water and flooding is on the south side of town and therefore most of the projects will be in this area. He stated that he was comfortable including geography in the criteria.

RECOMMENDED ACTION: It is recommended that the Blueprint 2000 Water Quality Project approval criteria be modified to include a second phase, which will highlight the location of previously approved projects and projects currently being submitted for approval. This new criteria will allow members of the IA to consider geography within their approval process.

ACTION TAKEN: Mayor Maddox moved staff recommendation. The motion was seconded. The motion carried 10-0.

ITEM #13: ALTERNATE MEETING LOCATION

Mr. Davis stated that there was interest in alternating the location of the meetings between the City Commission Chambers and the County Commission Chambers.

RECOMMENDED ACTION: Approve the alternating meeting location for the Intergovernmental Agency meeting, effective December 9, 2002.

ACTION TAKEN: Comm. Winchester moved staff recommendation. Mayor Maddox seconded the motion. The motion carried unanimously 10-0.

VI. UNAGENDAED BUSINESS

Mayor Maddox stated that he would like to request that Blueprint hire a construction manager that would bid the construction projects out to sub-contractors. He stated that the purpose of hiring the construction manager would be to speed up the process and save money.

ACTION TAKEN: Mayor Maddox moved to hire a construction manager. The motion was seconded. The motion carried unanimously 10-0.

VII. ADJOURNMENT

The meeting was adjourned at 4:50 p.m.

APPROVED:

ATTEST:

Commissioner Bailey
Chairman of Blueprint 2000 IA

Secretary to Blueprint 2000 IA