

TALLAHASSEE – LEON COUNTY
BLUEPRINT 2000 INTERGOVERNMENTAL AGENCY
Meeting Minutes
February 24, 2014
5:00 pm, City Commission Chambers

MEMBERS PRESENT

<u>County</u>	<u>City</u>
Commissioner John Dailey	Commissioner Andrew Gillum
Commissioner Bryan Desloge	Commissioner Scott Maddox
Commissioner Kristin Dozier, Chair	Mayor John Marks
Commissioner Bill Proctor	Commissioner Nancy Miller
Commissioner Mary Ann Lindley	Commissioner Gil Ziffer
Commissioner Nick Maddox	
Commissioner Jane Sauls	

CITY/COUNTY STAFF

Autumn Calder, Blueprint 2000	Shelonda Meeks, Blueprint 2000
Dee Crumpler, COT Parks & Rec.	Gabriel Menendez, COT
Lee Daniel, Leon County	Rick Minor, Mayor's Office
Megan Doherty, PLACE	Toney Park, Leon County
Ashley Edwards, COT Parks & Rec	Harry Reed, CRTPA
Angela Ivy, Blueprint 2000	Mike Scheiner, COT
Charles Hargraves, Blueprint 2000	Debra Schiro, Blueprint 2000
Linda Hurst, City Attorney Office	Lew Shelley, City Attorney
Cassandra Jackson, City Attorney Office	Rita Stevens, COT
Vincent Long, County Administrator	Wayne Tedder, PLACE
Earnest McDonald, PLACE	Patrick Twyman, COT

OTHERS PRESENT

Ross Burman	Ben Phipps
Susan Campbell	Dana Powell, Law Redd, Crona & Monroe*
Scott Carswell, SC Presents	Maribel Nicholson-Choice, Greenberg Traurig*
Jeff Caster, FDOT	Dave Snyder, Michael Baker, Jr.*
V. J. Conner	Jim Stevenson
Bonnie Gandy, Law Redd, Crona & Monroe*	Gary Stogner, Leon County TDC
Terence Hinson, CAC member	Tamaron Waters, Tallahassee Democrat
David Jones, CAC member	Vivian Young
Gary Phillips, Michael Baker, Jr.*	

* Indicates Blueprint 2000 Consultant

Commissioner Kristen Dozier called the meeting to order at 5:00 pm.

I. AGENDA MODIFICATIONS

Charles Hargraves stated that there was an agenda modification for Item 9 in the form of further detail and recommendations from the sound study.

II. CITIZEN'S ADVISORY COMMITTEE (CAC) CHAIRMAN'S REPORT

Terence Hinson spoke of the community excitement around the grand opening of Cascades Park. He directed the Board to the minutes in Item 1 and spoke briefly on the major discussions from them. Key topics were the FDOT Bold Initiative Landscape movement and commemoration of Centennial Field; CAC member David Jones would be speaking on that later.

III. INFORMATION ITEMS

1. CAC Meeting Minutes (August 29 & December 5, 2013)

This item was presented as informational only.

2. Project Updates

This item was presented as informational only.

3. Cascades Connector Bridge Status Update

This item was presented as informational only.

IV. CONSENT ITEMS

4. IA Meeting Minutes (September 16, 2013)

RECOMMENDED ACTION:

Option 1: Approve minutes as provided.

Action by TCC and CAC: This item was not presented to the TCC or CAC.

5. Proposed IA Meeting Date Change – June 2014

RECOMMENDED ACTION:

Option 1: Approve as recommended.

Action by TCC and CAC: This item was not presented to the TCC or CAC.

Commissioner Scott Maddox moved approval of the consent agenda. Commissioner Nick Maddox seconded the motion. It passed unanimously.

V. PRESENTATIONS/ACTIONS/DISCUSSIONS

7. Comprehensive Annual Financial Report Fiscal Year 2013

Charles Hargraves introduced the item and offered the floor to the auditors from Law, Redd, Crona, and Munroe if the Board had any questions.

RECOMMENDED ACTION: Accept the FY 2013 CAFR and approve additional appropriations to the FY 2014 Operating Budget of \$5,526 for encumbrances and \$9,410,963 for transfers to the Capital Projects Fund.

Action by TCC and CAC: The CAC was provided an updated on the FY 2013 CAFR but did not take any action. The TCC did not review the item.

Commissioner Nick Maddox moved to accept the FY 2013 CAFR. It was seconded by Commissioner Scott Maddox.

Dana Powell of Law, Redd, Crona, and Munroe, stated that upon completion of the audit, her firm issued an unmodified opinion on the financial statements. (She noted that in previous years it was referred to as an “unqualified” opinion.) That translated to the statements having been fairly presented in accordance with the United States generally accepted accounting principles. Furthermore, there were no material weaknesses in internal controls or in compliance with laws or regulations.

The item passes unanimously.

10. Citizen’s Advisory Committee Appointment

Charles Hargraves introduced the item and noted that Mr. Stevenson was in the audience.

RECOMMENDED ACTION:

Option 1: Approve the following nominations:
Representative from the EECC, natural scientist/biologist: Jim Stevenson.

TCC and CAC Action: The CAC voted unanimously to approve the nominated of Jim Stevenson. The TCC did not review the item.

Commissioner Lindley moved approval. It was seconded by Commissioner Dailey. The item passed unanimously.

6. Proposed Increase to Annual Limitation on Funding for Professional Service Agreement for Outside Counsel on Capital Circle Northwest/Southwest

RECOMMENDED ACTION:

Option 1: Approve \$75,000 as the annual funding limitation for the Professional Services agreement in the N2 CCNW/SW Project and as needed for other construction-related matters on Blueprint projects; provide direction to staff.

Action by TCC and CAC: This item was not presented to either the CAC or TCC.

Commissioner Scott Maddox moved approval. Commissioner Nick Maddox seconded the motion.

Commissioner Gillum requested clarification on the funding. Charles Hargraves stated that Blueprint was requesting an additional \$75,000, for a total of \$100,000 encumbered for Professional (legal) Services. The funds would be held as retainer to bill from if necessary. Commissioner Gillum questioned if the previously encumbered \$25,000 had been met. Mr. Hargraves stated that Blueprint had not begun to utilize the funds however they anticipated that the assistance beyond the \$25,000 retainer would be needed. Three construction costs delay claims had been submitted. They were related to unforeseen circumstances with the bridge that totaled more than \$1,000,000. Staff was concerned that with the IA meeting only three times per year, that it best to be proactive on the issue. Commissioner Gillum questioned who was managing the legal contracts. Mr. Hargraves stated that he signed the original contract. However, Debra Schiro, Blueprint's Legal Counsel, would be responsible for managing it.

Commissioner Proctor questioned if the \$75,000 was coming from the \$9,400,000 that was transferred with no designated purpose in Item #7. Wayne Tedder stated that the request for funding would come from unallocated dollars, not funds previously earmarked for Capital Circle Northwest/Southwest. Commissioner Proctor stated that he was concerned about the tripling of the established fee and the anticipated problems that would necessitate that. He requested specific details to support the request. Mr. Tedder stated that the legitimate claims to the project raised issues that Blueprint would need to work through. Furthermore, he stated, Blueprint was working to protect the project and sales tax dollars for the community in a way that was legally correct.

Commissioner Gillum questioned if the state would be liable for any portion of legal fees with the project. Mr. Tedder stated that was precisely why the individual was recommended, to ensure that all entities paid their fair share. Furthermore, Mr. Tedder stated that there was \$450,000 in contingency funds on a \$56,000,000 project which was far less than was typically held for any project. Blueprint was in good communication with FDOT that they would meet on unforeseen issues to pay those costs. That agreement had been honored thus far.

Commissioner Proctor stated that he would like a report on how the \$9,400,000 would be used. Mr. Tedder stated that it would be applied to the existing contract.

The motion passed unanimously.

8. Florida Department of Transportation Bold Landscape Initiative and Adjustment to Capital Circle Northwest/Southwest Landscape

Charles Hargraves introduced the item and Jeff Caster, the Landscape Architect for FDOT. Mr. Caster gave a presentation on the FDOT's Bold Initiative; a copy of which was on file at Blueprint.

Commissioner Ziffer stated that while the community enjoyed the beautiful landscaping of Capital Circle Southeast it was expensive to maintain. He liked the proposed alternative and was in favor of the methodology.

Commissioner Miller quoted the "Business of Beautification" publication by the Department regarding palm trees. She questioned what other types of trees or other plants might be available. Mr. Caster stated that the Department would not force palm trees, or any other specific plant on Tallahassee. Commissioner Miller stated that one reason that crepe myrtles were so prevalent was that was the tree supported by FDOT at the time. She stated that large trees were welcomed and with what seemed to be a reversal of opinion, questioned if FDOT would truly support that. Mr. Caster stated that FDOT would approve large trees where appropriate.

Commissioner Dozier clarified maintenance costs, specifically on Mahan Drive, she felt certain that the County incurred additional costs including increased staff to maintain the right of way on Mahan. She questioned if she understood correctly that the landscaping was different from what might be seen on Capital Circle Southwest and therefore Capital Circle Southwest would have a lower maintenance cost. Mr. Caster stated that that side of Mahan Drive was inside Capital Circle. However the segment outside of Capital Circle to I-10 was quite consistent with the Department was pursuing.

RECOMMENDED ACTION:

Option 1: Authorize the incorporation of Bold Initiative design elements into the landscape for Blueprint 2000 projects in 1) areas yet to be completed such as the Capital Circle Northwest/Southwest project (N2) and the Capital Circle Southwest project (W1), and 2) areas where the existing landscaping is in decline, such as Capital Circle Southeast projects (E1, E2, and E3).

Action by TCC and CAC: A presentation to the TCC on the FDOT Bold Initiative was provided on December 5, 2013, but no action was taken. On February 6, 2014 the CAC approved the recommended action with the additional direction to modify the existing Blueprint 2000 Design Guidelines to incorporate the Bold Initiative and to include the modification that palms and crepe myrtles should not be used in landscape design.

There was no formal motion however, the Board collectively and unanimously agreed to move forward with staff recommendation.

9. Cascades Park Update

Wayne Tedder introduced the fourth “owl” teaser for the Board to view. Charles Hargraves updated the Board on construction progress and shared photographs of the park.

Mayor Marks asked if any thought had been given to using paddle boats in the ponds. Mr. Hargraves reminded the Board that the park was a stormwater facility and allowing activity in the ponds could introduce health risks to the community.

Commissioner Miller questioned why on street parking along the north side of the Smokey Hollow Commemoration was not included. Mr. Tedder stated that the parking lot to the west of the Commemoration was a County owned lot and open for evening and weekend use by the public. Furthermore, the area underneath the Apalachee Parkway overpass was designated for overflow parking if it was needed in the future. Blueprint was working with the City and County to design improvements to that lot consistent with the appearance of Cascades Park.

Regarding parking, Commissioner Gillum assumed that coordination efforts were underway with the State. Mr. Tedder stated that Blueprint leased approximately 3,500 spaces for night and weekend use. Parking could be challenging during the grand opening, given that those lots would be full with state employees. Blueprint would be working through that issue in the coming weeks.

Commissioner Dozier suggested separating sound study portion of the item from the remainder of park issues. **Commissioner Ziffer moved approval of staff recommendations, excluding the sound study. Commissioner Gillum seconded the motion.**

David Jones, Blueprint CAC Disabled Community Representative distributed and read a prepared statement to the Board. He stated that *“The Commemorative Centennial Field was an important component to the Cascades project. It was part of the original concept to recognize a significant part of our history and culture. It represents a reflection of a time, a place, and of activities of people of this region.*

Three major reasons of many on why our Centennial Field must be an inclusive and accessible piece of Cascades Park. First of all, we need to recognize the historical importance that the role of recreation and athletic sport games have played in our society. We know that hundreds of years ago, and maybe even thousands of years, our native inhabitants played organized games with sticks and balls of some shape and fashion. Our City forefathers continued this concept in established athletic fields with programs and events for baseball, softball, and football on this site. Many thousands of participants and spectators have enjoyed the endless benefits of this recreational part of the history of our culture and what we now know as Tallahassee.

Secondly, we need to deliver a message that we want to emphasize the importance of play and active leisure as a vital component of our present and future community health and well-being. Not only for physical health and wellness but also the mental, emotional, and financial well-being of our community. We know that to obtain the healthiest population we must promote, advocate, and provide opportunities for physical activity.

Last but not least, we will deliver a strong message of our community value of inclusion. We want to let our families, friends, neighbors, and businesses know that we recognize and value the inclusion of all citizens. We want to ensure a place for everyone regardless of gender, race, religion, or economic status to be welcomed and valued as a part of our community. Also, very important, we want the visitors of our city and park to know that Tallahassee truly embraces inclusion of all. The message is simple: Tallahassee is a great place for everyone to visit, live, work, play and to do business.

The Centennial Field Commemorative will serve all of these interests by your acceptance of this accessible and inclusive component that the CAC has recommended to the IA leadership to endorse. The proposed Centennial Field Commemorative will be a miniature baseball in-field with about a 35-foot baseline and a total accessible synthetic surface of about 5k square feet. The outfield would remain natural grass. This will allow people of all ages and all abilities to enjoy the open space for recreational activities such as whiffle ball, kickball, soccer, etc. It will also serve to provide a very much needed place for people with disabilities to gather to use the trails and other areas. And enjoy other activities at the park. The play area will be built with a concept of universal design. Meaning, planned for and built with no barriers. And will provide access for use by all. The material for the surface is the latest high-tech, high-performance playground material. The Centennial Field will make an important function and beautiful component to Cascades Park. The CAC's unanimous request that we commit to the budgeting and planning to get this component put into the park immediately after our grand opening. I'd like to recommend that we allocate \$100,000 to the budget for this initiative and to get this project completed as soon as possible." Mr. Jones brought samples of the accessible surface for the Board's review.

Separate from the motion on the floor, Commissioner Nick Maddox stated that the requested amount was \$100,000. He questioned if it could be completed for less. Mr. Tedder stated that conversation has occurred to that affect. City and Blueprint staff conducted a preliminary review of a clay field that could be constructed for a little as \$3,000. The baselines could be compacted for an accessible surface material. The in-field would not be however. They had not priced the material provided by Mr. Jones however, the general cost for a rubberized mat, used at the Miracle Field, was approximately \$50,000. Commissioner Maddox stated that personally he was willing to entertain the option of a rubberized field.

Commissioner Desloge stated that it struck him as a "mini-Miracle Field." He put forth a separate motion requesting Blueprint staff to bring back options for staging, information, and cost estimates with substance to facilitate a discussion about choices. At the 40,000 foot view, he supported it whole-heartedly. He felt it was premature to commit money at that time.

Commissioner Proctor requested that Commissioner Scott Maddox provide historical input regarding how the proposal enhanced the initial purpose and goals of Cascades Park. Furthermore, did it create an attractive nuisance for liabilities which the City could be subject to? Would it require additional staff to monitor as well?

Commissioner Scott Maddox reminded the Board of the brownfield history of the area of Cascades Park. It was contaminated by coal tar with Centennial Field above. It became a problem when the underground storage tanks from Buddy's Marina began to leak and wash petrol through moving the coal tar. The Florida Department of Management Services (FDMS), who owned the property at the time, wanted to cap it with a parking lot. It was the cheapest way to reclaim use of the property. The City fought against that because of the historical context of Cascades Park. Through that process the Secretary of FDMS joined with the City in securing appropriations for remediation of the park.

When the idea came about for the evolution of the park, the City wanted to commemorate many Tallahasseeans who played in Centennial Field. The thought was never to make it a regulation ball field but a place to remember and celebrate it. He acknowledged Mr. Jones and the role he served in the community. Personally, the option of packed clay baseline where those with disabilities could take park and feeling the dirt and going around the bases would provide the same experience as people who were not similarly confined. He stated that it was never envisioned as an area for playing ball for disabled or able-bodied people.

Commissioner Proctor suggested that the commemoration was not merely something for the disabled to go around and feel the dirt. He recalled discussion of capturing the great names of teams who played there. He had yet to see a celebration of the athletic component of Centennial Field. If it were to be reduced to "disabled going around the bases" the IA had not completed the inclusion of that history. He questioned if they were forfeiting those initial discussions.

Commissioner Miller stated that she supported Commissioner Desloge's approach. She stated that she would like to personally visit the Miracle Field to better understand what it is like. She personally envisioned that part of the park as open green space for kids to play Frisbee for example. She was curious about the management cost and if it would be fenced and locked like the other field. She assumed that was to prevent defacing the area. She hoped that those details would be included in the staff report on the issue. As well as, what was currently planned and what could possibly go in over the next few months?

Mr. Tedder stated that at that time there were no improvements planned for that area of the park. It was the only flat area in park and Mr. Tedder felt it important that the Board understand that. He further stated that once the City had the opportunity to "wear the park" for a bit they would have a better idea of what that area could become, if anything. Staff from both Blueprint and Parks and Recreation felt the need to commemorate the athletic history; however, with the push to meet the grand opening, they had not vetted the issues. Unfortunately, it was not as simple as designing the square footage of the "paved" area. There were multiple issues and layers that staff would need to holistically work through and bring back a complete analysis of the area and what could be done at what cost.

Commissioner Gillum appreciated the acknowledgement of that being the only flat area of the park particularly in conjunction with the passive, resting use of the park. He was in complete agreement that all areas should be as accessible as possible to serve everyone in the community. He was not in favor of slowing down. He felt they should move with due haste in opening the park and allowing the public to experience it. Meanwhile, however he recommended that staff

bring back scenarios in that regard that they could take action on at that time. Commissioner Gillum further stated that he did not feel it warranted a separate agenda item but a status report with no action required at that time.

There was discussion to the effect of amending the original motion to include a status report on Centennial Field. Commissioners Ziffer and Gillum were amenable to the amendment.

Commissioner Dozier stated that she felt it critical to have accessible areas, however, it was her understanding that it was never intended to be a “ball field” with team play etc. She agreed that once the park was used for six to twelve months they would have a better idea of how the area would be used. Furthermore she expressed concern with the beads of rubber or plastic getting dislodged and creating problems in a stormwater facility. She requested that the status report include a review of the material and potential environmental impacts.

RECOMMENDED ACTION:

Option 1: Provide additional funding of \$200,000 for the circulation and parking improvement to Bloxham and Gadsden Streets and \$97,400 for the thermoplastic striping from the Blueprint 2000 unallocated funds budget.

Action by TCC and CAC: The CAC voted unanimously in favor to approve additional funding of \$200,000 for the circulation and parking improvement to Bloxham and Gadsden Streets. At the time of the CAC meeting information regarding the thermoplastic striping was not available. In addition, the CAC voted unanimously to allocate funding (undetermined amount) to the planning and development of an accessible and inclusive commemoration to Centennial Field in Cascades Park.

The TCC did not review this item.

It passed unanimously.

Taking up the sound study, Wayne Tedder introduced the consultant Gary Seibien, from Seibien & Associates Inc. who gave a presentation on his findings. A copy of the study is on file at Blueprint 2000. In summary they recommended a tiered approach to the commissioning of the Amphitheater acoustics. They recommended limiting operating hours to 10:00 pm on weekdays and 11:00 pm on weekends. As well as limiting the number of large touring events to 10 in the first 18 months. As he understood it however, that has already been endorsed by interlocal agreement.

Furthermore, they recommended setting initial sound level limits between 47 and 55 dBA in residential areas with 65 dBC as the threshold. The recommendations were based on survey results and other community noise ordinances using a 1-second sound level metric. At the mix that would result in proposed sound levels of 85-90dBA and 95-98dBC for the house system and 95-100dBA and 105-108dBC for touring systems.

Furthermore, he suggested a trial period of three to six shows for both the house and touring system with sound levels being monitored at the mix location, sound control position in the facility, and attended stations in the neighborhood. As well as gathering input from the stakeholders, facility operators, producers, city staff and residents on the events. That information could then be evaluated for impacts to either side then seek targeted and strategic mitigation.

Commissioner Gillum requested clarification of the number of objections that were not related to sound. Mr. Seibien offered a statistical analysis of the data. Basically, however, only 20-30% of the data was explained by sound level. The other 70-80% was related to other factors. Unfortunately, the variables were not part of the survey. However, Mr. Seibien stated that they surmised it to be people's attitudes, geography and house location (house one creates a barrier for house two), and the age of the structures themselves (newer windows versus older or original windows, for example).

Wayne Tedder stated that following the presentation to staff and the working group, Blueprint developed a tiered process for implementation. 1) Blueprint requested to allocate \$40,000 for sound monitors and analysis. 2) To clearly specify from a City Commission level a Noise Policy specifically to the Capital City Amphitheater and only on "amplified" events. 3) Include maximum noise levels in the Capital City Amphitheater Noise Policy for the house system at 85dBA and 100dBA for touring systems; both with a 1 second EQ metric. As well as the regulation frequencies below 50 Hz for equalization or limiting or compression of the bass peaks. 4) A "trial period" of up to six amplified house events and four ticketed events. All events would be monitored at the mix location and in the neighborhoods by a qualified professional. Finally the policy would be reviewed at the completion of the trial period.

Scott Carswell stated that he was hired as the events contractor and would comply with the policy set by the IA or City Commission. He ensured that the details would be included in the contracts with artists and dealt with. He stated that the three variables included 1) what time the amphitheater would close, 2) how many events could be booked, and 3) sound levels. The first two were established and were quite conservative compared to other amphitheaters in the region. He noted that Chastain Park booked 100 per year; St. Augustine booked 50 per year with a small percentage of impact to residential neighborhoods.

Mr. Carswell stated that there were approximately 8,000 seconds involved in a performance. The one-second window could be met 99-percent of the time. They would do their best, however, it was quite troubling. He noted that a one-second measurement was unheard of anywhere in the industry. No other amphitheater held such strict measurement. No touring person he had spoken with had ever heard of it. Consequently, the people involved were "freaking out." In Chastain Park sound was measured at ten one-minute periods over an hour then averaged. At St. Augustine it was 104dBA over a 30-second window then analyzed over an hour. He understood that one-second was much more quickly enforced however it could present challenges with the real world the dynamics of music. If it was used as a target for the trial period, he felt it was manageable.

Additionally, Mr. Carswell stated that the policy used by the St. Augustine Amphitheater was that it not hit the residential houses at 75dBA. The proposed policy held Capital City Amphitheater to 50dBA. Furthermore, readings from the monitoring stations at the sound tests reported at less than 40dBA inside homes. He understood that the neighbors were scared by the unknown; however, his professional opinion was that it was nowhere near the disaster they presented.

Commissioner Nick Maddox requested clarification of the measurement for the trial period. Mr. Carswell stated that for that period of time he would make the one-second measurement work. However, he impressed upon the IA that it was an unprecedented standard for an amphitheater. He stressed that the policy was specifically for Capital City Amphitheater not city wide. He reiterated that other regional amphitheaters used 30-60 second measurements averaged over a one hour period. He reminded the Board that during the sound study, the quietest parts of the test yielded the highest numbers. It was troubling; however, if it was a temporary target not an absolute and that it could be revisited after the monitored events of the trial period it could be worked with. Commissioner N. Maddox stated that he felt Mr. Carswell's concern was well warranted. He suggested that for the trial period, the measurement be 30-seconds.

Commissioner Dozier suggested that the Board hear from the two citizens who had requested to speak on the item before opening it up for discussion. Commissioner Gillum agreed to hold his comments awhile.

Ben Phipps, a resident of Lake Hall across from the recreational area at Maclay Gardens, with personal experience of amplified performances from there. He was also a member of the Tallahassee Trust for Historic Preservation that supported the City and County Commissions in the implementation of the Comprehensive Plan. That Board sent a letter to each Commission that he summarized for the record. He quoted the Comp Plan stating, "the plan shall promote tourism and residents so that it will minimize the impact of traffic, noise, light, and air pollution; litter and trespassing on designated historic preservation areas." The Myers Park and Woodland Drives neighborhoods were the only locally designated historic neighborhoods in Leon County. Mr. Phipps spoke of stigma and how a reputation could degrade a neighborhood. And encouraged the Board to pay attention and apply the recommendations of Seibien and Associates.

Vivian Young, 411 Oakland Avenue, stated that Seibien & Associates confirmed what Acoustics By Design reported in September 2012; who was the first to look at the impact of the Amphitheater on the neighborhood. She was pleased with the report; however, the Working Group understood that there would be a lower dBA and dBC level set for touring events than was presented. She stated, that while not an Acoustical Engineer, her understanding was that for a touring event there would be a number of residents that found the sound intolerable. She felt that the amplified house events would be fine and the non-amplified, like a symphony orchestra or Marching Chiefs or Marching 100 would also be intolerable in their yards and homes. Her point was that both amplified and non-amplified events would be intolerable.

Secondly, she stressed how critical it would be to have professional input into the process. It was not her field but one second versus 30-second measurements was extremely complicated for

her to understand. She also noted that Chastain Park measured with an entirely different monitoring system and while not an Acoustical Engineer, in her opinion was comparing apples and oranges. Her final point was that she was disappointed that Blueprint was requesting only \$40,000. She hoped that more would be set aside to handle the anticipated impacts.

Commissioner Nick Maddox requested that Mr. Seibien clarify the one-second versus 30-second measurements.

Given that several members of the Board would need to leave, **Commissioner Daily moved to address Options 2, 3, and 4; exempting Option 1 on sound limitations. Commissioner Scott Maddox seconded the motion. Options 2-4 passed unanimously.**

Gary Seibien, in response to Commissioner Nick Maddox, gave a short presentation explaining the measurements of dBA and dBC over increments of time. He stated that the recommendation for a one-second measurement was, in terms of mathematic values, middle of the road between the longer term average and the more instantaneous recordings that people listened to daily. It would give a quicker response or turn around to the system operators.

Commissioner Gillum stated that he wondered about the subjectivity of taste on responses. In other words, people found the noise less objectionable if they liked the music. He asked Mr. Seibien to provide input based on his experiences. Mr. Seibien stated that people's investiture both positive and negative was a factor that contributed to their responses. Research also indicated that personal tastes certainly influenced people's judgments; as well as content and meaning. Commissioner Gillum stated that it was important to have an objective assessment of sound. It was understood however that it would come down to the genre and performer. He further stated that there comes a time in the day or night that, regardless of one's personal taste in music, all noise would be noise. Irrespective of where they settled on the issue they would not easy their way out of objection by someone.

Commissioner Gillum referenced the Marching 100 and that their rehearsals were in a residential neighborhood. Wayne Tedder stated that if the Marching 100 were to take the stage at Capital City Amphitheater, they would not be amplified and therefore the proposed policy would not apply to them.

Commissioner Scott Maddox addressing both speakers stated that he disagreed with them however wanted to provide answers to them. Regarding the possible stigma that could be attached to the neighborhood, Commissioner Scott Maddox stated that from his opinion having an amphitheater in a \$30,000,000 park immediately adjacent to the neighborhood was far less than having an overgrown, contaminated brownfield solid waste site. Which was what was there prior to Cascades Park.

Secondly, on the point that it would be intolerable to have bands there. If that were the case then it would also be intolerable for the three neighborhoods that surrounded Leon High School, the five neighborhoods that surrounded Godby High School, the more than six that surrounded Lincoln High School, the three that surrounded North Florida Christian, the neighborhood around FAMU and FSU. Like those neighborhoods, they would have to deal with some noise.

Furthermore, Commissioner Scott Maddox stated that it was a process that continued to improve. There had been countless meetings at City Hall and in the neighborhoods and Blueprint hired the consultant that the neighborhoods wanted all in effort to further the process. He was confident that by the end, they would have the best product they possibly could. If a problem occurred after that it could be readdressed.

Commissioner Ziffer stated that he had one question, would they lower the dBA to the point where no one would want to perform there? For years, the City and County had battled the argument that people and businesses did not want to build in Tallahassee because local government made it too difficult. He questioned if the Commissions were putting their selves in a position where acts would not want to perform? What was the balance between what the neighbors could live with as well as still enticing performers and not making it too tough? Without that, he felt there would be no compromise. There would be a winner and loser. The Board was at the point to make a decision.

In response, Scott Carswell suggested that the Board look at it as an adult park instead of for kids, under 20 for example. That age group would scream louder than the music. With an adult show, he felt they could match the recommendations and make the artist happy and the neighborhood somewhat happy. His fear was the one-second measurement. However, he stated directly to Commissioner Ziffer, that he felt with the right sound system, application, and right shows (there were some shows that would not be possible with those limits) that the balance could be maintained. For adult shows, however, he felt the compromise was possible.

Commissioner Ziffer stated that he agreed with Commissioner Scott Maddox, have the show and see what happens. Adjustments could be made if it was totally intolerable. On the other hand they were talking about 10 ticketed shows; that was 355 days where they were not amplifying sound from the stage. He felt that everyone could live with that; he certainly hoped so.

Commissioner Miller asked for information on crowd noise from other amphitheatres. Mr. Seibien stated that most human voices were exempted from the provisions of noise ordinances up to a specified point outlined by legal language. He literally did not know how it could be regulated either. It was possible that crowd noise was a concern in other areas. Furthermore, there were additional variables of traffic, a dog barking, etc. that could be included in the averages. Those instances would not give an accurate reflection of what happened with the amphitheater itself.

Commissioner Desloge echoed Commissioner Scott Maddox's comments about progress. There were no absolutes. He acknowledged the time and energy invested by neighbors, staff, and experts. He warned all against perfect being the enemy of good. It was a good product, good start with good input from all stakeholders. They could wordsmith for years and never get there. There would always be a few people who were dissatisfied. At some point they had to move forward.

Commissioner Dozier stated that she would appreciate a motion by the joint Blueprint Intergovernmental Agency Board lending support to the recommended numbers. She questioned if the City Commission would have any issue with the numbers or that direction. Commissioner

Gillum stated that Commissioners Miller and Scott Maddox were working it through their Target Issue Groups. He was not offended by the motion or recommendation however it would be helpful to have an understanding of the range of options in regards of the one-second measurement.

Commissioner Dozier stated that she understood Mr. Carswell reference three different ways of measuring sound. Also that the final decision would be made by the City Commission, however, after numerous hours discussing it as the IA and if mitigation were necessary it would come back to the Board, therefore she felt strongly that a statement of support for the direction of the City Commission could come from the current meeting.

Commissioner Desloge moved approval of the recommendations provided; acknowledging that the final decision would be made by the City Commission. Commissioner Lindley seconded the motion.

Commissioner Miller stated that the city wide noise ordinance was moving through her Target Issue Group, staff, informed by the discussions of her group, was writing the policy for Capital City Amphitheater.

Wayne Tedder stated that for the trial period, the data could be measured any way they wanted. He understood the general direction was to measure it in multiple ways to determine which made the most sense for Capital City Amphitheater. Blueprint certainly had the ability to do that.

Maribel Nicholson-Choice clarified that the motion on the table would not be a vote to adopt the City's policy. That procedure was separate from the IA and the public would have the opportunity to participate in that process.

The motion passed unanimously.

VI. CITIZENS TO BE HEARD

There were three speakers; their comments are listed under the specific agenda items.

VII. ITEMS FROM MEMBERS OF THE COMMITTEE

VIII. ADJOURNMENT

There being no further business, Chairman Dozier adjourned the meeting at 5:38 pm.

APPROVED:

ATTEST:

Kristin Dozier
Chair of Blueprint 2000 IA

Shelonda Meeks
Secretary to Blueprint 2000 IA