

**CITY OF WINTER PARK  
REGULAR MEETING OF THE CITY COMMISSION  
November 12, 2007**

The meeting of the Winter Park City Commission was called to order by Mayor David Strong at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was given by Parks and Recreation Director John Holland, followed by the Pledge of Allegiance.

Members present:

Mayor David Strong

Commissioner Margie Bridges

Commissioner John Eckbert (departed 6:20)

Commissioner Douglas Metcalf

Also present:

City Attorney Trippe Cheek

City Manager Randy Knight

City Clerk Cynthia Bonham

Members absent:

Commissioner Karen Diebel (only on the phone for a portion of Action Item h)

**Mayor's Report:**

- a) Presentation of the Healthy Fun & Fitness Guide by the Winter Park Health Foundation

Mayor Strong introduced the President of the Winter Park Health Foundation, Patty Maddox who presented the new guide. Ms. Maddox provided copies of the guide and summarized its use and what the guide includes.

- b) Report of grant application

Mayor Strong stated they went to Tallahassee last week and did not win the grant however they learned there were areas they could improve on. He also explained that they received the maximum number of excellence points and were encouraged to apply again next year.

**Action Items:**

- a) Approve the minutes of 10/10/07 and 10/22/07.
- b) Approve the following bids, purchases and change order:
- 1) Award of RFQ-17-2007 CRA/Community Center Space Needs Study to Wannemacher Russell Architects; \$83,049.00 (Budget: CRA) **PULLED FOR DISCUSSION. SEE BELOW.**
  - 2) Award of RFP-33-2007 External Audit Services to James Moore & Co. Year 1: \$53,850.00; Year 2: \$60,850.00; Year 3: \$63,300.00 (Budget: Finance) **PULLED FOR DISCUSSION. SEE BELOW.**
  - 3) PR 135515 to HD Supply Waterworks, piggy-backing off the OUC Alliance Contract; \$67,536.54 (Budget: Capital Projects Upgrade Water Mains)

- 4) Change Order #2 for Phase 1 of the East Wastewater Treatment Plant Repowering to CH2M Hill Constructors, Inc.; \$452,012.00 (Funded by water and sewer revenue bonds) **PULLED FOR DISCUSSION. SEE BELOW.**
- 5) Purchase of three (3) Blowers from Gardner Denver as part of the aeration improvements to the Winter Park Estates Wastewater Treatment Plant; \$135,000.00 (Funded by water and sewer revenue bonds).
- c) Approve the following budget adjustment:
  - 1) Carry forward funding allocated to ongoing Facility Maintenance projects in the FY 2007 budget. **PULLED FOR DISCUSSION. SEE BELOW.**
- d) Approve the contribution of \$2,000 to the Eco-Action Organization from the Keep Winter Park Beautiful fund for the repair of kayaks and other equipment.
- e) Approve the vacation of the unrecorded utility easements for the Azure Apartments/Golfside Villas (formerly known as Summerchase). **PULLED FOR DISCUSSION. SEE BELOW.**
- f) Approve the request from the Public Art Advisory Board to place a sculpture loaned by artist Robert Chambers in Shady Park for a minimum of six months beginning in late February 2008 and to provide staff oversight and support for the installation and public outreach.
- g) Approve the City Manager's contract. **PULLED FOR DISCUSSION. SEE BELOW.**
- h) Discuss how the Commission wishes to proceed regarding RFQ-27-2007, presentations by consultants for planning, architectural and design services for commercial corridor form based codes. **PULLED FOR DISCUSSION. SEE BELOW.**

The following items were pulled from Action Items for discussion: b-1; b-2, b-4, c, e, g, and h.

**Motion made by Commissioner Eckbert to approve Action items a, b-3, b-5, d and f; seconded by Commissioner Bridges and carried unanimously.**

Action Item b-1: Award of RFQ-17-2007 CRA/Community Center Space Needs Study to Wannemacher Russell Architects; \$83,049.00 (Budget: CRA)

Mayor Strong disclosed that he was contemplating hiring this firm for projects that he owns in Saint Petersburg, Florida and he may have a voting conflict. Attorney Cheek stated that Mayor Strong could still vote on this matter.

**Motion made by Commissioner Bridges to approve item b-1; seconded by Commissioner Eckbert and carried unanimously.**

Action Item b-2: Award of RFP-33-2007 External Audit Services to James Moore & Co. Year 1: \$53,850.00; Year 2: \$60,850.00; Year 3: \$63,300.00 (Budget: Finance)

Commissioner Metcalf addressed what took place during the process while serving on the selection committee.

Doug Palmer, Moore Stephens Lovelace audit firm, spoke about their desire to be retained. Nancy Schwab, Schwab Public Relations, spoke in favor of retaining Moore Stephens Lovelace.

Dan O'Keefe, Moore Stephens Lovelace, spoke about the qualifications of the firm and staff. He addressed wanting to remain the City's auditor and their experience with working with the City for many years.

Bernadette Britz-Parker, James Moore and Company, 121 Executive Circle, Daytona Beach, spoke in favor of retaining their company. She spoke about being impressed with the process the City followed for this RFP.

Farlen Halikman, Managing Partner of the Moore Stephens Lovelace Winter Park office, stated that ranking is a good process but the process of selection ultimately resides with the Commission as representatives of citizens of the City.

Simon Heyworth-Davis, 1836 Grinnell Terrace, addressed the importance of following a process.

Mayor Strong asked if a change in auditors would be good or bad in our circumstance. City Manager Knight responded that the change of auditors can be both. He explained that both firms are excellent and there are advantages for a local firm and knowing our system and not having to learn internal control procedures from the beginning. Commissioner Bridges did not believe the local element could be a factor in the decision.

Commissioner Eckbert commented that he was very impressed with the James Moore & Company presentation and how they conducted themselves. He spoke about the ranking process and agreed with bidding every 3 years. He was in favor of retaining Moore Stephens and commented that they have done an exceptional job and the opportunity to review their qualifications has confirmed to him that they are a great firm to be doing the City's audit.

**Motion made by Commissioner Eckbert to retain Moore Stephens as our auditor; seconded by Commissioner Metcalf. Upon a roll call vote, Mayor Strong and Commissioners Eckbert and Metcalf voted yes. Commissioner Bridges voted no. The motion carried with a 3-1 vote.**

Action Item b-4: Change Order #2 for Phase 1 of the East Wastewater Treatment Plant Re-powering to CH2M Hill Constructors, Inc.; \$452,012.00 (Funded by water and sewer revenue bonds)

Phil Daniels, Public Works Department, spoke on this item. City Manager Randy Knight explained there is money left within the bond issue to cover the cost of this project and to complete the remaining tasks as well. He stated they had contingency funds and were under budget on some of the water plant projects which allowed them to cover this. Mayor Strong asked Mr. Knight for a report that shows they are on track. Mr. Knight agreed.

**Motion made by Commissioner Bridges to approve item b-4; seconded by Commissioner Eckbert. The motion carried unanimously with a 4-0 vote.**

Action Item c: Carry forward funding allocated to ongoing Facility Maintenance projects in the FY 2007 budget.

Finance Director Wes Hamil explained the request to carry forward the funds. Public Works Director Troy Attaway addressed the need to retain the money for future upgrades that are continuous with City facility alarms. He also spoke about the need to retain the money for closing in a pole shed. Mayor Strong addressed concerns that the contingency fund has been depleted and they should start to build it up. He commented that maybe these are things they do not have to do but would appreciate their recommendations. Commissioner Bridges agreed with Mayor Strong and stated at some point they will need to analyze these a little tighter as they try to rebuild the contingency fund.

**Motion made by Commissioner Bridges to approve item c; seconded by Commissioner Metcalf. The motion carried unanimously with a 4-0 vote.**

Action Item e: Approve the vacation of the unrecorded utility easements for the Azure Apartments/Golfside Villas (formerly known as Summerchase).

Attorney Cheek addressed this item along with Mr. Daniels from Public Works. Attorney Cheek stated that the property is held in two parts and they have been negotiating the vacation of existing easements and replacing it with recorded ones. He explained they have to approve vacating an easement but that only one deal has worked out. Attorney Cheek recommended if the Commission wants to approve it, they approve the vacation of the Azure Apartments easement and not the Golfside Villas vacation until that is settled with their lawyers.

**Motion made by Commissioner Metcalf to approve Attorney Cheek's recommendation; seconded by Commissioner Bridges. The motion carried unanimously with a 4-0 vote.**

Action Item g: Approve the City Manager's contract.

Commissioner Eckbert commented that section 13 of the severance compensation was well reviewed and appropriate and asked that a not-to-exceed figure be included. Commissioner Bridges spoke about the accrued time within the agreement. City Manager Randy Knight explained that the 520 hour cap was the most that any general employee could carry forward in personal leave from one year to the next.

City Manager Knight spoke about the severance compensation and that the amount could be renegotiated at any time. Mayor Strong asked Mr. Knight if he would be comfortable with \$250,000 for the first five years of the contract. Mr. Knight agreed. Commissioner Eckbert also agreed and asked that it be written that the provision does not die in five years but is brought up for reconsideration by the Commission in year five for any adjustment to that maximum pay out number.

Mayor Strong also voiced concerns with section 14: automatic termination without severance compensation. He asked Attorney Cheek to come up with specific language that would be appropriate regarding a cause for termination. Mayor Strong asked Mr. Knight if he was comfortable with Attorney Cheek adding language for discussion and not having a contract until the next meeting. Mr. Knight agreed.

**Motion made by Mayor Strong to table this item, subject to language changes in sections 13 and 14; seconded by Commissioner Metcalf. The motion carried unanimously with a 4-0 vote.**

Action Item h: Discuss how the Commission wishes to proceed regarding RFQ-27-2007, presentations by consultants for planning, architectural and design services for commercial corridor form based codes.

City Manager Knight summarized what has taken place and the work session where the Commission decided to hear from the four firms that had been selected. He stated he has provided a letter to the Commission regarding additional information from one member of the task force as well as residents who have done additional calling of firms that did not respond to the RFQ. He addressed canceling the meeting scheduled for last week because the entire Commission could not be present. He stated the Commission now needs to decide whether to move forward and hear from the four firms. He added they want the Commission to be comfortable with who is selected and for the residents to know the process was fair. He addressed the letters sent to certain firms and firms saying they did not receive a letter. He stated that staff believes it was a fair process and that they went above and beyond what is routinely done by sending letters to some of the other firms. He addressed another RFQ where no letters were sent out and the response was greater.

City Manager Knight stated the reason we only received four responses was not because of our process but could be because of either the type of work or a lack of understanding of what the RFQ was asking for. He addressed Demand Star being the most recognized way of getting the word out to firms across the nation. He stated we believe the process was fair and that the task force that initially ranked the firms has voted to move forward. He stated if the Commission believes the process was possibly tainted, he recommended starting over with the process.

Commissioner Metcalf spoke about the process being fair. Commissioner Eckbert disagreed with stopping mid-way through the process and wanted to move forward but agreed they could go back again if they feel it is necessary after hearing from the four firms. Mayor Strong stated he did not question what happened but is concerned that people who were anxious to bid on the RFQ did not receive the correspondence they were expecting. He expressed concerns with hearing from the four firms that responded and then starting over with the RFQ. He stated this could be the most important decision the City will make in a long time and he would rather start over and send certified letters and then see what the response is. He stated he would like to hear from others outside of this area who is interested in this assignment.

Commissioner Bridges spoke about being disturbed with the amount of responses and the amount of firms that said they did not receive the letter. She stated she would rather err on the side of caution and that we should not listen to the four firms that responded at this time, receive responses from others, and then review all the RFQ responses.

There was further discussion regarding what took place and where they should go from here. The survey done by the citizen was addressed. Mr. Knight stated that staff did not do their own survey as to why the firms did not receive the correspondence because the committee voted not to do so. He stated the only feedback he has received was from Mr. Robertson and Mr. Rogers. Mr. Knight and Attorney Cheek summarized how the process works.

David Lamm, speaking on behalf of the task force and the selection committee, stated that the task force went out of their way to bring accountability by inviting a commissioner to be a part of the task force as well as a P&Z member. He stated that once the process starts you cannot follow up during that process without breaching the process. He stated the vote of the task force and committee was to proceed with interviews and future negotiations. He spoke about the pros and cons of selecting an out of the area firm versus a local firm. He commented about the need to move forward.

Susan Skolfield, 210 Stirling Avenue, stated she was one of the residents who undertook the research to discover why so few firms responded to the RFQ. She stated the City sent out 30 hard copy notice letters to planning firms around the country and the RFQ notice was posted on Demand Star. She summarized what she discovered when she made calls to the firms where the letters were sent. She asked the Commission to direct the selection committee to re-issue RFQ-27-2007 and send the notices certified mail to the appropriate contacts. She stated we should ask the four firms that submitted to resubmit when the RFQ is re-issued. She stated doing this would cause a delay of about two months which is a small price to pay to ensure a fair and complete process.

Patty Heidrich, 1112 Schultz Avenue, addressed the Commission giving them the go ahead with the RFQ. She stated they were surprised at the small number of responses but that a sound majority of the selection committee voted to proceed with the ones they received. She spoke about the importance of the correct development taking place in Winter Park. She stated the task force and selection committee feel they have been stripped of the confidence the Commission placed on them for the past 1 ½ years by questioning this. After further comments as to what has taken place, she asked that the Commission respect the confidence of the committee and let them get on with their work.

Jack Rogers, 1002 Temple Grove, stated there is no disrespect for the task force and that the task force did a great job with coming up with the number of the firms they did. He spoke about firms out of state not receiving the RFQ and was in favor of extending the process to contact and consider out of state firms.

Commissioner Eckbert asked if we had a clean process to solicit the firms that we wanted to solicit to the City. City Manager Knight responded that sending out letters is above and beyond the process and further explained the process followed. He stated if there is a perception that this process is not fair, he recommended doing it over; but that it was a clean and fair process and that staff went over and above what would be normally done. Commissioner Metcalf offered possible reasons why the firms may not have received the letter. He stated he did not see a reason to change where they stand and appreciated the work of the committee.

**Motion was made by Commissioner Metcalf that we move forward with the presentations, seconded by Commissioner Eckbert.**

Mayor Strong stated he would not support the motion and believed the process needed to begin over with a very limited response time. He addressed the importance of this RFQ for the City and wanted to send certified letters to all the firms without the need to address it to a particular individual. There was further discussion regarding the comments made. Mr. Knight stated we can call the firms to obtain the names of individuals if that is the direction. Commissioner Metcalf asked if this would pertain to all future RFQ's. Commissioner Eckbert stated if we are

going to change the process, it needs to be uniform. There was further discussion regarding the process. Mr. Knight commented that Commissioner Diebel was calling in to discuss this item.

Commissioner Bridges addressed the importance of the process being the best it can be and recommended that letters be sent to the appropriate department/person within the firm. Commissioner Metcalf spoke about the responsibility of the firms to find RFQ's they are interested in and disagreed with setting a new standard where the City goes out and searches for firms to respond because it could compromise the City if some are missed. Commissioner Bridges wanted to have assurance that the City did everything they could to solicit responses.

Action was deferred on this item while trying to connect Commissioner Diebel to the phone system. The Commission moved to other items that needed action taken. After completion of the City Attorney's report, Commissioner Diebel arrived by way of telephone at 5:36 p.m.

Commissioner Diebel asked why the process should be restarted and why they did not move ahead with the interview process with Commissioner Eckbert as the Commission liaison to report back to them. Mayor Strong responded regarding the outcome of the bid process with 17 firms saying they did not receive the mailing of the letter; some saying they were actively looking for the bid and if they had received it they would have responded. He stated because of the importance of this RFQ, the City should be certain that they have solicited the most qualified people to bid on this process and should err on the side of caution and re-bid the RFQ because of its importance.

Commissioner Eckbert reiterated that the mailing was above and beyond what is normally done as part of the bidding process and is redundant to the Demand Star and website solicitation already in place. He further spoke about whether specific solicitation raises questions about the process to begin with and if the City can appropriately determine who we should send letters to. Mr. Knight addressed this bid being more specialized and there are probably a lot fewer firms that would do form based code type of work which he believed would be a reason for the lesser response. Commissioner Eckbert concluded that we need to finish the process we started and if the Commission agrees they do not have the right firms, then start over again.

It was clarified by Attorney Cheek that the deadlines cannot be extended but that the process would need to start over from the beginning. Mr. Knight reminded the Commission about the recommendation by the task force to hear the presentation from all four firms. Commissioner Diebel asked about the validity of the procurement process. Mr. Knight responded the question was raised about the City sending out direct letters to 30 firms and that 17 firms alleged they did not receive the letter which is the question raised that has brought them to this point. He stated it was also on the website and posted on Demand Star (purchasing service). Commissioner Diebel advocated going through the interview process with the protocol set up at the beginning of this.

**Upon a roll call vote, Commissioners Eckbert, Metcalf and Diebel voted yes; Mayor Strong and Commissioner Bridges voted no. The vote carried with a 3-2 vote.**

Public Hearings:

- a) ORDINANCE NO. 2726-07: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE ACQUISITION AND/OR CONSTRUCTION OF STREETScape IMPROVEMENTS TO A PORTION OF ORANGE AVENUE; PROVIDING FOR THE ISSUANCE OF NOT EXCEEDING \$2,500,000 ORANGE AVENUE IMPROVEMENT REVENUE BONDS, SERIES 2007, OF THE CITY TO BE APPLIED TO FINANCE PART OF THE COST THEREOF; PROVIDING FOR THE PAYMENT OF SUCH BONDS FROM SPECIAL ASSESSMENTS AND/OR OTHER LEGALLY AVAILABLE NON AD VALOREM FUNDS OF THE CITY; AND PROVIDING AN EFFECTIVE DATE. Second Reading

Attorney Cheek read the ordinance by title. No public comments were made.

**Motion made by Commissioner Metcalf to adopt the ordinance, seconded by Commissioner Bridges. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Eckbert and Metcalf voted yes. The motion carried with a 4-0 vote.**

- b) AN ORDINANCE GRANTING TO PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS OF WAY OF THE CITY OF CITY OF WINTER PARK, FLORIDA, AND PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE; AND REPEALING PRIOR ORDINANCE. First Reading

Attorney Cheek read the ordinance by title. No public comments were made.

**Motion made by Commissioner Metcalf to accept the ordinance on first reading, seconded by Commissioner Eckbert. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Eckbert and Metcalf voted yes. The motion carried with a 4-0 vote.**

- c) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE EXISTING MULTI-FAMILY RESIDENTIAL (R-3) ZONING TO CENTRAL BUSINESS (C-2) DISTRICT ON THE PROPERTY AT 354 HANNIBAL SQUARE, EAST, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

Postponed until November 26.

City Attorney's Report:

- a) Attorney Cheek addressed an item not listed on the agenda. He spoke about the last segment of payments charged to the City by Grubbs Emergency Services (hurricane cleanup contractor). He stated that Grubbs filed suit against the City, went to a mediation conference, and that Grubbs claimed they were owed \$2.1 million. He stated the City agreed that the principle amount was in excess of \$2.3 million and that they negotiated a discount with no interest or attorney fees subject to approval. He stated they will apply for FEMA reimbursement but that no FEMA reimbursement is a 100% reimbursement.

**Motion made by Commissioner Eckbert to approve the settlement of \$2.1 million with Grubbs Emergency Services, seconded by Commissioner Bridges and carried unanimously with a 4-0 vote.**

b) Request for approval of a development agreement for JW Marriott Hotel.

Attorney Cheek stated he is not representing the City on this matter because his firm has a conflict and the City has retained Steve Bechtel to represent the City who could not attend this evening. Planning Director Briggs stated that Attorney Bechtel has reviewed the development agreement and has signed off of it. He stated the approval of the development agreement is before the Commission this evening so that the Langford Hotel project can proceed under the JW Marriott flag. He stated the decision to move forward is based on a decision of consistency primarily with the previously approved plans years ago. He stated that staff has found the plans to be consistent with the plans previously approved in terms of all the elements and building height, square footage, etc. Mr. Briggs stated the only thing that has changed is some of the internal components which are necessitating the review to revise the development agreement; the only issue with any internal number change is a swap of spa space for ballroom meeting room space. He stated the original development agreement set aside 20 spaces in the parking garage for use by library employees and it is still part of the agreement and works for both parties.

John Anderson, 300 S. Interlachen Avenue, introduced his partner Jim Easton and Steve Contos, Vice President and Managing Director for the Grand Lakes project which consists both of the JW Marriott and the Ritz Carlton who will be in charge of this project on a regional basis. He requested that the Commission concur with staff's recommendation to approve the development agreement subject to adding 30 parking spaces in the garage. He summarized what has transpired with the project with the move from a condominium/hotel model to a traditional hotel model. He stated they were able to reduce the square footage by 27,000 square feet and reduce lot coverage by about 2,000 square feet. He further elaborated on what will be part of the interior.

Discussion ensued regarding the required notification. Mr. Briggs stated the Commission needs to determine if the project is consistent with what was approved before, if the parking is adequate and to approve the development agreement. There was discussion regarding the changes made to the building. Commissioner Bridges stated she met with the applicant this morning and that she addressed the adjacent neighborhood's concerns from the prior approval and was assured that this project would not negatively affect the neighborhood because of the absence of outdoor seating. Mr. Anderson stated they agreed to the addition of the 30 additional parking spaces.

The following spoke regarding the project:

Doug Trovillion, 237 Alexander Place, Trovillion Condominiums located across the street, spoke in favor of the construction of the hotel. He spoke about speaking with the neighbors on Alexander Place who are excited about the hotel.

Bill Battaglia, 300 S. Interlachen Avenue and President of the Residences Association Board of Directors, spoke about their residents being the most affected by the hotel. He stated that no one to their knowledge has spoken to the Residences Association concerning this project after

asking that they remain informed of their actions and proposals. He spoke about the hotel being a wonderful asset to the City. He commented against the meeting room taking space away from the spa. After further comments, he asked that the residents in the surrounding areas be given the opportunity to review the plans before this is approved.

Rick Frazee, 1921 Englewood Road, spoke about the need for a high scale hotel in Winter Park and welcomed JW Marriott. He addressed concerns with the amendment to the agreement not including the requirement of a 5 star hotel and about parking for the residents in the garage not being in the agreement. He was in favor of the meeting room space.

Joe Terranova, 700 Melrose Avenue, suggested to approve the project but addressed the need to work with the developers to provide for parking for all library patrons so in the future when a new library is built, an extension can be built onto the library.

Mr. Anderson stated they are looking forward to working with the library regarding parking, events, etc. He spoke about the previous plans for condos having assigned spaces for the residents that have gone away because they are no longer selling units. He addressed Mr. Battaglia's comments and stated they will all be sorted out and that he has had positive comments made by the residents in The Residences that he has spoken with.

Commissioner Bridges asked about the parking and any deficiencies. She spoke about the comment by Mr. Anderson to her that they would expand the deck and put 30 additional parking spaces there and that they will work with the library. She asked for clarity of Mr. Battaglia's comment regarding the partnership and parking requirements of The Residences and the hotel. Mr. Briggs responded to the question concerning parking issues. Other questions were asked of Mr. Briggs which he responded to. Mayor Strong asked if we need to reference in the agreement about the quality of the hotel that is acceptable. Mr. Briggs spoke about the Commission approving the franchise of JW Marriott this evening and if that deal falls apart and they partner with another franchise, it must come back for approval. Mr. Briggs stated they will make sure this is in the agreement before it is signed if it needs to be.

Commissioner Bridges addressed her concerns with the lack of notification to the immediate adjacent neighborhoods regarding this being on the agenda. Mr. Briggs spoke about other building projects that do not change from the time it leaves the Commission to the building permit submittal. He explained this was updating the development agreement language and if the internal components had not changed, it would not be before the Commission at all. Mayor Strong addressed concerns with the requirement that changes are only approved by Mr. Briggs. Mr. Briggs explained the zoning code requirements. Mayor Strong disclosed that he met with Mr. Anderson prior to the meeting.

**Motion by Commissioner Metcalf to approve the Sixth Amendment to the development agreement with the addition of the 30 parking spaces with the assurance of the 20 library spaces and approving the changes as recommended to the extent that we have to approve those changes, and the approval of the name/operator change to Langford Hotel/JW Marriott; seconded by Commissioner Bridges and carried with a 3-0 vote with Commissioners Eckbert and Diebel being absent.**

**Non-Action Items:**

1. Mayor Strong spoke about the need to reschedule the presentations to a time when all Commissioners can be there. City Manager Knight stated he wants to discuss the role of the selection committee going forward. Mayor Strong suggested inviting the Architectural Task Force to also hear the presentations. Upon discussion, there was a consensus to hear the presentations and vote at the following Commission meeting. Attorney Cheek clarified that the task force/selection committee will be at the meeting to listen and provide input, but that they are finished in terms of their recommendation function and it will be up to the Commission to make the final decision. Commissioner Metcalf stated we may want to find an ongoing role for them after the decision is made about what we are doing. Building Director Wiggins stated he understood they would be present for the presentations and provide their input but that the Commission makes the final decision; as a follow up role, the task force would be used in a monitoring role of the implementation of the chosen consultant to do the work on the form based codes. Commissioner Metcalf addressed coming up with new tasks for them if necessary.

**New Business:**

There was no public or Commission new business.

City Manager Knight introduced the new Electric Director Jerry Warren.

The meeting adjourned at 6:36 p.m.

  
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Mayor David C. Strong

ATTEST:

  
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City Clerk Cynthia Bonham