

**INTER-OFFICE COMMUNICATION**

DATE: November 5, 2008

TO: Honorable Mayor Pegeen Hanrahan and Members of the City Commission

VIA: Russ Blackburn, City Manager

FROM: Paul Folkers, Assistant City Manager PF

SUBJECT: Joint Meeting with School Board and St. Petersburg Mayor

The City Commission requested that staff arrange a joint meeting with the City Commission and the School Board to hear from the Mayor of St. Petersburg regarding their initiatives to improve local schools. Prior to this request, staff had already been trying to arrange a convenient date for the City Commission and the School Board to have a joint meeting to address issues of mutual interest.

After conferring with the School Board, Superintendent Boyd has indicated that the School Board would like to concentrate on mutual concerns when meeting with the City Commission. He indicated that there could be a future opportunity for the School Board to participate in a meeting with the City Commission to hear about the school initiatives in St. Petersburg. Superintendent Boyd also requested that he be provided with information on the initiatives in St. Petersburg so he may share with the School Board.

The School Board confirmed their availability and willingness to meet with the City Commission on December 9th 3:00 p.m. at the Kirby-Smith Administrative Building (board room) to address mutual concerns.

PEF:hh

cc: Kurt Lannon, Clerk of the Commission

Office of the Assistant City Manager
P.O. Box 490, Station 6
Gainesville, FL 32602-0490
(352) 334-5010 – (352) 334-3119-fax

Lannon, Kurt M.

From: David A. Theriaque [dat@tvslawfirm.com]
Sent: Wednesday, November 05, 2008 4:14 PM
To: citymgr
Cc: Lannon, Kurt M.; Gerry Dedenbach; Seth Lane; Brent Spain; Tim Dennis
Subject: Creekside at Beville Run DRI
Importance: High

Dear Mr. Blackburn,

Our law firm represents the Applicant for the proposed Creekside at Beville Run DRI. It has come to our attention that some City Commissioners and the City Attorney's Office have requested a Workshop on the proposed Creekside at Beville Run DRI.

We are currently scheduled to submit Creekside's Application for Development Approval ("ADA") to the North Central Florida Regional Planning Council in late December. The City Commission does not, however, currently have any Workshop dates available for the remainder of this year. Accordingly, I am requesting your assistance in determining whether the City Commission desires to conduct a Workshop on the proposed Creekside at Beville Run DRI and, if so, obtaining dates for the City Commission to conduct such Workshop prior to our submission of the ADA in late December.

Lastly, as you may be aware, we currently have meetings scheduled this month with each individual City Commissioner. We desire to use these opportunities to respond to each City Commissioner's questions prior to our submittal of Creekside's ADA.

I appreciate your assistance with this matter. Please do not hesitate to contact me if you have any questions or need further information.

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11/5/2008



MEMORANDUM

Office of the City Attorney

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commissioners **DATE:** November 5, 2008

FROM: Nicolle M. Shalley, Assistant City Attorney II *NMS*

SUBJECT: Quasi-Judicial and Ex-Parte Communication considerations re: Creekside at Beville Run DRI and Butler Plaza North DRI

This office has been made aware that a consultant for the Creekside at Beville Run Development of Regional Impact (DRI) has scheduled individual meetings with some or all of you in advance of a public workshop that is currently being scheduled by City planning staff. This office wished to make you aware of the quasi-judicial nature of portions of the DRI processes and provide guidance in the context of both the Creekside DRI and Butler DRI. Both of these proposed DRIs will involve the following four separate decision-making processes, some legislative and some quasi-judicial, and to a large degree interconnected in substance and likely to be considered concurrently by the City Commission over the next year or so:

- 1) the annexation of the property (if involuntary, as Creekside DRI, it is a legislative process; if voluntary, as Butler DRI was, it is a quasi-judicial process);
- 2) the DRI development order (a quasi-judicial process that also involves the regional planning council);
- 3) a comprehensive plan amendment (a legislative process); and
- 4) a rezoning (a quasi-judicial process).

As you are aware, the Rules of the City Commission prohibit Commissioners from engaging in ex-parte communications and require disclosure of any ex-parte communications received with respect to a quasi-judicial matter that will come before the Commission. So technically speaking, you could discuss the comprehensive plan amendment with the Petitioner, but not the DRI development order or the rezoning.

Practically speaking, it may be difficult to distinguish between and avoid discussions of the quasi-judicial matters. For that reason, you may choose to refrain from all ex-parte communications on the processes and instead, communicate within the context of the public workshops and hearings that will be scheduled for both of these projects. If you choose to meet with the consultant, petitioner or others on these projects, then you should caution the parties that you may only discuss the legislative matters. If you have any questions concerning this memorandum, please do not hesitate to contact this office.

cc: As to the City (via email): Russ Blackburn, Erik Bredfeldt, Ralph Hilliard, Teresa Scott & Kurt Lannon

As to the Creekside DRI (via email): Seth Lane, Gerry Dedenbach and David Theriaque

As to the Butler DRI (via email): Linda Shelley and Ron Carpenter