




March 18, 2013

## MEMORANDUM

**TO:** District Board of Trustees  
**FROM:** Jim Murdaugh, President   
**SUBJECT:** Development Agreement with the City of Tallahassee

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### Item Description

This item requests that the Board approve a one year extension of the existing Development Agreement between Tallahassee Community College and the City of Tallahassee.

### Overview and Background

Tallahassee Community College and the City of Tallahassee first entered into a Development Agreement on October 10, 1991 with the goal of integrating the TCC campus plan into the Tallahassee-Leon County Comprehensive Plan and to establish procedures for site plan approval and concurrency review. A second Agreement was executed on April 21, 1997, and this Agreement was renewed on April 21, 2012 for an additional one year period.

TCC staff has requested an additional one year extension of the existing Development Agreement, to April 21, 2014, to allow time for further study of the proposed new Agreement before a new five year Agreement is executed.

### Past Actions by the Board

The Board of Trustees approved the last amendment to the five year Development Agreement on May 10, 2007.

### Funding/Financial Implications

Funds for the projects described in the Development Agreement are available from Public Education Capital Outlay (PECO) funds appropriated each year by the Legislature, Capital Outlay and Debt Service (CO&DS) funds that flow to the College each year, and local funds.

### Staff Resource

Teresa Smith

### Recommended Action

Approve a one year extension of the existing Development Agreement between Tallahassee Community College and the City of Tallahassee.

**SEVENTH AMENDMENT TO  
DEVELOPMENT AGREEMENT BETWEEN  
THE CITY OF TALLAHASSEE AND TALLAHASSEE COMMUNITY COLLEGE**

**THIS AGREEMENT** is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between the **CITY OF TALLAHASSEE** (hereinafter referred to as "City"), a municipal corporation of the State of Florida, and **Tallahassee Community College** (hereinafter referred to as TCC).

**WHEREAS**, TCC and the City have an existing Development Agreement, dated April 21, 1997, which determines the impacts of proposed campus development for the term of the agreement on public facilities and services, and public transportation; and

**WHEREAS**, the termination date of the Development Agreement is April 21, 2013, unless the parties extend it by mutual consent; and

**WHEREAS**, TCC has requested that the City agree to extend the Agreement by one year to April 21, 2014 to allow TCC time to update its Master Plan and review proposed revisions of the Development Agreement and submit the revised Agreement to the City for consideration; and

**WHEREAS**, it is to the mutual benefit of the City and TCC to extend the current Agreement as requested; and

**WHEREAS**, this amendment is being done pursuant to Sec.163.3225, Florida Statutes after two required public hearings.

**NOW, THEREFORE**, in consideration of the covenants contained herein and the performance thereof, the parties do hereby agree as follows:

To allow TCC time to review proposed revisions of the Development Agreement, the duration of the Development Agreement is hereby extended to April 21, 2014.

In all other respects, the April 21, 1997, Development Agreement shall remain unchanged and in full force and effect.

**IN WITNESS THEREOF**, the parties have set their hands and seals on the day and year indicated.

**APPROVED** by the City Commission of the City of Tallahassee on \_\_\_\_\_,  
2013.

**APPROVED** by Tallahassee Community College on \_\_\_\_\_, 2013.

Attachment # 1

Signed, seal and delivered in the presence of:

TALLAHASSEE COMMUNITY COLLEGE

\_\_\_\_\_  
Witness:

\_\_\_\_\_  
Jim Murdaugh, President

\_\_\_\_\_  
Witness

Date: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF LEON

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared Jim Murdaugh, President, Tallahassee Community College, who produced \_\_\_\_\_ as identification or who is personally known to me to be the person described herein and who executed the foregoing, and acknowledged the execution thereof to be his free act and deed, for the purposes therein mentioned.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
NOTARY PUBLIC  
(Seal)

CITY OF TALLAHASSEE

\_\_\_\_\_  
John R. Marks, III, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
James O. Cooke IV, City Treasurer-Clerk

\_\_\_\_\_  
Lewis E. Shelley, City Attorney

STATE OF FLORIDA  
COUNTY OF LEON

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared John R. Marks, III., who produced \_\_\_\_\_ as identification, or who is personally known to me to be the person described herein and who executed the foregoing, and acknowledged the execution thereof to be his free act and deed, for the purposes therein mentioned.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
NOTARY PUBLIC  
(Seal)



444 Appleyard Drive  
Tallahassee Florida 32304-2895  
850.201.6200 | [www.tcc.fl.edu](http://www.tcc.fl.edu)

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February 6, 2013


Linda Hudson, Assistant City Attorney  
City Hall  
300 South Adams Street  
Tallahassee, Florida 32301

Dear Ms. Hudson,

Tallahassee Community College (TCC) requests an extension of the current Development Agreement between the College and the City of Tallahassee. The current Development Agreement expires April 21, 2013. Currently TCC, its sub-consultants and City staff are working to update and revise the agreement, however additional time is need to properly review the agreement and its revisions. The revised agreement will not be ready to present at two public hearings before April 21, 2013. Therefore an extension of the current Development Agreement is requested. TCC is requesting a one year extension to work with the appropriate City Staff to prepare the necessary reviews and corresponding documents. TCC requests that the extension be placed on the City Commission's public hearing agenda for February 27, 2013 and then again for March 27, 2013.

Thank you for consideration of this request.

Sincerely,



Jim Murdaugh, Ph.D  
President

cc: Karen Jumonville, Director, Growth Management Department  
Roxanne Manning, Planning Manager, Tallahassee-Leon Planning Department  
Joseph W. Miller, P.E. George & Associates Consulting Engineers, Inc.