

(LC)

From: Wendell Johnson
Sent: Thursday, May 17, 2012 9:43 AM
To: "Councilmember George Ward"; Eugene Jefferson; Jake Hill; "Mayor Stephen Witt"
Cc: dale_williams@cumbiacountyfla.com; jack@lakeshoreha.org
Subject: Downtown Projects.

Good morning Mayor and Council.

I am pleased to report a very productive meeting was held yesterday afternoon with County Manager Dale Williams and Hospital Authority Manager Jack Berry. We first discussed the County's plans for upgrade of Washington Street from Hernando Avenue east to Patterson Avenue. Stemming from that the opportunity and options for meshing the Washington Street project with a number of other needed street and stormwater upgrades within the downtown hospital area were addressed. It is obvious that a three-way partnership between the City, County Commission, and Hospital Authority can generate a number of greatly needed improvements by pooling our available resources. Washington Street the East U.S. 90 hospital connector road. Lake Desoto Circle. Leon Street and Lake Desoto Stormwater improvements are the top priorities. CDBG, TIF, SRWMD and other general fund sources are available and it appears substantial revenues can be generated to allow a great deal of work within a relatively short timeframe. All the proposed initiatives we discussed fall within the scope of the City's new CRA Master Plan.

At the present time, the County Engineer is finishing the construction documents for Washington Street and will work toward a master improvement plan for these initiatives. We agreed to continue meeting on an "as need" basis until a collective proposal with the details can be finalized for presentation to the Council. County Commission and Hospital Authority for consideration and approval. In conclusion, the meeting resulted in a positive vision with realistic resources to support completion of major upgrades that would not otherwise be possible.

Please let me if you have any questions about this matter.
Thanks.

Wendell

Wendell Johnson
City Manager

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(LC)

-----Original message-----

From: Melmda Moses <mosesm@lcfla.com>
To: Audrey Sikes <Sikesa@lcfla.com>
Sent: Wed, May 16, 2012 13:56:57 EDT

Subject: RE: Reconsideration: Un-noticed City-County-LSHA meeting for May 16, 2012

Audrey

What is the status of the meeting? We definitely need to cancel unless all are on the same page. Will you let me know something by 3:00....I go out to duty and don't get off until 3:45

Thanks
MM

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(LC)

From: Audrey Sikes

Sent: Wednesday, May 16, 2012 3:44 PM

To: Melinda Moses; dale_williams@columbiacountyfla.com; Penny for the Board; Wendell Johnson; Michele Greene; JACK BERRY (JACK@LAKESHOREHA.ORG)

Subject: RE: Reconsideration: Un-noticed City-County-LSHA meeting for May 16, 2012

Per correspondence from Ms. Moses the meeting at 4 pm today has been cancelled. The meeting will be rescheduled and noticed at a later date. Thank you.
Audrey

Sent from my Verizon Wireless 4G LTE DROID

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(LC)

From: Melinda Moses <mosesm@lcfla.com>

To: Audrey Sikes <Sikesa@lcfla.com>

Sent: Wed, May 16, 2012 15:06:16 EDT

Subject: RE: Reconsideration: Un-noticed City-County-LSHA meeting for May 16, 2012

Audrey

After further thought I feel it would be best to cancel and reschedule a noticed open meeting. This is too positive and issue to begin on a negative note. Would you please notify all parties?

Thanks so much (I may have already sent you this)
MM

From: Audrey Sikes

Sent: Wednesday, May 16, 2012 2:16 PM

To: Meinda Moses

Subject: RE: Reconsideration: Un-noticed City-County-LSHA meeting for May 16, 2012

Saw Mr. Berry at lunch he will be there at 4pm. I have not received any response from Dale Williams or Ron Williams.

Sent from my Verizon Wireless 4G LTE DROID

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From: Audrey Sikes

Sent: Wednesday, May 16, 2012 2:16 PM
To: Meinda Moses

Subject: RE: Reconsideration: Un-noticed City-County-LSHA meeting for May 16, 2012

Saw Mr. Beny at lunch he will be there at 4pm. I have not received any response from Dale Williams or Ron Williams.

Sent from my Verizon Wireless 4G LTE DROID

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(LC)

From: Jack Berry
Sent: Wednesday, May 16, 2012 2:23 PM
To: Jack Berry; Melinda Moses; Audrey Sikes; Penny (or the Board; Wendell Johnson, dale_williams@columbiacountyfla.com
Cc: Michee Greene
Subject: RE Reconsideration; Un-noticed City-County-LSHA meeting for May 16, 2012

Jack
{386}466-7872 Cell
(396) 755-1090 ext. 102 Office

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(LC)

From: Jack Berry
Sent: Wednesday, May 16, 2012 2:23 PM
To: Jack Berry; 'Melinda Moses'; 'Audrey Sikes'; 'Penny for the Board'; 'Wendell Johnson'; 'dale_williams@columbiacountyfla.com'
Cc: 'Michee Greene'
Subject: RE: Reconsideration: Un-noticed City-County-LSHA meeting for May 16, 2012

Try this

Jack
(386) 466-7872 Cell
(396) 755-1090 ext. 102 Office

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(LC)

From: Jack Berry
Sent: Wednesday, May 16, 2012 1:44 PM
To: 'Melinda Moses'; Audrey Sikes; Penny for the Board; Wendell Johnson; dale_williams@columbiacountyfla.com
Cc: Michele Greene
Subject: RE: Reconsideration: Un-noticed City-County LSHA meeting for May 16, 2012

I plan to be at city hall at 4pm to have a meeting. I spoke with Dale just before lunch and he told me he would be there.

Jack
(386) 466-7872 Cell
(396) 755-1090 ext. 102 Office

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(LC)

From: Wendell Johnson <johnsonw@lcfla.com>
To: Melinda Moses <mosesm@lcfla.com>, Audrey Sikes <Sikesa@lcfla.com>, "jack@lakeshoreha.org" <jack@lakeshoreha.org>, Penny for the Board <penny_stanley@columbiacountyfla.com>, "dale_williams@columbiacountyfla.com" <dale_williams@columbiacountyfla.com>
CC: Michele Greene <greenem@lcfla.com>, "Stew Lilker (StewLilker@ColumbiaCountyObserver.com)" <StewLilker@ColumbiaCountyObserver.com>
Date: Wed, 16 May 2012 11:45:43 -0400
Subject: RE: Reconsideration: Un-noticed City-County-LSHA meeting for May 16, 2012

Audrey,

I share Ms. Moses' understanding and concur with her direction.

Thanks

Wendell

Wendell Johnson
City Manager

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(LC)

From: Audrey Sikes <Sikesa@lcfla.com>
To: "StewLilker@columbiacountyobserver.com" <StewLilker@columbiacountyobserver.com>
Date: Wed, 16 May 2012 11:31:13 -0400
Subject: RE: Reconsideration: Un-noticed City-County-LSHA meeting for May 16, 2012

In light of Ms. Moses comments I am waiting to hear back from the other entities.

Audrey E. Sikes, M.M.C.
City Clerk

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From: StewLilker@columbiacountyobserver.com [mailto:StewLilker@columbiacountyobserver.com]
Sent: Wednesday, May 16, 2012 11:24 AM

To: Audrey Sikes
Cc: Michele Greene
Subject: Re: Reconsideration: Un-noticed City-County-LSHA meeting for May 16, 2012

Good still morning Sunshine Girls,

Am I to presume that your "Recommendation" was accepted?

Please advise. *Stew*

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(LC)

From: Melinda Moses <mosesm@lcfla.com>
To: Audrey Sikes <Sikesa@lcfla.com>, "jack@lakeshoreha.org"
<jack@lakeshoreha.org>, Penny for the Board
<penny_stanley@columbiacountyfla.com>, Wendell Johnson <johnsonw@lcfla.com>,
"dale_williams@columbiacountyfla.com" <dale_williams@columbiacountyfla.com>
CC: Michele Greene <greenem@lcfla.com>, "Stew Lilker
(StewLilker@ColumbiaCountyObserver.com)"
<StewLilker@ColumbiaCountyObserver.com>
Date: Wed, 16 May 2012 11:24:41 -0400
Subject: RE: Reconsideration: Un-noticed City-County-LSHA meeting for May
16, 2012

Audrey

It is my understanding that this was set up to be an "information only" meeting. I have spoken to Dale Williams who is under this same assumption. I would like to meet and hear the vision of this project from all entities.

I would ask that all reply to Ms. Sikes concerning your intentions for this meeting.

Thank You
Melinda Moses

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(LC)

From: Audrey Sikes <Sikesa@lcfla.com>
To: "jack@lakeshoreha.org" <jack@lakeshoreha.org>, Penny for the Board
<penny_stanley@columbiacountyfla.com>, Wendell Johnson <johnsonw@lcfla.com>,
Melinda Moses <mosesm@lcfla.com>, "dale_williams@columbiacountyfla.com"
<dale_williams@columbiacountyfla.com>
CC: Michele Greene <greenem@lcfla.com>, "Stew Lilker
(StewLilker@ColumbiaCountyObserver.com)"
<StewLilker@ColumbiaCountyObserver.com>
Date: Wed, 16 May 2012 09:55:15 -0400
Subject: Reconsideration: Un-noticed City-County-LSHA meeting for May 16,
2012

Council Member Melinda Moses, County Commissioner Ron Williams, City Manager Wendell Johnson, County Manager Dale Williams, Lake Shore Hospital Authority Manger Jack Berry;

Good morning all. It is my recommendation that the meeting scheduled for 4:00 PM today at City Hall be postponed until such time the purpose of the meeting has been validated. Should you have any questions please feel free to contact me at the number below.

*Audrey E. Sikes, M.M.C.
City Clerk*

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(LC)

From: Wendell Johnson <johnsonw@lcfla.com>
To: "StewLilker@columbiacountyobserver.com"
<StewLilker@columbiacountyobserver.com>
Date: Wed, 16 May 2012 07:25:06 -0400
Subject: Call

Stew,
Please call me if you will – cell

Thanks,

Wendell

Wendell Johnson
City Manager

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(LC)

From: Audrey Sikes <Sikesa@lcfla.com>
To: "StewLilker@ColumbiaCountyObserver.com"
<StewLilker@ColumbiaCountyObserver.com>
Date: Tue, 15 May 2012 15:45:52 -0400
Subject: Meeting

Stew,
Per your conversation with Michelle I offer you the following. Mr. Johnson came to my office and inquired about sunshine applicability for this meeting. I contacted the first amendment foundation with the specific question. You have a copy of that correspondence as per your public record request. After I received the response from the FAF I forwarded it to Mr. Johnson. You have his response as well as per your public record request. Per separate conversations I had with Mr. Berry and Mr. Johnson both told me the purpose of the meeting was for gathering information. Hearing this, and as per the FAF, this meeting is not subject to the Sunshine Law. Hope this helps.
Audrey

Sent from my Verizon Wireless 4G LTE DROID

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(LSHA)

From: Jack Berry [<mailto:jack@lakeshoreha.org>]
Sent: Monday, May 14, 2012 12:35 PM
To: 'Wendell Johnson'; 'Melinda Moses'; 'RonWilliams@columbiacountyflorida.com';
'DaleWilliams@columbiacountyflorida.com'
Subject: RE: Hosptial Access Road Discussion Meeting

That we be great, I will be there

Jack Berry
Executive Director

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(LSHA)

-----Original Appointment-----

From: Wendell Johnson [<mailto:johnsonw@lcfla.com>]
Sent: Monday, May 14, 2012 11:06 AM
To: Melinda Moses; RonWilliams@columbiacountyflorida.com; DaleWilliams@columbiacountyflorida.com;
Jack Berry
Subject: Hosptial Access Road Discussion Meeting
When: Wednesday, May 16, 2012 4:00 PM-5:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: City Hall - Second Floor Conference Room

Not a public meeting - attendees only.

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(LC)

From: Jon Kaney [<mailto:jon@kaneyolivari.com>]
Sent: Friday, May 11, 2012 6:59 PM
To: Audrey Sikes
Subject: Re: Sunshine Question

Absolutely!

On May 11, 2012, at 6:24 PM, "Audrey Sikes" <Sikesa@lcfla.com> wrote:

I would say that one member would say gather information whereas another would say for they will make a recommendation. With that being said, I am always of the opinion it is better to err on the side of caution and notice the meeting. Thank you for your insight and yes it was helpful. Have a great weekend.

*Audrey E. Sikes, M.M.C.
City Clerk*

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(LSHA)(LC)

From: Jack Berry [mailto:jack@lakeshoreha.org]
Sent: Friday, May 11, 2012 3:39 PM
To: 'Wendell Johnson'
Subject: RE:

Fine

Jack Berry
Executive Director

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(LC)

From: Wendell Johnson
Sent: Friday, May 11, 2012 3:22 PM
To: Audrey Sikes
Subject: RE: Sunshine Question

Thank you, Your call on the meeting which I believe will be Wednesday at 4:00 p.m. in the City Hall Conference Room. Personally, I don't see a need for noticing as I am sure it will go much smoother without Lilker who would be the only one to come.

You have a great weekend too.

Wendell
Wendell Johnson

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(LC)

From: Audrey Sikes
Sent: Friday, May 11, 2012 3:15 PM
To: Wendell Johnson
Subject: Sunshine Question

Please read response below. I am headed out....Have a great weekend.

*Audrey E. Sikes, M.M.C.
City Clerk*

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(LC)

From: Jon Kaney [mailto:jon@kaneyolivari.com]
Sent: Friday, May 11, 2012 3:06 PM

To: Audrey Sikes
Cc: Barbara Petersen (Sunshine@floridafaf.org)
Subject: RE: Sunshine Question

Hi Audrey,

Whether the Sunshine Law applies to this group would seem to depend on the function of the group. In *Wood v. Marston*, 442 So.2d 934 (Fla. 1983), the Supreme Court stated that it is the nature of the act performed and not the makeup of a committee that determines whether the Sunshine Law applies. If the group develops a recommendation to bring to the elected boards, it should be deemed subject to the Sunshine Law. AGO 94-21 deals with a similar set of facts and advises that a negotiating team that included elected and staff members was subject to the Sunshine Law because it had the authority to narrow the alternatives available to the Board.

On the other hand, if the function of the committee is to gather information regarding the position of the participating entities on creating a partnership and report that to the governing bodies, it would not be subject to the Sunshine Law.

I hope this is helpful.

Jon Kaney
General Counsel
First Amendment Foundation

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(LSHA)(LC)

From: Wendell Johnson [mailto:johnsonw@lcfla.com]
Sent: Friday, May 11, 2012 3:06 PM
To: Jack Berry
Subject: RE:

Jack,

Good, is 4:00 p.m. still the time at City Hall Conference Room?

Wendell
Wendell Johnson

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(LSHA)(LC)

From: Jack Berry [mailto:jack@lakeshoreha.org]
Sent: Friday, May 11, 2012 3:03 PM
To: 'Wendell Johnson'
Cc: 'DaleWilliams@columbiacountyflorida.com'; 'Melinda Moses';

'RonWilliams@columbiacountyflorida.com'

Subject: RE:

Wednesday will work

Jack Berry
Executive Director

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(LC)

From: Audrey Sikes [<mailto:Sikesa@lcfla.com>]

Sent: Friday, May 11, 2012 2:07 PM

To: Jon Kaney

Cc: Wendell Johnson; Michele Greene

Subject: Sunshine Question

Jon,

Good afternoon I have a question as it relates to Sunshine applicable meetings. Our City, County and local Hospital Authority would like to partnership for the construction of a new road access to the hospital. Our City Manager, County Manager, Hospital Authority Manager, City Council Member (elected), and County Commissioner (elected) would like to have a meeting to discuss each entities participation. These participants are not members of the "same board" however do represent three different government agencies. I will mention even though they have not met in years the City and County have in the past held Joint City/County meetings in which the entire City Council and entire County Commission Board would meet together. These have always been widely noticed.

Back to the question at hand, there is some confusion as to whether or not the meeting to discuss the access road to the hospital would constitute as a Sunshine applicable meeting, since in essence we have one City elected official and one County elected official. As a result of this meeting I would assume that the elected officials would report back to the respective governing bodies (City and County) for any recommendations and/or official action if necessary.

Is it your opinion that this sort of meeting would constitute a Sunshine applicable meeting? Please feel free to contact me should you have any questions or need clarification. Thanking you in advance.

*Audrey E. Sikes, M.M.C.
City Clerk*

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(LSHA)

From: Jack Berry [<mailto:jack@lakeshoreha.org>]

Sent: Friday, May 11, 2012 1:12 PM
To: 'Wendell Johnson'
Subject: RE:

Your right it was unnecessary, I am sorry, What is life without a little humor. Oh and by the way I did check the law before I sent the email.

Jack Berry
Executive Director

(LSHA)(LC)

From: Wendell Johnson [mailto:johnsonw@lcfla.com]
Sent: Friday, May 11, 2012 10:59 AM
To: Jack Berry
Cc: DaleWilliams@columbiacountyflorida.com; Melinda Moses; RonWilliams@columbiacountyflorida.com
Subject: FW:

Jack,

Please see below; Melinda can't meet Tuesday....will Wednesday work?

Wendell

Wendell Johnson

(LSHA)(LC)

From: Melinda Moses
Sent: Friday, May 11, 2012 10:21 AM
To: Wendell Johnson
Subject: RE:

Wendell

I am so sorry but I must be at a meeting on Tuesday out of town.....Wed would be perfect but I can make any day work.....so sorry.

I am so sorry.....just got this assignment at 10:00.....

MM

(LSHA)(LC)

From: Wendell Johnson [mailto:johnsonw@lcfla.com] **Sent:** Friday, May 11, 2012 10:08 AM

To: Jack Berry
Cc: Audrey Sikes
Subject: RE:

I am not in the business of making Stew happy and that comment was not necessary Jack. And, I think if you will check, the meeting is required to be noticed by Florida Law.

Have a nice day.

Wendell

Wendell Johnson

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(LSHA)(LC)

From: Jack Berry [mailto:jack@lakeshoreha.org]
Sent: Friday, May 11, 2012 10:03 AM
To: 'Wendell Johnson'
Cc: 'DaleWilliams@columbiacountyflorida.com'
Subject: RE:

Wendell

That will be fine, we had planned on Ron Williams being at the meeting.

In accordance with FL law it is not necessary to notice the meeting, however , if you want to make Stew happy, go ahead.

See you Tuesday.

Jack Berry, Authority Manager

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(LSHA)(LC)

From: Wendell Johnson [mailto:johnsonw@lcfla.com]
Sent: Friday, May 11, 2012 9:26 AM
To: Jack Berry
Cc: DaleWilliams@columbiacountyflorida.com; Melinda Moses; RonWilliams@columbiacountyflorida.com
Subject: RE:

Jack,

Ms. Moses and I met yesterday afternoon. Although we are somewhat at a loss regarding the meeting objective, I called and talked briefly with Dale this morning and Ms. Moses and I are agreeable for Tuesday, May 15th at 4:00 p.m. However, I suggest it would be appropriate for County Commissioner Ron Williams to attend and that it will be a "noticed" meeting. Commissioner Williams has been very

involved with this issue since he and I first talked in February. We can meet in the City Hall conference room. Let me know Jack and I will make the arrangements today.

Wendell
Wendell Johnson

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(LSHA)(LC)

From: Jack Berry [mailto:jack@lakeshoreha.org]
Sent: Thursday, May 10, 2012 9:41 AM
To: 'Wendell Johnson'
Cc: 'DaleWilliams@columbiacountyflorida.com'
Subject:

Wendell, Dale and I would like to meet with you and Ms. Moses on 5-15- 12 @ 4:00pm @ Dales offices if possible, about the new road, please let if this is ok with you.

Jack Berry, Authority Manager