

BOARD OF COUNTY COMMISSIONERS LEON COUNTY, FLORIDA

AGENDA

REGULAR MEETING

County Commission Chambers
Leon County Courthouse
301 South Monroe Street
Tallahassee, FL

**Tuesday, March 8, 2016
3:00 P.M.**

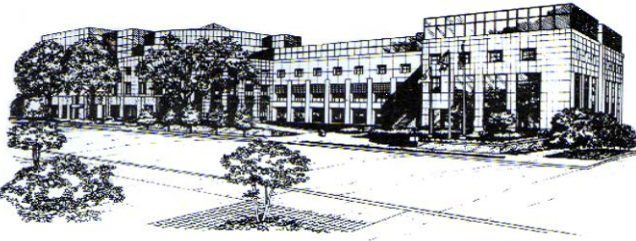
COUNTY COMMISSIONERS

Bill Proctor, Chairman
District 1

Jane Sauls
District 2

Bryan Desloge
District 4

Mary Ann Lindley
At-Large



John Dailey, Vice Chair
District 3

Kristin Dozier
District 5

Nick Maddox
At-Large

Vincent S. Long
County Administrator

Herbert W. A. Thiele
County Attorney

The Leon County Commission meets the second and fourth Tuesday of each month. Regularly scheduled meetings are held at 3:00 p.m. The meetings are televised on Comcast Channel 16. A tentative schedule of meetings and workshops is attached to this agenda as a "Public Notice." Selected agenda items are available on the Leon County Home Page at: www.leoncountyfl.gov. Minutes of County Commission meetings are the responsibility of the Clerk of Courts and may be found on the Clerk's Home Page at www.clerk.leon.fl.us

Please be advised that if a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at this meeting or hearing, such person will need a record of these proceedings, and for this purpose, such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. The County does not provide or prepare such record (Sec. 286.0105, F.S.).

In accordance with Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Community & Media Relations, 606-5300, or Facilities Management, 606-5000, by written or oral request at least 48 hours prior to the proceeding. 7-1-1 (TDD and Voice), via Florida Relay Service.

Board of County Commissioners
Leon County, Florida
Agenda
Regular Public Meeting
Tuesday, March 8, 2016, 3:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Fr. Peter L. Zalewski, Pastor Blessed Sacrament Catholic Church

Pledge of Allegiance by Commissioner Maddox

AWARDS AND PRESENTATIONS

- Proclamation Honoring the Elite 8th Graders at Out of the Box Solution Who Won the Youth Basketball of America Division II National Championship
(Chairman Bill Proctor)
- Proclamation Declaring March "Believing in Girls" Month in Leon County, Florida
(Chairman Bill Proctor)
- Proclamation Declaring March 6-12, 2016 Women in Construction Week
(Chairman Bill Proctor)
- Proclamation Recognizing March as American Red Cross Month
(Commissioner Desloge)
- Presentation by the Bethel Empowerment Foundation Regarding the Ready 4 Work Conceptual Business Development Program
(Reverend R.B. Holmes, Bethel Empowerment Foundation)
- Presentation on the Jim Moran School of Entrepreneurship
(Mike Campbell and Susan Fiorito, The Jim Moran Institute of Global Entrepreneurship)

CONSENT

1. Approval of Minutes: January 26 and February 9, 2016 Regular Meeting
(Clerk of the Court/Finance/Board Secretary)
2. Acceptance of the Annual Investment Report for Fiscal Year 2014-2015
(Clerk of the Court/Finance)
3. Consideration of Full Board Appointment to the Board of Adjustment and Appeals
(County Administrator/County Administration)
4. Acceptance of Status Update Regarding Leon County's Television Broadcast Presence
(County Administrator/Community Media Relations)
5. Ratification of Appointments to the Minority Women Small Business Enterprise Committee and Water Resources Committee
(County Administrator/County Administration)
6. Acceptance of Report on Southside Community Efforts and the Leon County Southside School Project
(County Administrator/County Administration)

7. Approval of 2016 Club of Honest Citizens Town and Gown Event to be Held at Tallahassee Community College
(County Administrator/County Administration)
8. Approval of Policy No. 16-X “Leon County Succession Management Policy”
(County Administrator/Human Resources)
9. Approval of Payment of Bills and Vouchers Submitted for March 8, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of March 9 through April 11, 2016
(County Administrator/Office of Financial Stewardship/Office of Management & Budget)
10. Approval of the Revised Leon County Driveway and Street Connection Guidelines and Procedures Manual
(County Administrator/Development Support & Environmental Management/Public Works)
11. Request to Schedule Two Public Hearings to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards for April 12 and May 10, 2016 at 6:00 p.m.
(County Administrator/Development Support & Environmental Management/Development Services)
12. Request to Schedule Two Public Hearings to Consider Proposed Amendments to Leon County Land Development Code to Allow Outdoor Shooting Ranges in the Rural Zoning District for May 10 and June 14, 2016 at 6:00 p.m.
(County Administrator/Development Support & Environmental Management/Development Services)
13. Request to Schedule the First and Only Public Hearing to Adopt an Ordinance to Regulate Outdoor Dog Friendly Dining Areas for April 12, 2016 at 6:00 p.m.
(County Administrator/Development Support & Environmental Management/Development Services)
14. Ratification of Board Actions taken at the February 9, 2016 Workshop on Infant Mortality
(County Administration/Human Services and Community Partnerships)
15. Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.
(County Administrator/Economic Vitality/Tourism Development)
16. Acceptance of the Marketing Status Report from the Division of Tourism Development
(County Administrator/Economic Vitality/Tourism Development)
17. Adoption of a Resolution in Support of a Grant Application to Construct a Sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive
(County Administrator/Public Works/Engineering)
18. Approval of License Agreement with Babe Ruth League for Use of Fred George Greenway and Park Baseball Field
(County Administrator/Public Works/Parks and Recreation)

19. Approve the First Amendment to the Lease Agreement Between Leon County and the Seminole Radio Control Club, Inc.
(County Administrator/Public Works/Parks and Recreation)
20. Approval to Award Bid to TALCOR Commercial Real Estate Services, Inc., for the Provision of Nonresidential Real Estate Services
(County Administrator/Public Works/Facilities Management/Real Estate/Purchasing)
21. Adoption of Proposed Revisions to the Tallahassee-Leon County Planning Commission and Local Planning Agency Bylaws and Adoption of an Updated Tallahassee-Leon County Planning Department Fee Resolution
(County Administrator/PLACE/Planning)
22. Acceptance of the Miccosukee Sense of Place Update.
(County Administrator/PLACE/Planning)
23. Adoption of the Lake Jackson Blueway Plan
(County Administrator/Place/Planning)
24. Authorization for Staff to Prepare a FY 2016-2017 Budget Request to Hire a Mobility Fee Consultant in Coordination with the City of Tallahassee
(County Administrator/PLACE/Planning)

Status Reports: *(These items are included under Consent.)*

25. Acceptance of the Leon County Water Resources Committee 2015 Annual Report
(County Administrator/PLACE/Planning)
26. Acceptance of the FY 2014-2015 Annual Audit and Financial Report
(Clerk of the Court/Finance)
27. Acceptance of the First Quarter FY 2015-2016 County Grant Program Leveraging Status Report
(County Administrator/Office of Financial Stewardship/Office of Management & Budget)
28. Acceptance of the Status Report on the Competitive Provider Reimbursements for the FY 2016 Primary Healthcare Program
(County Administration/Human Services and Community Partnerships)
29. Acceptance of Supervised Pretrial Release Division's Annual Report
(County Administrator/Intervention and Detention Alternatives)
30. Acceptance of the 2014-15 Annual Report of the Code Enforcement Board and the Code Compliance Program
(County Administrator/Development Support & Environmental Management/Permit and Code Services)

CONSENT ITEMS PULLED FOR DISCUSSION

CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS

3-minute limit per speaker; there will not be any discussion by the Commission

GENERAL BUSINESS

31. Consideration of Full Board Appointments of Commissioners to the Value Adjustment Board
(County Administrator/County Administration)
32. Establishment of the FY 2017 Maximum Discretionary Funding Levels and Initial Budget Policy Guidance
(County Administrator/Office of Financial Stewardship/Office of Management & Budget)
33. Approval of the Council on Culture & Arts Capital Improvement Grant Program and Guidelines and Acceptance of a Status Report on Efforts to Streamline Operational Efficiencies
(County Administrator/Office of Economic Vitality)
34. Acceptance of Staff Review of the Canopy Roads Citizen Committee and Recommendations to Improve Development Review Efficiency and Increase Proactive Canopy Road Management, Education, and Outreach
(County Administrator/PLACE/Planning)

SCHEDULED PUBLIC HEARINGS, 6:00 P.M.

35. First and Only Public Hearing to Consider the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc.
(County Administrator/Public Works/Engineering)
36. First and Only Public Hearing to Consider Amendments to the On-Site Sewage Disposal Systems Ordinance
(County Administrator/Development Support & Environmental Management/Environmental Health)
37. First and Only Public Hearing to Consider a Proposed Ordinance to Revise the County's Driveway Connection Permitting, Inspection and Enforcement Process
(County Administrator/Development Support & Environmental Management/Public Works)

CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS

3-minute limit per speaker; Commission may discuss issues that are brought forth by speakers.

COMMENTS/DISCUSSION ITEMS

Items from the County Attorney

Items from the County Administrator

Discussion Items by Commissioners

RECEIPT AND FILE

- None

ADJOURN

*The next Regular Board of County Commissioners Meeting is scheduled for
Tuesday, April 12, 2016 at 3:00 p.m.*

All lobbyists appearing before the Board must pay a \$25 annual registration fee. For registration forms and/or additional information, please see the Board Secretary or visit the County website at www.leoncountyfl.gov

2016

JANUARY

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DECEMBER

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PUBLIC NOTICE
2016 Tentative Schedule

All Workshops, Meetings, and Public Hearings are subject to change
 All sessions are held in the Commission Chambers, 5th Floor, Leon County Courthouse unless otherwise indicated. Workshops are scheduled as needed on Tuesdays from 12:00 to 3:00 p.m.

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
January 2016	Friday 1	Offices Closed	NEW YEAR'S DAY
	Tuesday 12	No Meeting	BOARD RECESS
	<i>Wednesday 13 – Friday 15</i>	<i>FAC New & Advanced County Comm. Workshop</i>	<i>Seminar 2 of 3 Gainesville; Alachua County</i>
	Monday 18	Offices Closed	MARTIN LUTHER KING, JR. DAY
	Tuesday 26	3:00 p.m.	Regular Meeting
	Thursday 28	9:30 – 11:00 a.m.	Community Redevelopment Agency City Commission Chambers
February 2016	Tuesday 2	7:30 a.m.	Community Legislative Dialogue Meeting County Commission Chambers
	<i>Wednesday 3</i>	<i>Legislative Day</i>	<i>FSU Turnbull Center; Tallahassee</i>
	Monday 8	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 9	3:00 p.m.	Regular Meeting
		1:00 – 3:00 p.m.	Workshop on Infant Mortality
	Tuesday 16	No Meeting	NO MEETING
	<i>Saturday 20 – Wednesday 24</i>	<i>NACo Legislative Conference</i>	<i>Washington, D.C.</i>
	Thursday 25	9:30 – 11:00 a.m.	CRA Meeting; City Commission Chambers
	Monday 29	3:00 – 5:00 p.m.	Intergovernmental Meeting City Commission Chambers
March 2016	Tuesday 8	1:30 p.m.	Joint City/County Workshop on Cycle 2016 Comprehensive Plan Amendments
		3:00 p.m.	Regular Meeting
		6:00 p.m.	Public Hearing on a Proposed Ordinance to Amend the On-site Sewage Disposal Systems Provisions
		6:00 p.m.	Public Hearing Consider a Proposed Ordinance to Revise the County's Driveway Connection Permitting, Inspection and Enforcement Process
		6:00 p.m.	Public Hearing for the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc.

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
	Monday 21	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 22	7:30 a.m.	Community Legislative Dialogue Meeting County Commission Chambers
		No Meeting	NO MEETING
	Thursday 24	9:30 – 11:00 a.m.	CRA Meeting; City Commission Chambers
April 2016	<i>Thursday 7 – Friday 8</i>	<i>FAC Advanced County Commissioner Workshop</i>	<i>Seminar 3 of 3: Gainesville; Alachua County</i>
	Tuesday 12	3:00 p.m.	Regular Meeting
		<u>6:00 p.m.</u>	<u>First Public Hearing to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards</u>
		<u>6:00 p.m.</u>	<u>Public Hearing to Adopt an Ordinance to Regulate Outdoor Dog Friendly Dining Areas</u>
		6:00 p.m.	Joint City/County Transmittal Hearing on Cycle 2016 -1 Comprehensive Plan Amendments
	Monday 18	9:00 a.m. – 1:00 p.m.	CRTPA Workshop; City Commission Chambers
	Tuesday 26	9:00 a.m. – 3:00 p.m.	Budget Policy Workshop
		3:00 p.m.	Regular Meeting
	Thursday 28	9:30 – 11:00 a.m.	Community Redevelopment Agency City Commission Chambers
May 2016	Tuesday 10	3:00 p.m.	Regular Meeting
		<u>6:00 p.m.</u>	<u>Second Public Hearing to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards</u>
		<u>6:00 p.m.</u>	<u>First Public Hearing to Consider a Proposed Ordinance to Allow Outdoor Shooting Ranges in the Rural Zoning District</u>
		<u>6:00 p.m.</u>	<u>First and Only Public Hearing to Consider an Ordinance Amending Section 13-58 of the Leon County Code of Laws</u>
	Monday 16	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 24	3:00 p.m.	Regular Meeting
		6:00 p.m.	Joint City/County Adoption Hearing on Cycle 2016-1 Comprehensive Plan Amendments
	Thursday 26	9:30 – 11:00 a.m.	CRA Meeting; City Commission Chambers

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
	Monday 30	Offices Closed	MEMORIAL DAY
June 2016	Tuesday 14	9:00 a.m. – 3:00 p.m.	Budget Workshop
		3:00 p.m.	Regular Meeting
		<u>6:00 p.m.</u>	<u>Second Public Hearing to Consider a Proposed Ordinance to Allow Outdoor Shooting Ranges in the Rural Zoning District</u>
	Monday 20	1:00 p.m.	CRTPA Meeting; City Commission Chambers
		3:00 – 5:00 p.m.	Intergovernmental Meeting; City Commission Chambers
	Thursday 23	9:30 – 11:00 a.m.	CRA Meeting; City Commission Chambers
	Tuesday 28	No Meeting	NO MEETING
	<i>Tuesday 28 - Friday, July 1</i>	<i>FAC Annual Conference & Educational Exposition</i>	<i>Orlando, Orange County</i>
July 2016	Monday 4	Offices Closed	JULY 4TH HOLIDAY OBSERVED
	Tuesday 12	9:00 a.m. – 3:00 p.m.	Budget Workshop (<i>if necessary</i>)
		3:00 p.m.	Regular Meeting
	Thursday 14	9:30 – 11:00 a.m.	CRA Meeting; City Commission Chambers
	<i>Friday 22 – Tuesday 26</i>	<i>NACo Annual Conference</i>	<i>Los Angeles County, Long Beach, California</i>
	Tuesday 26	No Meeting	BOARD RECESS
	<i>Wednesday 27 – Saturday 30</i>	<i>National Urban League Annual Conference</i>	<i>TBD</i>
August 2016	Tuesday 9	No Meeting	BOARD RECESS
	<i>Friday 19 - Sunday 21</i>	<i>Chamber of Commerce Annual Conference</i>	<i>Amelia Island/Fernandina Beach</i>
	Tuesday 23	No Meeting	BOARD RECESS
September 2016	Thursday 1	9:30 – 11:00 a.m.	Community Redevelopment Agency Special Meeting; City Commission Chambers
	Monday 5	Offices Closed	LABOR DAY HOLIDAY
	Monday 12	5:00 – 8:00 p.m.	Intergovernmental Meeting/Public Hearing City Commission Chambers
	Tuesday 13	3:00 p.m.	Regular Meeting
		6:00 p.m.	First Public Hearing Regarding Tentative Millage Rates and Tentative Budgets for FY 2017*

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
	<i>Wednesday 14- Friday 16</i>	<i>FAC Policy Committee Conference and County Commissioner Workshops</i>	<i>Hutchinson Island Martin County</i>
	Monday 19	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 20	3:00 p.m.	Regular Meeting
		6:00 p.m.	Second Public Hearing on Adoption of Millage Rates and Budgets for FY 2017*
	<i>Wednesday 21 Saturday 24</i>	<i>Congressional Black Caucus Annual Legislative Conference</i>	<i>Washington, D.C.</i>
	<i>Sunday 25 Wednesday 28</i>	<i>ICMA Annual Conference</i>	<i>Jackson County Kansas City, Missouri</i>
	Thursday 29	4:00 p.m. 6:00 p.m.	Community Redevelopment Agency Meeting Community Redevelopment Agency Public Hearing City Commission Chambers
<i>* These public hearing dates may change because of the School Board's scheduling of its budget adoption public hearings.</i>			
October 2016	<i>TBD</i>	<i>FAC Advanced County Commissioner Program</i>	<i>Part 1 of 3 Gainesville; Alachua County</i>
	Monday 17	9:00 a.m. - 1:00 p.m.	Capital Region Transportation Planning Agency Retreat; TBD
	Tuesday 18	3:00 p.m.	Regular Meeting
	Tuesday 25	3:00 p.m.	Regular Meeting
	Thursday 27	9:30 – 11:00 a.m.	Community Redevelopment Agency Meeting City Commission Chambers
November 2016	Friday 11	Offices Closed	VETERAN'S DAY OBSERVED
	Monday 14	1:00 p.m.	Capital Region Transportation Planning Agency City Commission Chambers
	Monday 21	9:30 – 11:00 a.m.	Community Redevelopment Agency City Commission Chambers
	Tuesday 22	3:00 p.m.	Installation of Newly-Elected Commissioners Reorganization of the Board Regular Meeting
	Thursday 24	Offices Closed	THANKSGIVING DAY
	Friday 25	Offices Closed	FRIDAY AFTER THANKSGIVING DAY
	<i>Wednesday 30 – Friday, Dec. 2</i>	<i>FAC Legislative Conference</i>	<i>Buena Vista Orange County</i>

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
December 2016	Thursday 8	9:30 – 11:00 a.m.	Community Redevelopment Agency City Commission Chambers
	Monday 12	9:00 a.m. – 4:00 p.m.	Board Retreat
	Tuesday 13	3:00 p.m.	Regular Meeting
	Monday 26	Offices Closed	CHRISTMAS DAY OBSERVED
	Tuesday 27	No Meeting	BOARD RECESS
January 2017	Monday 2	Offices Closed	NEW YEAR'S DAY OBSERVED
	Tuesday 10	No Meeting	Board Recess
	Tuesday 24	3:00 p.m.	Regular Meeting

Citizen Committees, Boards, and Authorities
2016 Expirations and Vacancies

www.leoncountyfl.gov/committees/expire.asp

VACANCIES

Adjustment and Appeals Board	1
Affordable Housing Advisory Committee	2
Contractors Licensing and Examination Board	1
Development Support & Environmental Management Citizens User Group	1
Human Services Grants Review Committee	1
Minority, Women & Small Business Enterprise Committee	1
Water Resources Committee	1

EXPIRATIONS

FEBRUARY 28, 2016

Value Adjustment Board

Board of County Commissioners (1 Commissioner appointment)

MARCH 31, 2016

Contractors Licensing and Examination Board

Commissioner - District II: Sauls, Jane (1 appointment)

Science Advisory Committee

Commissioner – At-large II: Maddox, Nick (1 appointment)

Commissioner - District III: Dailey, John (1 appointment)

Commissioner – District IV: Desloge, Bryan (1 appointment)

APRIL 30, 2016

Tallahassee Sports Council

Board of County Commissioners (2 appointments)

JUNE 30, 2016

Adjustment and Appeals Board

Board of County Commissioners (1 appointment)
Tallahassee City Commission (1 appointment)

Architectural Review Board

Board of County Commissioners (1 appointment)
A member who is an owner of property designated historic preservation

Canopy Roads Citizens Committee

Tallahassee City Commission (2 appointments)

CareerSource Capital Region

Board of County Commissioners (1 appointment)

Planning Commission

Board of County Commissioners (1 appointment)
Tallahassee City Commission (1 appointment)

JULY 31, 2016

Big Bend Health Council

Board of County Commissioners (4 appointments)

Council on Culture and Arts

Board of County Commissioners (1 appointment)

Development Support and Environmental Management Citizens User Group

Commissioner – At-Large II: Maddox, Nick (1 appointment)
Commissioner - District I: Proctor, Bill (1 appointment)
Commissioner – District IV: Desloge, Bryan (1 appointment)

Educational Facilities Authority

Board of County Commissioners (1 appointment)

Investment Oversight Committee

Board of County Commissioners (2 appointments)

SEPTEMBER 30, 2016

Affordable Housing Advisory Committee

Board of County Commissioners (11 appointments)

A member who is actively engaged in the residential home building industry in connection with affordable housing.

A member who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.

A member who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.

A member who is actively engaged as an advocate for low-income persons in connection with affordable housing.

A member who is actively engaged as a for-profit provider of affordable housing.

A member who is actively engaged as a not-for-profit provider of affordable housing.

A member who is actively engaged as a real estate professional in connection with affordable housing.

A member who actively serves on the local planning agency pursuant to s. 163.3174.

A member who resides within the jurisdiction of the local governing body making the appointments.

A member who represents employers within the jurisdiction.

A member who represents essential services personnel, as defined in the local housing assistance plan.

Community Development Block Grant Citizens Task Force

Board of County Commissioners (1 appointment)

A member who is a low-income resident in unincorporated Leon County

(September 30, 2016 continued)

Housing Finance Authority (and CDBG Citizens Task Force)

Commissioner – At-Large I: Lindley, Mary Ann (1 appointment)
Commissioner – District IV: Desloge, Bryan (1 appointment)
Commissioner – District V: Dozier, Kristin (1 appointment)

Joint City/County/School Board Coordinating Committee

Board of County Commissioners (1 appointment)

Leon County Research and Development Authority at Innovation Park

Board of County Commissioners (3 appointments)

Tallahassee-Leon County Commission on the Status of Women and Girls

Board of County Commissioners (4 appointments)
Commissioner - District I: Proctor, Bill (1 appointment)
Commissioner - District III: Dailey, John (1 appointment)
Commissioner – District V: Dozier, Kristin (1 appointment)
Tallahassee City Commission (3 appointments)

OCTOBER 31, 2016

Audit Advisory Committee

Board of County Commissioners (2 appointments)

Canopy Roads Citizens Committee

Board of County Commissioners (2 appointments)

Tourist Development Council

Board of County Commissioners (1 appointment)

DECEMBER 31, 2016

Human Services Grants Review Committee

Commissioner - At-large I: Lindley, Mary Ann (1 appointment)
Commissioner - At-large II: Maddox, Nick (1 appointment)
Commissioner - District I: Proctor, Bill (1 appointment)
Commissioner - District II: Sauls, Jane G. (1 appointment)
Commissioner - District III: Dailey, John (1 appointment)
Commissioner - District IV: Desloge, Bryan (1 appointment)
Commissioner - District V: Dozier, Kristin (1 appointment)

Library Advisory Board

Commissioner - At-large II: Maddox, Nick (1 appointment)
Commissioner - District I: Proctor, Bill (1 appointment)
Commissioner - District V: Dozier, Kristin (1 appointment)

**Leon County
Board of County Commissioners**


Notes for Agenda Item #1

Leon County Board of County Commissioners

Cover Sheet for Agenda #1

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of Minutes: January 26, 2016 and February 9, 2016 Regular Meeting

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Betsy Coxen, Finance Director, Clerk of the Court & Comptroller
Lead Staff/ Project Team:	Rebecca Vause, Board Secretary

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Approve the minutes of the January 26, 2016 and February 9, 2016 Regular Meeting

Attachments:

1. January 26, 2016 Regular Meeting Minutes
2. February 9, 2016 Regular Meeting Minutes

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
January 26, 2016**

The Board of County Commissioners of Leon County, Florida met in regular session at 3:00 p.m. with Chairman Bill Proctor presiding. Present were Vice Chairman John Dailey, and Commissioners Nick Maddox, Kristin Dozier, Mary Ann Lindley, and Bryan Desloge. Commissioner Jane Sauls was absent. Also present were County Administrator Vincent Long, County Attorney Herb Thiele, Finance Director Betsy Coxen and Board Secretary Rebecca Vause.

Chairman Proctor called the meeting to order at 3:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was delivered by Commissioner Bryan Desloge, who then led the Pledge of Allegiance.

Awards and Presentations

- Chairman Bill Proctor presented a Proclamation honoring the numerous contributions to the Leon County community by the Ghazvini family. Members of the Ghazvini family were in attendance to accept the honor.
- Chairman Bill Proctor presented a Proclamation honoring DeVoe Moore for his contributions to the Leon County community. Mr. Moore accepted the honor and expressed appreciation to the Board.
- Commissioner Kristen Dozier presented a Proclamation recognizing Tallahassee Community College's (TCC) 50th Anniversary. TCC President Jim Murdaugh, along with Board of Trustees Chair Donna Callaway, Vice-Chair Randy Pople, and Trustee Karen Moore, appeared to accept the recognition. President Murdaugh extended an invitation for the Board to hold a future Board meeting on the TCC campus.
 - Chairman Proctor expressed an interest in exploring the possibility of accepting the invitation and stated that he would bring the issue up later for discussion.
- Jim McShane, Executive Director, CareerSource Capital Region, shared an overview of the program including specific initiatives, partnerships, and metrics.
 - Commissioner Maddox thanked Mr. McShane for the report and highlighted the great success of the program.

Consent:

Commissioner Dozier moved, duly seconded by Commissioner Maddox to approve the Consent Agenda, with the exception of Items 9, 10, and 15, which were pulled for further discussion. The motion carried 6-0 (Commissioner Sauls absent).

1. **Approval of Minutes: October 27, 2015 Workshop Overview of the Minority, Women and Small Business Enterprise Programs; November 17, 2015 Board Reorganization & Regular Meeting, and December 8, 2015 Regular Meeting.**

The Board approved Option 1: Approve the minutes of the October 27, 2015 Workshop Overview of the Minority, Women and Small Business Enterprise Programs; November 17, 2015 Board Reorganization & Regular Meeting, and December 8, 2015 Regular Meeting.

2. Approval of Proposed 2016 Board Calendar Modification

The Board approved Options 1 & 2: 1) Approve the proposed revision to the Board's February 2016 calendar to reflect the cancellation of the February 16, 2016 regular meeting, and 2) Reschedule the Workshop on Infant Mortality from February 16, 2016 to February 9, 2016 from 1:00 p.m. to 3:00 p.m.

3. Ratification of Appointments to the Minority, Women & Small Business Enterprise Committee, Science Advisory Committee and Water Resources Committee

The Board approved Options 1, 2, & 3: 1) Ratify Commissioner Sauls appointment of Barbara Westcott to the Minority, Women & Small Business Enterprise Committee for a term of two years; 2) Ratify Commissioner Lindley's appointment of Amy Datz to the Science Advisory Committee for a term of two years, and 3) Ratify Commissioner Lindley's appointment of Colleen Castille to the Water Resources Committee for a term of three years.

4. Approval of Extension of Retainer Contracts for Additional Two Years for Bond Counsel and Disclosure Counsel for the Leon County Board of County Commissioners

The Board approved Options 1 & 2: 1) Approve extension of Retainer Contract for two (2) years with Bryant, Miller & Olive as Leon County Bond Counselor, and 2) Approve extension of Retainer Contract for two (2) years with GrayRobinson as Leon County Disclosure Counsel.

5. Approval of a Memorandum of Understanding with the Civil Air Patrol

The Board approved Option 1: Approve the Memorandum of Understanding with the Civil Air Patrol.

6. Approval of Payment of Bills and Voucher Submitted for January 26, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of January 27 through February 8, 2016

The Board approved Option 1: Approve the payment of bills and vouchers submitted for January 26, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of January 27 through February 8, 2016.

7. Approval of the Fiscal Year 2016/2017 Budget Calendar

The Board approved Option 1: Approve the Fiscal Year 2016/2017 Budget Calendar.

8. Approval of Renewal of the Certificate of Public Convenience and Necessity to Provide Advanced Life Support and Basic Life Support Air Transport Services to Air Methods Corporation

The Board approved Option 1: 1) Approve the renewal of the Advanced Life Support and Basic Life Support Air Transport Certificate for Air Methods Corporation Public Convenience and Necessity to Air Methods Corporation.

9. Authorization to Develop a Draft Dog-Friendly Dining Ordinance

Chairman Proctor requested the item be pulled for further discussion.

County Administrator Long introduced the item.

Chairman Proctor voiced his concerns about the proposed ordinance and for the safety of restaurant customers. He requested that the scope of the ordinance be drafted to also require straws and utensils be covered to better protect against potential animal contamination.

Commissioner Desloge remarked that there are some restaurants that would like to offer dog friendly outdoor dining, especially in areas where walking is encouraged. He opined that the concerns brought forward by Chairman Proctor would be addressed in the ordinance and then discussed in more detail when it comes back to the Board.

Alex Mahon, Leon County Health Department, clarified that restaurants are regulated by the State through the Department of Business and Professional Regulations and there are protocols in place to ensure food safety.

Commissioner Dozier moved, duly seconded by Commissioner Desloge, approval of Option 1: Authorize staff to develop a dog-friendly dining Ordinance.

Commissioner Dozier agreed with Commissioner Desloge and appreciated the clarification by Mr. Mahon regarding the State's oversight on this issue. She too mentioned that there were numerous restaurants who supported the idea and whose customers want to be able to bring their pets with them.

Commissioner Lindley established with David McDevitt, Director, Development Support and Environmental Management, that his staff has had discussions with the City's Growth Management Office and there is interest in making this a Countywide ordinance.

Chairman Proctor asserted that when animals are introduced into areas of dining, the County has a responsibility to ensure that standards of protective dining are afforded to citizens. He reiterated his request that consideration be given to this concern in the development of the ordinance.

The motion carried 5-1 (Chairman Proctor in opposition and Commissioner Sauls absent).

10. Authorization to Proceed with the Development of an Ordinance Amending the Review Process for Accessory Dwelling Units

Commissioner Desloge requested the item be pulled for further discussion.

Commissioner Desloge asked staff also address ground mounted solar array installation in the scope of the Ordinance.

Commissioner Desloge moved, duly seconded by Commissioner Dozier approval of Option 1, as amended: Authorize staff to proceed with drafting an Ordinance amending the Land Development Code to revise the review procedures for Accessory Dwelling Units and

consider amendments clarifying procedures relating to ground mounted solar arrays. The motion carried 6-0 (Commissioner Sauls absent).

11. Acceptance of a Conservation Easement from LeRoy Collins Proctor and Kathryn S. Proctor for the Stonybrook Farm 1 into 2 Subdivision

The Board approved Option 1: Approve and accept for recording a Conservation Easement from LeRoy Collins Proctor and Kathryn S. Proctor for the Stonybrook Farm 1 into 2 Subdivision.

12. Request to Schedule the First and Only Public Hearing on a Proposed Ordinance to Amend the On-site Sewage Disposal Systems Provisions for March 8, 2016 at 6:00 p.m.

The Board approved Option 1: Schedule the first and only Public Hearing to consider a proposed Ordinance to amend the on-site sewage disposal system provisions for March 8, 2016 at 6:00 p.m.

13. Request to Schedule the First and Only Public Hearing to Consider a Proposed Ordinance to Revise the County's Driveway Connection Permitting, Inspection and Enforcement Process for March 8, 2016 at 6:00 p.m.

The Board approved Option 1: Schedule the first and only Public Hearing to consider a proposed Ordinance to revise the County's driveway connection permitting, inspection and enforcement process for March 8, 2016 at 6:00 p.m.

14. Adoption of the Proposed Revised Policy No. 11-2, "Membership on Boards, Committees, Councils, Authorities" Regarding the Sunset of the Enterprise Zone Development Agency

The Board approved Option 1: Adoption of the Proposed Revised Policy No. 11-2 "Membership on Boards, Committees, Councils, Authorities" Regarding the Sunset of the Enterprise Zone Development Agency.

15. Approval of a Five year Extension for the Armed Service Veteran Bus Pass Program between Leon County Government and the City of Tallahassee

Chairman Proctor requested the item be pulled for further discussion.

County Administrator Long introduced the item.

Chairman Proctor stated that he pulled the item to ensure citizens were aware of the County's strong support for veterans and requested County Administrator Long elaborate on the services being provided through Leon County Veteran Services.

Eryn Calabro, Director of Human Services and Community Partnerships, was called to provide an overview of the Bus Pass Program and shared the process used to qualify low-income veterans for the program.

Commissioner Lindley shared that with over 400 participants to date the program has already demonstrated its value.

Commissioner Lindley moved, duly seconded by Commissioner Dozier, approval of Option 1: Approve a five year extension for the Armed Service Veteran Bus Pass Program between Leon County Government and the City of Tallahassee and authorize the County Administrator to execute in a form as approved by the County Attorney. The motion carried 6-0 (Commissioner Sauls absent).

16. Acceptance of the 2015 Concurrency Management Annual Report

The Board approved Option 1: Accept the 2015 concurrency Management Annual Report.

17. Acceptance of Status Report on 2015 Transfers of Leon County Surplus Computing Equipment to Goodwill Industries.

The Board approved Option 1: Accept the status report on 2015 transfers of Leon County surplus computing equipment to Goodwill Industries.

Citizens to be Heard on Non-Agendaed Items (3-minute limit per speaker; there will not be any discussion by the Commission)

- Bart Bibler, updated the Board on efforts to reinstate Amtrak passenger rail travel through Tallahassee. He noted that members of the Southern Rail Commission would conduct an inspection tour, traveling from New Orleans to Jacksonville, and would arrive in Tallahassee on February 19th. He suggested that would be an opportunity for the community to display its support for the reinstatement of the rail service.
- Val Fraley, American Legion Post 13, expressed appreciation to the Board for its cooperation and partnership during the Veterans Day celebration. He distributed Certificates of Appreciation from American Legion Post 13 to each Commissioner.

General Business

18. Ratification of Board Actions Taken at the December 7, 2015 Annual Retreat and Approval of Revised Leon County Strategic Plan

County Administrator Long introduced the item.

Speakers:

- Ellen Piekolkiewicz, United Partners for Human Services, thanked the Commission for its interest in human services funding and hoped for additional funding for the FY 16/17 budget cycle. She expressed reservation regarding the Board's direction to expand CHSP funding to agencies not providing direct services.
- Rob Renzi, Big Bend Cares, appeared and also expressed concerns regarding the Board's direction to expand CHSP funding to agencies not providing direct services.

Commissioner Dozier moved, duly seconded by Commissioner Desloge, approval of Option 1: Ratify the actions taken by the Board during its December 7, 2015 Annual Retreat, and approve the Leon County Board of County Commissioners Strategic Plan for FY 2012 through FY 2016. The motion carried 6-0 (Commissioner Sauls absent).

19. Acceptance of a Status Report on the County's Efforts on State Government Relations

County Administrator Long introduced the item. He conveyed that the agenda item responds to a directive from the Board's Retreat for additional information on this topic.

Commissioner Dozier moved, duly seconded by Commissioner Maddox, approval of Options 1 & 2: 1) Accept the status report on the County's efforts on state government relations, and 2) direct staff to prepare a proclamation recognizing the week of May 1 through May 7, 2016 as "Public Service Recognition Week." The motion carried 6-0 (Commissioner Sauls absent).

20. Acceptance of the Knight Foundation Grant in the Amount of \$10,000

County Administrator Long introduced the item. He recalled that Commissioner Maddox had brought this issue to the Board's attention and staff was directed to pursue grant funding to seek best practices on affordable housing. He shared that the application had been approved and the details are presented in the agenda item. He mentioned that the grant would cover travel costs for approximately three people to make the site visits and Commissioner Maddox has indicated an interest in participating in the housing task force trips; however, one of the options offered by staff provides authorization to use another funding source for other Commissioners who may also wish to participate in the site visits.

Commissioner Dailey thanked Commissioner Maddox for his leadership on this issue.

Commissioner Maddox expressed appreciation to staff and the Knight Foundation and stated that he looked forward to the opportunity to visit various locations to discover best practices.

Commissioner Maddox moved, duly seconded by Commissioner Lindley, approval of Options 1, 2, 3, & 4: 1) Accept the Knight Foundation Grant administered through The Community Foundation of North Florida in the amount of \$10,000 and authorize the County Administrator to execute all related documents; 2) Approve the Resolution and associated Budget Amendment Request; 3) Board designated Commissioner Maddox for participation in the housing task force trips, and 4) Authorize the County Administrator to utilize general fund contingencies to support any other Commissioners that may wish to participate in any of the site visits. The motion carried 6-0 (Commissioner Sauls absent).

21. Approval of Mediated Settlement Agreement in Eminent Domain Acquisition of Property Needed for the North Monroe Street Northbound Through/Turn Lane Project

County Attorney Thiele introduced the item. He stated that this is a DOT project; however, the County was required to acquire the necessary temporary construction easements and right of way. He mentioned that the project is underway and will place right turn lanes along all of the businesses on North Monroe Street. He conveyed that based on the cost avoidance that would be realized by the settlement, approval was recommended.

Commissioner Desloge moved, duly seconded by Commissioner Maddox, approval of Option 1: Approve Mediated Settlement Agreement and proposed settlement amount for fee owners' expert fees and costs in eminent domain acquisition of property needed for North Monroe Street Northbound Through/Turn Lane Project. The motion carried 6-0 (Commissioner Sauls absent)

Commissioner Maddox asked the status of the formation of a North Monroe Corridor Task Force. County Administrator Long responded that staff efforts are underway and an agenda item will be presented as part of the February 9, 2016 Board meeting.

Chairman Proctor acknowledged the return of Tony Park, Director of Public Works, from retirement.

22. Approval of the FY 2015/16 CHSP Mini Grant Recommendations and the At-Risk and Economically Disadvantaged Youth Grant Recommendations in Partnership with the City of Tallahassee

County Administrator Long introduced the item. He recalled that these mini grant processes were conducted to distribute additional human services funds added during the Board's budget process. He conveyed that the agenda item provides details related to the funding recommendation resulting from this process.

Speakers:

- Meg Baldwin, 603 Beard Street, thanked the Board for the increased support for human services programs and hoped that the success from the mini grant process would encourage the Board to do even more in future years. She specifically noted funding for the Refugee House InVest Program and the impact that funding for this type of programs can have on the community.
- Leslie Powell, 2119 Delta Blvd., on behalf of Legal Services North Florida, expressed appreciation to the Board for the enhanced funding.
- Kevin Priest, 2407 Roberts Ave, Capital City Youth Services, echoed his thanks for the additional funding and specifically recognized Commissioners Dailey and Dozier for their support.
- Ellen Piekalkiewicz, 2477 Tim Gamble, appeared on behalf of United Partners for Human Services, and expressed appreciation for the creation of the mini-grant process and acknowledged staff's support.
- Sylvia Smith, 1606 Chinnepakin Nene, Big Bend Homeless Coalition, thanked the Board and commented on the tangible different the additional funding would have on the homeless community.
- Jamie Coleman, 701 E. Tennessee Street, spoke on behalf of Legal Aid Foundation, pro bono legal services. She commented that she is the Foundation's upcoming Board Chairman and thanked the Board for the funding through the Promise Zone grant.

Commissioner Maddox thanked staff for their hard work and noted that a number of organizations received the additional funding. He thanked the City for their funding contributions to the mini grant process.

Commissioner Maddox moved, duly seconded by Commissioner Lindley, approval of Options 1 & 2: 1) Approve the Citizens Review Teams' funding recommendations for the CHSP mini-grants and the at-risk and economically disadvantaged youth grants, and 2) Authorize the County Administrator to execute the agreements with the funded agencies; and to modify the Agreements with the funded agencies, as necessary, in a form approved by the County Attorney.

Commissioner Dozier also thanked staff for their work. She noted that the Big Bend Continuum of Care 2016 Point-in-Time Count was being conducted (January 26-28, 2016) and that multiple counties were participating.

Commissioner Dailey stated that he was very pleased that the Board was able to provide the additional funding and hoped that the funding could be recurring. He articulated that he had always been a strong supporter of the CHSP process and thanked the many organizations for the great work they do in the community.

Chairman Proctor established with County Administrator Long that the Drug Court Program was not an applicant of the mini-grant process, but was a line item in the Board's approved budget.

The motion carried 6-0 (Commissioner Sauls absent).

23. Approval of Agreement Awarding Bid to Peavy and Son Construction Co., Inc. in the Estimated Amount of \$5,559,500 for the Asphaltic Concrete Materials and Services, Continuing Supply Contract

County Administrator Long introduced the item. He conveyed that the recommended vendor was deemed the lowest responsive bidder and met all WMBE goals. He indicated that there were a number of speakers on this issue and that upon the conclusion of their comments, the County Attorney would like to provide some guidance.

Speakers:

- Bryan Cherry, 205 S. Adams, appeared on behalf of Capital Asphalt. He conveyed that an inadvertent technicality by Capital Asphalt resulted in tax payers having to pay over \$163,000 more for the contract. He respectfully requested that the Board not approve accept staff's recommendation.
- Mark Mitchell, 1330 Capital Circle, appeared on behalf of Capital Asphalt. He stated that Capital Asphalt was the lowest bidder (by over \$160,000) and had been doing the contract for the past two years. He shared that his firm was found non responsive due to technicality on the MWBE form as he failed to include dollar amount for his subcontractors. He asserted that the Board has the authority to waive any informalities if found to be in the best interest of the County. Mr. Mitchell cited a similar situation in 2011 whereby the low bidder (Peavy & Son) was found non responsive due to an error on the MWBE form and the Board determined that the MWBE form was a non-material part of the bid and awarded the bid to the firm found to be non-responsive.
- Tom Guilday, 1983 Center Point Boulevard, appeared representing Capital Asphalt. He further discussed the 2011 incident and added that from a legal standpoint the omission by Capital Asphalt was not a material deficiency because it didn't affect the price or give advantage to the bidder. He urged the Board to waive the irregularity and award the contract to Capital Asphalt.
- David Metcalf, 2612 Centennial Place, appeared representing Peavy & Son. He voiced support for staff's recommendation and rebutted some of the issues brought forth by representatives for Capital Asphalt. He asserted that the irregularity "most clearly was" material and requested the Board make award to Peavy & Son.

Chairman Proctor asked County Attorney Thiele to react to the speaker comments. Mr. Thiele advised the Board on three points: 1) The Procurement Appeals Board heard essentially the same arguments offered by the speakers and nonetheless supported the recommendation to award the bid to Peavy & Son; 2) The 2011 incident and the current instance are factually clearly distinguishable from each other, as the 2011 situation was merely a typographical error compared to the current situation where numbers were omitted from required forms in the bid packet, and 3) While governments are permitted to waive irregularities in the bid process if they deem it to be minor and not material, he opined that this particular issue is material and that case law supports the proposition that the bid can be awarded to Peavy and Son if considered to be most responsive and responsible. County Attorney Thiele stated that his office supports staff's recommendation.

Commissioner Dailey stated for the record that he received an e-mail from Mr. Cherry summarizing his points, which he in turn forwarded to the County Administrator and County Attorney. He stated however, that he has had no discussions with either side on this issue. He ascertained from County Attorney Thiele that regardless of Board action, the issue would be litigated and challenged. Commissioner Dailey remarked that based on the fact that 1) Capital Asphalt submitted the lowest bid; 2) precedence was set in 2011, and 3) the history of Capital Asphalt's MWSBE utilization he was comfortable awarding the contract to Capital Asphalt

Commissioner Dailey moved, duly seconded by Commissioner Desloge, to waive the irregularities and award the bid to the numerical low bidder, Capital Asphalt, in the estimated amount of \$5,396,184.

Commissioner Desloge stated that while he was respectful of the County's bid process, agreed that in this instance Capital Asphalt was the most responsive and lowest bidder and met the aspirational targets.

Commissioner Dozier also acknowledged for the record, an e-mail from Mr. Cherry. She stated that she could not support the motion and expressed concerns about reversing the recommendation of staff. She noted that the issue was argued before the County's Internal Appeals Board, who had upheld the results of the bid process. She maintained that she could not vote to overturn the recommendation without more information and confirmed with County Attorney Thiele that the Board could postpone a decision.

Commissioner Dozier offered a substitute motion to continue the matter until the Board's February 9, 2016 meeting to allow time for staff to provide additional information. The substitute motion died for lack of a second,

Commissioner Lindley expressed support for the motion stating that Capital Asphalt is the lowest bidder; there is value in continuity of incumbent vendor, and she was concerned about job loss by Capital Asphalt subcontractors.

Chairman Proctor established with County Attorney Thiele that the Board could award the contract to Capital Asphalt if it deemed the omission to be an irregularity and not a material change. He then asked Capital Asphalt to provide the missing details of MSWBE participation, as these were the numbers that were missing from the bid proposal.

Capital Asphalt's Marc Mitchell stated that WBE and MBE participation would exceed aspirational targets but was unable to reference the actual percentages from memory.

At the request of Chairman Proctor, Shanea Wilks, Director of Minority, Women and Small Business Enterprise, relayed that bid documents she reviewed did not contain a stated target however, referenced protest documents which showed targets of 7.17% MBE and 4.17% for WBE, which did meet the stated targets of 7% and 4% respectively.

Commissioner Dozier stated that this was very concerning for her. She established with County Administrator Long that the agreement amount is contingent upon the number of projects done over the contract period. She stated that more clarity was needed on what is and is not a deficiency and clarified with County Attorney Thiele that the motion would not change the mandatory requirements of the bid process. Commissioner Dozier added that the current motion to overturn staff's recommendation after going

through a strict process is disconcerting and may create a “slippery slope” in future bids.

Chairman Proctor allowed both Mr. Metcalf and Mr. Guilday to readdress the Board.

Mr. Metcalf spoke to the percentages submitted by Capital Asphalt and asserted that they had been prepared for the Procurement Appeals Board, thus providing a competitive economic advantage.

Mr. Guilday submitted that the MWSBE target is an aspirational goal, but is not used to determine contract award. He noted that the criteria used to determine award is based on lowest unit price. He added that Capital Asphalt has and will continue to use minority subcontractors.

Commissioner Dailey asked if Capital Asphalt had met the aspirational targets for the current contract. Mr. Guilday responded that Capital Asphalt’s ability to meet the aspirational targets was based on the number of projects throughout the course of the contract which was out of the contractors’ control.

Chairman Proctor affirmed with Shelley Kelley, Director of Purchasing that based on reporting by Capital Asphalt, aspirational targets have not been met for the current contract.

The motion carried 4-2 (Commissioners Proctor and Dozier in opposition and Commissioner Sauls absent).

24. Approval of Agreement Awarding Bid to Allen’s Excavation, Inc. in the Amount of \$749,796 for the Construction of Lakeview Drive Improvements

County Administrator Long introduced the item. He relayed that the item has been budgeted in the Lakeview Bridge Capital Improvement Project budget and adequate funding is available.

Commissioner Dailey moved, duly seconded by Commissioner Desloge, approval of Option 1: Approve the Agreement awarding bid to Allen’s Excavation, Inc. in the Amount of \$749,796 for the Construction of Lakeview Drive Improvements, and authorize the County Administrator to execute. The motion carried 5-0 (Commissioner Dozier out of Chambers and Commissioner Sauls absent).

25. Authorization to Terminate the Economic Development Council (EDC) Contact

County Administrator Long introduced the item. He noted that the amount included in the option is a prorated share of the County’s obligations pursuant to the contract. He asked that the Board’s motion be explicit and specify that this is an “up to amount” and if the obligation is less, the County Administrator would be authorized to negotiate on behalf of the Board.

Commissioner Desloge moved, duly seconded by Commissioner Lindley, approval of Options 1, 2, as amended & 3: 1) Authorize the County Administrator to notify the Economic Development Council that the County is exercising the 30 day termination provision of the contract with a final termination date of February 29, 2016; 2) Authorize the County Administrator to make a final payment to the EDC of not to exceed \$72,708 for services rendered during the current fiscal year, and 3) Direct staff to take the necessary actions to remove the Economic Development Organization (EDO) status for the EDC.

Commissioners Dozier, Desloge and Maddox commented on the steps that have been taken to help boost economic development and looked forward to future discussions and moving forward on this issue.

The motion carried 6-0 (Commissioner Sauls absent)

SCHEDULED PUBLIC HEARINGS, 6:00 P.M.

- None.

Citizens to be Heard on Non-Agendaed Items (3-minute limit per speaker; Commission may discuss issues that are brought forth by speakers.)

- Chairman Proctor confirmed that there were no speakers on Non-Agendaed Items.

Comments/Discussion Items

County Attorney Thiele:

- Mentioned that he received correspondence from Attorney General Bondi indicating that the State had reached a settlement agreement with Stericycle, Inc. in which the County is to receive \$2,709.32 as part of that settlement. County Attorney Thiele conveyed that a motion to accept the settlement agreement was needed and made a recommendation to accept.
 - *Commissioner Desloge moved, duly seconded by Commissioner Dailey, to accept the Settlement Agreement in the amount of \$2,709.32. The motion carried 6-0 (Commissioner Sauls absent).*

County Administrator Long:

- None.

Commissioner Discussion Items

Commissioner Desloge:

- Welcomed Tony Park, Public Works Director, back from retirement.
- Read into the record a Proclamation entitled "Zero Snow Days".
 - *Commissioner Desloge moved, duly seconded by Commissioner Dailey, to approve the "Zero Snow Days" Proclamation. The motion carried 6-0 (Commissioner Sauls absent).*
- Shared that he has been asked to join the National Kitchen Table Board, an organization similar to the Village Square but oriented to the West Coast. He mentioned that he may at a later date come back and ask the Board's approval for some travel.
- Announced that he and Commissioner Dozier would be participating in the Readers Theater performance of "Two Gentlemen of Verona", to be held on January 30, 2016 at the Women's Club of Tallahassee, Los Robles. The event will benefit Literacy Volunteers of Leon County.
- Remarked that Commissioner Maddox is contemplating running for President of the Florida Association of Counties (FAC) and wanted to ensure that should he decide to run that he has the approval of the Board.
 - *Commissioner Desloge moved, duly seconded by Commissioner Dailey, to approve the candidacy of Commissioner Maddox for President of the FAC.*
 - Commissioner Maddox thanked Commissioner Desloge and indicated that he is considering a run either this year or next and would appreciate having the Board's support.

- Commissioner Dozier expressed her enthusiasm for Commissioner Maddox's candidacy and suggested that the issue be readdressed closer to FAC's Annual Meeting to discuss specifics on how to best support his candidacy.
- The motion carried 6-0 (Commissioner Sauls absent).

Commissioner Lindley:

- Mentioned that the County Administrator Long, along with the City Manager Fernandez, would participate in Friday's Tiger Bay Luncheon presentation.
- Congratulated Dr. Robinson, CEO of Bond Community Health Center, for their receipt of a \$75,000 grant from the FSU College of Medicine to create a healthy eating cooking program.
- Provided an update on the Educational Facilities Authority, as was previously requested by the Board. She advised that 1) the Southgate property is being marketed and opportunities for it to be sold look promising; and 2) The Heritage Grove property has many construction related problems and lawsuits are pending. She stated that the Authority is struggling to pay legal fees of over \$400,000 for this property.
 - Chairman Proctor confirmed with County Attorney Thiele that Leon County is not financially responsible for the property.

Commissioner Maddox:

- None.

Commissioner Dozier:

- Welcomed Tony Park back from retirement.
- Announced that FSU received \$100 million to create the Jim Moran School of Entrepreneurship and requested that they be invited to give presentation on the entrepreneurial school.
 - Commissioner Dozier moved, duly seconded by Commissioner Desloge, to invite FSU to provide presentation on the proposed Jim Moran School of Entrepreneurship. The motion carried 6-0 (Commissioner Sauls absent).
- Noted that cold night shelters throughout the County were not activated, given the capacity and success of the Kearney Center.
- Stated that she would like to step down from her appointment as Substitute Member on the Canvassing Board, as she would like to become involved in state and national campaigns. She asked Commissioner Maddox to assume her seat on the Canvassing Board.
 - Commissioner Dailey offered to serve in Commissioner Dozier's role as Substitute member with Commissioner Maddox serving as Alternate Member.
 - Commissioner Maddox agreed to serve as Alternate Member.
 - Commissioner Maddox moved, duly seconded by Commissioner Desloge, to appoint Commissioner Dailey as the Substitute Member and Commissioner Maddox as the Alternate Member to the Canvassing Board. The motion carried 6-0 (Commissioner Sauls absent).

Commissioner Dailey:

- Expressed his support for Commissioner Maddox's candidacy for FAC President.
- Shared that the Challenger Learning Center is recognizing the 30th Anniversary of the Challenger shuttle accident. Commissioner Dailey requested a proclamation to be presented at Thursday's ceremony.
 - Commissioner Dailey moved, duly seconded by Commissioner Dozier, approval of a Proclamation recognizing and honoring the crew of the Space Shuttle Challenger, to be

presented at the January 28, 2016 ceremony. The motion carried 6-0 (Commissioner Sauls absent).

- Mentioned that Kristine Knab, Executive Director of Legal Services of North Florida, is retiring in April and requested a proclamation recognizing her and the 40th anniversary of Legal Services.
 - *Commissioner Dailey moved, duly seconded by Commissioner Lindley, approval of a proclamation recognizing the retirement of Kristine Knab and the 40th Anniversary of Legal Services of North Florida. The motion carried 6-0 (Commissioner Sauls absent).*

Chairman Proctor:

- Praised County Administrator Long for his support and coordination with School Superintendent Pons, the Leon County Sheriff's Office and other community partners during the recent threats at local schools.
- Mentioned that he has spoken with Claudia Blackburn, Leon County Health Department Director, and asked her for data to support the need for a new Westside health department that would potentially provide primary health care.
 - The Board expressed support to explore the issue.
 - *Commissioner Lindley moved, duly seconded by Commissioner Dailey, to direct staff to bring back an agenda item exploring the idea of a health department on the west side of the County. The motion carried 6-0 (Commissioner Sauls absent).*
- Initiated discussion on the invitation extended by Dr. Murdaugh to hold a future Board meeting on the TCC Campus.
 - Commissioner Dozier stated that she wouldn't mind hearing back from staff on various options; however, her concern is that citizens are accustomed to Board meeting being held in the Chambers and may not be aware of an alternate location. She suggested that holding a workshop or possibly the Retreat at an off-site location would be more appropriate.
 - Commissioner Dailey submitted that it would be a great forum for a Village Square event on Town and Gown issues, to include the City Commission and universities.
 - Commissioner Desloge suggested that the Board consider a series of meeting in areas of the community that are more informal and would allow commissioners to hear from citizens in a less formal setting.
 - Chairman Proctor commented that he deemed the spirit of the invitation as an opportunity for students to actually "see government at work".
 - County Administrator Long shared that a future Village Square event is to be on the theme of Town & Gown with Student Government Associations of both FAMU and FSU as partners to ensure student engagement. He stated that staff would provide an agenda item to incorporate TCC into existing plans with Village Square.
 - The direction offered by County Administrator Long was accepted by the Board without objection.

Receipt and File:

- Fiscal Year 2015 Audit Report for the Apalachee Center, Inc.

Adjourn:

There being no further business to come before the Board, the meeting was adjourned at 6:02 p.m.

LEON COUNTY, FLORIDA

ATTEST:

Regular Meeting
January 26, 2016

Page 13

BY: _____
Bob Inzer, Clerk of the Court & Comptroller
Leon County, Florida

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
February 9, 2016**

The Board of County Commissioners of Leon County, Florida met in regular session at 3:00 p.m. with Chairman Bill Proctor presiding. Present were Vice Chairman John Dailey, and Commissioners Nick Maddox, Kristin Dozier, Mary Ann Lindley, and Bryan Desloge. Commissioner Jane Sauls was absent. Also present were County Administrator Vincent Long, County Attorney Herb Thiele, Finance Director Betsy Coxen and Board Secretary Rebecca Vause.

Chairman Proctor called the meeting to order at 3:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was provided by Reverend Joseph Jones, Director of Baptist Collegiate Ministry at FAMU. Commissioner Dozier then led the Pledge of Allegiance.

Awards and Presentations

- Claudia Blackburn, Director, Leon County Health Department, provided a presentation on the Community Health Assessment and Improvement Process in Leon County. She conveyed that the assessment is conducted every 3-5 years and its purpose is to work in partnership to improve health. The surveys which will begin on February 13th, will be conducted in high poverty neighborhoods and upon conclusion community forums will be held in the surveyed areas. She asked Commissioners who have constituents in the projected neighborhoods to advocate on behalf of the survey.

At the request of Commissioner Desloge, Ms. Blackburn updated the Board on the Zika Virus. She conveyed that there are 60 imported cases in Florida; however, there were no known cases in Leon County or in pregnant women. She emphasized the importance of protecting oneself from mosquito bites.

Commissioner Dozier encouraged the County focus on enhanced mosquito spraying and mosquito abatement efforts. County Administrator Long shared the situation is being watched closely and steps are being taken to prepare should they be needed.

Consent:

Commissioner Desloge moved, duly seconded by Commissioner Dozier to approve the Consent Agenda, with the exception of Item 4, 8, & 11 which were pulled for further discussion. The motion carried 6-0 (Commissioner Sauls absent).

1. Consideration of Full Board Appointment to the Board of Adjustment and Appeals

The Board approved Option 1: The full Board appoints "Robert Turner to the Board of Adjustment and Appeals (BOAA)" for a term of three years.

2. Approval to Repeal and Replace Policy No. 96-8, "Drug And Alcohol Testing" with Policy No. 16-1, "Drug and Alcohol Free Workplace" and Adoption of Policy No. 16-2, "Employee Assistance Program"

The Board approved Options 1 & 2: 1) Approve the Repeal of Policy No. 96-8, "Drug and Alcohol Testing" and replace with Policy No. 16-1 "Drug and Alcohol Free Workplace" Policy and 2) Adopt Policy No. 16-2, "Employee Assistance Program" Policy.

3. Approval of Payment of Bills and Vouchers Submitted for February 9, 2016 and Pre-Approval of Payment of Bills and Vouchers for the Period of February 10 through March 7, 2016

The Board approved Option 1: Approve the payment of bills and vouchers submitted for February 9, 2016 and pre-approve the payment of bills and vouchers for the period of February 10 through March 7, 2016.

4. Approval of Agreement Awarding Bid to DISC Village as the Provider for the Leon County Felony Drug Court Program

Commissioner Lindley requested the item be pulled for further discussion.

County Administrator Long introduced the item. He then distributed a letter from DISC Village which expressed their desire to withdraw from consideration in the process. He advised that the Board was now in a position to consider the next highest ranked bidder A Life Recovery Center.

Commissioner Desloge established with County Attorney Thiele that the Board, with the withdrawal of DISC Village, now has the authority to consider the next lowest bidder or could reject all bids and go back out to bid.

Commissioner Desloge moved, duly seconded by Commissioner Lindley, approval of Options 1 & 2: 1) Approve the award of the solicitation to ~~DISC Village~~ A Life Recovery Center for Leon County Felony Drug Court Service Provider, authorize staff to negotiate the agreement, and authorize the County Administrator to execute the agreement in a form approved by the County Attorney, and 2) Approve the Resolution and associated Budget Amendment Request. The motion carried 6-0 (Commissioner Sauls absent).

5. Authorization for Staff to Provide Assistance to the Science Advisory Committee for a Lake Munson Stakeholders Workshop

Authorize staff to provide assistance to the Science Advisory Committee (SAC) for a Lake Munson Stakeholders Workshop.

6. Approval of the Interlocal Agreement with the City of Tallahassee for the Woodside Heights Wastewater Retrofit Project

The Board approved Option 1: Approve the Interlocal Agreement between Leon County and the City of Tallahassee for the Provision of Sewer Service to the Woodside Heights Subdivision, and authorize the Chairman to execute, in a form approved by the County Attorney.

7. Request to Schedule the First and Only Public Hearing for the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc. on March 8, 2016

Option 1: Schedule the first and only public hearing for March 8, 2016, at 6:00 p.m. for the transfer of six small franchise areas from Rowe Utilities to Seminole Waterworks, Inc.

8. Adoption of Proposed Revised Policy No. 14-2, "Criteria for the Placement of Fire Hydrants on Current Water Systems"

Chairman Proctor requested the item be pulled for further discussion.

County Administrator Long introduced the item. He stated that this minor revision to the policy would now allow fire hydrants on the prioritization list to be installed out of sequence if there is an opportunity to leverage funds or participate with outside agencies, i.e., City of Tallahassee or Talquin on current or proposed projects.

Chairman Proctor expressed his concerns about the lack of hydrants in neighborhoods on the Southside such as The Pines, Glover Road and Oakridge Road and indicated that he could not support the item.

At the request of Commissioner Dozier, County Administrator Long recalled that an analysis had been conducted of existing infrastructure to support hydrants and some of the areas referenced by the Chairman did not have infrastructure which supported hydrants. He noted however, that the Pines neighborhood, in particular, is being considered for the installation of elevated water tanks.

Commissioner Dozier commented that the County continues to actively look for other alternatives to address infrastructure concerns and that the list would continuously be updated.

Commissioner Dozier moved, duly seconded by Commissioner Desloge, approval of Option 1: Adopt the proposed revised Policy No. 14-2, Criteria for the Placement of Fire Hydrants on Current Water Systems". The motion carried 5-1 (Chairman Proctor in opposition and Commissioner Sauls absent).

9. Approval of a Proposed Memorandum of Understanding with the City of Tallahassee Regarding Application for Federal Promise Zone Designation

The Board approved Option 1: Approve a proposed Memorandum of Understanding with the City of Tallahassee regarding Application for Federal Promise Zone designation, consistent with the previously approved MOU, and authorize the County Administrator to finalize and execute in a form to be approved by the County Attorney.

10. Authorization to Establish the North Monroe Street Stakeholders Task Force

The Board approved Option 1: Authorize the establishment of the North Monroe Street Stakeholders Task Force focusing on the area of North Monroe north of Interstate 10 and authorize the County Administrator to designate the members.

11. Acceptance of the 2015 Annual Report of the Science Advisory Committee

Chairman Proctor requested the item be pulled for further discussion.

County Administrator Long introduced the item.

Chairman Proctor complimented the "outstanding report" provided by the Science Advisory Council (SAC). He noted that the report indicated "the general water quality of the lakes in Leon County was good, with the exception of Lake Munson"; and asked if there was a goal to improve the lake's water quality.

John Kraynak, Environmental Services Director, responded that the SAC had held a Lake Munson workshop in 2009 and looked at various options to protect the lake. He mentioned that the drawdown was not successful in helping the water quality. Mr. Kraynak noted that the SAC requested to hold another Lake Munson workshop to build

upon the 2009 workshop and to ascertain if there are other actions that could be taken to protect the lake (this request was approved under Consent Item #5).

Commissioner Maddox moved, duly seconded by Commissioner Lindley, approval of Option 1: Accept the 2015 Annual Report of the Science Advisory Committee. The motion carried 6-0 (Commissioner Sauls absent)

12. Acceptance of the 2014-2015 Contractors' Licensing and Examination Board Annual Report

The Board approved Option 1: Accept the 2014-2015 Contractors' Licensing and Examination Board Annual Report.

13. Acceptance of the 2015 Tallahassee-Leon County Board of Adjustments and Appeals Annual Report

The Board approved Option 1: Accept the 2015 Tallahassee-Leon County Board of Adjustments and Appeals Annual Report.

14. Acceptance of the 2015 Annual Status Report Regarding Leon County-Owned Real Estate

The Board approved Option 1: Accept the 2015 annual status report regarding Leon County owned real estate.

Citizens to be Heard on Non-Agendaed Items (3-minute limit per speaker; there will not be any discussion by the Commission)

- Amy Datz, 1130 Crestview Ave, thanked Commissioner Lindley for her appointment to the Science Advisory Committee. She also updated the Board on fracking in Florida, sharing that there are now 74 cities and counties who have submitted resolutions, ordinances, or letters opposing fracking and those cities and counties represent over 12 million people. She thanked the Board for being the fourth municipality to express its opposition.
- Tom Thebo, 702 W. Madison, addressed the Board on a number of issues such as support for the importance of health awareness, water issues and the medicinal herbal solutions. He requested the County's assistance in developing his designs.

General Business

15. Establishment of the FY 2017 Maximum Discretionary Funding Levels and Initial Budget Policy Guidance

County Administrator Long introduced the item and provided an overview of staff's recommendation.

Speakers:

- Leslie Powell, 8058 Greenmont Avenue, Deputy Director, Legal Services of North Florida, expressed appreciation for additional funding last year which enabled LSNF to hire one full time attorney, one full time legal secretary and one full time resource development assistant and shared the impacts that the funding has made on service delivery.
- Jackie Malone, 6010 Rich Farm Road, Executive Director, Brehon Family Services, thanked the Board for its continued and increased financial support of CHSP. She requested the Board not include non-direct service agency providers

in the CHSP process. Ms. Malone also distributed the Brehon Family Services 2015 Annual Report to the Board.

- Lisa Bretz, 8317 Thornridge Lane, United Partners for Human Services (UPHS) Board member. She thanked the Board for its continued support of UPHS and the CHSP process. Ms. Bretz also requested that the Board not authorize additional monies for non-direct service agency providers.
- Ellen Piekalkiewicz, UPHS Executive Director, relayed that the needs within the community for human service programs continues to grow. She too urged the Board to not include non-direct service agency providers in the CHSP process. She opined that there was not a lot of support by either the City nor United Way for this direction.

Commissioner Dozier voiced full support for the \$1.2 million in CHSP funding, but had some concerns about including non-direct service providers in the process. She referenced the changes at Whole Child and asked that the lines of communication between the County and the agency remain open through this process. Lastly, she mentioned the funding allocation for the Keep Tallahassee-Leon County Beautiful program and suggested that consideration be given to redirect those funds to the County's Sustainability Office.

Commissioner Lindley stated that she too had concerns about funding non-direct providers as well; however, was comfortable with the remaining recommendations.

Commissioner Maddox moved, duly seconded by Commissioner Dozier, approval of Options 1 & 2, as amended: 1) Establish the Community Human Services Partnership (CHSP funding level for FY2017 at \$1,200,000 and 2) Establish the maximum discretionary funding levels as follows: a. Homeless Shelter Construction: \$100,000 and b. Legal Services of North Florida (additional funding): \$125,000. And direct staff to bring back a budget discussion item to discuss continued funding for the Keep Tallahassee-Leon County Beautiful.

Commissioner Maddox added that, if needed, he would further amend his motion to include budget discussion items for any other current outside agency contracts that Commissioners would like to have reviewed.

Commissioner Desloge remarked on his support of the CHSP process. He discussed funding for the outside agency contracts and suggested there be some mechanism of screening whereby prior to funding it is determined that the program aligns with the Board's long range plans or initiatives. County Administrator Long responded that the items being discussed have been aligned within the department doing the work; however, should the Board desire, staff could bring back as part of the budget discussions, an analysis of each item.

After some discussion on the need for more information on funding for outside agency contracts and special events and wanting to hear more from the providers, *Commissioner Maddox amended his motion to include approval for Options 1, 2, 3 & 4, as amended: 1) Establish the Community Human Services Partnership (CHSP funding level for FY2017 at \$1,200,000; 2) Establish the maximum discretionary funding levels as follows: a. Homeless Shelter Construction: \$100,000 and b. Legal Services of North Florida (additional funding): \$125,000; 3) Authorize an additional \$86,750 for CHSP funding currently allocated towards Non-Direct Service Agency Providers, pending consideration by the City of Tallahassee and the United Way's participation, and 4) Maintain the special event funding account as follows:*

Special Event Agencies	FY 2017 Funding
<i>Celebrate America 4th of July Celebration</i>	\$2,500
<i>Dr. Martin Luther King Celebration (Inter Civic Southern Leadership Council of Tallahassee)</i>	\$4,500
<i>NAACP Freedom Fund Award (Tallahassee NAACP)</i>	\$1,000
<i>Soul Santa (Frenchtown \$2,500 and Walker Ford \$1,500)</i>	\$4,000
<i>County Sponsored Tables/Community Events</i>	\$15,000
Total	\$27,000

With the caveat that Options 3 & 4 would include a provision that the Board would have further discussion regarding Options 3 & 4 during budget discussion.

Commissioner Maddox clarified that he was not interested in the various agencies advocating before the Board for continued funding, but rather for staff to show how continued funding within these categories correlate with Board's goals and initiatives.

Commissioner Dailey maintained that the issue before the Board at this time is to establish a funding level to start the budget process. He stated that he was open to discussion on how to adjust the process as the Board moves forward in establishment of its budget process; but at this time, suggested that the Board accept staff's recommendations.

Commissioner Dailey offered a substitute motion, which was duly seconded by Commissioner Desloge, to approve Options 1, 2, 3 & 4: 1) Establish the Community Human Services Partnership (CHSP funding level for FY2017 at \$1,200,000; 2) Establish the maximum discretionary funding levels as follows: a. Homeless Shelter Construction: \$100,000 and b. Legal Services of North Florida (additional funding): \$125,000; 3) Authorize an additional \$86,750 for CHSP funding currently allocated towards Non-Direct Service Agency Providers, pending consideration by the City of Tallahassee and the United Way's participation, and 4) Maintain the special event funding account as follows:

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<i>NAACP Freedom Fund Award (Tallahassee NAACP)</i>	\$1,000
<i>Soul Santa (Frenchtown \$2,500 and Walker Ford \$1,500)</i>	\$4,000
<i>County Sponsored Tables/Community Events</i>	\$15,000
Total	\$27,000

County Administrator Long clarified that upon hearing the discussion, he perceived the Board's direction to be approval of Options 1-4, with the caveat that items in Option 4 would be brought back as individual budget discussion items.

There was much discussion by the Board regarding the inclusion of Option 3.

Commissioner Dozier acknowledged that the Board did vote to move forward with Option #3 at the Retreat; however, was of the opinion that after receiving feedback from human services providers and now having more information, the Board could reverse its decision and direct staff to end those discussions. She stated that she would not support Option #3.

Chairman Proctor offered that he needed more clarification for Option #3 and would support to continue discussions on this issue.

Commissioner Dailey commented that this was a very important issue and suggested that the issue be postponed until the next meeting to allow staff time to provide further clarity to Commissioners.

Commissioner Dailey withdrew his substitute motion and offered a new substitute motion;

Commissioner Dailey moved, duly seconded by Commissioner Lindley, to postpone action on this item until the March 8, 2016 Board meeting.

Commissioner Maddox upon advocating for his original motion asserted that he would not be supporting Option #3 at any time.

Commissioner Dozier mentioned that the United Way and City are not supportive of non-service providers being part of the CHSP process. She offered that while both do great things, they are different. She indicated that she would support Commissioner Maddox's original motion.

Chairman Proctor referenced the \$175,000 originally allocated to the EDC and asked if consideration could be given to redirecting those funds into mental health services, the Juvenile Assessment Program, and LIFT program at the March 8th meeting.

Commissioner Dozier established with County Administrator Long that funding for economic development would be discussed at the February 29th Blueprint 2000 Intergovernmental Agency meeting and during the County's budget workshops. Commissioner Dozier indicated that she preferred to hold off on use of the EDC monies until that time.

The substitute motion carried 4-2 (Commissioners Dozier and Maddox in opposition and Commissioner Sauls absent).

16. Adoption of the Veteran Services Organization Grant Assistance Program Policy

County Administrator Long introduced the item. He stated that the item responds to a Board directive to realign funding to support veteran service organizations' requests for assistance throughout the year and funding is included in the 2016 budget.

Speaker:

- Tom Thebo, 702 W. Madison, spoke on limb regeneration and various other topics.

Commissioner Desloge moved, duly seconded by Commissioner Dailey, approval of Option 1: Adopt the Veteran Service Organization Grant Assistance Program Policy. The motion carried 6-0 (Commissioner Sauls absent).

17. Acceptance of Status Report on Mental Health Treatment Services and Capacity, Crisis Intervention Training and the Adult Civil Citation Program

County Administrator Long introduced the item. He stated that this was a very detailed item and invited Ken Morris, Assistant County Administrator and Wanda Hunter, Director, Office of Intervention and Detention Alternatives, to provide an overview of the item. He added that Dr. Jay Reeve, CEO of Apalachee Center was also available for questions.

Mr. Morris relayed that the Board had at its recent Retreat asked staff for an update on some of the mental health treatment services available in the community and within the courts and criminal justice system. He and Ms. Hunter made presentation on these topics.

Commissioner Desloge commended staff for the progress made in this area.

Chairman Proctor asked for an update regarding the creation of a central receiving facility as discussed during the April 28, 2015 Budget Workshop. Staff shared that a workshop has been formed and discussions are underway to identify a recommendation. Until such time, Leon County will continue to work with Apalachee Center, as Board direction in April was merely to “accept” the status report, no direction to move forward was received.

Commissioner Desloge moved, duly seconded by Commissioner Lindley, to approve Option 1: Accept status report on mental health treatment services and capacity, crisis intervention training and the Adult Civil Citation Program.

Commissioner Desloge pointed out that the County has been a leader in this area and commended staff for their efforts.

Commissioner Dozier brought forward a couple of issues she was interested in receiving additional information and discussing in the future. The first being to work with the Sheriff on more options for diversionary programs and ways to address recidivism. And secondly, she expressed concerns regarding the need for more permanent supportive housing and discussed with Dr. Reeve the role of the Continuum of Care Board and its partners as funding for this area is pursued.

Chairman Proctor expressed interest in the creation of a special mental health district. County Attorney Thiele responded that a district could be created, but would need participation of the City to make effective within the City limits. County Administrator Long indicated that staff could bring back an agenda item on how to establish the district if it was the will of the Board; however, no direction was given by the Board at this time.

The motion carried 5-0 (Commissioner Desloge out of Chambers and Commissioner Sauls absent).

Chairman Proctor recessed the Board for its dinner break at 5:07 p.m. and announced that it would reconvene at 6:00 to conduct the scheduled public hearing.

Chairman Proctor reconvened the Board at 6:00 p.m.

SCHEDULED PUBLIC HEARINGS

18. First and Only Public hearing to Consider an Ordinance Amending Section 6-14 of the Fallschase Planned Unit Development (PUD)

County Administrator Long announced the public hearing and then confirmed there were no speakers on the item.

Commissioner Desloge moved, duly seconded by Commissioner Maddox, approval of Option 1: Conduct the first and only Public Hearing and Adopt the Ordinance amending Section 6-14 of the Fallschase PUD.

Commissioner Dozier appreciated the collaboration on this issue.

The motion carried 6-0 (Commissioner Sauls absent).

Citizens to be Heard on Non-Agendaed Items (3-minute limit per speaker; Commission may discuss issues that are brought forth by speakers.)

- Bart Bibler, 3673 Mossy Creek Lane, announced a forum would be held on religious diversity, terrorism and refugees on Sunday, February 14th from 6:30 p.m. – 8:30 p.m. at Temple Israel. The event will be co-hosted by the Tallahassee Democrat and Village Square. Mr. Bibler then provided an update on the Amtrak inspection tour stating that the train will stop in Tallahassee on February 19th at 2:30 p.m. He encouraged the community to come display its support for restoration of the service. The City of Tallahassee has requested letters of support from citizens and businesses and these should be directed to Amtrak@talgov.com. He noted that after the train event, a celebration will be held at Railroad Square at the Proof Brewery. Mr. Bibler requested financial assistance from Visit Tallahassee for the celebration event.

Commissioner Dozier moved, duly seconded by Commissioner Dailey, to authorize the Chairman to write a letter of support to restore Amtrak rail service to Tallahassee on behalf of the County Commission. The motion carried 5-0 (Commissioner Lindley out of Chambers and Commissioner Sauls absent).

Regarding the request for funding, County Administrator Long reported that the County was working with event planners on potential funding assistance.

Comments/Discussion Items

County Attorney Thiele:

- No items.

County Administrator Long:

- No items.

Commissioner Discussion Items

Commissioner Dozier:

- Requested authorization to reach out to the Commission on the Status of Women and Girls, on behalf of the Board, regarding their assuming the infant mortality issue as one of their initiatives. Approved without Objection.
- Shared that she had recently spoke at an anti-fracking rally and that opposition to fracking throughout the State has increased. She opined that Leon County's early opposition by way of Resolution has made a difference.

Commissioner Maddox:

- Shared that he had recent discussions regarding the "Ready4Work" Program and anticipated that funding assistance could be requested from the County and City.
 - *Commissioner Maddox moved, duly seconded by Commissioner Dozier, to direct staff to bring back an agenda item looking at the program and its merits.*
 - Commissioner Dailey suggested that in lieu of an agenda item, advocates of the program be invited to make presentation to the Board prior to creating an agenda item.
 - *Commissioner Maddox rescinded his motion and requested staff reach out to representatives of the program to schedule a presentation on the merits of the program to the Board. Approved without Objection.*

Commissioner Desloge:

- *Commissioner Desloge moved, duly seconded by Commissioner Dailey, approval for a Proclamation recognizing March as Red Cross Month.. The motion carried 5-0 (Commissioner Lindley out of Chambers and Commissioner Sauls absent).*
- *Commissioner Desloge moved, duly seconded by Commissioner Maddox, to direct staff to bring back an agenda item examining Board representation on the CRTPA, potentially reducing the number of County members from seven to four.*
 - Commissioner Dozier voiced support for the motion and requested staff provide briefings on CRTPA issues to all seven commissioners, enabling all Commissioners to continue to be engaged.
 - *The motion carried 5-0 (Commissioner Lindley out of Chambers and Commissioner Sauls absent).*
- Mentioned that the owners of the Edison were holding a "Pancakes at the Park" event, celebrating the half way mark of the legislative session on February 11th from 7:00 a.m. – 10:00 a.m. and Commissioners were invited to participate as "celebrity pancake servers" for the event.

Commissioner Dailey:

- *Commissioner Dailey moved, duly seconded by Commissioner Dozier, approval for a Proclamation in recognition of Gilchrist Elementary School's 50th Anniversary, to be presented at the event. The motion carried 5-0 (Commissioner Lindley out of Chambers and Commissioner Sauls absent).*

Chairman Proctor:

- *Requested a Proclamation recognizing Elite 8th Graders at Out of the Box Solutions for winning the Youth Basketball of America Division II National Championship, to be presented during the March 8, 2016 Board meeting. Approved without Objection.*
- On behalf of Chairman Proctor: *Commissioner Maddox moved, duly seconded by Commissioner Dozier, approval for a Proclamation recognizing Women in Construction Week. The motion carried 5-0 (Commissioner Lindley out of Chambers and Commissioner Sauls absent).*

Receipt and File:

- Minutes of the November 10, 2015 Capital Region Community Development District

Adjourn:

There being no further business to come before the Board, the meeting was adjourned at 6:27 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

BY: _____
Bob Inzer, Clerk of the Court & Comptroller
Leon County, Florida

**Leon County
Board of County Commissioners**

Notes for Agenda Item #2

Leon County Board of County Commissioners

Cover Sheet for Agenda #2

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Bob Inzer, Clerk of the Circuit Court and Comptroller

Title: Acceptance of the Annual Investment Report for Fiscal Year 2014-2015

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Betsy Coxen, Finance Director, Clerk of the Court & Comptroller
Lead Staff/ Project Team:	Norma Parrish, Treasury Manager

Fiscal Impact:

This item has no current fiscal impact to the County. The report details the investment income of approximately \$1.8 million earned for the Fiscal Year 2014/2015.

Staff Recommendation:

Option #1: Accept the Annual Investment Report for Fiscal Year 2014-2015 (Attachment #1).

Report and Discussion

Background:

Surplus Funds Investment Ordinance 02-18 established the Investment Oversight Committee (IOC) to monitor investments and established specific authority for the investment of surplus funds as required by state statutes. Additionally, the Ordinance states that the IOC will provide the Board of County Commissioners an annual report on the performance and conditions of the County's investments.

The IOC was established to formulate investment strategies, provide short-range direction, and monitor the performance and structure of the County's portfolio. The IOC consists of the Clerk of the Circuit Court and Comptroller, the County Administrator's designee (Deputy County Administrator), and three qualified individuals with financial or investment expertise, who are independent of employment and business relationships with Leon County.

Surplus funds of the County are invested through a variety of investment instruments. Maintaining a core level of assets with the government pools such as the Treasury Special Purpose Investment Account (SPIA) or other short-term entities is viewed as the best way of maintaining secure asset values with sound investment practices. Cutwater Asset Management, now Insight Investments, was chosen through a competitive selection process to invest the intermediate term investments. Overnight investments and liquidity is maintained through the County's banking contract.

Analysis:

Clerk staff, in conjunction with the external manager, developed an Annual Investment Report that outlines the investment activities of Leon County (Attachment #1). This report was presented to the IOC at its quarterly meeting on February 2, 2016. The IOC reviewed and approved the report, and authorized it be forwarded to the Leon County Board of County Commissioners. The Clerk and IOC report that the investment of all funds this year was generally consistent with the Leon County Investment Policy implemented pursuant to Ordinance 02-18. As noted in the executive summary of the Annual Investment Report, several purchases made by the external manager were identified as technically noncompliant with the policy provisions governing permitted investments and were liquidated from the portfolio by the external manager with no loss to the County. The non-compliant securities were consistent with the risk profile of the policy but were not specifically authorized securities listed in the policy.

The total income earned of \$1,840,708 provided an effective rate of return of 1.02% on an average daily balance of \$180,253,953 in fiscal year 2015. In December 2014, due to the stable performance during continued market volatility, \$60 million was transferred from the State of Florida Prime short-term portfolio to the State SPIA account. As a result, the duration of the portfolio increased from the prior year average of 1.63 years to a current year average of 2 years. As longer duration investments generally provide more yield, this resulted in higher income year over year in spite of lower investable balances.

Options:

1. Accept the Annual Investment Report for Fiscal Year 2014-2015 (Attachment #1).
2. Do not accept the Annual Investment Report for Fiscal Year 2014-2015.
3. Board direction.

Recommendation:

Option #1.

Attachment:

1. Annual Investment Report for Fiscal Year 2014-2015

ANNUAL INVESTMENT REPORT

FOR THE YEAR ENDED
SEPTEMBER 30, 2015

BOB INZER
CLERK OF CIRCUIT COURT
AND COMPTROLLER

LEON COUNTY, FLORIDA

ANNUAL INVESTMENT REPORT
Fiscal Year Ended September 30, 2015
Leon County, Florida

EXECUTIVE SUMMARY

The Commission approved Investment Policy provides for a very conservatively managed portfolio which performed as expected during the fiscal year 2015. Policy controls related to portfolio duration, credit quality, liquidity and instrument selection are established to reduce volatility with respect to investment returns. **The portfolio earned \$1,813,692 of interest and realized gains of \$27,016 for a total income of \$1,840,708 for the fiscal year ended September 30, 2015. This total income provided an effective rate of return of 1.02% on an average daily balance of \$180,253,953 in fiscal year 2015.** For comparison, the portfolio earned \$1,031,184 of interest and realized gains of \$50,480 for a total income of \$1,081,664 for the fiscal year ended September 30, 2014. This total income provided an effective rate of return of 0.58% on an average daily balance of \$187,095,655 in fiscal year 2014.

In December 2014, due to the stable performance during continued market volatility, \$60 million was transferred from the State of Florida Prime short-term portfolio to the State SPIA account. As a result, the duration of the portfolio increased from the prior year average of 1.63 years to a current year average of 2 years. As longer duration investments generally provide more yield, this resulted in higher income year over year in spite of lower investable balances.

Section 218.415 (15), Florida Statutes, requires Leon County Clerk of Circuit Court and Comptroller to provide an annual report to the Board of County Commissioners of the securities in the portfolio by investment type, book value, market value and income earned. This information is included in Table I below and the chart on page 10 as of September 30, 2015.

Table I Ending Balances Fiscal Year Ended September 30, 2015

Portfolio	Book Value	Market Value
<i>Insight Investment</i>	78,145,650	78,306,142
<i>FL Municipal Investment Trust 1-3</i>	55,706	55,706
<i>FL Local Govt Investment Trust</i>	10,021,740	10,021,740
<i>FL State Treasury SPIA</i>	38,884,728	39,012,912
<i>FL Prime</i>	502,372	502,372
<i>Wells Fargo Cash</i>	17,038,305	17,038,305
<i>Total Cash and Investments</i>	144,648,501	144,937,177

Table II Average Daily Balance and Income

Portfolio	FY 2014 Ave	FY 2015 Ave	Income FY 2015
<i>Insight Investment</i>	77,123,930	77,947,276	794,623
<i>FL Municipal Investment Trust 1-2</i>	49,897		
<i>FL Municipal Investment Trust 1-3</i>	7,683,330	2,010,210	5,776
<i>FL Local Govt Investment Trust</i>	10,612,430	15,969,499	129,557
<i>FL State Treasury SPIA</i>	7,811,185	56,539,101	844,704
<i>Florida Prime</i>	56,660,806	6,260,280	11,065
<i>Wells Fargo Broker</i>	5,815,236	493,201	291
<i>Wells Fargo Cash</i>	21,338,841	21,034,387	54,983
<i>Total Daily Average</i>	187,095,655	180,253,953	
<i>Total Income</i>			1,840,708
<i>Income / Ave. Bal</i>			1.02%

ANNUAL INVESTMENT REPORT
Fiscal Year Ended September 30, 2015
Leon County, Florida

Investment Oversight Committee

The Board of County Commissioners in their Investment Policy provides for an Investment Oversight Committee to work with the Clerk of the Circuit Court and Comptroller in the investment of the portfolio. The Committee meets quarterly unless interim issues require more frequent meetings. Meetings are noticed; open to the public and the minutes of each meeting recorded. The IOC consists of the Clerk; the County Administrator Designee, Deputy County Administrator Alan Rosenzweig; and three qualified individuals with financial or investment expertise who are independent of employment and business relationships with Leon County. They are Stan Barnes, Managing Director, Barnes Capital Group, David Reid, CPA, and Michael Kramer, COO of Desloge Home Oxygen.

Throughout the fiscal year, investments were made in compliance with the Investment Policy's permitted investment types, composition limits and allowable maturities except for several purchases discussed below.

Florida statutes 218.415(16) authorizes local governments to adopt their own investment policies which may include Federal Agencies, among others, as permitted investments. Federal agencies include investments in bonds, debentures or notes issued or guaranteed by United States Government agencies, provided such obligations are backed by the full faith and credit of the United States Government.

Currently, the Leon County policy permits up to 100% of the portfolio to be invested in such securities. However, the policy limits authorized government agencies to the list on page 5 of this report. Several securities purchased during the fiscal year although backed by the full faith and credit of the US Government (US Government credit rating of AAA/AA+/AAA by Moody's/S&P/Fitch) were not included in the list of agencies specified in the policy.

In response to an October 2015 staff request, the external manager investigated these purchases and determined that there was incorrect coding of several policy guidelines within the Cutwater compliance system. The external manager liquidated these purchases from the portfolio due to technical noncompliance and reimbursed the county for the \$5,193 loss. As part of the acquisition of Cutwater by BNY Mellon, in August 2015, the investment management reporting was migrated to a new system. In November 2015, Insight staff completed an update of the compliance rules in the new system for the permitted agencies. This was followed by a full reconciliation of the guidelines included in the County's Investment Policy with the new Insight system.

After review of other Florida government investment policies and holdings, the external manager developed suggested policy updates for discussion at a future IOC meeting. Since new agencies or investment options are always evolving, the IOC will review the entire policy to consider any necessary updates to the policy at that time.

Investment Managers

The investment portfolio quarterly ending balances ranged from \$144.8 million to \$211.9 million during the fiscal year, with higher balances during the winter as taxes are distributed by the Leon County Tax Collector. The portfolio was allocated among the following government pools: Florida Treasury Special Purpose Investment Account (SPIA), Florida Prime, the Florida Local Government Investment Trust (FLGIT) and the Florida Municipal Investment Trust (FMIvT).

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Insight, the external manager invested an average of 42% of the portfolio in slightly longer-term investments.

Currently, Insight manages approximately \$78 million. Intermediate fixed income portfolios have durations of 1.5-1.8 years. The established performance benchmark for Insight is the Bank of America/Merrill Lynch 1-3 Year Government Index.

Cutwater Asset Management managed the County's external portfolio since June 1, 2010. On January 2, 2015, Cutwater under the brand Insight became a wholly owned subsidiary of Bank of New York Mellon. BNY Mellon is owned by The Bank of New York Mellon Corporation, a global investment company dedicated to providing financial services to institutions, corporations and individual investors that utilizes an autonomous, multi-boutique model for its investment offerings. Insight joined the BNY Mellon Investment Management platform, and the firm will have a board expected to be comprised of senior executives from Insight, BNY Mellon, and Insight Investment ("Insight"). Insight is an affiliate of BNY Mellon and is one of the United Kingdom's largest investment management companies specializing in liability-driven investment (LDI), fixed income, absolute return and specialist investment strategies, and an important member of BNY Mellon's Investment Management platform in the U.S.

The Clerk completed bidding out its banking relationships pursuant to a competitive selection process and entered into a new contract April 1, 2012, with Wells Fargo Bank. During the current fiscal year, the contract was renewed for an additional two years effective April 1, 2015. The current earnings credit earned on cash balances is 30 basis points.

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I. INVESTMENT POLICY

Section 218.415, Florida Statutes provides units of local government the ability to adopt a written investment plan to govern the investment of their investment portfolio. The Leon County Board of County Commissioners on September 17, 2002 adopted an investment policy. One requirement is to present an annual report to the Board of County Commissioners. On October 11, 2011 and again on February 25, 2014, the Board adopted revisions to the Policy to provide the flexibility to manage the portfolio in the volatile market environment.

The Florida Constitution provides that the Clerk of Court and Comptroller (Clerk) will be responsible for the investment of County funds and this report is being submitted by the Clerk as provided by the Board's Investment Policy. All investment activity is conducted in accordance with written procedures and internal controls.

II. INVESTMENT OVERSIGHT COMMITTEE

The Clerk established the Investment Oversight Committee (IOC) to formulate investment strategies, provide short-range direction, and monitor the performance and structure of the County's portfolio, established the Investment Oversight Committee (IOC). The IOC consists of the Clerk; the County Administrator Designee, Deputy County Administrator Alan Rosenzweig; and three qualified individuals with financial or investment expertise who are independent of employment and business relationships with Leon County. The three outside members are Stan Barnes, Managing Director, Barnes Capital Group, David Reid, CPA, and Michael Kramer, COO of Desloge Home Oxygen.

III. ACTIVITIES OF THE INVESTMENT OVERSIGHT COMMITTEE

The Investment Oversight Committee (IOC) scheduled periodic meetings to discuss issues relating to the investments of the County. During the current year, the IOC lengthened the weighted average annual effective duration for the portfolio from 1.63 for 2014 to 2 years for 2015. The shift was made in December 2014 by transferring assets from the Florida Prime short-term pool into the Florida SPIA account with longer duration. This reallocation to the Florida SPIA account was monitored during several IOC meetings due to the SPIA program changes limiting the withdrawals by participants and due to potential changes in the Federal funds rate. In August of 2015, the IOC examined sensitivity forecasts for expected increases in the Fed funds rate from the external manager and SPIA. As a result of that analysis, no changes were recommended to be made for the portfolio duration and allocation of assets at that time.

IV. INVESTMENT OBJECTIVES

The Policy states that the primary objectives of all investment activities for the County should be safety of principal, maintenance of adequate liquidity and finally, return maximization.

Safety of principal is the foremost investment objective. Investment transactions should seek to keep capital losses to a minimum, whether the result of security defaults, or erosion of market value. This is best insured by establishing minimum acceptable credit ratings, limiting the portfolio's overall duration, setting maximum exposures by sector, defining appropriate levels of diversification and authorized transactions and limiting exceptions.

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The second objective is the provision of sufficient liquidity. A portion of the County's overall portfolio should be maintained liquid in order to meet operating, payroll and ongoing capital requirements. Maintaining a core level of assets with the government pools such as the Treasury Special Purpose Investment Account (SPIA), Florida Prime, or other short-term entities is viewed as the best way of maintaining secure asset values with sound investment practices. The remainder of the overall portfolio should be managed in such a manner that funds can be liquidated in a reasonable amount of time, recognizing that there are other sources for day-to-day liquidity and that this portfolio is primarily available for income generation within the constraints of this policy.

Maximizing yield on the portfolio is of least importance compared to the safety and liquidity objectives above. Return maximization is guided by the predefined and acceptable levels of risk as defined in this policy.

V. PORTFOLIO PERFORMANCE

Acceptable portfolio performance is the result of balancing the rewards of investing, or the income earned, with the risks associated with those investments. Factors influencing the portfolio's performance are the types of permitted investments and allowable maturities, liquidity requirements, overall interest rate environment, cash flows, and the investment manager's performance.

The portfolio earned \$1,813,692 of interest and realized gains of \$27,016 for a total income of \$1,840,708 for the fiscal year ended September 30, 2015. This total income provided an effective rate of return of 1.02% on an average daily balance of \$180,253,953 in fiscal year 2015. For comparison, the portfolio earned \$1,031,184 of interest and realized gains of \$50,480 for a total income of \$1,081,664 for the fiscal year ended September 30, 2014. This total income provided an effective rate of return of 0.58% on an average daily balance of \$187,095,655 in fiscal year

The Following is an Overall Market and Portfolio Specific Commentary Provided by the County's Investment Advisor Insight Asset Management, Inc.

Insight (formerly Cutwater) Fourth Quarter 2015 Review & Outlook

Leon County's investment portfolio managed by Insight underperformed its comparative benchmark, the Merrill Lynch 1-3 Year Government Index, for the fiscal year ending September 30, 2015. The external portfolio produced a total return, net of fees, of 1.08% compared to the Index return of 1.17%, which includes no fee charges.

The portfolio began the fiscal year positioned for changing Federal Reserve interest rate policy and tighter credit spreads. This expectation resulted in a portfolio that was, relative to the index, modestly short duration and overweight corporate bonds at the expense of Treasury securities. As the fiscal year progressed through 2015, it became increasingly evident that the decline in energy prices and the market volatility in China threatened to slow global growth and alter plans to raise interest rates. The Federal Reserve in fact had not raised rates and corporate securities underperformed Treasuries by the September 30, 2015 fiscal year end. The modest underperformance versus the benchmark index reflects these broad themes.

The market correction witnessed this past quarter was arguably long overdue. Over the last eight years of zero interest rate policy from the Federal Reserve we observed longer periods of relative

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stability than uncertainty. With the exceptions of the European debt crisis in 2011 and the „taper tantrum“ in 2013, market prices have been reasonably stable if not predictable.

Broad market performance.

	S&P 500 Return (incl div) ¹	Barclays US Agg Return ²	US GDP¹
2009	26.4%	5.9%	-0.2%
2010	15.1%	6.5%	2.7%
2011	2.1%	7.8%	1.7%
2012	16.0%	4.2%	1.3%
2013	32.4%	-2.0%	2.5%
2014	13.7%	6.0%	2.5%

Perhaps this predictability has led to complacency in 2015. Maybe the market failed to recognize the likely impact of something other than a zero interest rate policy. The reality is that in addition to the potential for Federal Reserve policy normalization, corrections and crises are occurring at once and on a global scale. The one thousand point drop in the Dow Jones Industrial index on the morning of August 24th was initiated by changes in Chinese currency policy, but was preceded by months of declining industrial activity from the world’s largest emerging economy. This had implications for global commodity prices and their producers in Brazil, Australia and the like. Brazil’s sovereign rating was unceremoniously downgraded to below investment grade. Oil prices have been under pressure for most of the year due to oversupply and plunged another 30 percent during the quarter. Meanwhile, Europe’s fragile economic recovery narrowly avoided a Greek sovereign default but is now faced with a migrant crisis that once again threatens the cohesiveness of this economic bloc. The economic and political impact of this human tragedy is still unknown.

So given these events, it should be of no surprise to a casual market observer that the Fed decided against raising policy rates at the September meeting. What was surprising was the acknowledgement of these global events as being a primary catalyst for the decision. The Fed will „wait and see“ if these external global events will have an effect on the US economy. Risk assets did not react favorably to this decision as it leaves us wondering if conditions will improve enough to make good on their implied promise of initiating policy normalization sometime in 2015. By linking policy action to market performance, the Fed has actually increased the uncertainty around the start of the normalization cycle and set a dangerous precedent in the process. Further complicating matters for the Fed were the September payroll results, which proved to be one of the most disappointing reports in several years. Hours worked, wages paid and payrolls added all missed consensus and were below trend. There is no seasonal adjustment or „polar vortex“ reason available to rationalize this latest report.

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2015 returns indicate an unfamiliar environment.

	S&P 500 Return (incl div)¹	Barclays IG Corp Excess Returns²	2yr Tsy Yield¹	10yr Tsy Yield¹
1Q 2015	1.0%	0.3%	0.6%	1.9%
2Q 2015	0.3%	-0.9%	0.6%	2.4%
3Q 2015	-6.4%	-1.5%	0.6%	2.0%

¹ Source: Bloomberg Finance LP, 9/30/2015.

² Source: Barclays, 9/30/2015.

Our 2015 investment thesis posited that the US economy is strong enough to warrant increases in the Federal Funds rate. Under these conditions, Treasury yields should rise and opportunities for additional return in the risk sectors such as corporate bonds are available. The events realized during the third quarter now present the first serious challenge to this thesis. Firstly, is the US economy strong enough to withstand policy normalization? We still say „yes“ as we evidenced in the second quarter commentary by the housing, energy and financial strength tailwinds benefitting the US consumer. While the September employment report was downbeat, one bad sample in a broader trend does not provide proof of a new trend.

Secondly, will the Federal Reserve initiate rate normalization that results in our expected higher Treasury yield and credit opportunity investment calculus? We say, „maybe but it might not matter.“ The reality of the global macro events outlined above and the low liquidity/high volatility environment we also discussed last quarter now present a higher hurdle to achieve a prolonged period of positive sentiment in the market. Put differently, risk premium is now higher to account for these current conditions. This high hurdle now probably includes evidence of and progress towards global policy normalization. Europe will need to become comfortable with ending its easing program as indicated in 2016 or possibly early 2017 so long as inflation is on an upward trajectory. Energy and commodity prices will have to settle down and overcapacity will need to be wrung from the system. Perhaps most importantly, confidence in China and Brazil will need to be rebuilt.

So the Federal Reserve raising interest rates is possibly only one step in a longer journey to gain confidence in a prolonged „risk on“ environment. Assuming that the US is not about to tip into recession, then holding investment grade corporate credit at +169 basis points in risk premium compensates us appropriately in the new environment. The difference is that portfolio positioning will likely adjust more readily to rallies that are likely to be short-lived. Differently from what we said earlier in the year, we are no longer „comfortable“ holding credit based solely on a constructive US economic outlook, but we can „get comfortable“ when we believe there is adequate premium to compensate us for the current global risks.

VI. PERMITTED INVESTMENTS AND ALLOWABLE MATURITIES

Table 1 summarizes the permitted investments, composition limits, and maximum allowable maturities. The County’s available funds are invested according to Leon County Investment Policy Section XIV, which authorizes the County to invest in specific permitted investment types. The permitted investments are restricted by the Policy in their composition limits and maximum allowable maturities. The Policy permits maturities of the operating portfolio establishing a range of 60 days to 10 years. Table 1 gives a brief description of each investment type. It is generally

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regarded that the following investment types are safe investments and meet the Policy's first objective: safety.

Table 1 – Permitted Investments

<u>Investment Type</u>	<u>Composition Limit</u>	<u>Max Maturity/ WAL Limit</u>
<i>Repurchase Agreements</i>	15%, 5% any one issuer	60 Days
<i>Bankers' Acceptances</i>	15%, 5% any one issuer	270 Days
<i>Commercial Paper</i>	20%, 5% any one issuer	270 Days
<i>CDs (Financial Deposit Instruments insured by FDIC)</i>	30%	2-Year, 1-Year Avg
<i>Agencies</i>	100%, 20% any one issuer	5-Year
<i>Instrumentalities</i>	45%, 15% any one issuer	5-Year
<i>Corporate Debt</i>	25%, 3% any one issuer	5-Year
<i>Municipal Bonds</i>	35%, 3% any one issuer	5-Year
<i>Mortgage Backed Securities</i>	35%, 5% any one issuer	5-Year WAL
<i>Asset Backed Securities</i>	10%, 1.5% any one issuer	5-Year WAL
<i>Commercial Mortgage Backed Securities</i>	8% , 3% any one issuer	5-Year WAL
<i>Treasuries</i>	100%	10-Year
<i>FLGIT, FMIT 0-2, and FMIT 1-3</i>	15% each	NA
<i>SBA. SPIA</i>	50%	NA
<i>Money Markets</i>	100%	NA

A. U.S. Government Securities (Treasuries)

The securities comprising Treasuries are direct obligations of the U.S. Government. The securities are designated by maturity. Treasury bills have maturities of one year or less, Treasury notes have maturities of two to ten years, and Treasury bonds have maturities of more than ten years. The longer maturities share some market risk in that their prices may be more volatile due to interest rate fluctuations. Treasury yields are typically lower than yields of other U.S. Government securities. The investment policy allows the County to invest up to 100% of the portfolio in these investments.

B. Federal Agency Securities (Agencies)

Agencies are securities issued by agencies of, and are guaranteed directly by, the U.S. Government. The Policy limits Agency investments to bonds, debentures or notes issued or guaranteed by United States Government agencies, provided such obligations are backed by the full faith and credit of the United States Government. Such securities are limited to the following: Small Business Administration, United States Department of Agriculture, United States Export-Import Bank, direct obligations or fully guaranteed certificates of beneficial ownership, Farmers Home Administration, Federal Financing Bank, Federal Housing Administration Debentures, General Services Administration Participation Certificates, United States Maritime Administration Guaranteed, Title XI Financing, New Communities Debentures, United States Government guaranteed debentures, U. S. Public Housing Notes and Bonds, U.S. Government guaranteed public housing notes and bonds, U. S. Department of Housing and Urban Development Project notes and local authority bonds. Agencies are typically longer term and not frequently traded, creating some liquidity risk. Agency yields are generally greater than Treasury yields of similar maturities. A maximum of 20% of the portfolio may be invested in any one agency and an aggregate of up to 100%.

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C. Federal Agency Securities (Instrumentalities)

Instrumentalities are also securities issued by agencies, which are sponsored by the U.S. Government. The Policy allows purchases of bonds, debentures or notes issued or guaranteed by United States Government sponsored agencies (Federal Instrumentalities) which are non-full faith and credit agencies limited to the following: Federal Farm Credit Bank (FFCB), Federal Home Loan Bank or its district banks (FHLB), Federal National Mortgage Association (FNMA), Federal Home Loan Mortgage Corporation (FHLMC) including participation certificates, and Tennessee Valley Authority (TVA). Yields on Instrumentalities are typically greater than Treasury yields of similar maturities. The Policy further restricts investments in any one agency to 15% of the portfolio and an aggregate of 45% of the portfolio.

D. Financial Deposit Instruments Insured by FDIC (Certificates of Deposit)

Investments may be made in Financial Deposit Instruments Insured by FDIC in banks organized under the laws of this state and/or in national banks organized under the laws of the United States and doing business and situated in this state, provided that any such deposits are secured by the Florida Security for Public Deposits Act, Chapter 280, Florida Statutes and provided that the bank is not listed with any recognized credit watch information service. A maximum of 30% of the portfolio may be invested in Financial Deposit Instruments insured by FDIC.

E. Repurchase Agreements (Repos)

A repurchase agreement is a financial transaction in which Leon County exchanges cash for ownership of specific securities with a simultaneous agreement to sell back the securities. Overnight repos mature in one day. Other repos are written to mature in specific multi-day periods and are known as term repurchase agreements. Other repos are written as open transactions with indefinite terms subject to liquidation by either party. Yields tend to run close to the federal funds rate. The Policy calls for the specific securities to be only those Treasuries or Instrumentalities allowed by the Policy with maturities. The collateral held pursuant to a repurchase agreement shall have a maturity under five years and having a market value of 102% during the term. Leon County will enter into a repo transaction only with qualified financial institutions, which have executed a Master Repurchase Agreement with the Clerk's Office. The Policy further restricts transactions with any one financial institution to 5% of the portfolio, except for one-business day repos, with total repos to a maximum investment of 15%.

F. Bankers' Acceptances (BAs)

Bankers' Acceptances are generally bearer form securities comprised of underlying letters of credit used to finance international trade. A bankers' acceptance is created from a letter of credit issued by an importer's bank to pay a foreign exporter for goods expected to be received. The exporter will normally present this letter of credit to its bank for a discounted payment. The exporter's bank then presents the letter of credit to an U.S. correspondent bank for payment at which time it is marked "Accepted". Upon acceptance, the BA becomes an irrevocable and unconditional obligation of the accepting bank and it is also an obligation of the importer and any endorser thereof. BAs typically have maturities of 180 days or less. Yields are generally greater than Treasuries and Instrumentalities of similar maturity. The Policy requires bankers' acceptances which are inventory based and issued by a bank, which has at the time of purchase, an unsecured, uninsured and un-guaranteed obligation rating of at least "Prime-1" and "A" by Moody's and "A-1" and "A" by Standard & Poor's. The Policy further restricts the investment with any one financial institution to 5% of the portfolio and an aggregate of 15% of the portfolio.

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G. Commercial Paper (CP)

Commercial paper is unsecured short-term debt issued primarily by corporations to finance receivables and other short-term needs. CP has a maximum maturity of 270 days or less. Yields are typically greater than Treasuries and Instrumentalities of similar maturity. The Policy requires the issuer to be rated Prime-1 by Moody's Investor's Service and A-1 by Standard & Poor's. The Policy further restricts the investment with any one financial institution to 5% of the portfolio and an aggregate of 20% of the portfolio.

H. Municipal Obligations (Munis)

Investments may be made in notes or bonds issued by governmental entities or territorial boundaries of the United States, provided that such instrument is rated A or better by at least one NRSRO. The Policy further restricts the investment with any one issuer to 3% and an aggregate of 35% of the portfolio.

I. Constant Net Asset Value Money Market Mutual Funds

Money markets are pools of securities providing income and liquidity. The Policy enables the Clerk to invest in SEC qualified constant net asset value fixed income money market mutual funds rated AAAM or AAAG comprised of only those investment instruments as authorized in this Section V, Portfolio Composition, provided that such funds do not allow derivatives. A maximum of 100% of the portfolio may be invested in money markets.

J. Florida Local Government Surplus Funds Trust Fund, also known as Florida PRIME

Florida PRIME is administered by the Florida State Board of Administration (SBA) for the purpose of pooling investment funds of local governments in an investment portfolio of money market instruments that provide liquidity while preserving capital. On February 13, 2008, the Trustees of the SBA hired Federated Investors to manage Florida PRIME, effective on March 1, 2008. As of October 1, 1997, the SBA had converted Florida PRIME to a "2a-7 like" investment pool (SEC Rule 2a-7 of the Investment Company Act of 1940). The SBA generally intends to maintain a weighted average maturity of 60 days or less, to invest at least 50% of the pooled assets in securities rated A-1+ or deemed of comparable quality, and to have no more than 25% of assets in a single industry sector, except the financial services industry. On September 30, 2015, Florida PRIME was invested in fixed rate and floating rate bank instruments, repurchase agreements, fixed rate and floating rate corporate commercial paper, floating rate corporate notes, money market mutual funds, and fixed rate and floating rate asset backed commercial paper. A maximum of 50% of the portfolio may be invested in Florida PRIME.

K. The Florida Local Government Investment Trust Government Fund (FLGIT)

The FLGIT is a local government investment pool created by the Florida Association of Court Clerks and Controller, and the Florida Association of Counties for the purpose of providing public entities with an investment program that focuses on longer term securities with the highest credit ratings. The effective maturity of the underlying investments is five years or less. At year end, the FLGIT was major holdings included Treasury Notes, Corporates, Asset-Backed Securities, and Federal agency obligations. This investment type is subject to some market risk due to fluctuating prices and liquidity risk due to advance redemption notification requirements. However, it has a

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professional investment advisor and an investment advisory board, and provides diversity in the Fund's portfolio. The FLGIT maintains a credit rating of AAA by Standard & Poor's. Investments in this pool are limited to a maximum of 15% of the portfolio.

L. First Municipal Investment Trust (FMIT) 1- 3 Year High Quality Bond Fund.

The FMIT is a similar investment pool operated by the Florida League of Cities. Its rating, investment parameters and liquidity generally mirror those of the FLGIT. The 1 to 3 Year High Quality Bond Fund is designed to provide an investment pool alternative to those Members that have excess funds and that have an investment horizon greater than that of money market instruments. The investment objective is: 1) to preserve capital; 2) achieve a total rate of return that exceeds the return of T-Bills by 1% per year over rolling three-year periods; and 3) exceed the return of the Merrill Lynch One-to Three-year Government Index over three-year periods. The Portfolio will generally invest in securities with greater potential returns and risk than those offered by money market type instruments. Due to the fact that the Portfolio will be investing in securities with an average maturity of approximately two years, increases in interest rates will cause declines in the net asset value of the Portfolio. Therefore, the Portfolio may be an inappropriate investment for funds required to meet short-term needs. Investments in this government pool are limited to a maximum of 15% of the portfolio.

M. First Municipal Investment Trust (FMIT) 0 - 2 Year High Quality Bond Fund

The County allocates a portion of investments in this Bond Fund also operated by the Florida League of Cities. This Fund which was established in April 2009 invests in Government and high quality securities while maintaining an average maturity of approximately one year. The performance of the portfolio is measured against the Merrill Lynch 1 Year Treasury Note Index. The portfolio is managed by Atlanta Capital Management. Investments in this government pool are limited to a maximum of 15% of the portfolio.

N. Special Purpose Investment Trust (SPIA)

Effective July 1, 2004, Section 17.61(1), Florida Statutes was amended to permit organizations created by the Florida Constitution to participate in the existing State Treasury Investment Pool "Special Purpose Investment Account (SPIA)." Historically, SPIA participants have received higher earnings reflecting the higher risk associated with the longer maturities and lower credit quality. The Board of County Commissioners approved revisions to the County's Investment Policy effective October 11, 2011, to permit up to 50% of the County portfolio to be invested with the Treasury Special Purpose Investment Account (SPIA).

In March 2015, the Florida Treasury implemented procedures to provide better cash forecasting and an increase in funds available for longer term investments which should increase the interest earnings of the pool as a whole. These enhancements include (1) closing the pool to new noncomponent unit entities, (2) requiring new withdrawal notices and minimum balance requirements and (3) setting a cap on investment amounts. Instead of 100% liquidity with 3 days' notice, the Florida Treasury now requires 5 days' notice for liquidations between \$20 and \$75 million and 20 days' notice for liquidations over \$75 million. In addition, 6 months' notice is required for liquidations planned below a floor calculated as 60% of the previous 3 months average balance. The changes by the Florida Treasury will reduce the possibility of large unplanned liquidations from the pool. The IOC evaluated these changes and determined that the associated risks would be monitored and dollars reallocated between asset classes (including SPIA) based on periodic analysis of the market risk.

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The financial details and disclosures for the Treasury Investment Pool are made in Note 2 to the State of Florida Comprehensive Annual Financial Report (CAFR).

The Treasury Investment Pool (Pool) earned \$26,532,533 in September 2015. For the month of September, these earnings resulted in a gross effective interest rate (annualized) of 1.40%. The Pool's fair value factor was 1.0033 for September. A factor more than 1.0000 provides that the market value of the Pool's investments is more than the funds invested in the Pool. For more information relating to the Treasury Investment Pool, please visit the website at www.fltreasury.org.

VII. LIQUIDITY REQUIREMENTS

The second objective in managing the County's investments is the provision of sufficient liquidity. On a regular basis, the County's receipts and disbursements are analyzed to determine trends in cash inflow and outflow. Cash inflows are invested immediately upon receipt and become part of the portfolio. The portfolio provides cash for weekly payment of operating and capital expenditures, biweekly payment of payroll expenditures, and semiannual debt service payments. Debt service payments are funded through sinking funds held by the County.

VIII. INVESTMENT OPERATIONS

Investing activities are conducted by the investment advisor and qualified professionals in the Clerk's Office in accordance with Florida Statutes, County Ordinances, and written policies and procedures. Periodic reports of investment activity and positions are prepared and distributed to management of the Clerk's Office, management of the BCC and the Investment Oversight Committee. Regular meetings of the IOC are held to monitor the portfolio, evaluate investment performance and discuss investment strategies.

The investment advisor and Clerk staff use sophisticated techniques in carrying out its investment activities including the use of electronic bank and trust account systems; electronic funds transfer; on-line, real-time monitoring of U.S. securities markets; and electronic trading. Bank account balances, cash requirements, investment positions and trust account activity are determined daily. Current conditions and evaluations of national economic activity are considered in making asset allocation decisions.

A. Portfolio Balances

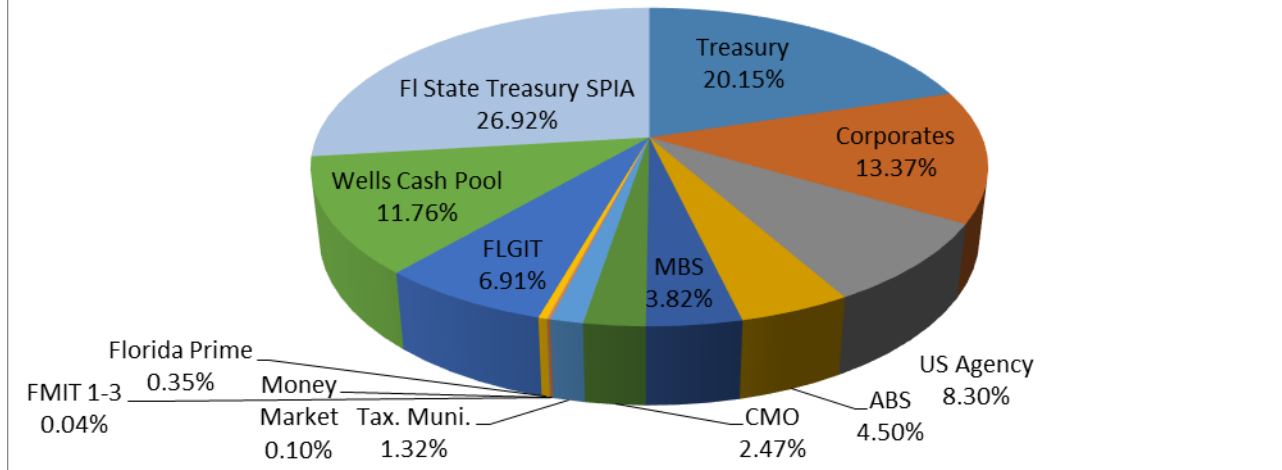
The portfolio's ending balance for fiscal year 2015 was \$144,937,177 while the ending balance for 2014 was \$158,187,238 a decrease of \$13,250,061.

B. Portfolio Composition

The Clerk or the Clerk's designee (Finance Director) shall have the option to further restrict or increase investment percentages from time to time based on market conditions. Any changes to the portfolio composition guidelines or limits must be in writing from the Finance Director directed to the appropriate parties and discussed at each quarterly Investment Oversight Committee meeting. The portfolio was managed in compliance with diversification requirements for investment types as shown in the following Table 2.

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Table 2 Portfolio Composition



C. Portfolio Maturities

Portfolio management was also accomplished in compliance with the Policy that requires ensuring sufficient liquidity as well as diversity in maturities. Shown in Table 3 are the average terms of each investment type acquired in fiscal years 2015 and 2014. Average term is the weighted average number of days from purchase to maturity of the investment. Average terms greater than one year represent investments of non-current funds, including the non-current operating portfolio, and investments of bond proceeds and debt service reserve funds. The externally managed portfolio was invested for a weighted average term of approximately 1,210 days in fiscal year 2015, as compared with a weighted average term of 1,405 days in fiscal year 2014.

Table 3- External Manager Average Term by Investment Type

	FY 2015	FY 2014
<i>US Treasury Notes</i>	1,030	998
<i>US Agency Notes</i>	1,024	1,490
<i>Mortgage Backed Securities</i>	1,229	2,727
<i>Asset Backed Securities</i>	1,692	1,787
<i>Collateralized Mortgage Obligations</i>	1,871	3,164
<i>Municipal Notes</i>	1,723	1,573
<i>Corporate Notes</i>	1,264	1,435

D. Earnings and Yields

The portfolio earned interest of \$1,813,692 and realized gains of \$27,016 for a total income of \$1,840,708 for the fiscal year ended September 30, 2015. This total income provided an effective rate of return of 1.02% on an average daily balance of \$180,253,953 in fiscal year 2015. For comparison, the portfolio earned \$1,031,184 of interest and realized gains of \$50,480 for a total income of \$1,081,664 for the fiscal year ended September 30, 2014. This total income provided an effective rate of return of 0.58% on an average daily balance of \$187,095,655 in fiscal year.

ANNUAL INVESTMENT REPORT
Fiscal Year Ended September 30, 2015
Leon County, Florida

The range of duration of the County's overall portfolio is defined as 0.5 years to 2.5 years. Unusual market or economic conditions may mandate moving the portfolio outside of this range. The Investment Oversight Committee will be convened and will approve any portfolio duration outside of the range specified above. The expanded duration of the portfolio from an annual average of 1.63 in 2014 to 2.00 years in 2015 resulted in more investment income than in the prior year.

Table 4- Quarter Wt. Average Yields

	9.30.14	12.31.14	03.31.15	06.30.15	09.30.15
<i>Insight</i>	0.95%	0.97%	0.88%	0.97%	1.03%
<i>FL Muni Investment Trust - 1-2 year</i>	0.37%				
<i>FI Muni Investment Trust - 1-3 year</i>	0.72%	0.77%			
<i>FI Local Govt Investment Trust</i>	0.57%	0.64%	0.62%	0.66%	0.74%
<i>FI State Treasury SPIA</i>	1.31%	1.81%	1.56%	1.03%	1.29%
<i>Florida Prime</i>	0.16%	0.16%	0.18%	0.22%	0.25%
<i>Wells Fargo Cash Pool</i>	0.30%	0.30%	0.30%	0.30%	0.30%
<i>Wells Fargo Money Market Fund</i>	0.06%				
	0.68%	1.23%	1.10%	0.86%	0.99%

The dollar amount of earnings is used in historical and budgetary comparisons, and in cash flow analysis. Actual interest earnings totaled \$1,813,692 in fiscal year 2015 and \$1,031,184 in fiscal year 2014. Actual earnings were \$858,617 more than the budget in fiscal year 2015 and \$1,937,896 less than the budget in fiscal year 2014.

Table 5- Budget and Actual Income

	FY 2015	FY 2014
<i>Actual</i>	1,813,692	1,031,184
<i>Budget</i>	955,075	2,969,080
<i>Variance</i>	858,617	(1,937,896)

IX. CONCLUSION

In conclusion, the results outlined in the Annual Investment Report are as follows:

- Total income was above that of the prior fiscal year due to increasing the duration of the portfolio by transferring assets from the Florida Prime short term pool to the longer duration Florida Treasury SPIA account.
- The Investment Portfolio activity was in compliance with the Investment Policy components of objectives, composition, and allowable maturities. However, as discussed on page __ the compliance review of permitted investments identified several government agency purchases, although permitted by Florida Statutes and guaranteed by the full faith and credit of the US Government, were not included in the eligible agencies listed in the IOC policy. These purchases were liquidated and policy changes were drafted for consideration at a future meeting.

ANNUAL INVESTMENT REPORT
Fiscal Year Ended September 30, 2015
Leon County, Florida

- The economic environment continued to be highly volatile. In addition, a determination of how much cash to invest in SPIA given new cap limitations and the notice required to withdraw cash. Accordingly, the IOC requested interest rate sensitivity analyses performed by the fund managers for SPIA and Insight Investments. The Insight forecast showed lower returns as compared to SPIA. This is expected because the impact of rising rates on Insight performance was greater since the magnitude of such changes is more material for short term investments managed by Insight. There was concurrence that no change in investment strategy would be made at that time; however, staff and the IOC would continue to monitor the market and make adjustments in investment strategy as warranted.

Investment Oversight Committee

The IOC met quarterly to oversee the performance of the external manager. The investment policy requires staff to notify the IOC at any time holdings drop below the minimum credit ratings required by the policy. The IOC will consider the market environment and make recommendations to hold and continue to monitor the investments or liquidate the investments.

On February 2, 2016 the IOC met to review and approve this annual report summarizing the performance of the internal portfolio and the external manager.

Presented by:

Michael Kramer, Chairman
Investment Oversight Committee

Bob Inzer, Clerk of the Circuit Court and Comptroller
Leon County, Florida

**Leon County
Board of County Commissioners**

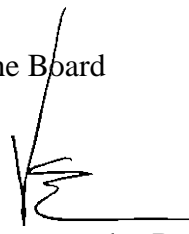
Notes for Agenda Item #3

Leon County Board of County Commissioners

Cover Sheet for Agenda #3

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Consideration of Full Board Appointment to the Board of Adjustment and Appeals

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/Division Review:	Alan Rosenzweig, Deputy County Administrator Maggie Theriot, Assistant to the County Administrator
Lead Staff/Project Team:	Stephanie Holloway, Sr. Executive Assistant

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option 1. The full Board appoints Shaleen Miller to the Board of Adjustment and Appeals (BOAA) for a term of three years.

Report and Discussion

Background:

This agenda requests a full Board appointment to the Board of Adjustment and Appeals.

Analysis:

Board of Adjustment and Appeals (BOAA)

Purpose: The BOAA is responsible for determining appeals of code-related land development request (LDRs) interpretations and granting variances to the provisions of the LDRs based on documented hardship.

Composition: There are nine members - three from the County plus an alternate, three from the City plus an alternate, and one appointed alternately by the County and City. Members serve three-year terms, expiring June 30. According to the BOAA's Bylaws, members shall not serve more than two full consecutive terms on the Board, whether appointed by the County Commission or the City Commission.

Vacancies: This year, the County appoints the rotating City/County member. Shaleen Miller has applied for this vacancy. (Attachment #1)

Table 1. Adjustment and Appeals (BOAA)

Vacancy	Eligible Applicants	Recommended Action
City/County Rotating Member	Shaleen Miller <i>(Attachment #1)</i>	Full Board to make appointment.

Options:

1. The full Board appoints Shaleen Miller to the Board of Adjustment and Appeals (BOAA) for a term of three years.
2. Board direction.


Recommendation:

Options #1

Attachments:

1. Application – Shaleen Miller

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT COUNCIL ON CULTURE & ARTS

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>	
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Name: Shaleen Miller	Date: 2/1/2016 10:54:37AM
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Home Phone: (281) 313-5848	Work Phone: (713)855-7935X	Email: shaleenmiller@gmail.com
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Occupation: PHD STUDENT, URBAN AND REGIONAL PLANNING	Employer: FSU
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Preferred mailing location: Home Address
Work Address:

City/State/Zip: TALLAHASSEE, FL

Home Address 576 RHODEN COVE RD

City/State/Zip: TALLAHASSEE, FL 32312

Do you live in Leon County? Yes If yes, do you live within the City limits? No
 Do you own property in Leon County? Yes If yes, is it located within the City limits? Yes
 For how many years have you lived in and/or owned property in Leon County? 1 years

Are you currently serving on a County Advisory Committee? No
 If yes, on what Committee(s) are you a member?

Have you served on any previous Leon County committees? No
 If yes, on what Committee(s) are you a member?

Please indicate your area of expertise. If you have experience in more than one field, please check all that apply.

Business
 Heritage
 Marketing
 Practicing Artist
 Volunteer
 Tourism

If you are appointed to a Committee, you are expected to attend regular meetings.

How many days permonth would you be willing to commit for Committee work? 2 to 3
 And for how many months would you be willing to commit that amount of time? 6 or more
 What time of day would be best for you to attend Committee meetings? Day, Night

(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.

Race: Caucasian Sex: Female Age: 36.00
 Disabled? No District: District 3

In the space below briefly describe or list the following: any previous experience on other Committees; your educational background; your skills and experience you could contribute to a Committee; any of your professional licenses and/or designations and indicate how long you have held them and whether they are effective in Leon County; any charitable or community activities in which you participate; and reasons for your choice of the Committee indicated on this Application.

PREVIOUSLY SERVED ON THE PARCS (PARKS, ARTS, RECREATION, CULTURAL ARTS, AND STREETSCAPES) ADVISORY BOARD FOR THE CITY OF SUGAR LAND, TX. ALSO A DOCENT FOR THE SUGAR LAND HERITAGE FOUNDATION.

I AM CURRENTLY WORKING ON MY PHD IN URBAN PLANNING WITH A SPECIALIZATION IN HEALTHY COMMUNITIES AND GREEN INFRASTRUCTURE. MY PREVIOUS BACKGROUND INCLUDED CULTURAL ANTHROPOLOGY AND FINANCE. I HAVE ALSO TAUGHT YOGA AND GROUP FITNESS CLASSES. IN THE PAST, I WAS A PERFORMING DANCER OF BHARATNATYAM, AN INDIAN CLASSICAL DANCE, AND COMPETED IN BALLROOM DANCING WHILE AT THE UNIVERSITY OF TEXAS AT AUSTIN.

References (you must provide at least one personal reference who is not a family member):

Name: JAMIE CABELL Telephone: (724) 493-6226
Address: 839 LAKE RIDGE DR. TALLAHASSEE 32312

Name: CECILE BAKER Telephone: (850) 668-3084
Address: 588 RHODEN COVE RD TALLAHASSEE 32312

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

AS A MEMBER OF AN ADVISORY COMMITTEE, YOU WILL BE OBLIGATED TO FOLLOW ANY APPLICABLE LAWS REGARDING GOVERNMENT-IN-THE-SUNSHINE, CODE OF ETHICS FOR PUBLIC OFFICERS, AND PUBLIC RECORDS DISCLOSURE. THE CONSEQUENCES OF VIOLATING THESE APPLICABLE LAWS INCLUDE CRIMINAL PENALTIES, CIVIL FINES, AND THE VOIDING OF ANY COMMITTEE ACTION AND OF ANY SUBSEQUENT ACTION BY THE BOARD OF COUNTY COMMISSIONERS. IN ORDER TO BE FAMILIAR WITH THESE LAWS AND TO ASSIST YOU IN ANSWERING THE FOLLOWING QUESTIONS, YOU MUST COMPLETE THE ORIENTATION PUBLICATION www.leoncountyfl.gov/bcc/committees/training.asp BEFORE YOUR APPLICATION IS DEEMED COMPLETE.

Have you completed the Orientation? Yes

Are you willing to complete a financial disclosure form and/or a background check, if applicable? Yes

Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee? No

If yes, from whom?

Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? No

Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? No

If yes, please explain.

Do you or your employer, or your spouse or child or their employers, do business with Leon County? No
If yes, please explain.

Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? No


If yes, please explain.

All statements and information provided in this application are true to the best of my knowledge.

Signature: Shaleen Miller

This application was electronically sent: 2/1/2016 10:54:37AM

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT ADJUSTMENT AND APPEALS BOARD

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>	
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Name: Shaleen Miller	Date: 2/1/2016 10:54:37AM
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Home Phone: (281) 313-5848	Work Phone: (713)855-7935X	Email: shaleenmiller@gmail.com
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Occupation: PHD STUDENT, URBAN AND REGIONAL PLANNING	Employer: FSU
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Work Address:

City/State/Zip: TALLAHASSEE, FL

Home Address 576 RHODEN COVE RD

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Do you live in Leon County? Yes If yes, do you live within the City limits? No

Do you own property in Leon County? Yes If yes, is it located within the City limits? Yes

For how many years have you lived in and/or owned property in Leon County? 1 years

Are you currently serving on a County Advisory Committee? No

If yes, on what Committee(s) are you a member?

Have you served on any previous Leon County committees? No

If yes, on what Committee(s) are you a member?

If you are appointed to a Committee, you are expected to attend regular meetings.

How many days permonth would you be willing to commit for Committee work? 2 to 3

And for how many months would you be willing to commit that amount of time? 6 or more

What time of day would be best for you to attend Committee meetings? Day, Night

(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.

Race: Caucasian Sex: Female Age: 36.00

Disabled? No District: District 3

In the space below briefly describe or list the following: any previous experience on other Committees; your educational background; your skills and experience you could contribute to a Committee; any of your professional licenses and/or designations and indicate how long you have held them and whether they are effective in Leon County; any charitable or community activities in which you participate; and reasons for your choice of the Committee indicated on this Application.

PREVIOUSLY SERVED ON THE PARCS (PARKS, ARTS, RECREATION, CULTURAL ARTS, AND STREETSCAPES) ADVISORY BOARD FOR THE CITY OF SUGAR LAND, TX. ALSO A DOCENT FOR THE SUGAR LAND HERITAGE FOUNDATION.
I AM CURRENTLY WORKING ON MY PHD IN URBAN PLANNING WITH A SPECIALIZATION IN HEALTHY COMMUNITIES AND GREEN INFRASTRUCTURE. MY PREVIOUS BACKGROUND INCLUDED CULTURAL ANTHROPOLOGY AND FINANCE. I HAVE ALSO TAUGHT YOGA AND GROUP FITNESS CLASSES. IN THE PAST, I WAS A PERFORMING DANCER OF BHARATNATYAM, AN INDIAN CLASSICAL DANCE, AND COMPETED IN BALLROOM DANCING WHILE AT THE UNIVERSITY OF TEXAS AT AUSTIN.

References (you must provide at least one personal reference who is not a family member):

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Address: 839 LAKE RIDGE DR. TALLAHASSEE 32312

Name: CECILE BAKER Telephone: (850) 668-3084
Address: 588 RHODEN COVE RD TALLAHASSEE 32312

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Have you completed the Orientation? Yes

Are you willing to complete a financial disclosure form and/or a background check, if applicable? Yes

Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee? No

If yes, from whom?

Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? No

Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? No

If yes, please explain.

Do you or your employer, or your spouse or child or their employers, do business with Leon County? No

If yes, please explain.

Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? No

If yes, please explain.

All statements and information provided in this application are true to the best of my knowledge.

Signature: Shaleen Miller

This application was electronically sent: 2/1/2016 10:54:37AM


**Leon County
Board of County Commissioners**

Notes for Agenda Item #4

Leon County Board of County Commissioners

Cover Sheet for Agenda #4 March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of Status Update Regarding Leon County's Television Broadcast Presence

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Mathieu Cavell, Director, Community and Media Relations Pat Curtis, Director, MIS Britney Smith, Manager, Community and Media Relations

Fiscal Impact:

This item does not have a fiscal impact.

Staff Recommendation:

Option #1: Accept the status report.

Report and Discussion

Background:

As part of the strategic planning process of the 2015 Board Retreat, the Board of County Commissioners directed staff to assess the County's current broadcast presence and to present options to optimize offerings for citizens who no longer subscribe to conventional cable television, often called "cord cutters."

In the area of television broadcast, Leon County has been ahead of the curve for the past two decades since Board meetings have been broadcasted in the 1990's on Channel 16. Leon County has had an ongoing commitment to enhance and improve not only cable television access, but online video access as well. To date, the following improvements have been made to ensure citizens can access Leon County television content:

- Developed technology portal for citizens to livestream online the County Commission meetings and workshops. All meetings since 2002 can be accessed online with a click of a button. Agendas and workshop materials are integrated with the videos.
- Began uploading YouTube content in 2009; today the channel hosts 75 videos with hours of content.
- Increased offering on Comcast cable from one day a week to every day.
- Upgraded cameras and recording equipment to high definition in 2015.
- Began broadcasting on CenturyLink in early 2016.
- Began broadcasting in high definition in 2016.
- In 2016, Leon County developed a webstream that allows citizens to access online all the same content broadcasting on channel 16 they would receive with a paid cable subscription, all at no cost to the citizen.

Analysis:

In addition to assessing the current state of the County's broadcasting capabilities, staff analyzed the feasibility of installing a TV broadcast antenna. Such an installation would reach citizens who use TV reception antennae (commonly referred to as "rabbit ears"), and who do not have access to cable television or high-speed Internet.

To broadcast a television signal, Leon County would need to make significant investments in equipment and infrastructure. According to the National Telecommunications and Information Administration, a division of the United States Department of Commerce, a TV broadcast antenna can cost in excess of \$400,000. Such an investment does not include land purchase, building cost, power supply infrastructure, and facility maintenance of highly specialized equipment.

Citizens without cable television or high-speed Internet can access the County's broadcast channel at any public access computer in the Leon County Public Library System at the main library downtown or any of the six branch libraries.

Given that the number of "cord cutters" in the nation continues to rise, Leon County will continue to invest in Internet video streaming and other digital resources. According to Pew Research Center's Home Broadband 2015 study, 24% of all American adults do not subscribe to cable or satellite TV service. Of those, 15% have become cord cutters in recent years while 9% qualify as "cord nevers." By continuing to leverage online resources and social media networks to host

County videos and programming, staff will continue to create content that can be accessed by every County resident either at home or at a County library.

Options:

1. Accept the status report on Leon County's television broadcast presence.
2. Do not accept the status report on Leon County's television broadcast presence.
3. Board direction.

Recommendation:

Option #1.

**Leon County
Board of County Commissioners**

Notes for Agenda Item #5

**Leon County
Board of County Commissioners
Cover Sheet for Agenda #5**

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator



Title: Ratification of Appointments to the Minority Women Small Business Enterprise Committee and Water Resources Committee

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/Division Review:	Alan Rosenzweig, Deputy County Administrator Maggie Theriot, Assistant to the County Administrator
Lead Staff/Project Team:	Stephanie Holloway, Sr. Executive Assistant

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

- Option #1: Ratify Commissioner Maddox's appointment of Ted Parker to the Minority Women Small Business Enterprise Committee for a term of two years.
- Option #2: Ratify Commissioner Proctor's appointment of Jo Laurie Penrose to the Water Resources Committee for term of three years.

Report and Discussion

Background:

At its August 23, 2011 meeting, the Board approved the revised process for individual Commissioner appointments to Authorities, Boards, Committees, and Councils by having a Consent item prepared.

Analysis:

Minority, Women, & Small Business Enterprise Committee

Purpose: The MWSBE Committee reviews the M/WSBE Program

Composition: The MWSBE Committee consists of seven members, with each Commissioner having one appointment. Members serve two-year terms, with four terms expiring on January 31 and three terms expiring on May 31.

Vacancies: Mr. Boulware (Commissioner Maddox's appointment) has resigned. Ted Parker has applied for this vacancy and Commissioner Maddox has expressed his interest in appointing Mr. Parker for a two year term.

Water Resources Citizens Committee (WRC)

Purpose: The WRC is responsible for addressing community-wide concerns, such as flooding, recreational and community economic value, watershed management, and funding priorities. Additionally, the WRC reviews waterbody conditions and impact of development.

Composition: At its September 15, 2015 meeting, the Board reauthorized the WRC, outlining the composition, criteria, and initial, staggered terms of the members. The WRC consists of seven members, appointed individually by each Commissioner, with members representing a balance of community interests, as follows: conservation/environment, legal/planning, real estate/economic development, and boat/fishing.

Vacancies: On September 15th, the Board adopted an Enabling Resolution reestablishing the WRC. Members were asked to complete applications if they were interested in continuing on the Committee. Mr. Eric Friall (Commissioner Proctor's appointment) resigned. Jo Laurie Penrose has applied for this vacancy and Commissioner Proctor has expressed his interest in appointing Mr. Parker for a three year term.

Options:

- Option #1: Ratify Commissioner Maddox's appointment of Ted Parker to the Minority Women Small Business Enterprise Committee for a term of two years.
- Option #2: Ratify Commissioner Proctor's appointment of Jo Laurie Penrose to the Water Resources Committee for term of three years.


Recommendation:

Options #1 and #2

Attachments:

1. Application – Ted Parker
2. Application – Jo Laurie Penrose

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT MINORITY, WOMEN & SMALL BUSINESS ENTERPRISE COMMITTEE

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>	
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Name: Ted Parker		Date: 2/22/2016 11:40:41AM
Home Phone: (850) 519-4413	Work Phone: (850)224-9571X	Email: ted@ajaxbuilding.com
Occupation: CONSTRUCTION	Employer: AJAX BUILDING CORPORATION	
Preferred mailing location: Work Address		
Work Address: 1080 COMMERCE BOULEVARD,		
City/State/Zip: MIDWAY,FL 32343		
Home Address 8171 ELYSIAN WAY		
City/State/Zip: TALLAHASSEE,FL 32311		
Do you live in Leon County?	Yes	If yes, do you live within the City limits? No
Do you own property in Leon County?	Yes	If yes, is it located within the City limits? No
For how many years have you lived in and/or owned property in Leon County?		60 years
Are you currently serving on a County Advisory Committee?		No
If yes, on what Committee(s) are you a member?		
Have you served on any previous Leon County committees?		Yes
If yes, on what Committee(s) are you a member?		MINORITY WOMEN & SMALL BUSINESS ENTERPRISE ADVISC

If you are appointed to a Committee, you are expected to attend regular meetings.

How many days permonth would you be willing to commit for Committee work? 1
 And for how many months would you be willing to commit that amount of time? 6 or more
 What time of day would be best for you to attend Committee meetings? Day

(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.

Race: African American Sex: Male Age: 63.00
 Disabled? District: District 5

In the space below briefly describe or list the following: any previous experience on other Committees; your educational background; your skills and experience you could contribute to a Committee; any of your professional licenses and/or designations and indicate how long you have held them and whether they are effective in Leon County; any charitable or community activities in which you participate; and reasons for your choice of the Committee indicated on this Application.

References (you must provide at least one personal reference who is not a family member):

Name: JAY SMITH Telephone: 850 224 9571
Address: 1080 COMMERCE BOULEVARD, MIDWAY, FL

Name: Telephone:
Address:

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

AS A MEMBER OF AN ADVISORY COMMITTEE, YOU WILL BE OBLIGATED TO FOLLOW ANY APPLICABLE LAWS REGARDING GOVERNMENT-IN-THE-SUNSHINE, CODE OF ETHICS FOR PUBLIC OFFICERS, AND PUBLIC RECORDS DISCLOSURE. THE CONSEQUENCES OF VIOLATING THESE APPLICABLE LAWS INCLUDE CRIMINAL PENALTIES, CIVIL FINES, AND THE VOIDING OF ANY COMMITTEE ACTION AND OF ANY SUBSEQUENT ACTION BY THE BOARD OF COUNTY COMMISSIONERS. IN ORDER TO BE FAMILIAR WITH THESE LAWS AND TO ASSIST YOU IN ANSWERING THE FOLLOWING QUESTIONS, YOU MUST COMPLETE THE ORIENTATION PUBLICATION www.leoncountyfl.gov/bcc/committees/training.asp BEFORE YOUR APPLICATION IS DEEMED COMPLETE.

Have you completed the Orientation? Yes

Are you willing to complete a financial disclosure form and/or a background check, if applicable? No

Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee? No

If yes, from whom?

Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? No

Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? No

If yes, please explain.

Do you or your employer, or your spouse or child or their employers, do business with Leon County? Yes

If yes, please explain. MAJOR CONSTRUCTION PROJECTS

Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? No


If yes, please explain.

All statements and information provided in this application are true to the best of my knowledge.

Signature: Thaddeus Parker

This application was electronically sent: 2/22/2016 11:40:41AM

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT WATER RESOURCES COMMITTEE

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>	
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Name: Jo Laurie Penrose	Date: 10/26/2015 11:36:58AM
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Home Phone: (813) 493-3933	Work Phone: (-)X	Email:
----------------------------	------------------	--------

Occupation: PLANNER	Employer: UNEMPLOYED
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Preferred mailing location: Home Address
Work Address:

City/State/Zip: TALLAHASSEE, FL

Home Address 1528 CHULI NENE

City/State/Zip: TALLAHASSEE, FL 32301

Do you live in Leon County?	Yes	If yes, do you live within the City limits?	Yes
Do you own property in Leon County?	No	If yes, is it located within the City limits?	No
For how many years have you lived in and/or owned property in Leon County?	10 years		

Are you currently serving on a County Advisory Committee? No
If yes, on what Committee(s) are you a member?

Have you served on any previous Leon County committees? No
If yes, on what Committee(s) are you a member?

If you are appointed to a Committee, you are expected to attend regular meetings.

How many days permonth would you be willing to commit for Committee work?	4 or more
And for how many months would you be willing to commit that amount of time?	6 or more
What time of day would be best for you to attend Committee meetings?	Day, Night

(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.

Race: Caucasian	Sex: Female	Age: 62.00
Disabled? No	District: District 5	

In the space below briefly describe or list the following: any previous experience on other Committees; your educational background; your skills and experience you could contribute to a Committee; any of your professional licenses and/or designations and indicate how long you have held them and whether they are effective in Leon County; any charitable or community activities in which you participate; and reasons for your choice of the Committee indicated on this Application.

References (you must provide at least one personal reference who is not a family member):

Name: GREG BURKE
Address: CRTPA

Telephone: 850-681-6900

Name: GARY SOKOLOW
Address: 609 SUWANNEE ST.

Telephone: 850-414-4912

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

AS A MEMBER OF AN ADVISORY COMMITTEE, YOU WILL BE OBLIGATED TO FOLLOW ANY APPLICABLE LAWS REGARDING GOVERNMENT-IN-THE-SUNSHINE, CODE OF ETHICS FOR PUBLIC OFFICERS, AND PUBLIC RECORDS DISCLOSURE. THE CONSEQUENCES OF VIOLATING THESE APPLICABLE LAWS INCLUDE CRIMINAL PENALTIES, CIVIL FINES, AND THE VOIDING OF ANY COMMITTEE ACTION AND OF ANY SUBSEQUENT ACTION BY THE BOARD OF COUNTY COMMISSIONERS. IN ORDER TO BE FAMILIAR WITH THESE LAWS AND TO ASSIST YOU IN ANSWERING THE FOLLOWING QUESTIONS, YOU MUST COMPLETE THE ORIENTATION PUBLICATION www.leoncountyfl.gov/bcc/committees/training.asp BEFORE YOUR APPLICATION IS DEEMED COMPLETE.

Have you completed the Orientation? No

Are you willing to complete a financial disclosure form and/or a background check, if applicable? Yes

Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee? No

If yes, from whom?

Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? No

Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? No

If yes, please explain.

Do you or your employer, or your spouse or child or their employers, do business with Leon County? No

If yes, please explain.

Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? No

If yes, please explain.

All statements and information provided in this application are true to the best of my knowledge.

Signature: JO LAURIE PENROSE

This application was electronically sent: 10/26/2015 11:36:58AM

**Leon County
Board of County Commissioners**


Notes for Agenda Item #6

Leon County Board of County Commissioners

Cover Sheet for Agenda #6

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of Report on Southside Community Efforts and the Leon County Southside School Project

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Shington Lamy, Assistant to the County Administrator

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Accept the report on Southside community efforts and the Leon County Southside School Project

Report and Discussion

Background:

At the December 8, 2015 meeting, the Board directed staff to prepare an agenda item that reviews core capital projects and ongoing initiatives in support of the Southside including the County's specific role and responsibilities related to the citing of a new Southside school.

Leon County has a long tradition of providing programs, services, and capital investments that improve economic opportunity and the overall quality of life for Southside residents. The following analysis outlines capital projects and ongoing initiatives being conducted by the County and its partners, respectively, on the Southside.

For the purpose of the item, the Southern Strategy Area, which is defined in the 2030 Comprehensive Plan, was utilized as a general boundary in identifying, collecting, and reporting efforts of the County and other community partners on the Southside (Attachment #1). This area encompasses neighborhoods surrounding the Palmer Munroe Community Center, Florida A&M University, James S. Rickards High School, as well as the Crown Ridge and South City neighborhoods.

Based on Census data, the unemployment rate within the area has traditionally been significantly higher than the rest of Leon County at 16.7%. Additionally, the Department of Health reports infant mortality rates in census tracts located in the Southside are consistently higher than other portions of the County. In 2012, approximately 13% of infants in South City census tracts were born with a low birth weight.

Although the Southern Strategy Area only comprises 13% of the County's population, 44% of total reported crime occurred within its boundary. According to data collected by the Tallahassee Police Department between 2011 and 2013, a significant amount of firearm incidents occur within Southside neighborhoods and a disproportionate amount of suspects (89%) and victims (75%) are black males.

Additionally, many Southside residents live in census tracts that the United States Department of Agriculture (USDA) designates as food deserts. The USDA defines a food desert as a census tract with a substantial share of low-income residents without access to a grocery store or healthy, affordable food retail outlets. The 2014 closure of Harvey's Supermarket left many Southside residents without access to fresh produce. The store had reportedly been a primary source from which residents purchased fresh produce. In late 2015, Piggly Wiggly announced that it would open a store where Harvey's was located.

Efforts to address issues on the Southside are a component of the Board's Priority - Economy

- Ensure the provision of the most basic services to our citizens most in need so that we have a "ready workforce" (EC6).

Analysis:

The County, as well as its government and community partners, has implemented capital improvement projects as well as an array of programs, services and initiatives, to address issues faced on the Southside. The following provides detail of those efforts.

Leon County Infrastructure Projects, Programs and Services

Leon County has several ongoing and planned infrastructure projects that will improve the quality of life and spur economic growth on the Southside. In October 2015, the County, funded through a Blueprint and a state grant, began construction on Magnolia Drive. The project will enhance the roadway into a multi-modal route with the inclusion of multi-use trail. The project also incorporates water and sewer improvements. The construction is a part of a larger effort to connect the neighborhoods surrounding Magnolia Drive and improve pedestrian safety. The project will be completed in phases. The phase currently under construction is between South Meridian Street and Pontiac Drive, and will be completed in late 2016 at a cost of \$3 million.

The Board has placed a high priority on projects that would improve water quality on the Southside. The County is currently in the design phase of a \$5 million project that will construct a sewer line in the Woodside Heights Neighborhood which will connect 200 homes to the central sewer system. The cost to connect to water and sewer is included in the construction projection and would not be incurred by the homeowners. The Woodside project is being funded with a matching grant awarded to the County by the Northwest Florida Water Management District.

For many years, several additional water quality projects on the Southside have been identified on the County's legislative priorities for potential grant and/or appropriation funding at the state level. This includes the construction of the Woodville Sewer System, which will connect approximately 1,500 residential properties to the City of Tallahassee's Central Sewer System, as outlined in the Comprehensive Plan. The County's legislative priorities also includes an appropriation request for the construction of a well and storage tank to improve drinking water quality for 382 residential properties located east of Crawfordville Highway between Glover Road and Oak Ridge Road.

In 2014, the Board committed \$500,000 over a five-year period for the construction of the Kearney Center, which relocated the Shelter into the Southern Strategy Area. On April 2, 2015 the Kearney Center celebrated its grand opening. The state of art facility streamlines and enhances services for the homeless population in Leon County.

Leon County also has a long tradition of providing the programs and services that improve economic opportunity and the quality of life of citizens living in the Southern Strategy Area. For more than 10 years, the County's CareNet program has delivered primary healthcare and specialty care services to uninsured residents in Leon County through partnerships with local healthcare providers. These services have especially been utilized on the Southside, with many of its census tracts having been designated as medically underserved areas by the U.S. Department of Health and Human Services

With regard to housing, Southside homeowners comprise a large number of clients who receive assistance through County's housing programs. This includes down payment and foreclosure prevention assistance, as well as home rehabilitation and home replacement, services. The

County culminated its FY 2015 housing programs on the Southside with its Day of Service event in the area of Naturals Wells Drive, north of Woodville. Fifty volunteers, including County Commissioners and County staff, assisted six homeowners with neighborhood landscaping, yard debris removal, painting, and pressure washing.

Finally, the Leon County library system regularly provides programs and services to Southside residents at the Dr. B.L. Perry, Jr. Branch Library and Woodville Branch Library. The programs and services, including Baby Time, Story Time, and homework assistance, promote literacy and the importance of learning through reading. Local organizations regularly utilize meeting rooms at the two branch libraries to educate residents on essential skill sets, including resume writing and typing.

City of Tallahassee Infrastructure Projects, Programs and Services

The City has several utility projects scheduled for the 2016 fiscal year on the Southside (Attachment #2). The projects address community lighting and reliable sewer service concerns in a number of Southside neighborhoods providing an improved quality of life.

In October 2015, with the utilization of Blueprint 2000 funds, the City completed the first phase of the FAMU Way extension, stretching from Martin Luther King Boulevard to Wahnish Way. Phase II of the project is underway from Wahnish Way to Pinellas Street. The roadway includes several amenities, including the final segment of the Saint Marks Trail. Also, as part of the County's Magnolia Drive project, the City will upgrade its existing utility systems.

Additionally, the City has implemented and adopted a number of efforts to address the socio-economic issues and infrastructure needs on the Southside, many of which are in partnership with the County. These primarily include efforts to address violent crime and neighborhood safety, health and personal well-being, as well as housing programs and rehabilitative services. The City also meets regularly with members of the South City Revitalization Council and the South City Neighborhood Association to encourage sustained engagement by residents in the neighborhood.

County and City Collaborative Efforts

The County and City collaborative efforts to invest on the Southside continue to yield greater opportunities for economic growth. These efforts have included partnerships through Blueprint and the Community Redevelopment Agency (CRA) for infrastructure projects and initiatives such as the proposed Tallahassee-Leon County Promise Zone.

Blueprint and the Sales Tax Extension

Blueprint funds have been a vital resource for infrastructure projects on the Southside including completed projects such as Capital Circle South and ongoing projects such as Magnolia Drive Multi-use Trail. Blueprint is governed by the Intergovernmental Agency which is comprised of the County Commission and City Commission. On November 4, 2014, the citizens of Leon County voted to extend the one-cent infrastructure sales tax through 2040. The one-cent infrastructure sales tax extension will realize the completion of several projects on the Southside as reflected in Table 1.

Table 1. Sales Tax Extension Projects on the Southside

Monroe-Adams Placemaking	\$7,000,000
Orange Avenue Placemaking	\$4,100,000
Fairgrounds	\$12,000,000
FAMU Entry Points	\$1,500,000
Southside Gateway	\$29,700,000
Airport Gateway	\$58,700,000
Capital Circle Southwest	\$70,000,000
Orange Avenue Widening	\$33,100,000
Total	\$216,100,000

Additionally, as reflected in Table 2, the one-cent sales tax extension funding set aside for countywide projects would also provide opportunity for further capital investments on the Southside.

Table 2. Countywide Sales Tax Extension Projects

Water Quality & Stormwater Improvements	\$85,000,000
Bike Routes	\$15,000,000
Sidewalks	\$50,000,000
Greenways	\$20,000,000
StarMetro	\$12,200,000
L.I.F.E.	2% of the penny sales tax
Economic Development	12% of the penny sales tax

Community Redevelopment Agency (CRA)

Within the past year, the CRA has funded a number of projects on the Southside. In September 2015, the CRA awarded \$1.5 million in investment funds to Big Bend Cares for the construction of a 25,000 square-foot medical facility across from its current location on South Monroe Street. The facility will be completed and occupied in 2017.

On January 28, 2016, the CRA approved investment funding for renovations to the Towne South Shopping Center in the amount of \$205,000, which will be home to a new Piggly Wiggly grocery store. As earlier stated, the property had been occupied by Harvey’s Supermarket, which announced its closure in 2014. The arrival of Piggly Wiggly is expected to alleviate some concerns of Southside residents, many of whom live in census tracts that the USDA has designated as food deserts.

Tallahassee-Leon County Promise Zone

On February 9, 2016, the Board approved a Memorandum of Understanding with the City for regarding an application for a United States Department of Agriculture Promise Zone designation. The designation provides communities preference points in selected federal grant programs, technical assistance to implement a Promise Zone Plan, and potential tax incentives for businesses that invest in and hire employees from the Promise Zone. The proposed Tallahassee-Leon County Promise Zone would encompass the Southside communities.

Florida A&M University (FAMU)

FAMU has planned for a number of capital projects within the Southern Strategy Area near its campus. FAMU's Capital Improvement Plan, 2018-2019, includes the construction of a mixed-use development adjacent to Adams Street that will include dorms, administrative offices and retail space. It also plans to acquire land to support its expansion. FAMU also plans other construction and renovation projects. These include improvements to its football stadium and other athletic fields, as well as the construction and renovation of housing, and parking facilities.

Leon County Southside School

In October 2015, the Leon County School Board approved the construction of a new facility that will replace Rickards High School as a component of its Five-Year District Facilities Work Program. With the construction of the new high school, the facility currently housing Rickards will be converted into a middle school, replacing what is now Fairview Middle School on Zillah Road. The facility housing Fairview will be converted into a new school for exceptional students. Construction on the new high school is expected to begin in 2017, and open for the 2018-19 school year. Its exact location has not yet been determined, but a parcel of land southeast of the intersections of Tram Road and Capital Circle Southeast in Southern Leon County has been identified. The project is pending final approval by the Florida Department of Education (DOE).

As presented in the attached County Attorney's Office memorandum, an interlocal agreement with the School Board outlines the County and City's roles in the process of selecting a new school location (Attachment #3). The School Board is required to submit potential sites for a new school to the Work Group as defined in the Interlocal Agreement. The Work Group is comprised of staff from the Tallahassee-Leon County Planning Department, County and City Growth Management, and the School Board and evaluates potential construction sites for schools and related facilities. The Work Group may also request a list of potential sites from the Planning Department. The Work Group evaluates whether the proposed sites are consistent with the Comprehensive Plan, zoning, and other regulatory or environmental requirements in order to make recommendations.

Subsequently, the Work Group's recommendations are presented to the Superintendent and School Board. Simultaneously, the recommendations are also reviewed by the Joint County/City/School Board Coordinating Committee (Coordinating Committee), which meets semi-annually in concert with amendment cycles to the Comprehensive Plan. The Coordinating Committee consists of a County Commissioner, City Commissioner, School Board member, and one citizen appointed by each body. County Commission Chairman Bill Proctor currently serves on the Coordinating Committee.

Based on the evaluations of the Work Group, the Coordinating Committee makes a recommendation on a new school site to the three governing bodies within 60 days following its meeting. This process ensures collaboration between local government and the School Board in the construction of new educational facilities.

The County Commission and City Commissions have the authority to impose reasonable development standards on a proposed school site; however, the County and City Commissions do not have the authority to reject a proposal unless it is inconsistent with the Comprehensive

Plan or regulations implementing the Comprehensive Plan. It is important to note, a site cannot be rejected based upon the perceived need of a facility. Needs assessments for school facilities are the authority of the DOE.

As previously mentioned, the School Board has identified a parcel of land southeast of the intersections of Tram Road and Capital Circle Southeast. The Work Group is currently reviewing the proposed location as well as alternative locations for a new high school on the Southside. Once the Workgroup has completed its review process, its recommendation will go to the Coordinating Committee and School Board.

Conclusion:

The County and its local government partners are actively addressing the issues on the Southside through capital investments and numerous programs, services, and initiatives. These efforts demonstrate a long-term commitment to the residents and neighborhoods of the Southside. The County will continue to identify opportunities for collaboration with governmental and community partners to spur economic growth and improve the quality of life on the Southside.

Options:

1. Accept the report on Southside community efforts and the Leon County Southside School Project
2. Do not accept the report on Southside community efforts and the Leon County Southside School Project
3. Board direction.

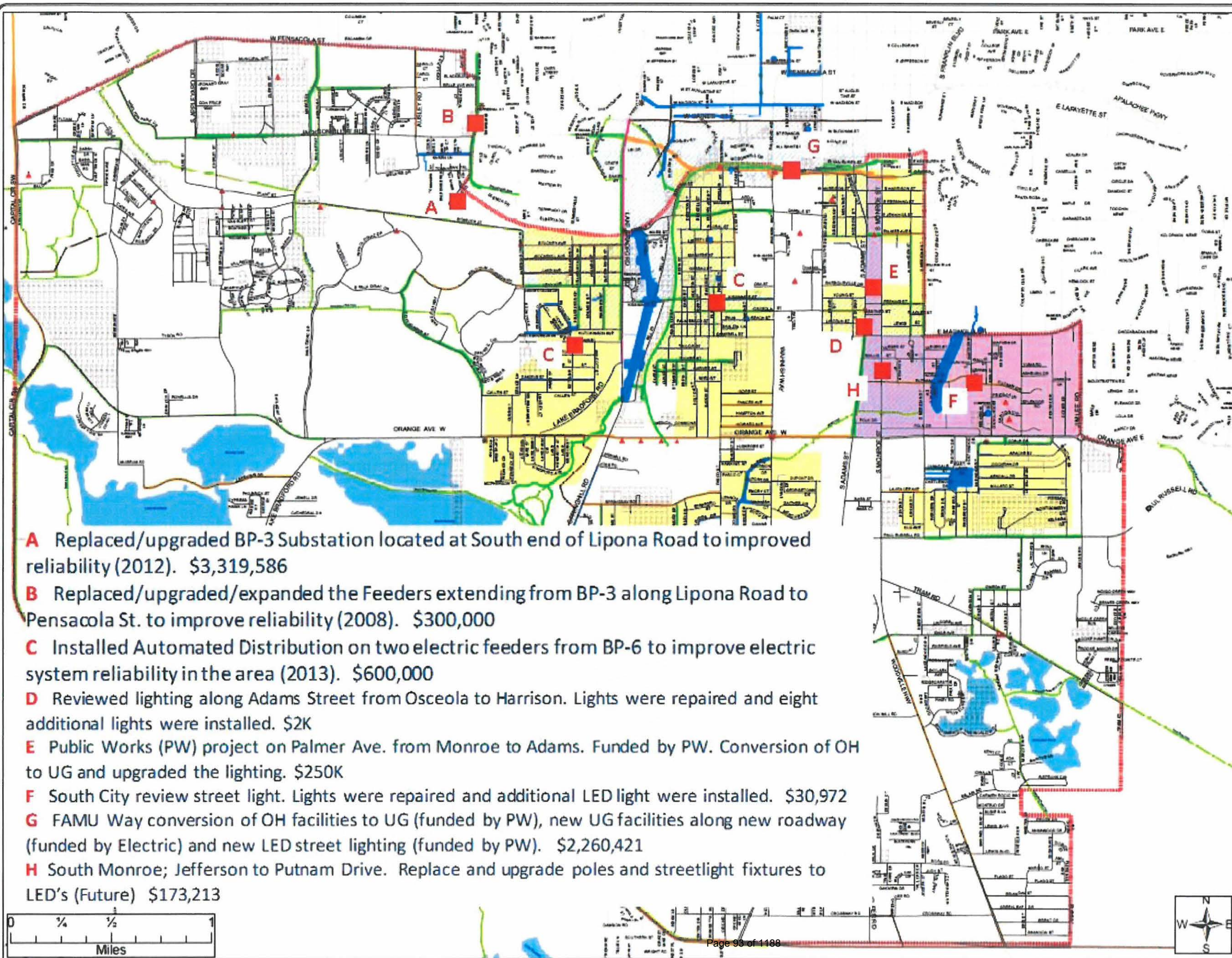
Recommendation:

Option #1.

Attachments:

1. Southern Strategy Area Map
2. City of Tallahassee Utility Services Project Map
3. January 27, 2016 Planning Department Memorandum on the Role of Leon County and the City of Tallahassee for School Planning

Capital projects in Southern Strategy Area, 2010-15



- A** Replaced/upgraded BP-3 Substation located at South end of Lipona Road to improved reliability (2012). \$3,319,586
- B** Replaced/upgraded/expanded the Feeders extending from BP-3 along Lipona Road to Pensacola St. to improve reliability (2008). \$300,000
- C** Installed Automated Distribution on two electric feeders from BP-6 to improve electric system reliability in the area (2013). \$600,000
- D** Reviewed lighting along Adams Street from Osceola to Harrison. Lights were repaired and eight additional lights were installed. \$2K
- E** Public Works (PW) project on Palmer Ave. from Monroe to Adams. Funded by PW. Conversion of OH to UG and upgraded the lighting. \$250K
- F** South City review street light. Lights were repaired and additional LED light were installed. \$30,972
- G** FAMU Way conversion of OH facilities to UG (funded by PW), new UG facilities along new roadway (funded by Electric) and new LED street lighting (funded by PW). \$2,260,421
- H** South Monroe; Jefferson to Putnam Drive. Replace and upgrade poles and streetlight fixtures to LED's (Future) \$173,213

Legend

- community gardens
- Greenways
- city parcels
- Promise Zone
- Frenchtown/Southside CRA
- Neighborhood REACH program
- Southern Strategy Area
- South City area (ULI)

Project type

- Gateway Projects
- Intersection Projects
- Pedestrian and Street Safety/Bicycle Projects
- Roadway Widening/improvements
- Sewer
- Stormwater

Other projects

Underground utilities

- Sewer
- Water Main
- Natural Gas

Source: City CIP and departmental reports, County CIP, CRTPA TIP and Regional Mobility Plan, Blueprint CIP, FDOT Work Program (FY 2011 to FY 2016); assembled and displayed by TLCPD. Projects displayed are approximations.

NOTE: This product, which has been compiled from the most accurate source data from Leon County and the City of Tallahassee, is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser assume no responsibility for any use of the information contained herein or any loss resulting therefrom. Any parcel data displayed is considered to be in draft form and the Property Appraiser assumes no responsibility for this layer.



BOARD OF COUNTY COMMISSIONERS

INTER-OFFICE MEMORANDUM

TO: Barry Wilcox, Division Manager, Tallahassee-Leon County Planning Dept.
Comprehensive Planning & Urban Design

FROM: Jessica Icerman, Assistant County Attorney *JMI*

DATE: January 27, 2016

SUBJECT: Role of School Planning and Concurrency Work Group, School Coordinating Committee, and the City and County Commissions

The Interlocal Agreement between the City of Tallahassee, Leon County and the Leon County School Board ("Interlocal Agreement"), entered into on September 1, 2006, created the School Planning and Concurrency Work Group and the School Coordinating Committee (Attachment #1).

School Planning and Concurrency Work Group

The School Planning and Concurrency Work Group ("Work Group") was created in Section 1.1 of the Interlocal Agreement. The Work Group is tasked with discussing and formulating recommendations to the Coordinating Committee on issues such as implementation of school concurrency, adopted levels-of-service, school concurrency service areas, preparation of the schools district's 5-year facilities work program, and coordination of land use and school facility planning.

Coordinating Committee

The Coordinating Committee was created in Section 1.3 of the Interlocal Agreement. The School Coordinating Committee's charge, as set forth in the Interlocal Agreement and By-Laws (Attachment #2), is as follows:

1. Implementation of school concurrency, including adopted levels-of-service, school concurrency service areas, and preparation of the school district's 5-year facilities work program and any suggested revisions to these components of school concurrency.
2. Coordination of land use and school facility planning, including such issues as population and student enrollment projections, development and redevelopment trends and plans, transportation, school needs, co-location and joint use opportunities, and ancillary infrastructure improvements needed to support the school and ensure safe student access.

3. Amendments to the Public School Facilities Element, Intergovernmental Coordination Element, and Capital Improvements Element of the Tallahassee-Leon County 2010 Comprehensive Plan and successor documents.
4. Review notices of potential school closures to determine whether the City Commission or Board of County commissioners should schedule the closure issue for discussion.
5. Receive an annual report from the School Board on the number of projected students to available capacity within each school concurrency service area over the five-year period.
6. Receive recommendations from the Work Group on amendments to levels of service for elementary, middle and high schools.

To accomplish these goals, the Committee will meet to address the following issues:

1. Suggested changes to the process for sharing information on planned school facilities and the City and County participation in the School District's Five-Year Capital Facilities Plan;
2. Changes to the Level of Service standards adopted for each school type in the School District;
3. Changes to the School Concurrency Service areas, as recommended by the School Board;
4. Monitoring of the school concurrency management system;
5. Changes to the Interlocal Agreement;
6. Amendments to the Capital Improvement Element, Public School Facilities Element, or Interlocal Coordination Elements of the Tallahassee-Leon County 2010 Comprehensive Plan;
7. Effectiveness of School Concurrency Implementation;
8. Potential school closures;
9. Modification of school concurrency service areas and whether the modifications should be incorporated into the Tallahassee-Leon County 2010 Comprehensive Plan;
10. Issue a report with recommendations to the Board of County Commissioners, the City Commission and the Leon County School Board within sixty (60) days of each meeting; and,
11. Staffing and research needs.

The Coordinating Committee provides the City and County Commissions with a report and recommendations after each Coordinating Committee meeting.

City and County Commissions' Role

Section 1013.33(4), Florida Statutes, states that "the location of educational facilities shall be consistent with the comprehensive plan of the appropriate local governing body developed under part II of chapter 163 and consistent with the plan's implementing land development regulations." Further, Section 1013.33(7) states that "[i]f the site is consistent with the comprehensive plan's land use policies and categories in which public schools are identified as allowable uses, the local government may not deny the application but it may impose reasonable development standards and conditions in accordance with s. 1013.51(1) and consider the site plan and its adequacy as it relates to environmental concerns, health, safety and welfare, and

effects on adjacent property.” Therefore, once a proposed site is before the approving body for the local government (this may be the Commission or it may be a Development Review Committee comprised of staff depending on the review level of the proposed site), the local government cannot deny a proposed site unless it is not consistent with the Comprehensive Plan or regulations implementing the Comprehensive Plan. However, a local government can impose reasonable development standards.

School Site Selection Procedures

Procedures for school site selection are laid out in Section 4 of the Interlocal Agreement. The School Board will submit potential sites for new school proposals to the Work Group. The Work Group must review the proposals and make suggested recommendations to the Superintendent and School Board. Specifically, the school district staff will provide the Work Group with information regarding the type of proposed school, geographic boundaries of the area needed, and a listing of activities to occur on the site. The Work Group will request a list of potential sites from the Planning Department. The Work Group will review the potential sites and may add or reduce the list of potential sites. The Planning Department must assess each potential site for environmental features, transportation and pedestrian access availability of infrastructure and services, safety concerns, land use compatibility, special planning areas, community vision, and other pertinent issues such as special programs or student assignment that have a bearing on site suitability. Based on the information provided by the Planning Department’s assessment of the sites, the Work Group will make a recommendation to the Superintendent and School Board of one or more sites in order of preference.

In evaluating the school sites, the Work Group must consider certain issues, such as:

1. The locations of the school sites that will provide logical focal points for community activities.
2. The location of facilities with dual access points to facilitate vehicular, bicycle and pedestrian traffic.
3. Compatibility of the school site with present and projected uses of adjacent property.
4. Site acquisition and development costs
5. Safe access.

City and County law enforcement and fire department officials must also review the proposed school facility sites and architectural plans to provide recommendations for safety design improvements. The Planning Department must also make a determination on consistency of the proposed site with the Comprehensive Plan. The School Board must also submit a site plan to the appropriate city or county site plan reviewing body.

Although this section of the Interlocal Agreement does not discuss the Coordinating Committee’s role in the siting of a new school, the Work Group provides recommendations to the Coordinating Committee per the Committee’s By-Laws and per Section 1.1 of the Interlocal Agreement. Reading the Interlocal Agreement together with the By-Laws leads to the conclusion that the Working Group works closely with the Superintendent and School Board during the siting process and shall make recommendations directly to the Superintendent and School Board. Further, the Coordinating Committee is required to provide reports directly to the City and County Commissions and School Board. Thus, the Working Group must also make a recommendation to the Coordinating Committee, in addition to the Superintendent and School

Board, so that the Coordinating Committee may make a recommendation to the City and County Commissions and School Board on any proposed school siting issue, as required by Section 1.3.3 of the subject Interlocal Agreement.

cc: Herb Thiele, County Attorney
Patrick T. Kinni, Deputy County Attorney

Attachments:

1. Interlocal Agreement for Tallahassee-Leon County and Leon County Schools Public School Concurrency and Facility Planning
2. By-Laws of the School Coordinating Committee

**Leon County
Board of County Commissioners**


Notes for Agenda Item #7

Leon County Board of County Commissioners

Cover Sheet for Agenda #7

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of 2016 Club of Honest Citizens Town and Gown Event to be Held at Tallahassee Community College

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Shington Lamy, Assistant to the County Administrator

Fiscal Impact:

This item does not have a fiscal impact.

Staff Recommendations:

Option #1: Approve the 2016 Club of Honest Citizens Town and Gown Event to be held at Tallahassee Community College

Report and Discussion

Background:

On January 26, 2016, the Board recognized 50 year anniversary of Tallahassee Community College with a proclamation presented to TCC President Jim Murdaugh and members of the TCC Board of Trustees. At that time the Board directed staff to host a Club of Honest Citizens Town and Gown event at Tallahassee Community College.

This event is essential to the following revised FY2012 - FY2016 Strategic Initiatives that the Board approved at the January 26, 2016 meeting:

- Strengthen our partnerships with our institutions of higher learning to encourage entrepreneurship and increase technology transfer and commercialization opportunities, including: the Leon County Research and Development Authority at Innovation Park (EC3).
- Sustain a culture that respects, engages, and empowers citizens in important decisions facing the community (G3).

These particular Strategic Initiatives aligns with the Board's Strategic Priorities:

- Coordinate efforts, with institutions of higher learning and other partners, to support local entrepreneurs (EC3) (2015)
- Develop a proposed partnership for the next iteration of Citizen Engagement, possibly with Village Square, which would be renewable after one year (EC1, EC4) (2014)
- Develop and offer Citizens Engagement Series (G3) (2012)
- Identify the next version of "Citizens Engagement" to include consideration of an "Our Town" Village Square concept (G3) (2013)

Analysis:

On December 8, 2015 the Board approved two Club of Honest Citizens events to be hosted in partnership with the Village Square. Both events will be held in fall 2016. The first event will invite citizens to participate in an intimate conversation with County Commissioners and County staff on race relations in the community.

The second event will be held in conjunction with the Florida A&M University Student Government Association, Florida State University Student Government Association, and Tallahassee Community College Student Government Association to enhance and foster the relationship between college students and County government. The event will invite students to share their thoughts on various community issues with County Commissioners and County staff. Based on the direction provide by the Board, staff will plan to hold the event at Tallahassee Community College in commemoration of its 50 year anniversary.

Title: Approval of 2016 Club of Honest Citizens Town and Gown Event to be Held at Tallahassee Community College
March 8, 2016
Page 3

Options:

1. Approve the 2016 Club of Honest Citizens Town and Gown Event to be held at Tallahassee Community College.
2. Do not approve the 2016 Club of Honest Citizens Town and Gown Event to be held at Tallahassee Community College.
3. Board direction

Recommendations:

Option #1.

**Leon County
Board of County Commissioners**

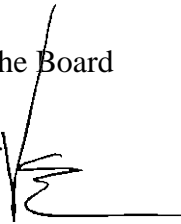
Notes for Agenda Item #8

Leon County Board of County Commissioners

Cover Sheet for Agenda #8

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of Policy No. 16-X "Leon County Succession Management Policy"

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Candice Wilson, Director of Human Resources Kimberly Kemp, Employee Performance and Engagement Manager

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Approve Policy No. 16-X "Leon County Succession Management Policy".

Report and Discussion

Background:

This item seeks Board approval to develop a Succession Management Policy for Leon County government. The County Administrator has worked diligently to strengthen the capacity of the organization in fulfilling its responsibilities to citizens, while carrying out the policy direction of the Board of County Commissioners, and creating an environment where employees grow and thrive. A strong strategic framework is in place, aligning all operational activities with the Board’s top priorities, and all county employees share a set of common values and practices, embracing a people focused, performance driven organizational culture.

The County Administrator directed Human Resources to develop a succession management policy to ensure the current and foreseeable strategic and operational challenges are cared for as it relates to organizational leadership. In order to accomplish this, it is necessary to ensure the right people are in the right roles at the right time.

Analysis:

The succession management program is designed to aid in the identification of critical positions and the core competencies needed to ensure success in such positions. Additionally, it assists in identifying and preparing candidates for key positions in executive, management, technical, and professional positions in the organization that become vacant due to retirement, resignation, or for other reasons. In a sense, it helps to ensure the right people are in the right roles at the right time.

Succession management programs do not guarantee positions, promotions, or transfers to employees. For certain opportunities, the County Administrator may elect to directly promote employees based on the needs of the organization and the capabilities of the employee. Most often, however, employees shall compete for vacant positions, participating in the recruitment process as outlined in the Human Resources Policies and Procedures Manual. The selection and retention of staff should strongly consider growth potential, leadership ability, and mastery of specialization; which in turn ensures a workforce of employees able to carry out Leon County’s mission.

Implementation of a succession management process will allow leaders to identify and develop staff to perform critical work functions, enhance recruitment and retention efforts, and better prepare the county to fill critical positions vacated by the sudden loss of key employees. The continual development of high-potential employees will provide opportunities to transfer institutional knowledge and expertise to these individuals and allow the organization to capitalize on its investment in our employees, increasing the likelihood of retaining valuable talent.

Succession Management Policy:

Leon County government will have a succession management policy that ensures recruitment and retention of staff with the requisite competencies to successfully perform the duties and responsibilities of key positions deemed critical to achieving our mission.

The succession management policy will be carried out as follows:

- Annually identify areas of the organization in which predictable turnover, resulting from retirements or other changes, will lead to special needs for talent management.
- Determine those key positions, integral to the success of the County and identify necessary skills and competencies associated with successful performance in such positions.
- Identify County employees that demonstrate or show an aptitude for the required skills and/or competencies to perform in key positions.
- Develop actions that will prepare individuals to assume greater roles of responsibility in the future.
- Maintain a database to identify high performing/high potential individuals and maintain a talent pool as a source of possible successors in the organization.
- Annually review results from the previous year’s succession planning efforts and plan for the present year’s process.

Options:

1. Approve Policy No. 16-X “Leon County Succession Management Policy”.
2. Do Not Approve Policy No. 16-X “Leon County Succession Management Policy”.
3. Board direction.

Recommendation:

Option #1

Attachment:

1. Policy 16-X “Succession Management Policy”

Board of County Commissioners Leon County, Florida

Policy No. 16-

Title: Succession Management Policy
Date Adopted: March 8, 2016
Effective Date: April 1, 2016
Reference: N/A
Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that a new Policy is hereby adopted, to-wit:

The Leon County Board of County Commissioners recognizes that succession management is an on-going responsibility of any organization. Changes in management are inevitable, therefore Leon County government has established a succession management policy to provide continuity in leadership and avoid extended and costly vacancies in key positions.

1. PURPOSE

It is the policy of Leon County to assess the leadership needs of the organization to ensure the selection of qualified leaders that are diverse and a good fit for the organization's vision, mission, core values, core practices and goals and have the necessary skills for the organization. The succession management policy does not guarantee a specific position to any particular employee. Instead it provides a systematic process to identify and develop high-potential candidates to compete for critical positions when they become vacant.

Leon County's succession management policy is designed to identify positions critical to the success of our "People Focused, Performance Driven" culture and the core competencies needed to successfully perform in these positions; as well as prepare candidates to move into these key positions in the organization when they become vacant due to retirement, resignation, death or new business opportunities.

2. ADMINISTRATION

The succession management policy will be administered by Human Resources and will be carried out as follows:

- A. Annually identify areas of the organization in which predictable turnover, resulting from retirements or other changes, will lead to special needs for talent management.
- B. Determine those key positions, integral to the success of the County and identify necessary skills and competencies associated with successful performance in such positions.
- C. Identify County employees that demonstrate or show an aptitude for the required skills and/or competencies to perform in key positions.
- D. Develop actions that will prepare individuals to assume greater roles of responsibility in the future.
- E. Maintain a database to identify high performing/high potential individuals and maintain a talent pool as a source of possible successors in the organization.
- F. Annually review results from the previous year's succession planning efforts and plan for the present year's process.

3. DESIRED RESULTS

The desired results of the succession management policy are to develop a succession planning program that, when implemented, will help county leaders:

- A. Identify those positions that are critical to organizational success;
- B. Identify the competencies needed for successful performance in those positions deemed critical to the success of the county;
- C. Identify high-potential employees capable of advancement to positions with higher responsibility than those they presently occupy;
- D. Ensure the systematic and long-term development of individuals to replace key incumbents as the need arises due to deaths, disabilities, retirements, and other unexpected losses; and
- E. Provide a continuous pool of talented employees to best meet the changes and challenges facing our organization.

**Leon County
Board of County Commissioners**


Notes for Agenda Item #9

Leon County Board of County Commissioners

Cover Sheet for Agenda #9

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of Payment of Bills and Vouchers Submitted for March 8, 2016 and Pre-Approval of Payment of Bills and Vouchers for the Period of March 9 through April 11, 2016

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/Project Team:	Scott Ross, Director, Office of Financial Stewardship

Fiscal Impact:

This item has a fiscal impact. All funds authorized for the issuance of these checks have been budgeted.

Staff Recommendation:

Option #1: Approve the payment of bills and vouchers submitted for March 8, 2016, and pre-approve the payment of bills and vouchers for the period of March 9 through April 11, 2016.

Title: Approval of Payment of Bills and Vouchers Submitted for March 8, 2016 and Pre-Approval of Payment of Bills and Vouchers for the Period of March 9 through April 11, 2016

March 8, 2016

Page 2

Report and Discussion

This agenda item requests Board approval of the payment of bills and vouchers submitted for approval March 8, 2016 and pre-approval of payment of bills and vouchers for the period of March 9 through April 11, 2016. The Office of Financial Stewardship/Management and Budget (OMB) reviews the bills and vouchers printout, submitted for approval during the March 8, 2016 meeting, the morning of Monday, March 7, 2016. If for any reason, any of these bills are not recommended for approval, OMB will notify the Board.

Due to the Board not holding a regular meeting until April 12, 2016, it is advisable for the Board to pre-approve payment of the County's bills for March 9 through April 11, 2016, so that vendors and service providers will not experience hardship because of delays in payment. The OMB office will continue to review the printouts prior to payment and if for any reason questions payment, then payment will be withheld until an inquiry is made and satisfied, or until the next scheduled Board meeting. Copies of the bills/vouchers printout will be available in OMB for review.

Options:

1. Approve the payment of bills and vouchers submitted for March 8, 2016, and pre-approve the payment of bills and vouchers for the period of March 9 through April 11, 2016.
2. Do not approve the payment of bills and vouchers submitted for March 8, 2016, and pre-approve the payment of bills and vouchers for the period of March 9 through April 11, 2016.
3. Board direction.

Recommendation:

Option #1.

**Leon County
Board of County Commissioners**


Notes for Agenda Item #10

Leon County Board of County Commissioners

Cover Sheet for Agenda #10

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of the Revised Leon County Driveway and Street Connection Guidelines and Procedures Manual

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator David McDevitt, Director, Development Support and Environmental Management Tony Park, P.E., Public Works Director
Lead Staff/ Project Team:	John Kraynak, Director, Environmental Services Kathy Burke, P.E., Director, Engineering Services

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Approve the Leon County Driveway and Street Connection Guidelines and Procedures Manual (Attachment #1).

Report and Discussion

Background:

At the Board's July 8, 2013, Budget Workshop, staff presented the recommendations of the LEADS Cross Departmental Action Team which were approved by the Board. The recommendations included the consolidation of inspection responsibilities associated with the permitting of development and construction. The Action Team noted that during the permitting and inspection process, inspectors from both Public Works and Development Support and Environmental Management (DSEM) are required to visit the site based on the current regulatory process as established in the County's Code of Laws, and implemented by Board-adopted policies and procedures.

The Action Team recommendations included the transfer of the permitting, inspection and enforcement responsibilities associated with driveway and street connection permits from Public Works to DSEM. The transfer of these responsibilities to DSEM would eliminate the need for Public Works inspectors to visit a site in conjunction with the construction of a driveway connection to a public road. DSEM staff would complete the required connection inspections in conjunction with other required site inspections associated with environmental and building code compliance.

Subsequent to Board approval of the transfer of the permitting, inspection and enforcement responsibilities associated with connection permits, DSEM and Public Works staff has undertaken cross-training to ensure a seamless transition. Additionally, staff has drafted revisions to the County's Code of Laws to implement the transfer of the program to DSEM, and revised the implementing policies and procedures for the County's driveway and street connection permit review, inspection, and enforcement process.

The opportunity for a manual was identified as a result of the following revised FY2012 - FY2016 Strategic Initiatives that the Board approved at the January 26, 2016 meeting:

- Conduct LEADS Reviews (G2) (2012)

This particular Strategic Initiative aligns with the Board's Strategic Priority:

- Governance - "Sustain a culture of performance, and deliver effective, efficient services that exceed expectations and demonstrate value (G2)."

Analysis:

The proposed Driveway and Street Connection Guidelines and Procedures Manual establishes the implementing policies and procedures for the County's driveway and street connection permit review, inspection, and enforcement process. The Manual will replace the regulatory and procedural document that was adopted by the Board in 1991, subsequent to the adoption of the County's initial Driveway and Street Connection Ordinance (First and Only Public Hearing also occurs during the March 8, 2016 Meeting). The comprehensively revised and updated Manual will complement the revisions to the County's Driveway and Street Connection Ordinance,

provide consistency with the definitions and other applicable provisions of the Land Development Code, and integrate current transportation planning and engineering standards and professional practices into the County's permitting processes associated with driveway and street connections.

Options:

1. Approve the Leon County Driveway and Street Connection Guidelines and Procedures Manual (Attachment #1).
2. Do not approve the Leon County Driveway and Street Connection Guidelines and Procedures Manual.
3. Board direction.

Recommendation:

Options #1

Attachment:

1. Proposed Driveway and Street Connection Guidelines and Procedures Manual



Leon County Driveway and Street Connection Guidelines and Procedures Manual

Adopted by the Leon County Board of County Commissioners

September 2015

Amended by the Board of County Commissioners

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PURPOSE

To protect the safe use of the public roadways by managing the number and type of connections to the public roadways.

I. INTRODUCTION

The provisions of this Manual shall apply to the installation, modification, and maintenance of all new or existing connections to the public street system of Leon County. A connection is a driveway, street (public or private), turnouts for future development, sidewalks, trails or other means for providing access of vehicles, pedestrians or bicycles to or from the public road system. A public street is a roadway that is owned and/or maintained by Leon County, City of Tallahassee or the Florida Department of Transportation (FDOT). This Manual outlines the standards for connections to public streets owned and maintained by Leon County. Connections to the State Highway System are governed by the FDOT. This Manual is intended to be in substantial conformance with the applicable Florida Statutes and the latest edition of the FDOT Driveway Information Guide. If this guide is silent as to a requirement, the criterion defaults to FDOT's. If this guide's criteria conflicts with FDOT's, this Manual governs.

Connections to designated Canopy Roads require adherence to the standards outlined in this manual and may require review by the Canopy Road Citizens' Committee and final approval by the Board of County Commissioners. The Director of Environmental Services or designee may waive requirements if deemed in the best interest for preservation of the tree canopy or protected slopes.

When in conflict, the Tallahassee-Leon County Comprehensive Plan and the Leon County Land Development Code (LDC) supersede the criteria outlined in this manual.

II. DEFINITIONS

The following words, terms and phrases, when used in this document, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Other applicable definitions are found in the LDC.

Access - Ability to enter or leave land connecting to the County road system.

ADA - Americans with Disabilities Act - Requirements of the Federal government governing construction standards to guarantee access for persons with disabilities.

ADT - Average Daily Traffic - The average 24 hour volume, being the total volume during a stated period divided by the number of days in that period. Normally, this would be periodic daily traffic volumes over several days, not adjusted for days of the week or seasons of the year.

Arterial Roadway - Shall mean a street and highway facility, including full and partial access controlled highways and major interstate, inter-county, intra-county and urban area entrance highways, which are designed to carry the highest traffic volumes and the

longest trips through and within the county.

Collector Roadway, Major – Shall mean a street that channels traffic between arterials, from other collector streets to the arterial system, and from a major activity center to the arterial street system. Major collector roadways may sustain retail and other commercial establishments along its route and may carry relatively high traffic volume.

Collector Roadway, Minor – Shall mean a street that conducts traffic from a number of minor streets to the major collector/arterial system, between other collectors, and from activity centers to a street of higher classification. Minor collectors are predominately residential in nature, generally with lower volumes, shorter trip lengths, and fewer trips than major collectors.

Connections - Driveways, streets, turnouts for future development, sidewalks, trails or other means of providing access to vehicles, pedestrians or bicycles to and from the public street system.

Construction Plans - Plan and profile drawings with sufficient detail to clearly demonstrate that the proposed connection or modification to an existing connection is in compliance with this Manual.

Corner Clearance or Corner Setback - The distance between the nearest point of the connection and the edge of the travel lane of the intersecting street.

Culvert Pipe - A pipe or box conduit installed under a connection, appropriately sized to convey the stormwater from the contributing basin.

Curb Cut - A connection that requires the removal of curb from the roadway edge to construct the connection.

Director – The Director of Development Support and Environmental Management (DSEM) or designee, the Director of Environmental Services.

Driveway - Shall mean a private road or way giving access from a public or private right-of-way to an adjacent or abutting property.

Driveway Angle - The angle between the driveway connection centerline and the edge of the travel way.

Driveway Separation - The distance between driveways measured along the right-of-way lines between driveway tangent points.

Driveway Width - The narrowest width of the driveway measured perpendicular to the centerline of the driveway, or the edge of travel way to edge of travel way. Width does not include any taper or radius needed to facilitate turning movements.

DSEM - Development Support and Environmental Management, the County department

responsible for the coordination of the review, issuance, inspection, and closeout of driveway and connection permits.

Engineer - A Professional Engineer licensed in Florida in accordance with Chapter 471, Florida Statutes.

Entrance Throat Depth - The distance along the driveway from the right-of-way line to the first internal decision point for traffic.

FDOT - Florida Department of Transportation - the agency responsible for managing and permitting access onto the State Highway System and whose standards this manual follows.

Flare - A triangular-shaped pavement surface that transitions the driveway pavement from the property/right-of-way line to the edge of pavement to facilitate turning movements.

Frontage - Shall mean the length of the property line of any one premises along a street on which it borders.

Frontage Road -Typically a public street which is situated parallel to and adjacent to arterial and/or collector roadways and which provide access to abutting properties while providing separation from through traffic.

Integrated Access System - A transportation system which includes joint driveways, acceleration/deceleration lanes, turn lanes, limited access driveways, and frontage/service roads to minimize level of service impacts to the abutting roadway.

Intersection Setback - The distance from the right-of-way line of the intersecting street to the edge of the nearest adjacent driveway connection.

Island - A physical barrier which separates traffic lanes for the purposes of limiting and/or directing traffic flow to a specific direction.

Local Road - Shall mean a street which collects traffic from adjacent land uses and channels it to the collector/arterial roadway system. Local streets are intended to carry the lowest traffic volumes. Local streets can provide access to small homogeneous residential, commercial, office or industrial land uses.

Median - The portion of the divided roadway that separates opposing lanes of traffic.

Median Cut - A break in the median to allow some level of access.

Operational Analysis - Utilizes site-specific traffic counts, through movements, turning movements, distribution of traffic, traffic projections to review the adequacy of the adjacent roadway system for safety and the need for various roadway improvements such as, but not limited to, acceleration or deceleration lanes, turn lanes, stop signs, traffic signals, median modifications, access modifications, etc. Depending on the scale of the

development and projected traffic distribution, the operational analysis may extend beyond the roadway immediately adjacent to the property.

Permit - A document issued by DSEM which allows the construction of a new or modification of an existing connection to a county-maintained roadway and may include the conditions of approval associated with the connection.

Private Street - Shall mean any street which has not been dedicated to a public body for public use and which provides access to more than one landowner's property, and whose primary function is traffic circulation rather than access to individual parking spaces.

Property Line - The line between two separate parcels of land or the boundary between a parcel of land and the road right-of-way.

Public Street - Shall mean any street designed to serve more than one owner's property which is dedicated for public use and protected for maintenance by the Board of County Commissioners or other public body.

Right-of-Way (ROW) - Shall mean a strip of land taken or dedicated for use as a public way or such use as is set forth in the instrument establishing the right-of-way.

Service Road -Typically a private street which is situated parallel to and adjacent to arterial and/or collector roadways and which provide access to abutting properties while providing separation from through traffic.

Setback - Shall mean the shortest distance between a building or structure and the lot line, whether front, side or rear, measured from the lot line to vertical exterior walls.

Shoulder - A portion of the roadway contiguous to the travel way for the accommodation of stopped vehicles, for emergency use, and for edge of pavement protection.

Sidewalk - A hard-surfaced walkway or pathway constructed of concrete, or other durable material, built to specifications of Leon County, for purposes of facilitation pedestrian access along a thoroughfare or internal to a development.

Sight Triangle - Shall mean the length of road visible to a driver on a side street or driveway to observe oncoming objects on the main street, as defined in the LDC.

Standard Indexes - The FDOT's Publication of Roadway and Traffic Design Standards, latest edition.

State Highway - A roadway which is part of the official State of Florida Highway System and is owned and maintained by FDOT.

Structure – Shall mean anything constructed, installed or portable, the use of which requires a location on a parcel of land. This term also includes billboards, swimming pools, poles, pipelines, transmission lines, tracks and advertising signs.

Temporary Connection Permit - A permit which authorizes connection to the public road system for a limited period of time, typically for a construction entrance.

Trail - A pedestrian, bicycle, or horse path that may connect to a public roadway. The trail may be improved or unimproved.

Travel Way - The portion of the roadway used for the movement of vehicles. It does not include shoulders, bicycle lanes, turn lanes, etc.

Tree - Shall mean any self-supporting woody plant having at least one well-defined stem a minimum of two inches DBH, and which normally grows to a minimum height of 25 feet in the county area.

Trip Generation - The number of trips projected to be generated from a proposed land use onto the adjacent roadway. Trips are estimated based on the latest edition of the Institute of Transportation Engineers (ITE) Manual.

Urban Service Area - Shall mean that area which includes all of the City of Tallahassee and a portion of the county which is to be developed at urban levels of density or intensity either immediately or over the course of the planning period. The boundaries of the urban service area are as established in the Comprehensive Plan, as amended.

VPD - Vehicles per day.

VPH - Vehicles per hour.

III. CONNECTION CLASSIFICATIONS

Roadway and driveway connections are classified based on expected traffic volume using the connection. The permitting criteria and the information needed to review a connection permit are dependent on the classification. The level of plan detail requirements will increase as the connection class increases. DSEM shall determine the classification of connections. The total number of new trips generated at the proposed connection will be based on the generation rates from the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.

Class 1: Residential Connection or Sidewalk/Trail. This driveway connection classification is for a single-family home, duplex or multi-family dwelling of four (4) or fewer units. This class shall also apply to connections used for access to agricultural land and to all proposed sidewalk and trail connections. Commercial connections, regardless of the number of trips estimated to be generated by the proposed land use, are classified as a Class 2 or higher connection.

Class 2: Minor Connection. This is a connection that services the equivalent of more than four (4) residential units or any commercial use, regardless of the minimum trips. The total estimated trip generation associated with a proposed Class 2 connection is between 40 and 1,000 trips per day. This class does not apply to a proposed connection

that requires median modifications, turn lanes or an operational traffic analysis, regardless of the estimated number of trips associated with the proposed land use. All Class 2 connection requests are required to be designed by an engineer. Class 2 driveway connection permit applications shall be submitted concurrent with the project's site plan application submittal.

Class 3: Major Connection. This connection is projected to generate more than 1,000 vehicle trips per day. Examples of this connection class are high traffic commercial generators such as shopping centers, office parks, apartment or condominium complexes, or lower trip generators that have requested a median cut or other roadway modification such as, but not limited to, turn lanes and acceleration or deceleration lanes. A Class 3 permit application shall be prepared and submitted by an engineer. An operational traffic analysis of the proposed connection may be required regardless of the traffic concurrency status. The operational analysis shall review the functionality and safety of the proposed connection and not the operational level of service based on capacity. A Class 3 driveway connection permit application shall be submitted concurrent with the project's site plan application submittal and shall be reviewed by Public Works.

Class 4: Public or Private Roads. This classification level includes all new public or private road connections proposed to connect to an existing public roadway. A Class 4 permit application shall be prepared and submitted by an engineer. An operational analysis may be required, depending on the roadway connection location and projected trip generation. The operational analysis shall review the functionality and safety of the proposed connection, including any signalization requirements.

IV. POLICY ON THE COST OF CONSTRUCTION

The total cost of new connection construction or alteration to an existing connection, including required stormwater, shall be the responsibility of the applicant. The total cost of any offsite work required by the County due to altered traffic patterns or changes on the site that make the connection inefficient or unsafe, shall be the responsibility of the applicant. Any ROW disturbance or damage caused by the applicant during the construction of a roadway or connection shall be corrected to the original condition within the timeframe specified by the Director.

If the County Public Works Department revises traffic patterns or completes roadway work that is not attributed to the development that has been issued a connection permit, the County shall bear the cost to adjust/modify the connection(s) to accommodate the modified roadway condition.

V. CONNECTION PERMIT PROCEDURES

A. When to Apply for a Permit:

1. Before any connection to the public road system of Leon County is initiated or modified, DSEM shall issue a permit for the work. The connection permit shall be submitted at the time of the building permit for

a Class 1 driveway connection or concurrent with the submittal of a site plan application for Class 2 or higher connections. A single connection permit should be issued for the entire development site for the most comprehensive review of roadway impacts.

2. Issuance of a connection permit does not relieve the applicant from complying with the applicable provisions of the Comprehensive Plan or the LDC.
3. For all proposed, non-county public road connections to county roads by governmental entities, a connection permit is required from the entity proposing the connection.
4. A connection permit is not required for new connections to private roads or modifications to existing connections to private roads.
5. A permit is required for any modification to a connection to a county road.

B. Where to Apply for a Connection Permit:

All connection permit applications shall be submitted to DSEM.

C. Information Required for a Connection Permit:

1. All connection permits require the following information:
 - a. A general location map, a legal description of the site or sites upon which any and all portions of the development will be located, a tax parcel identification number, and evidence of ownership.
 - b. The name, local address and telephone number of an individual who shall be the designated contact for the project, and shall have adequate authority within the project administration to ensure compliance with this permit.
 - c. A narrative indicating the intent and scope of the proposed project.
 - d. A site plan illustrating the following:
 - i. grading plan;
 - ii. location of the proposed connection, and existing/adjacent driveways, roadways, street intersections and railroads, if applicable;
 - iii. existing and proposed structures;
 - iv. culvert pipe specifications, if applicable;
 - v. sight triangle;
 - vi. environmental constraints (e.g. wetlands, trees, floodplain, slopes, etc.); and
 - vii. utilities.

- e. Sufficient details must be included so the connection can be constructed using the submitted drawings.
 - f. Based on the proposed activity associated with the connection permit, a Maintenance of Traffic (MOT) plan may be required. The MOT plan must be reviewed and approved by Public Works.
2. In addition to the information outlined above, all Class 2, 3 and 4 connection permit applications shall include the following:
- a. All ROW, property and easement lines;
 - b. Existing roadway pavement and median widths;
 - c. Surveyed elevations;
 - d. Complete engineering design;
 - e. Typical cross section of the driveway showing the pavement design;
 - f. Proposed stormwater culvert which denotes size, type of pipe, invert elevations, and end treatments, along with engineering calculations to verify that the proposed pipe size is adequate to safely convey the flow from offsite/upstream contributing basin for the required design storm based on the classification of the adjacent roadway;
 - g. Proposed grading to ensure that the connection will not have any adverse impacts;
 - h. Existing or proposed retaining walls, utility poles, sidewalks, bike paths, drainage structures, utilities and any other physical feature that might affect the driveway location;
 - i. All trees in the right-of-way that will be removed to construct the proposed connection or to provide an adequate sight triangle;
 - j. Adequate sight triangles must be demonstrated for each proposed connection; and
 - k. All utilities within 50 feet of the proposed connection shall be identified.
3. Class 3 and 4 connection permit applications shall include, in addition to all information required above, the following:
- a. Safety analysis to determine if acceleration or deceleration lanes are required;

- b. Vehicle turning movement counts for the proposed condition;
 - c. Vehicle trip generations and operational splits for intersection operational analysis. The analysis shall review the functionality and safety of the proposed connection and not the operational level of service based on capacity. A pre-submittal meeting is encouraged to determine the needed scope of the traffic operational analysis.
4. Class 3 and 4 permits shall obtain an environmental permit that includes approval from DSEM and Public Works.
 5. Temporary connection permit applications must provide the information required for a Class 1 connection permit, and in addition provide the following:
 - a. Sight distance at the driveway connection along the roadway;
 - b. Distance from the proposed connection to intersecting roads, railroad, median openings and existing driveways within 300 feet on both sides of the street where the temporary connection is proposed;
 - c. Existing or proposed retaining walls, utility poles, sidewalks, bike paths, drainage structures, utilities, trees and any other physical features that may affect the driveway location;
 - d. A temporary driveway connection does not have to be paved; however, the connection must be stabilized and/or improved in such a manner as to not create an erosion or sedimentation issue;
 - e. Demonstration of adequate stormwater conveyance is required; and
 - f. Based on the proposed activity associated with the temporary connection permit, an MOT plan may be required.

D. Review Procedure:

1. Class 1 connection permits will be reviewed concurrent with the project's building and environmental permit application.
2. Class 2 through 4 connection permits will be reviewed concurrent with the project's site plan and environmental permit application.
3. Proposed projects that do not require site plan review or a building permit, as determined by DSEM (e.g. temporary or modification connection permits), shall be issued within ten (10) working days after submittal of a complete application.

E. Final Inspection

The applicant shall request an inspection prior to placement of material (e.g. pouring concrete or placement of asphalt). A final inspection approval is required for all connection permits issued by the county when the improvements are completed and prior to the expiration of the permit. All approved connection permits shall be valid for 6 months or until the work covered by the permit is completed. If the connection permit is issued in conjunction with a development approval, the connection permit shall remain valid consistent with the development approval.

VI. CONNECTION DESIGN REQUIREMENTS

The recommended design standards for construction and modifications of connections to the County road system are generally consistent with those implemented by FDOT. The Director of DSEM or designee may adjust the requirements based on site specific criteria.

A. General Guidelines and Criteria:

1. Construction plans for Class 2, 3 and 4 driveway connections shall be designed by an engineer.
2. Sight distance measurement shall meet the most recent requirements in the FDOT Green Book based on the posted speed limit. In all cases, connections shall be located to either meet or maximize the available sight distance for the property. Please refer to Appendix 4 for current sight distance requirements.
3. Existing roadway and natural features must be considered for the location of the proposed connection. Roadway features include, but are not limited to, median lanes, turn lanes, proximity to intersections, connections, traffic signals, pedestrian crossings, and utilities. Natural features include, but are not limited to, slopes, trees, wetlands, stormwater, floodplain, etc.
4. In the interest of public safety, the proposed connection may not be permitted at the applicant's requested location based on the following:
 - a. To prevent the creation of unsafe or improper traffic movements, a connection will not be permitted along a particular frontage if the parcel has access to other public roadways.
 - b. An applicant may be required to provide on-site accommodations to allow vehicles to turn around and avoid backing into the street from the proposed connection.
 - c. A proposed modification to an existing connection may not be permitted if traffic patterns, points of connection, roadway geometries, or traffic control devices cause disruption of traffic or create safety hazards.

5. A connection shall not be allowed within the radius return of intersecting roadways.
6. The minimum setback from a roadway radius return to the edge of a Class 1 connection taper shall be 50 feet; a Class 2 or higher shall be 100 feet.
7. A connection shall not be located within acceleration or deceleration lanes, or within tapers.
8. The connection must be constructed in such a manner that entering and exiting movements will be accomplished with minimum disruption to the roadway traffic flow.
9. Class 2 or higher connections along major collectors or arterials shall be located at least 275 feet apart, measured from the closest edge of the two connections.
10. For any proposed Class 2 and above connection, the parcel shall be limited to one connection unless the frontage of the parcel is more than 330 feet. Based on site-specific conditions, two connections may be allowed if the parcel frontage is greater than 330 feet.
11. Along major collectors or arterial roadways, additional connections may be permitted if the total project traffic volume is projected to be more than 5000 VPD. Such a connection request requires the submittal of a detailed traffic study conducted by an engineer, which clearly demonstrates the need for additional connections. It is recommended that the applicant meet with DSEM and Public Works to discuss the scope and methodology for the traffic analysis, specifically regarding the operational safety aspects of the adjacent and nearby roadway systems.
12. Compliance with ADA requirements is mandatory for all connections.
13. The connection angle shall be 90 degrees or as specified in Appendix 1.
14. The minimum separation for a Class 1 connection is 40 feet. In cases where narrow lots exist, site-specific design criteria shall be applied to minimize the number of driveways connected to the street.
15. Entrance throat depth setback for Class 2 or higher connections is critical so that traffic does not slow down or impede through movements on the adjacent roadway. The minimum throat depth shall allow for at least two cars.
16. Improvements or modifications to existing connections shall conform to the standards for new connections, to the greatest extent possible.

B. Connection Specifications

1. All proposed connections shall comply with the specifications outlined in Appendix 1.

C. Driveway Grades:

1. Connection grades will affect the ability of vehicles to safely exit or enter a property. Therefore, the following criteria shall be implemented:
 - a. The applicant shall consider site requirements and sight distance;
 - b. The connection shall be designed for the prevention of stormwater from either entering or exiting the site;
 - c. FDOT guidelines for maximum grade changes and connection profiles shall be followed;
 - d. To prevent vehicle drag, vertical curves at least 5 feet long or short tangents at least 3 feet long shall be considered with grade changes over 6%. For connections to roadways with curb and gutter, no vertical curves shall be permitted through the gutter line unless the roadway drainage is properly accommodated; and
 - e. The maximum grade in the ROW shall be limited to 6% regardless of the class of connection, when possible.
2. On arterial roadways, the following design factors shall be considered:
 - a. The connection shall slope upward from the gutter line without a vertical curve to provide stormwater control;
 - b. No drop curb shall be permitted within the limits of the curve radii, except as required for curb cut ramps for ADA compliance.

D. Stormwater/Drainage:

1. The following minimum standards shall apply if a culvert is required for the proposed connection:
 - a. A culvert is part of the driveway system and is sized and constructed at the property owner's expense. Minimum size culvert pipe is 18 inches unless a variance is approved by the County Engineer. In no cases shall the culvert pipe be less than 15 inches in a public ROW.
 - b. A culvert pipe shall meet FDOT standards with a minimum of a 50-year design life. For Class 4 connections, only reinforced concrete pipe (RCP) is permitted.
 - c. A culvert pipe must be of adequate size to carry the contributing flow

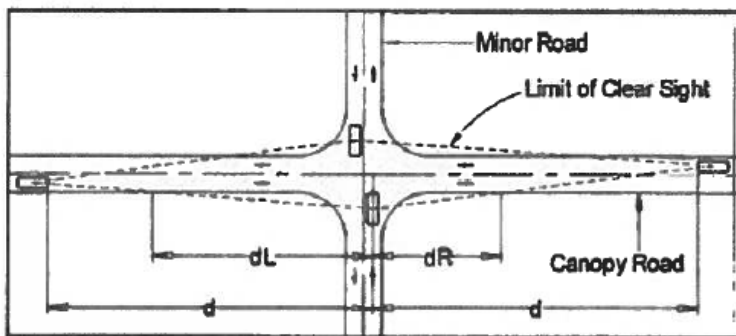
for the 5-, 10- or 25- year, one-hour storm, depending on the roadway classification as follows:

- i. local road - 5 year;
 - ii. collector road - 10 year; and
 - iii. major collector/arterial or special development zone - 25 year.
- d. The culvert pipe flow line shall be a minimum of 2 feet below the edge of pavement at either end of the connection if possible, based on site specific conditions.
- e. Culvert pipe ends must be protected with either an end wall, mitered end section or flared end sections. All construction shall meet the latest edition of FDOT Design Standard Indexes for these components.

E. Canopy Roads Review Criteria:

1. Any removal of a protected tree associated with a proposed connection will require the applicant to obtain a permit from DSEM.
2. Clear sight distance must be provided between vehicles on a canopy road within dimension "d" (as shown in Table 1).
3. The driver eye setback for the limit of clear sight shall be between 8 and 10 feet, depending on site-specific conditions. Observations are made in both directions along the line of sight at an elevation 3.5 feet above respective pavements.

Table 1
Canopy Road Sight Distance Requirements*



Design Speed	d	dL	dR
30	200	135	79
35	225	151	88
40	275	184	107
45	325	216	126
50	400	264	155
55	450	296	173

* Sight distance "d" is measured along the canopy roadway from the center of the entrance lane of the connection to the center of the approach lane of the canopy roadway. Distances dL and dR are measured from the center of the entrance lane of the connection to a point on the edge of the near side traffic lane on the canopy road.

VII. CONNECTION PAVEMENT MATERIALS AND REQUIREMENTS

Driveway Construction Materials

All driveway connections (except temporary) inside the Urban Service Area (USA) or designated rural community shall be stabilized with asphalt or concrete to the ROW line. Commercial driveways shall be designed for asphalt or concrete of sufficient cross section to support the proposed traffic loads. Residential connections outside the USA or a rural community must utilize the same material for a minimum of 5 feet from the edge of pavement or to the back of ditch, whichever is further, in order to protect the edge of pavement and preserve the stormwater conveyance.

Class 1. The connection apron shall be a minimum of 6 inches thick - 3000 psi concrete with fiber mesh reinforcement or asphaltic concrete. If asphaltic concrete is used, the minimum compacted thickness shall be 1 inch with 4 inches of limerock base (LBR 100).

Class 2. The connection shall be, at a minimum, 6 inches of 3000 psi fiber mesh concrete or greater, if required for the traffic loads, or an asphalt road surface designed to handle the traffic volume and load. The minimum cross section shall be 12 inches of stabilized sub-base LBR40, 6 inches of limerock or crushed concrete base with an LBR of 100 and 2 inches of SP 12.5 or 9.5. All pavement cross sections shall be designed for the site loadings to determine if the minimum requirements meet the site conditions.

Class 3. The connection shall be, at a minimum, 6 inches of 3000 psi fiber mesh concrete or greater, if required for the traffic loads, or an asphalt road surface designed to handle the traffic volume and load. The minimum cross section shall be 12 inches of stabilized sub-base LBR40, 6 inches of limerock or crushed concrete base with an LBR of 100 and 2 inches of SP 12.5 or 9.5. All pavement cross sections shall be designed for the site loadings to determine if the minimum requirements meet the site conditions.

Class 4. The minimum cross-section shall be 12 inches of stabilized sub-base LBR40, 6 inches of limerock or crushed concrete base with an LBR of 100 and 2 inches of SP 12.5 or 9.5. All pavement cross-sections shall be designed for the site loadings to determine if the minimum requirements meet the site conditions.

VIII. TRAFFIC CONTROL DEVICES

The installation of signage and pavement markings at private roadways, residential or commercial connections and/or the installation of traffic signals at Class 2 through 4 connections may be required for the safe and efficient movement of traffic. All traffic control devices shall be designed and installed in accordance with the latest edition of the Manual of Uniform Traffic Control Devices (MUTCD), FDOT standards and Leon County standards. All traffic control devices shall be approved by the County Engineer.

The approval to install traffic signals shall be based on a traffic engineering analysis following FDOT/MUTCD standards which addresses the warrants, the design and operation of the signals. The responsibility for the study shall rest with the applicant. If a signal is installed, only mast arms are allowed and all elements shall be designed for

efficient maintainable signal operation. Additional signage, pavement markings, etc., within the County right-of-way may be required with or without a traffic signal. The applicant shall be responsible for all costs of the design, materials and installation. The County partners with the City of Tallahassee to operate and maintain its signal system; therefore, the County requires City specific controllers.

IX. MAINTENANCE AND ACCESS MANAGEMENT

A. Connection Maintenance

1. The property owner shall be responsible for all driveway connection maintenance, except sidewalk surfaces and drainage facilities.
2. All traffic control devices, signals, pavement markings, and signage installed in the public ROW to control traffic shall be maintained by the County. Any traffic control devices required to be installed outside the public ROW shall be maintained by the property owner.

B. Access Management:

Based on the traffic analysis for a proposed development, modification, reconstruction and construction of median openings and/or auxiliary lanes may be necessary to minimize the effect of the development on the operational levels of service on the adjacent roadway network.

1. Medians:

- a. The spacing of median openings shall be governed by FDOT standards, based on the type and classification of the roadway. The median openings shall have clear sight distance for the speed and type of roadway. A traffic analysis shall demonstrate if turn-lane storage is required. Protected left turn storage shall be provided with all new or proposed median openings.
- b. Median spacing may be adjusted based on site-specific factors such as sight distance, median width, and drainage.
- c. New median openings shall be allowed when a specific need is justified based on a traffic study provided by the applicant's engineer, and when it can be documented that the opening provides benefits to the overall traffic flow and improves safety and efficiency of the existing public road. The applicant shall give primary consideration to alternate ingress/egress, such as intersecting streets, frontage roads, common exits, etc.

2. Auxiliary Lanes

- a. Auxiliary lanes shall be provided when a specific need is justified based on a traffic study provided by the applicant's engineer.

- b. The construction of auxiliary lanes may require additional right-of-way, which shall be secured by the applicant at no expense to the County.
- c. Auxiliary lanes shall provide a minimum of 2-minute storage, or a minimum of 2 passenger vehicles, whichever is larger. If the oversized vehicle volume exceeds 10% of the traffic to the development, the minimum storage length shall be provided for one passenger car and one WB-50 truck

X. ENFORCEMENT

The provisions of this Article shall be enforced by the Department of Development Support and Environmental Management consistent with the procedures outlined in Chapter 10 of the Leon County Code of Laws.

XI. VARIANCES

Variations to the design requirements for Class 1 or 2 permits may be granted by the Director of Environmental Services. A variance to the minimum culvert size shall be approved by the County Engineer. Variations for a Class 3 or Class 4 permit require the approval of the Development Review Committee. All variance requests shall be submitted in writing by the applicant. All variations granted shall be consistent with the Comprehensive Plan.

A variance request must demonstrate that full compliance with these standards will result in a hardship for the property owner. A hardship is not an inconvenience or denial of the preferred access.

XII. APPEALS

Appeals of a permit denial or an administrative interpretation shall be filed in writing to DSEM and shall be heard by the Board of Adjustment and Appeals.

XIII. APPLICATION REVIEW FEES

A review fee will be charged for each connection permit application at the time of submission. The review fee shall be based on the class of permit, consistent with the Board-adopted application review fee schedule.

APPENDIX

APPENDIX 1 ROADWAY CONNECTION LAYOUT REQUIREMENTS*

Urban – curb & gutter Rural - highway		Class 1 (Non-commercial)		Class 2 (Minor Commercial)				Class 3 (Major Commercial)					
		Urban	Rural	Urban		Rural		Urban		Rural			
				1-way	2-way	1-way	2-way	1-way	2-way	1-way	2-way		
Driveway Width (W)		#1 9' min 24' max		14' min 24' max	24' max 40' max	14' min 24' max	24' min 40' max	14' min 24' max	24' min 48' max	14' min 24' max	24' min 48' max		
Flare (Return radii "R" or Drop Curb)		Drop Curb #2	Return Radii #2	Drop Curb #3		Return Radii #3		Return Radii 15' Min. 35' Max. (or 3-centered curves)		Return Radii 25' Min. 50' Max. (or 3-centered curves)			
	Local Street Min. Collector	10' Min.	5' Min. 15' Max.	10' Min.		15' Min. 25' Max.							
	Maj. Collector Arterial Street	N/A	10' Min. 25' Max.	N/A		15' Min. 35' Max.							
Angle of Drive (Y)		#4 75 - 90	#4 75 - 90	#4 45 - 90	#4 75 - 90	#4 45 - 90	#4 75 - 90	#4 45 - 90	#4 75 - 90	#4 45 - 90	#4 75 - 90		
Edge Clearance (E)		0' Min.	#5 0' Min.	3' Min.		#5 8' Min.		#6 10' Min.		#6 10' Min.			
Corner Clearance (C)	Local Street	#7 0' Min.	10' Min.	#7 0' Min.		15' Min.		#8 N/A		#8 N/A			
	Minor Collector	0' Min.	10' Min.	15' Min.		25' Min.		50' Min.		50' Min.			
	Major Collector Arterial Street	#7 10' Min.	25' Min.	#7 75' Min.		75' Min.		#8 100' Min.		#8 100' Min.			
ROW Clearance at Intersection (RC)	Local Street	25' Min.	25' Min.	25' Min.	25' Min.	25' Min.	25' Min.	N/A		N/A			
	Minor Collector	25' Min.	25' Min.	50' Min.	50' Min.	50' Min.	50' Min.	100' Min.		100' Min.			
	Major Collector Arterial Street	50' Min.	50' Min.	100' Min.	100' Min.	100' Min.	100' Min.	150' Min.		150' Min.			
Distance Between Drives	Local Street	#9 40' Min.	#9 40' Min.	#9 40' Min.	#9 40' Min.	#9 40' Min.	#9 40' Min.	#9 N/A		#9 N/A			
	Minor Collector	40' Min.	40' Min.	75' Min.	75' Min.	75' Min.	75' Min.	125' Min.		125' Min.			
	Major Collector Arterial Street	#9 100' Min.	#9 100' Min.	#9 275' Min.	#9 275' Min.	#9 275' Min.	#9 275' Min.	#9 275' Min.		#9 275' Min.			
Island		NOT PERMITTED				NOT PERMITTED				10' – 22' Wide		10' – 22' Wide	

* Footnotes for the Roadway Connection Layout Requirements chart continue on the following page.

1. Driveway Width (W): Class 1 and 2 connections shall be within the minimum/maximum widths specified. Class 2 connections shall also conform to the widths specified; however, exceptions may be considered when vehicle capacity studies indicate that additional widths are required. On Class 2 and 3 connections that include a channelizing island to prevent left turn maneuvers, the minimum lane width should be 14 feet. For truck-trailer traffic, the minimum recommended width is 24 feet.
2. (A) Flare (Drop Curb) Class 1 Urban: In lieu of the standard drop curb treatment, a curb return treatment may be permitted where deemed appropriate and in the public interest. Curb return radii criteria is the same for Class 1 rural turnout.

(B) Return Radii "R" Class 1 Rural: For recommended minimum radii, see Appendix 2, which shows the recommended relationship between lane width, driveway width and driveway radius.
3. (A) Flare (Drop Curb) Class 2 Urban: In lieu of the standard drop curb treatment, a curb return treatment may be permitted where deemed appropriate and in the public interest. Curb return criteria is the same for Class 2 rural turnout.

(B) Return Radii "R" Class 2 Rural: Exception – when the predominant vehicle usage is a passenger vehicle and field conditions or property highway frontage dictate:
 - The minimum radius may be reduced to 15 feet on the property line side;
 - The minimum width of drive shall be increased one foot for each foot of reduction.
4. Angle of Drive (Y): Recommended 45 degrees minimum for one-way connections; 75 degrees for two-way connections.

Two-way operation – recommended "Y" as near 90 degrees as site conditions allow, and 75 degrees normal minimum.

One-way operation – when vehicle usage is from both directions of travel on the highway, the recommended "Y" is the same as the two-way operation above. When vehicle usage is only from one direction of travel on the highway, a recommended "Y" of 45 degrees shall be considered as the normal minimum.

5. Edge Clearance (E) Class 1 and 2: at the 0' minimum for Class 1 and 2 rural turnouts, P.C. of the property line, i.e., it is a point of tangency.
6. Edge Clearance (E) Class 3: E = 10 feet minimum is intended for new construction or initial issue as a Class 3 connection. Exception: when upgrading or reclassifying an existing connection and traffic conditions warrant, then: (a) lesser E distance is allowable, but no less than Class 2 requirements; and (b) upgrade connection complies with all other Class 3 layout requirements.
7. Corner Clearance (C) Class 1 and 2: If an urban intersection is signalized or is likely to be signalized, Class 1 and 2 urban connections should provide a 50' minimum corner clearance.
8. Corner Clearance (C) Class 3: The 50 feet from an intersecting street is an absolute minimum, applicable for undivided roadway sections and where maximum property access along a divided roadway section is not essential, e.g., access connection in vicinity of median opening.
9. Distance between Drives (D):

Class 1: Two driveways may be permitted along the same frontage if frontage is adequate to ensure proper driveway separation, e.g., access to timber and farm land, circular residential driveways, etc. Distance between driveways shall not be less than those specified for Class 2 requirements.

Class 2: Distances shown are absolute minimum values, and greater distances between driveways are desirable wherever feasible.

Class 3: These distances shall be used whenever the following conditions exist or are anticipated to occur: (1) roadway traffic volume is greater than 5,000 VPD, highway speed is greater than 25 mph; (2) level of property development (commercial) ranges from 30 to 60 driveways per mile; and (3) minimum driveway volumes are greater than 200 VPH at peak periods.

Along state highways, these distances may be readily applied only to construction on new alignment, or where the abutting property development is spread out and the abutting frontage is greater than 100 feet. As a practical matter on existing or reconstructed public roadways, it may be difficult to impossible to achieve the desirable recommended spacing. Where these recommended distances between drives are not feasible, lesser spacing between Class 3 driveways may be approved, but shall not be less than those absolute minimum distances specified for Class 2 requirements.

According to roadway speed and the above conditions, regardless of driveway classification, the spacing along arterial highways between driveways is:

<u>Highway Speed</u>	<u>Minimum Distance</u>
20 mph	85 feet
25 mph	105 feet
30 mph	125 feet
35 mph	150 feet
40 mph	180 feet
45 mph	230 feet
50 mph	275 feet

Recommended Relationship of Lane Width, Driveway Width and Driveway Radius

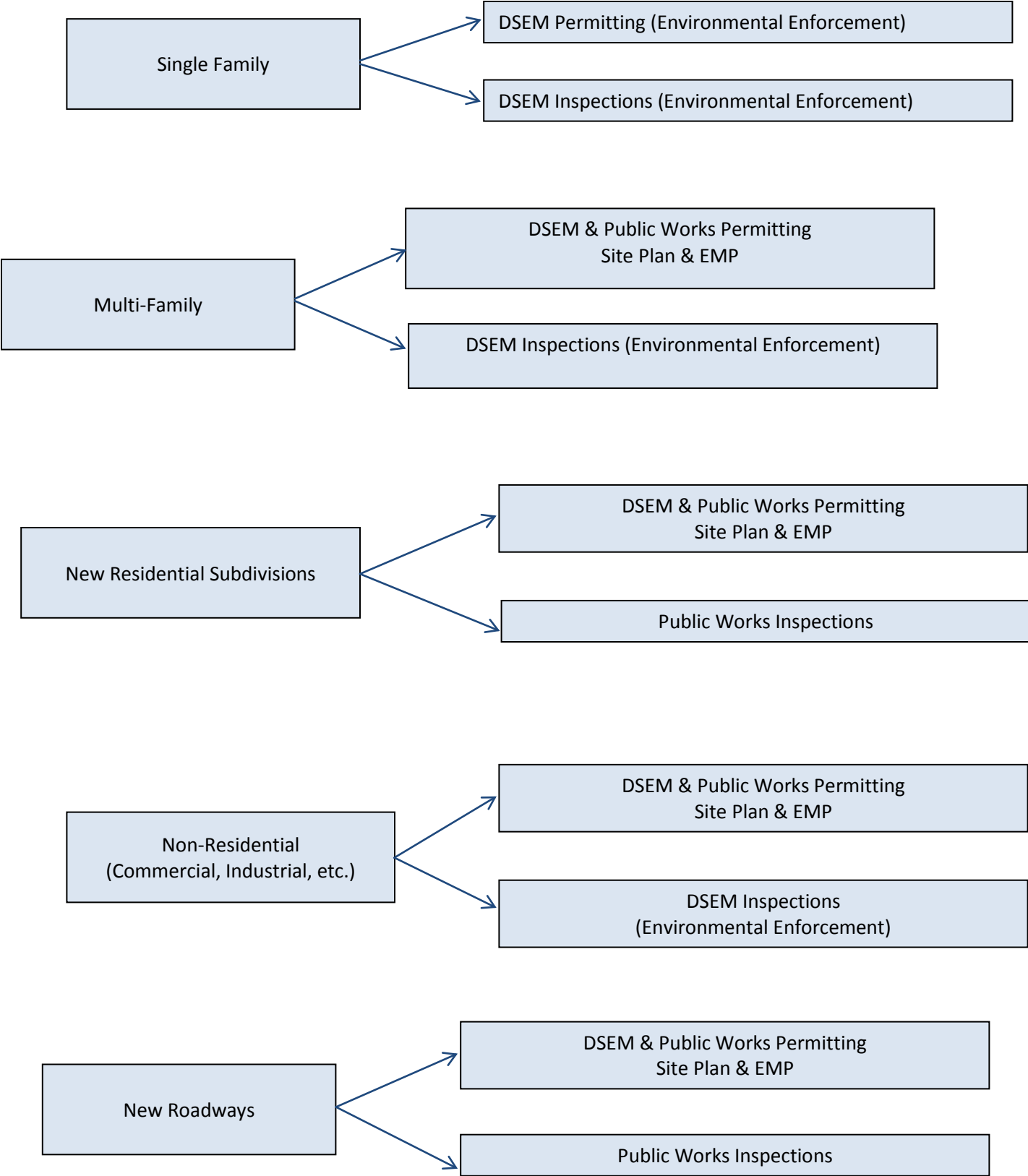
Drive Width	Roadway Lane Width 11'*				Roadway Lane Width 12'*				Roadway Lane Width 13'*			
	Car	SU	Bus	WB40	Car	SU	Bus	WB40	Car	SU	Bus	WB40
10	15'	--	--	--	15'	--	--	--	15'	--	--	--
12	15'	40'	--	--	10'	40'	--	--	10'	40'	--	--
14	10'	35'	--	--	10'	35'	--	--	10'	35'	--	--
16	10'	30'	40'	40'	10'	30'	40'	40'	10'	30'	40'	40'
18	10'	25'	40'	35'	10'	25'	35'	35'	10'	25'	35'	35'
20	10'	25'	35'	35'	10'	20'	30'	30'	10'	20'	30'	30'
22	10'	20' ¹ 30' ²	30'	30'	10'	20' ¹ 30' ²	25'	30'	10'	20' ¹ 30' ²	25'	25'
24	10'	20' 30'	25' ¹ 45' ²	25'	10'	15' 30'	20'	25'	10'	15' 25'	20'	25'
26	10'	15' 30'	25' 45'	25'	10'	15' 25'	20'	25'	10'	15' 25'	20'	20'
28	10'	15' 30'	20' 40'	25'	10'	15' 25'	20'	20'	10'	15' 25'	20'	20'
30	10'	15' 25'	20' 40'	20'	10'	15' 25'	20'	20'	10'	15' 20'	15'	15'
32	10'	15' 25'	20' 35'	20'	10'	15' 20'	20'	15'	10'	15' 20'	15'	15'
34	10'	15' 20'	20' 35'	15'	10'	15' 20'	15'	15'	10'	15' 20'	15'	15'
36	10'	15' 20'	15' 30'	15'	10'	15' 20'	15'	15'	10'	15' 15'	15'	15'
38	10'	15' 20'	15' 30'	15'	10'	15' 15'	15'	15'	10'	15' 15'	15'	15'
40	10'	15' 15'	15' 30'	15'	10'	15' 15'	15'	15'	10'	15' 15'	15'	15'

* Lane width is measured to face of curb.

Notes: ¹ This radius requires right turns into the drive to use the entire driveway width and requires right turns from the drive to cross the centerline on two-lane roadways. This combination should not be used as an exit radius on two-lane roads.

² This combination is the minimum for the exit radius on two-lane roadways. Should also be used for the entering radius where it is desirable to minimize encroachment into the driveway exit lane.

Appendix 3 Driveway Connection Processes



**TABLE 3 – 3
SIGHT DISTANCES AND LENGTHS OF VERTICAL CURVES**

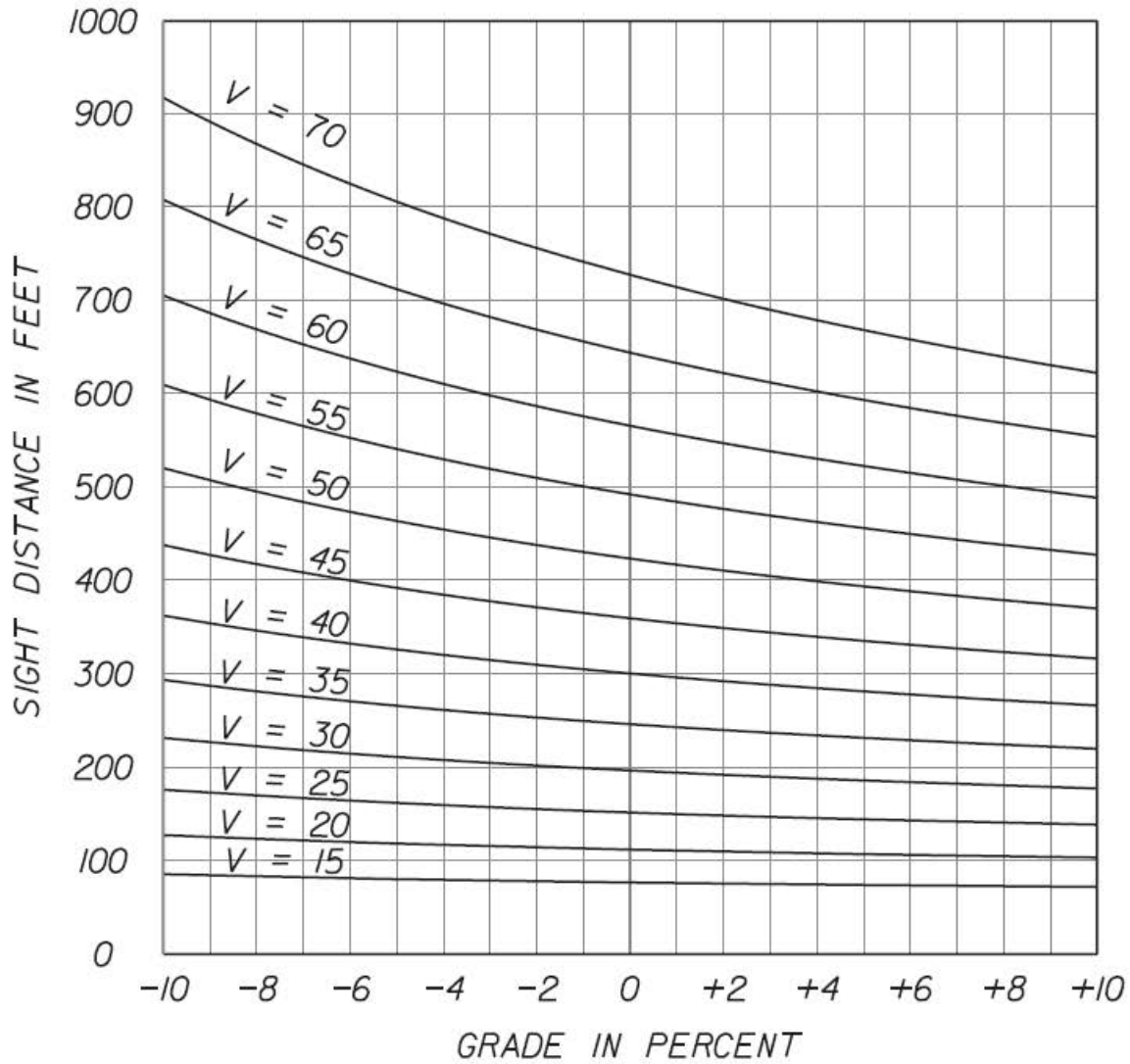
MINIMUM STOPPING SIGHT DISTANCES (FEET) (For application of stopping sight distance, use an eye height of 3.50 feet and an object height of 6 inches above the road surface)												
Design Speed (MPH)	15	20	25	30	35	40	45	50	55	60	65	70
Stopping Sight Distance (FEET)	80	115	155	200	250	305	360	425	495	570	645	730

ROUNDED K VALUES FOR MINIMUM LENGTHS VERTICAL CURVES												
L = KA												
L = LENGTH OF VERTICAL CURVE A = ALGEBRAIC DIFFERENCE OF GRADES IN PERCENT												
Design Speed (MPH)	15	20	25	30	35	40	45	50	55	60	65	70
K Values for Crest Vertical Curves	5	10	19	31	47	70	98	136	185	245	313	401
K Values for Sag Vertical Curves	10	17	26	37	49	64	79	96	115	136	157	181
<ul style="list-style-type: none"> The length of vertical curve must never be less than three times the design speed of the highway Curve lengths computed from the formula $L = KA$ should be rounded upward when feasible The minimum lengths of vertical curves to be used on major highways are shown in the table below 												

MINIMUM LENGTHS FOR VERTICAL CURVES ON MAJOR HIGHWAYS (FEET)			
Design Speed (MPH)	50	60	70
Crest Vertical Curves (FEET)	300	400	500
Sag Vertical Curves (FEET)	200	300	400

MINIMUM PASSING SIGHT DISTANCES (FEET) (For application of passing sight distance, use an eye height of 3.50 feet and an object height of 3.50 feet above the road surface)												
Design Speed (MPH)	20	25	30	35	40	45	50	55	60	65	70	
Minimum Passing Sight Distance (FEET)	710	900	1090	1280	1470	1625	1835	1985	2135	2285	2480	

FIGURE 3 - 9
SIGHT DISTANCES FOR APPROACH TO STOP ON GRADES



$$S = 3.675V + \frac{V^2}{30(0.3478 \pm G)}$$

S = Sight Distance
V = Design Speed
G = Grade

**Leon County
Board of County Commissioners**


Notes for Agenda Item #11

Leon County Board of County Commissioners

Cover Sheet for Agenda #11

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Request to Schedule Two Public Hearings to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards for April 12 and May 10, 2016 at 6:00 p.m.

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator David McDevitt, Director, Development Support and Environmental Management
Lead Staff/ Project Team:	Ryan Culpepper, Director, Development Services

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Schedule two required Public Hearings to consider proposed revisions to the Leon County Land Development Code to provide private and charter school siting standards for April 12 and May 10, 2016 at 6:00 p.m.

Report and Discussion

Background:

Traditional land use planning principles and implementing zoning code provisions for schools are generally based on the premise of siting neighborhood public elementary schools that are within walking and biking distance of the student population to be served, while larger secondary schools that typically draw from a larger geographical area are sited based on bus trip times. The way elementary and secondary schools serve the community has, however, evolved over the years. Currently, elementary schools enroll approximately 500 to 800 students and draw from a much larger geographical area. Furthermore, the County has seen the introduction of public magnet schools, charter schools and private schools, which draw from a countywide student base.

In addition to the changes in school districts, the nature of private schools has also changed. In prior years, private schools were rare and generally resembled public school campuses, or were housed in larger religious facilities. Local examples of this are North Florida Christian School, Maclay School, and Trinity Catholic School. Additionally, funding options, such as the MacKay Scholarship and other programs, have made private schools economically feasible for more families.

Charter schools, which are a relatively new type of public school, have become more popular in recent years. These schools are privately run, but are financed with public money; therefore, their operating plan is approved by the local school board. Countywide, there have been seven charter schools approved since 2003. The population of these schools ranged from 68 to 540 students during the 2012-2013 school year. As a result, these schools are significant public facilities and the proper siting of these schools is a community concern. With the direction from the Board, staff has drafted an Ordinance to address a number of potential siting issues (Attachment #1).

The public school siting policies and processes are laid out in the Public Schools Facilities Element of the Comprehensive Plan (Attachment #2). These policies are implemented by an interlocal agreement between Leon County, the City of Tallahassee, and Leon County Schools (Attachment #3). This agreement provides a database and collaborative process that includes public participation and ensuring adequate population growth to determine the most appropriate location for public schools. Additionally, school siting is based on attendance zones and ensuring adequate student enrollment to support the new or expanded facilities.

Charter schools, however, derive their enrollment from a countywide base and are not limited to attendance zones. Furthermore, neither the Public Schools Facilities Element nor the interlocal agreement specifically reference charter schools. Therefore, without the interlocal agreement process as a guide, charter and private schools could be sited in any zoning district where elementary and/or secondary schools are identified as permitted uses, provided they meet the applicable development standards noted in the Leon County Land Development Code (LDC). This has the potential to create problems since the zoning districts do not address a number of the issues related to the development of large-scale schools that serve a countywide population.

Analysis:

Over the last three years, the County has approved two charter schools: the Governor's Charter Academy (formerly Renaissance Charter School), approved in 2012; and the Tallahassee School of Math and Science (formerly S.T.A.R.S. Middle School), approved in 2015. Both schools chose to rezone their properties to Planned Unit Development (PUD) to specifically allow development of the respective sites for elementary and middle schools. The Governor's Charter Academy (GCA) site includes a high school as an allowed use within their PUD. The GCA site was previously zoned Residential Preservation (RP), which does allow elementary and secondary schools (middle and high school) as a special exception. However, RP does not provide specific development standards for this type of use, nor are there specific provisions to address buffering, noise, lighting, and traffic circulation. The rezoning of the GCA site to PUD implemented specific provisions addressing these issues.

The Tallahassee School of Math and Science (TSMS) is also within a PUD district. The site was originally zoned M-1 (Light industrial), which did not allow any type of school. The TSMS PUD district allows elementary and middle schools, and implements specific provisions addressing issues of buffering, noise, lighting, and traffic circulation.

Although the PUD rezoning is an option to allow charter schools or private schools on a particular site, there are a number of existing zoning districts that allow schools as a principal use, special exception use, or as a conditional use. A chart identifying the zoning districts and the allowable type of school in each district is provided in Attachment #4. As noted in the zoning chart, elementary, middle, and high schools (or a combination thereof), may be allowed in a number of the zoning districts. The majority of the districts allowing schools are primarily residential zoning districts, with a select few being office or office/residential districts.

As the popularity of private schools and charter schools continues to grow, it is anticipated the County will experience compatibility issues unless additional standards are developed to ensure compatibility with adjacent properties and to ensure the mitigation of certain adverse off-site impacts. In 2013, S.T.A.R.S. Middle School proposed a school on the corner of Altoona Drive (local roadway) and Thomasville Road (arterial roadway). Even though the site had significant challenges related to access and neighborhood compatibility, the Leon County School Board attorney indicated that the interlocal agreement, which contained compatibility and access standards for new public schools, did not apply to charter or private schools. Ultimately, the applicant withdrew their application due to widespread neighborhood concern.

The City of Tallahassee encountered issues during review of the Heart to Heart Academy and the ACTS Academy due to the lack of school siting standards for private and/or charter schools. As a result, the City amended their LDC to provide location and development standards in lieu of an interlocal agreement that includes private and charter schools. The City adopted their Ordinance on August 26, 2015.

County staff has encountered a rise in interest in the development of private and charter schools over the last four years. Since 2011, staff has received five Permitted Use Verifications (PUV) indicating a desire to establish private/charter K-8 or K-12 schools in Leon County. With a lack of specific locational and development guidelines for private and charter schools, these schools could be located in any of the previously noted zoning districts allowing elementary and/or secondary schools. In addition, under current development standards, larger scale schools could obtain access to local streets that typically provide access to residential neighborhoods, and may not be subject to certain development standards generally associated with school sites and implemented by an interlocal agreement.

Issues evaluated in the proposed Ordinance:

- a) Residential Impacts. Although schools are typically located near residential centers, establishing a new private or charter school, especially a larger scale school, with access to local streets could have adverse impacts to established neighborhoods and local roadways since these schools typically serve a much larger geographical area.
- b) Buffers. Without any specific requirement for buffers, a school could have adverse impacts to surrounding residential property owners due to noise, lights, and other outdoor activities.
- c) Infrastructure. Schools typically need urban infrastructure to support the development. Areas outside the USA are typically lacking the appropriate type of infrastructure. Certain guidelines would need to be established to ensure adequate infrastructure to support the development of a school.
- d) Existing schools. There are a number of existing schools (public, private and charter) in the County. Some may be located in existing neighborhood districts, in particular, Residential Preservation zoning districts. Specific standards for these existing schools may need to be established in order to ensure the protection of these established neighborhoods, while still allowing flexibility for school expansion and addressing nonconformity issues.
- e) Commercial/office districts. As identified in Attachment #4, some office districts and one commercial district allow either elementary or secondary schools. These districts may be appropriate locations for schools, as it would provide an opportunity to re-use existing buildings that have been abandoned or underutilized. Office/Residential districts are generally located adjacent to residential neighborhoods and would provide an opportunity to interconnect neighborhoods with schools.

The proposed Ordinance would address these issues and provide more certainty in the location and development standards for a school. In addition, the Ordinance would address other issues, such as but not limited to, the non-conforming status of Chiles High School, as well as provide clarification on the types (elementary, middle or high) of allowed schools in a number of zoning districts.

As is standard procedure for all proposed LDC changes, prior to requesting public hearings, staff will present the proposed draft Ordinance to the Development Support and Environmental Management (DSEM) Citizen's User Group for review and comment. The proposed draft

Title: Request to Schedule Two Public Hearings to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards for April 12 and May 10, 2016 at 6:00 p.m.

March 8, 2016

Page 5

Ordinance will also require review and recommendation by the Planning Commission at a Public Hearing, which has been scheduled for March 1, 2016. Comments and recommendations from the DSEM Citizen's User Group and from the Planning Commission will be included in the Board's Public Hearing agenda item.

Options:

1. Schedule two required Public Hearings to consider proposed revisions to the Leon County Land Development Code to provide private and charter school siting standards for April 12 and May 10, 2016 at 6:00 p.m.
2. Do not schedule two required Public Hearings to consider proposed revisions to the Leon County Land Development Code to provide private and charter school siting standards for April 12 and May 10, 2016 at 6:00 p.m.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Draft Ordinance
2. Public Schools Facilities Element of the Comprehensive Plan
3. 2006 Tallahassee-Leon County and Leon County Schools Interlocal Agreement
4. Zoning District Chart

ORDINANCE NO. 16- _____

1
2
3 AN ORDINANCE OF THE BOARD OF COUNTY
4 COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING
5 CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE
6 CODE OF LAWS OF LEON COUNTY, FLORIDA;
7 AMENDING SECTION 10-1.101, DEFINITIONS; AMENDING
8 SECTION 10-6.613, URBAN FRINGE ZONING DISTRICT;
9 AMENDING SECTION 10-6.615, RURAL COMMUNITY ZONING
10 DISTRICT; AMENDING SECTION 10-6.617, RESIDENTIAL
11 PRESERVATION; AMENDING SECTION 10-6.618, LAKE
12 TALQUIN RECREATIONAL/URBAN FRINGE; AMENDING
13 SECTION 10-6.634; RESIDENTIAL ACRE; AMENDING
14 SECTION 10-6.642, OFFICE RESIDENTIAL DISTRICT;
15 AMENDING SECTION 10-6.643, OFFICE RESIDENTIAL
16 DISTRICT; AMENDING SECTION 10-6.644, OFFICE
17 RESIDENTIAL DISTRICT; AMENDING SECTION 10-6.647,
18 NEIGHBORHOOD COMMERCIAL DISTRICT; AMENDING
19 SECTION 10-6.650, URBAN PEDESTRIAN DISTRICT;
20 AMENDING SECTION 10-6.651, URBAN PEDESTRIAN
21 DISTRICT; AMENDING SECTION 10-6.654.1, MAHAN
22 CORRIDOR NODE DISTRICT; AMENDING SECTION 10-6.655,
23 NEIGHBORHOOD BOUNDARY OFFICE; AMENDING SECTION
24 10-6.674, BRADFORDVILLE COMMERCIAL PEDESTRIAN-
25 ORIENTED DISTRICT; AMENDING SECTION 10-6.676,
26 BRADFORDVILLE OFFICE RESIDENTIAL DISTRICT;
27 AMENDING SECTION 10-6.806, COMMUNITY SERVICES AND
28 FACILITIES/INSTITUTIONAL USES; AMENDING SECTION 10-
29 7.522, BUFFER ZONE STANDARDS; PROVIDING FOR
30 CONFLICTS; PROVIDING FOR SEVERABILITY; AND
31 PROVIDING AN EFFECTIVE DATE.
32

33 WHEREAS, all public, private and charter elementary and secondary schools in the
34 unincorporated portion of Leon County are subject to the requirements of the Leon County Land
35 Development Code; and,
36

37 WHEREAS, the inter-local agreement between Leon County, the City of Tallahassee and the
38 Leon County School Board defines the procedures and standards for siting of public schools
39 and there are no procedures or standards for the siting of private and charter schools; and,
40

41 WHEREAS, the Board has determined that a need for siting procedures and standards
42 for private and charter schools as well as public schools in unincorporated Leon County has
43 been identified; and,
44

45 WHEREAS, amendments to the applicable provisions of Chapter 10 will be required to maintain
46 consistency with the Comprehensive Plan; and,
47

48 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY,
49 FLORIDA:

50
51 **SECTION 1.** Section 10-1.101 of Article I of Chapter 10 of the Code of Laws of Leon County,
52 Florida, entitled "Definitions" is hereby amended to read as follows:
53

54 **Sec. 10-1.101. Definitions.**

55 * * *

56 School, charter shall mean a publicly financed independent elementary, middle, secondary
57 or other school established by teachers, parents, or community groups under the terms of a
58 charter with the Leon County School Board, pursuant to Chapter 1002 of the Florida
59 Statutes.

60 School, private shall mean an elementary or secondary school (middle or high) that is
61 financially supported by a private individual or private organization rather than
62 governmental entities. A private school is not a charter school.

63 School, public shall mean an elementary or secondary school (middle or high) that is
64 financed by governmental entities.

1 School, vocational. See “Vocational and adult education center”.

2 School Interlocal Agreement shall mean the Interlocal Agreement for Tallahassee-Leon
3 County Schools Public School Concurrency and Facility Planning between the City of
4 Tallahassee, Leon County and the School Board of Leon County, approved September 1,
5 2006, as amended.

6
7 **SECTION 2.** Section 10-6.613 of Article VI of Chapter 10 of the Code of Laws of Leon County,
8 Florida, entitled “Urban Fringe” is hereby amended to read as follows:
9

10 **Sec. 10-6.613. Urban Fringe district.**

11 (a) Purpose and intent. The urban fringe district is intended to provide the opportunity for very
12 low-density residential areas mixed with open space and agricultural activity on the
13 periphery of the urban service area. The district allows for very low-density residential
14 development of no greater than one unit on three acres of land, agricultural, and silvicultural
15 activities. Residential development will also be allowed a gross density of one unit per three
16 acres if developed as a conservation subdivision as described in section 10-7.204.

17 For sites developed under the previously available "25-75" clustering option, the remaining
18 undeveloped portion (75 percent) may continue to be preserved as undisturbed open
19 (green) space until such time as these sites are included in the urban service area and
20 become eligible for development at urban densities. As an alternative, sites developed
21 under the previously available "25-75" clustering option may seek to develop the
22 undeveloped portion (75 percent) at the urban fringe densities described above prior to the
23 sites inclusion in the urban service area. For either development option, review by the
24 Board of County Commissioners shall be requested to authorize development of these
25 undisturbed open (green) spaces.

26 To conveniently serve area residents, smaller scale, low-intensity commercial development
27 is permitted in this district. To maximize efficiency in the development of agricultural and
28 silvicultural resources located within this zoning district and surrounding areas, agriculturally
29 and silviculturally related industrial activities, such as milling, are permitted. Community
30 facilities are also permitted in this district.
31

32 (b) Allowable uses. For the purpose of this article, the following land use types are allowable in
33 this zoning district and are controlled by the land use development standards of this article,
34 the Comprehensive Plan and schedules of permitted uses.

- 35 (1) Low-density residential.
- 36 (2) Agricultural.
- 37 (3) Silvicultural.
- 38 (4) Light industry—Agriculturally and silviculturally related only.
- 39 (5) Passive recreation.
- 40 (6) Active recreation.
- 41 (7) Minor commercial.
- 42 (8) Neighborhood commercial.
- 43 (9) Community services.
- 44 (10) Light infrastructure.
- 45 (11) Heavy infrastructure.

46 (c) List of permitted uses. Some of the uses on these schedules are itemized according to
47 the Standard Industrial Code (SIC). Allowable uses, appropriate permit level and applicable
48 development and locational standards in the urban fringe district are as follows:
49

50 P = Permitted use R = Restricted use S = Special exception

Legend					
Ag	=	Agricultural	PR	=	Passive recreation
MC	=	Minor commercial	AR	=	Active recreation

NC	=	Neighborhood commercial	CS	=	Community services
LR	=	Low-density residency	PS	=	Postsecondary

1

SIC Code	Name of Use	Development and Locational Standards							
		Ag	MC	NC	LR	PR	AR	CS	PS
	RESIDENTIAL								
	Dwelling, one-family	P			P				
	Dwelling, two-family	P			P				
	Dwelling, mobile home	P			P				
	Mobile home park				R				
	AGRICULTURE, FORESTRY, AND FISHING								
01	Agricultural production—Crops	P							
0181	Ornamental nursery products	P							
02	Agricultural production—Livestock	P							
074	Veterinary services	P	P	P					
0781	Landscape counseling and planning	R							
092	Fish hatcheries and preserves	P							
	MINING								
144	Sand and gravel	S							
145	Clay, ceramic, and refractory minerals	S							
	MANUFACTURING								
201	Meat products	R							
202	Dairy products	R							
204	Grain mill products	R							
21	Tobacco products	R							
24	Lumber and wood products	R							

	TRANSPORTATION AND PUBLIC UTILITIES								
401	Railroads		P	P					S
43	Postal service		P	P					
483	Radio and television broadcasting								R
	RETAIL TRADE								
521	Lumber and other building materials		P	P					
523	Paint, glass, and wallpaper stores		P	P					
525	Hardware stores		P	P					
526	Retail nurseries and garden stores		P	P					
533	Variety stores		P	P					
539	Misc. general merchandise stores		P	P					
541	Grocery stores		P	P					
542	Meat and fish markets		P	P					
543	Fruit and vegetable markets		P	P					
544	Candy, nut and confectionery stores		P	P					
545	Dairy products stores		P	P					
546	Retail bakeries		P	P					
553	Auto and home supply stores		P	P					
554	Gasoline service stations		P	P					
	Convenience store		P	P					
581	Eating and drinking places		R	P					
591	Drugstores and proprietary stores		P	P					
592	Liquor stores		P	P					
593	Used merchandise stores		P	P					
5941	Sporting goods and bicycle shops		P	P					
5943	Stationery stores		P	P					
5961	Catalog and mail-order houses		P	P					

5983	Fuel oil dealers		S						
5984	Liquefied petroleum gas dealers		S						
5992	Florists		P	P					
5993	Tobacco stores and stands		P	P					
5994	News dealers and newsstands		P	P					
5995	Optical goods stores		P	P					
5999	Miscellaneous retail stores, nec		R	R					
	FINANCE, INSURANCE, AND REAL ESTATE								
6553	Cemeteries		P					P	
	SERVICES								
702	Rooming- and boardinghouses; dorms				R				
703	Camps and recreational vehicle parks						R		
721	Laundry, cleaning, and garment services		R	R					
7215	Coin-operated laundries and cleaning		P	P					
723	Beauty shops		P	P					
724	Barber shops		P	P					
725	Shoe repair and shoeshine parlors		P	P					
7334	Photocopying and duplicating services		P	P					
7335	Commercial photography		P	P					
7336	Commercial art and graphic design		P	P					
7353	Heavy construction equipment rental	R							
7359	Equipment rental and leasing, nec	R							
753	Automotive repair shops		R	R					
754	Automotive services, except repair		P	P					
762	Electrical repair shops		P	P					
764	Reupholstery and furniture repair		P	P					
784	Video tape rental		P	P					
791	Dance studios, schools, and halls		P	P					

7991	Physical fitness facilities		P	P				
7992	Public golf courses					S		
	<u>Public</u> Elementary and secondary schools <u>(that are subject to the School Interlocal Agreement); (excludes charter and private schools)</u>						S	
822	Colleges and universities							S
823	Libraries—Less than 7500 sq. ft.		P	P				
823	Libraries—7500 sq. ft. or more						R	
824	Vocational schools							S
835	Day care services		R	P				
836	Residential care		R	P				
841	Museums and art galleries					S		
842	Botanical and zoological gardens					S		
864	Civic and social associations						P	
866	Religious organizations						P	
6553	Cemeteries		P					
	PUBLIC ADMINISTRATION							
922	Public order and safety						P	
9221	Police protection						P	
9223	Correctional institutions						S	
9224	Fire protection						P	
	RECREATION							
	Hiking and nature trails					P		
	Picnicking					P		
	Canoe trails					P		
	Bicycle trails					P		
	Horseback riding trails					P		
	Tot lots						P	
	Court sports						P	

	Field sports						P	
	Boat landings						P	
	Archaeological historical sites					S		

1

2 (d) The maximum allowable gross square footage in the urban fringe district is as follows:

COMMERCIAL LAND USE TYPE		URBAN FRINGE
MINOR*		
	Total location	20,000
	Single site or quadrant	10,000
	Single structure	5,000
NEIGHBORHOOD**		
	Total location	100,000
	Single site or quadrant	100,000
	Single structure	50,000

3

4 * Maximum 10,000 gross square feet, if located on a local street

5 ** Only one neighborhood commercial site (quadrant) will be permitted at the intersection of a
 6 major collector and arterial road. The maximum allowable commercial development permitted at
 7 the neighborhood commercial area located at the intersection of two major collectors is 50,000
 8 sq. ft. g.s.l.a.

9 (e) The minimum development standards in the urban fringe district are as follows:

		Low Density Residential		Commercial				
		Noncluster	Cluster	Noncluster	Cluster	Agricultural - Related Industrial	Community Services; Active Recreation ; Public, Primary and Secondary Schools	Comp. Plan Policy 2.1.9. Subdivision
MINIMUM SETBACKS (FEET)								
Front yard								
	Building	30	30*	30	25*	50	30	25

Parking	—	—	40	40*	50	40	—
Corner yard							
Building	30	30*	30	25*	50	30	25
Parking	—	—	40	40*	50	40	—
Side yard							
Building	20	20*	40	20*	50	40	15
Parking	—	—	40	20*	50	40	—
Rear yard							
Building	50	50*	50	30*	50	50	50
Parking	—	—	40	10*	50	50	50
Adjoining lower intensity zoning district							
Building	—	—	—	—	100	—	—
Parking	—	—	—	—	100	—	—
Maximum percent impervious surface area	30	25**	30	25**	30	—	30
Heights (feet)							
Maximum at building envelope perimeter	35	35	35	35	35	35	35
Maximum additional height/additional zoning setback	1/1'	1/1'	1/1'	1/1'	1/1'	1/1'	1/1'
Total maximum height	—	35	45	45	45***	45	—
Minimum lot frontage	15	15	40	40	100	—	15
Minimum lot area	3.0	0.5	3.0	0.5	10.0	—	0.5

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* This number applies to the perimeter setback only.

**Maximum percent impervious area of developable portion of site.

*** This height applies to habitable portion of an industrial structure.

(f) Development standards. All proposed development shall meet the commercial site location standards (section 10-6.619); buffer zone standards (section 10-7.522); and the parking and loading requirements (Subdivision 3 of Division 5 of Article VII).

(g) Restricted uses and special exception uses. If uses are restricted or are special exception uses according to the schedule of permitted uses, they will not be allowed unless they follow the general development guidelines for restricted uses or for special exceptions as provided in this division. Specific restricted uses are addressed below.

(1) Eating and drinking establishments (SIC 581). No drive-in or drive-thru facilities are permitted within this district.

(2) Laundry, cleaning and garment services (SIC 721). Does not include dry cleaning plant operations; pick-up stations only.

(3) Funeral services and crematoriums (SIC 726). This use requires 100 percent opacity buffer surrounding perimeter with exception of access point.

(4) Camps and recreational vehicle parks (SIC 703).

a. A site plan shall be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:

1. Sanitary facilities shall be provided.
2. Not more than ten campsites per acre shall be provided.
3. Individual campsites, roadways, and accessory structures shall be located to meet the minimum building setback standards from the exterior property lines of the campground.

(5) Heavy construction equipment rental and equipment rental and leasing (SIC 7353 and 7359).

a. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:

1. Such equipment rental and leasing must be associated with timbering and/or agribusiness.
2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use. For purposes of this requirement, local and minor collector streets shall be those identified in the Comprehensive Plan and the Tallahassee-Leon County Long Range Transportation Plan.

(6) Mining activities.

a. All mining activities as defined on the schedule of permitted uses must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. This includes SIC items 144 and 145.

b. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:

1. The mining activity, all accessory uses and structures, internal roadways, and driveways onto the adjacent streets shall be set back a minimum of 100 feet from the perimeter property boundaries or 200 feet from the nearest off-site residence, residential zoning district, or subdivision intended primarily for residential land use, whichever distance is greater. This setback standard may be reduced if less of a setback is approved in writing by the adjacent property owner or owners prior to site plan approval or if the adjacent property is also used as a mining activity.
2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use.

1 For purposes of this requirement, local and minor collector streets shall be
2 those identified in the local government Comprehensive Plan and the
3 Tallahassee-Leon County Long Range Transportation Plan.

4 3. A land reclamation plan shall be submitted demonstrating that upon
5 termination of the activity the land shall be returned to a condition that will
6 allow an effective reuse comparable to surrounding properties.

7 4. Fencing requirement: All areas proposed for use, currently used, or previously
8 used, in open-pit mining operations and/or construction and demolition debris
9 disposal must be secured by a fence, unless the area is determined to be a
10 reclaimed open-pit mine by the county administrator or designee. The fence
11 must be at least four feet in height with openings that will reject the passage of
12 a seven-inch diameter sphere. The fence must be equipped with a gate which
13 shall remain locked when workers or employees of the land owner or mining
14 company are not present at the site. At every gate or access point, at least
15 one sign must be posted which states, in at least four-inch tall letters,
16 "Danger," "Keep Out," "No Trespassing," or similar language to indicate that
17 there may be hazardous conditions on the premises.

18 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-17, § 3, 7-22-08; Ord. No. 09-02, § 2, 1-15-09;
19 Ord. No. 09-12, § 4, 3-19-09; Ord. No. 12-01, § 1, 1-24-12)

20
21 **SECTION 3.** Section 10-6.615 of Article VI of Chapter 10 of the Code of Laws of Leon County,
22 Florida, entitled "Rural Community" is hereby amended to read as follows:

23
24 **Sec. 10-6.615. - Rural community.**

25 (a) Purpose and intent. The purpose of the rural community district is to accommodate hamlets
26 or villages that develop in an area that is surrounded by very-low-intensity rural land use.
27 This district allows residential development up to four dwelling units per acre. Small to
28 moderate sized commercial development is allowed in order to give local and surrounding
29 rural residents access to basic shopping opportunities. This district is intended to allow for
30 the creation and continued maintenance of villages rather than an urban neighborhood. As
31 such it is not intended to function as a growth node or to contribute to urban sprawl. Central
32 sewer and water systems designed for lower density service may be present or
33 constructed.

34 The shops and services that may be located in this district will be limited in scale, function,
35 and number. Commercial retail and office establishments located within this district will
36 provide residents within the village/district with convenient access to necessary goods,
37 groceries, and other essential items and services rather than attract shoppers from other
38 parts of the community. Commercial establishments will be limited in size as well as in
39 vehicular access and parking opportunities to assure compatibility with the rural character
40 of the village.

41 (b) Allowable uses. For the purpose of this article, the following land use types are allowable in
42 this zoning district and are controlled by the land use development standards of this article,
43 the Comprehensive Plan and schedules of permitted uses.

44 (1) Minor commercial.

45 (2) Neighborhood commercial.

46 (3) Low-density residential.

47 (4) Passive recreation.

48 (5) Active recreation.

49 (6) Community services.

50 (7) Light infrastructure.

51 (8) Heavy infrastructure.

52 (9) Postsecondary.

53 (10) Light industrial—Minor (agricultural related only).

54 (c) List of permitted uses. Some of the uses on these schedules are itemized according to
55 the Standard Industrial Code (SIC). Allowable uses, appropriate permit level and applicable
56 development and locational standards in the rural community district are as follows:

57
58 P = Permitted use

R = Restricted use

S = Special exception

Legend					
MC	=	Minor commercial	CS	=	Community services
NC	=	Neighborhood commercial	PS	=	Postsecondary
LR	=	Low-density residential			

1

		Development and Locational Standards				
SIC Code	Name of Use	MC	NC	LR	CS	PS
	RESIDENTIAL					
	Dwelling, one-family			P		
	Dwelling, two-family			P		
	Dwelling, mobile home			P		
	Mobile home park			S		
	AGRICULTURE, FORESTRY, AND FISHING					
074	Veterinary services	P				
	TRANSPORTATION AND PUBLIC UTILITIES					
43	Postal service	P	P			
	RETAIL TRADE					
521	Lumber and other building materials	P	P			
523	Paint, glass, and wallpaper stores	P	P			
525	Hardware stores	P	P			
526	Retail nurseries and garden stores	P	P			
539	Misc. general merchandise stores	P	P			
541	Grocery stores	P	P			
542	Meat and fish markets	P	P			
543	Fruit and vegetable markets	P	P			
544	Candy, nut and confectionery stores	P	P			
545	Dairy products stores	P	P			
546	Retail bakeries	P	P			
553	Auto and home supply stores	P	P			
554	Gasoline service stations	P	P			
	Convenience store	P	P			
56	Apparel and accessory stores	P	P			
571	Furniture and homefurnishings stores	P	P			
572	Household appliance stores	P	P			
573	Radio, television, and computer stores	P	P			
5736	Musical instrument stores	P	P			
581	Eating and drinking places	P	P			
591	Drugstores and proprietary stores	P	P			
592	Liquor stores	P	P			
593	Used merchandise stores	P	P			
5941	Sporting goods and bicycle shops	P	P			
5942	Bookstores	P	P			
5943	Stationery stores	P	P			

5944	Jewelry stores	P	P			
5945	Hobby, toy, and game shops	P	P			
5946	Camera and photographic supply stores	P	P			
5947	Gift, novelty, and souvenir shops	P	P			
5948	Luggage and leather goods stores	P	P			
5949	Sewing, needlework, and piece goods	P	P			
5961	Catalog and mail-order houses	P	P			
5983	Fuel oil dealers		S			
5984	Liquefied petroleum gas dealers		S			
5992	Florists	P	P			
5993	Tobacco stores and stands	P	P			
5994	News dealers and newsstands	P	P			
5995	Optical goods stores	P	P			
5999	Miscellaneous retail stores, nec	P	R			
	FINANCE, INSURANCE, AND REAL ESTATE					
602	Commercial banks	P	P			
603	Savings institutions	P	P			
606	Credit unions	P	P			
611	Federal and federal sponsored credit	P	P			
64	Insurance agents, brokers, and service	P	P			
65	Real estate	P	P			
	SERVICES					
702	Rooming- and boardinghouses; dorms			R		
721	Laundry, cleaning, and garment services	R	R			
7215	Coin-operated laundries and cleaning	P	P			
722	Photographic studios, portrait	P	P			
723	Beauty shops	P	P			
724	Barber shops	P	P			
725	Shoe repair and shoeshine parlors	P	P			
7334	Photocopying and duplicating services	P	P			
7335	Commercial photography	P	P			
7336	Commercial art and graphic design	P	P			
7359	Equipment rental and leasing, nec	R	R			
753	Automotive repair shops	P	P			
754	Automotive services, except repair	P	P			
762	Electrical repair shops	P	P			
763	Watch, clock, and jewelry repair	P	P			
764	Reupholstery and furniture repair	P	P			
784	Video tape rental	P	P			
791	Dance studios, schools, and halls	P	P			
7991	Physical fitness facilities	P	P			
7993	Coin-operated amusement devices	P	P			
7997	Membership sports and recreation clubs	P	P			
801	Offices and clinics of medical doctors	P	P			
802	Offices and clinics of dentists	P	P			
804	Offices of other health practitioners	P	P			

805	Nursing and personal care facilities	P	P	P		
81	Legal services	P	P			
821	Elementary and middle schools				S	
822	Colleges and universities					S
823	Libraries—Less than 7500 sq. ft.	P	P			
823	Libraries—7500 sq. ft. or more				P	
824	Vocational schools					S
835	Day care services	R	P			
841	Museums and art galleries	P	P		P	
842	Botanical and zoological gardens	P	P		P	
864	Civic and social associations	P	P			
866	Religious organization	P	P			
	PUBLIC ADMINISTRATION					
91	Executive, legislative, and general				P	
922	Public order and safety				P	
9221	Police protection				P	
9224	Fire protection				P	
	RECREATION					
	Hiking and nature trails				P	
	Picnicking				P	
	Canoe trails				P	
	Bicycle trails				P	
	Horseback riding trails				P	
	Tot lots				P	
	Court sports				P	
	Field sports				P	
	Boat landings				P	
	Archaeological historical sites				S	S

- 1
- 2 (d) The maximum allowable gross square footage in the rural community district is as follows:

COMMERCIAL LAND USE TYPE	RURAL COMMUNITY
MINOR*	
Total location	40,000
Single site or quadrant	20,000
Single structure	10,000
NEIGHBORHOOD**	
Total location	50,000
Single site or quadrant	50,000
Single structure	50,000

- 3 * Maximum of 10,000 gross square feet, if located on a local street.
- 4 ** Only one neighborhood commercial site (quadrant) will be permitted at the intersection of a
5 major collector and arterial road. The maximum allowable commercial development permitted at
6 the neighborhood commercial area located at the intersection of two major collectors is 50,000
7 sq. ft. g.s.l.a.
- 8 (e) The minimum development standards in the rural community district are as follows:

1 **Sec. 10-6.617. – Residential Preservation.**
2

3 (a) Purpose and intent. The residential preservation district is characterized by existing
4 homogeneous residential areas within the community predominantly accessible by local
5 streets. The primary function is to protect existing stable and viable residential areas from
6 incompatible land uses and density intrusions. Commercial, retail, office, and industrial
7 activities are prohibited. Certain nonresidential activities may be permitted, such as home
8 occupations consistent with the applicable provisions of section 10-6.803; community
9 services and facilities/institutional uses consistent with the applicable provisions of section
10 10-6.806; and churches, religious organizations, and houses of worship. Single-family,
11 duplex residences, manufactured homes, and cluster housing may be permitted within a
12 range of zero to six units per acre. Compatibility with surrounding residential type and
13 density shall be a major factor in the authorization of development approval and in the
14 determination of the permissible density.

15 (1) In residential preservation areas outside the urban service area, the density of the
16 nonvested development in residential preservation areas shall be consistent with the
17 underlying land use category.

18 (2) In residential preservation areas inside the urban services area, new residential
19 development densities shall be consistent with those within the developed portions of
20 the recorded or unrecorded subdivision in which they are located. Consistency for the
21 purposes of this paragraph shall mean that proposed lots shall not be smaller than the
22 smallest lot that was created by the original subdivision plat or any subsequent replat
23 that may have occurred consistent with county land development regulations in effect
24 at the time.

25 (3) When new residential development inside the urban services area is proposed for an
26 area not located within a recorded or unrecorded subdivision, densities shall be
27 permitted in the range of zero to six dwelling units per acre consistent with the
28 availability of central water and sewer service to accommodate the proposed
29 development. If central water and sewer service is not available, density shall be
30 limited to a maximum of two dwelling units per acre consistent with all applicable
31 provisions of the Environmental Management Act.

32 (4) Notwithstanding the provisions of subsection 10-6.617(a)(2) above, existing lots in a
33 recorded or unrecorded residential subdivision zoned residential preservation may be
34 resubdivided up to a maximum density of six dwelling units per acre provided that the
35 parent lot directly abuts an existing arterial or major collector roadway that was not
36 constructed as part of the subdivision's roadway network. This provision shall not apply
37 to lots whose current designated primary access is from a street internal to the
38 recorded or unrecorded subdivision zoned residential preservation. Existing lots of
39 record with no current frontage on a major collector or arterial roadway, as specified
40 above, cannot be aggregated to benefit from the provision of this section.

41 The following factors shall be used to determine the maximum allowed number of lots
42 per acre created pursuant to this subsection: a) the availability of water and sewer to
43 accommodate the proposed development as cited in subsection 10-617(a)(3) above; b)
44 compliance with applicable local and/or Florida Department of Transportation (FDOT)
45 roadway connection standards c) the mitigation of any adverse impacts on the
46 transportation network, and d) compliance with any other applicable provisions of the
47 Land Development Code, including those pertaining to environmental protection.
48 Acceptable mitigation for impacts to the transportation network include a common
49 ingress/egress access point for all newly created lots, frontage roadways, or any other
50 solution that mitigates the adverse impacts on the transportation network as
51 determined by the director.

52 (5) Allowable development type shall be construed to mean the following:

53 a. Parcels proposed for residential which are located in a recorded or unrecorded
54 subdivision shall develop consistent with the type of residential development
55 pattern located inside the recorded or unrecorded subdivision.

56 b. Parcels proposed for residential which are located inside the urban service area
57 and not in a recorded or unrecorded subdivision shall develop consistent with the
58 type of residential development pattern located adjacent to the vacant parcel.

59 c. Parcels proposed for residential development surrounded by a mix of conventional
60 single-family homes and manufactured homes, shall be developed for
61 conventional single-family homes.

62 d. Parcels proposed for residential development surrounded by a mix of single-family
63 and duplex development shall be developed for single-family use, unless duplex
64 residential development is the predominant type.

- 1 e. The placement of standard design manufactured homes and mobile homes shall
 2 be allowed in manufactured home parks, in subdivisions platted explicitly for
 3 allowing manufactured homes, or as a replacement unit for any lawfully existing
 4 manufactured home consistent with the provisions of article XII of this chapter.
- 5 (b) Allowable uses. For the purpose of this article, the following land use types are allowable in
 6 the RP zoning district and are controlled by the land use development standards of this
 7 article, the Comprehensive Plan and schedules of permitted uses.
- 8 (1) Low-density residential.
 9 (2) Passive recreation.
 10 (3) Active recreation.
 11 (4) Community services.
 12 (5) Light infrastructure.
- 13 (c) List of permitted uses. Some of the uses on these schedules are itemized according to the
 14 Standard Industrial Code (SIC). Those uses or activities permitted through special
 15 exception shall require review and approval by the Board of County Commissioners
 16 consistent with the provisions of section 10-6.611. Allowable uses, appropriate permit level
 17 and applicable development and locational standards in the residential preservation district
 18 are as follows:
- 19 P = Permitted use R = Restricted use S = Special exception

Legend						
LR	=	Low-density residential	CS	=	Community services	
PR	=	Passive recreation	LI	=	Light infrastructure	
AR	=	Active recreation				
		Development and Locational Standards				
SIC Code	Name of Use	LR	PR	AR	CS	LI
	RESIDENTIAL					
	Dwelling, one-family	P				
	Dwelling, two-family	R				
	Dwelling, mobile home	P				
	Mobile home park	S				
	SERVICES					
	Elementary and secondary <u>schools legally established and in existence as of July 1, 2015, including expansions to existing facilities</u>				R	
	Religious organizations				S	
	PUBLIC ADMINISTRATION					

922	Public order and safety				S	
9221	Police protection				S	
9224	Fire protection				S	
	RECREATION					
	Hiking and nature trails		P			
	Picnicking		P			
	Canoe trails		P			
	Bicycle trails		P			
	Horseback riding trails		P			
	Tot lots			P		
	Court sports			P		
	Field sports			P		

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2 Placement of new mobile homes are limited to the following areas: existing mobile home parks;
3 and platted mobile home subdivisions. New mobile homes shall also be allowed as
4 replacements of lawfully existing mobile homes in other locations. New mobile home parks may
5 be established as per the provisions set forth in section 10-6.807.

6 (d) Development standards. All proposed development shall meet the applicable buffer zone
7 standards as outlined in section 10-7.522. For residential development in recorded or
8 unrecorded subdivisions, the development standards including front, rear, side, and side
9 corner yard setbacks for new residential development shall be consistent with the
10 developed portions of the recorded or unrecorded subdivision in which it is located. For new
11 residential development in residential preservation areas not located in recorded or
12 unrecorded subdivisions, the applicable development standards including, but not limited to
13 front, rear, side, and side corner yard setbacks shall be established at the time of
14 subdivision and site and development plan review.

15
16 **SECTION 5.** Section 10-6.618 of Article VI of Chapter 10 of the Code of Laws of Leon County,
17 Florida, entitled "Lake Talquin Recreational/Urban Fringe" is hereby amended to read as
18 follows:
19

20 **Sec. 10-6.618. – Lake Talquin Recreational/Urban Fringe.**
21

22 (a) Purpose and intent. The purpose and intent of the Lake Talquin recreational urban fringe
23 district is to allow the same density as the urban fringe district through required clustering to
24 protect environmentally sensitive areas. This area has unique characteristics in that it has
25 developed to a large extent with weekend or vacation homes along the lake.

26 In the future, a critical areas study will be performed for this area to ascertain the environmental
27 impacts of future development as well to produce a strategy to provide services. Once this study
28 has been completed the provisions of this district will be reassessed and this article will be
29 amended as appropriate.

30 (b) Allowable uses. For the purpose of this article, the following land use types are allowable in
31 this zoning district and are controlled by the land use development standards of this article,
32 the Comprehensive Plan and schedules of permitted uses.

33 (1) Minor commercial.

- 1 (2) Neighborhood commercial.
- 2 (3) Highway commercial.
- 3 (4) Minor office.
- 4 (5) Low-density residential.
- 5 (6) Passive recreation.
- 6 (7) Active recreation.
- 7 (8) Community services.
- 8 (9) Light infrastructure.
- 9 (10) Heavy infrastructure.
- 10 (11) Postsecondary.
- 11 (c) List of permitted uses. Some of the uses on these schedules are itemized according to the
- 12 Standard Industrial Code (SIC). Allowable uses, appropriate permit level and applicable
- 13 development and locational standards in the Lake Talquin recreation urban fringe district
- 14 are as follows:

15 P = Permitted use R = Restricted use S = Special exception

Legend					
Ag	=	Agricultural	PR	=	Passive recreation
MC	=	Minor commercial	AR	=	Active recreation
NC	=	Neighborhood commercial	CS	=	Community services
HC	=	Highway commercial	PS	=	Postsecondary
LR	=	Low-density residential			

16

SIC Code	Name of Use	Development and Locational Standards									
		Ag	MC	NC	HC	LR	PR	AR	CS	PS	
	RESIDENTIAL										
	Dwelling, one-family					P					
	Dwelling, two-family					P					
	Dwelling, mobile home					P					
	AGRICULTURE, FORESTRY, AND FISHING										
02	Agricultural production—Livestock	P									
074	Veterinary services		R	S							
	TRANSPORTATION AND PUBLIC UTILITIES										
43	Postal service		P	S					S		
	RETAIL TRADE										
521	Lumber and other building materials		P	P							
523	Paint, glass, and wallpaper stores		P	P	S						
525	Hardware stores		P	P	S						
526	Retail nurseries and garden stores		R	R							
539	Misc. general merchandise stores		P	P							
541	Grocery stores		P	P							
542	Meat and fish markets		P	P							
543	Fruit and vegetable markets		P	P							
544	Candy, nut and confectionery stores		P	P							

545	Dairy products stores	P	P						
546	Retail bakeries	P	P						
553	Auto and home supply stores	P	P						
554	Gasoline service stations	P	R	S					
	Convenience store	P	S	S					
56	Apparel and accessory stores	P	P						
571	Furniture and homefurnishings stores	P	P						
572	Household appliance stores	P	P						
573	Radio, television, and computer stores	P	P						
5736	Musical instrument stores	P	P						
581	Eating and drinking places	P	P						
591	Drugstores and proprietary stores	P	P						
592	Liquor stores	P	P						
593	Used merchandise stores	P	P						
5941	Sporting goods and bicycle shops	P	P						
5942	Bookstores	P	P						
5943	Stationery stores	P	P						
5944	Jewelry stores	P	P						
5945	Hobby, toy, and game shops	P	P						
5946	Camera and photographic supply stores	P	P						
5947	Gift, novelty, and souvenir shops	P	P						
5948	Luggage and leather goods stores	P	P						
5949	Sewing, needlework, and piece goods	P	P						
5961	Catalog and mail-order houses	P	P						
5983	Fuel oil dealers			S					
5984	Liquefied petroleum gas dealers			S					
5992	Florists	P	P						
5993	Tobacco stores and stands	P	P						
5994	News dealers and newsstands	P	P						
5995	Optical goods stores	P	P						
	FINANCE, INSURANCE AND REAL ESTATE								
6553	Cemeteries	P						P	
	SERVICES								
703	Camps and recreational vehicle parks						R		
722	Photographic studios, portrait	P	P						
723	Beauty shops	P	P						
724	Barber shops	P	P						
725	Shoe repair and shoeshine parlors	P	P						
7334	Photocopying and duplicating services	P	P						
7335	Commercial photography	P	P						
7336	Commercial art and graphic design	P	P						
753	Automotive repair shops	R	R						
754	Automotive services, except repair	R	R						
762	Electrical repair shops	P	P						
763	Watch, clock, and jewelry repair	P	P						
764	Reupholstery and furniture repair	P	P						

784	Video tape rental		P	P	P				
791	Dance studios, schools, and halls		P	P					
793	Bowling centers		P	P					
7997	Membership sports and recreation clubs		P	P					
821	Public Elementary and secondary schools (that are subject to the School Interlocal Agreement); (excludes charter and private schools)								S
822	Colleges and universities								S
823	Libraries—Less than 7,500 sq. ft.		P	P					
823	Libraries—7,500 sq. ft. or more								S
824	Vocational schools								S
841	Museums and art galleries								S
842	Botanical and zoological gardens								S
864	Civic and social associations		P	P					S
6553	Cemeteries		P						
	PUBLIC ADMINISTRATION								
922	Public order and safety								S
9221	Police protection								S
9223	Correctional institutions								S
9224	Fire protection								S
	RECREATION								
	Hiking and nature trails						P		
	Picnicking						P		
	Canoe trails						P		
	Bicycle trails						P		
	Horseback riding trails						P		
	Tot lots							P	
	Court sports							P	
	Field sports							P	
	Boat landings							P	
	Archaeological historical sites							S	

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2

(d) The maximum allowable floor area in the Lake Talquin urban fringe district is as follows:

COMMERCIAL LAND USE TYPE	LAKE TALQUIN RECREATION URBAN FRINGE
MINOR*	
Total location	20,000
Single site or quadrant	10,000
Single structure	5,000
NEIGHBORHOOD**	
Total location	100,000
Single site or quadrant	100,000
Single structure	50,000

3

4

* Maximum 10,000 gross square feet, if located on a local street.

1 ** Only one neighborhood commercial site (quadrant) will be permitted at the intersection of a
2 major collector and arterial road. The maximum allowable commercial development permitted at
3 the neighborhood commercial area located at the intersection of two major collectors is 50,000
4 sq. ft. g.s.l.a.

5 (e) The minimum development standards in the Lake Talquin urban fringe district are as
6 follows:

	Low Density Residential		Commercial		Agricultural - Related Industrial	Community Services; Active Recreation ; Public, Primary and Secondary Schools	Comp. Plan Policy 2.1.9. Subdivision
	Noncluster	Cluster	Noncluster	Cluster			
MINIMUM SETBACKS (FEET)							
Front yard							
Building	30	30*	30	25*	50	30	25
Parking	—	—	40	40*	50	40	—
Corner yard							
Building	30	30*	30	25*	50	30	25
Parking	—	—	40	40*	50	40	—
Side yard							
Building	20	20*	40	20*	50	40	15
Parking	—	—	40	20*	50	40	—
Rear yard							
Building	50	50*	50	30*	50	50	50
Parking	—	—	40	10*	50	50	50
Adjoining lower intensity zoning district							
Building	—	—	—	—	100	—	—
Parking	—	—	—	—	100	—	—
Maximum % impervious surface area	30	25**	30	25**	30	—	30
Heights (feet)							
Maximum at building envelope perimeter	35	35	35	35	35	35	35
Maximum additional height/additional zoning setback	1'1'	1'1'	1'1'	1'1'	1'1'	1'1'	1'1'
Total maximum height	—	—	45	45	45***	45	—
Minimum lot frontage	15	15	40	40	100	—	15
Minimum lot area (acres)	3.0	0.5	3.0	0.5	10.0	—	0.5

- 1 * This number applies to the perimeter setback only.
- 2 ** Maximum percent impervious of developable portion of site.
- 3 *** This height applies to habitable portion of an industrial structure.
- 4 (f) Development standards. All proposed development shall meet the commercial site location
- 5 standards (section 10-6.619); buffer zone standards (section 10-7.522); and the parking
- 6 and loading requirements (subdivision 3 of division 5 of article VII).

7
8 **SECTION 6.** Section 10-6.634 of Article VI of Chapter 10 of the Code of Laws of Leon County,
9 Florida, entitled "Residential Acre" is hereby amended to read as follows:

10 **Sec. 10-6.634. – Residential Acre.**

1. District Intent	PERMITTED USES	
	2. Principal Uses	3. Accessory Uses
The RA zoning district is intended to be located in areas designated Bradfordville Mixed Use Suburban, Urban Residential 2, or Woodville Rural Community on the Future Land Use Map and is intended to apply to selected areas located on the periphery of the urban service area where sanitary sewer is not expected to be available or environmental constraints exist. The regulations of this district are intended to permit low density or intensity development, consistent with environmental and infrastructure constraints, without precluding future expansion of urban services. The maximum gross density allowed for new residential development in the RA district is 1 dwelling unit per acre. This district also allows certain community and recreational facilities related to residential uses.	(1) Agricultural production-crops. (2) Cemeteries. (3) Community facilities related to residential uses including religious facilities, libraries and police/fire stations. elementary Public Elementary and middle schools that are subject to the School Interlocal Agreement; excludes private and charter schools and libraries. Vocational and high schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (4) Golf courses. (5) Passive and active recreational facilities. (6) Single-family detached dwellings.	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

14

DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner	d. Rear	a. Building Size (excluding gross	b. Building Height (excluding stories

	Area					Lot		building floor area used for parking)	used for parking)
Single-Family Detached Dwellings	1 acre	80 feet	100 feet	35 feet	15 feet on each side; or any combination of setbacks that equals at least 30 feet, provided that no such setback shall be less than 10 feet	25 feet	25 feet	not applicable	3 stories
Any Permitted Principal Nonresidential Uses	1 acre	100 feet	100 feet	35 feet	15 feet on each side; or any combination of setbacks that equals at least 30 feet, provided that no such setback shall be less than 10 feet	25 feet	25 feet	10,000 square feet of gross building floor area per acre	3 stories

- 1
- 2 GENERAL NOTES:
- 3 1. If central sanitary sewer is not available, nonresidential development is limited to a maximum
- 4 of 2,500 square feet of building area. Community service facilities are limited to a maximum of
- 5 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer
- 6 Policy 2.1.12 of the Comprehensive Plan for additional requirements.
- 7 2. Refer to the Environmental Management Act (EMA) for Information pertaining to the
- 8 regulation of environmental features (preservation/conservation features), stormwater
- 9 management requirements, etc.
- 10 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
- 11 of capacity for certain public facilities (roads, parks, etc.).
- 12 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09)

13

14 **SECTION 7.** Section 10-6.642 of Article VI of Chapter 10 of the Code of Laws of Leon County,

15 Florida, entitled "OR-1 Office Residential District" is hereby amended to read as follows:

16

17 **Sec. 10-6.642. – OR-1 Office Residential District.**

1. District Intent	PERMITTED USES	
	2. Principal Uses	3. Accessory Uses
The OR-1 district is intended to be located within areas designated Bradfordville Mixed Use or Suburban on the Future Land Use Map of the Comprehensive Plan in areas where employment and residential uses are encouraged to locate in close proximity to	(1) Bed and breakfast inns up to a maximum of 6 rooms. (2) Broadcasting studios. (3) Community facilities related to office or residential facilities, including libraries, religious facilities, police/fire stations, and elementary <u>and middle schools and high</u>	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as

<p>each other. The provisions of the OR-1 district are intended to provide the district with a residential character to further encourage this mixing of uses at a compatible scale. A variety of housing types, compatible non-retail activities of moderate intensity and certain community facilities related to office or residential facilities (recreational, community services, and light infrastructure) may be permitted in the OR-1 district. The regulations of these districts are not intended to displace viable residential areas. The maximum gross density allowed for new residential development in the OR-1 district is 8 dwelling units per acre, while the minimum gross density allowed is 6 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities.</p>	<p>schools. Vocational schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (4) Day care centers. (5) Medical and dental offices and services, laboratories, and clinics. (6) Non-medical offices and services, including business and government offices and services. (7) Nursing homes and other residential care facilities. (8) Passive and active recreational facilities. (9) Personal services. (10) Single-family attached dwellings. (11) Single-family detached dwellings. (12) Studios for photography, music, art, dance, drama, and voice. (13) Two-family dwellings. (14) veterinary services, including veterinary hospitals.</p>	<p>determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the administrator or designee.</p>
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	15 feet	7.5 feet on each side: or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	not applicable	3 stories
Two-Family Dwellings	8,500 square feet	70 feet	100 feet	15 feet	same as single-family above	15 feet	25 feet	not applicable	3 stories
Single-Family Attached	3,750 square feet	37.5 feet	80 feet	15 feet	none	15 feet	25 feet	Maximum length: 8	3 stories

Dwellings	6,000 square feet interior lot	50 feet	100 feet	15 feet	Same as single-family above	25 feet	10 feet	10,000 square feet of gross building floor area per acre (does not apply to a conversion of an existing structure) or 12,500 square feet of gross building floor area per acre if the project is a mixed use development	3 stories
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7. Off-Street Parking Requirements: Off-street parking facilities associated with permitted principal nonresidential uses in the OR-1 zoning district must comply with the following requirements:

- a. Parking Setbacks: Side-Corner: 20 feet
Rear and Side-Interior: 10 feet
- b. Driveway Setbacks: Side-Corner: 10 feet (none if driveway is shared)
Rear and Side-Interior: 4 feet (none if driveway is shared)
- c. Off-street parking may not be placed in a front yard between a building and the street.
- d. The parking or driveway separation from the building is 4 feet.
- e. All off-street parking spaces behind a building shall be screened from the required front yard and side corner lot areas by evergreen landscaping at least 4 feet in height.
- f. Parking spaces shall be screened from rear and interior side property lines by a combination of a 6 foot high opaque fence or wall and landscape plant material.
- g. Driveways connecting to a public street shall be the narrowest possible width to ensure appropriate safety standards, as determined by the county administrator or designee.

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GENERAL NOTES:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrent Management Ordinance for Information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).

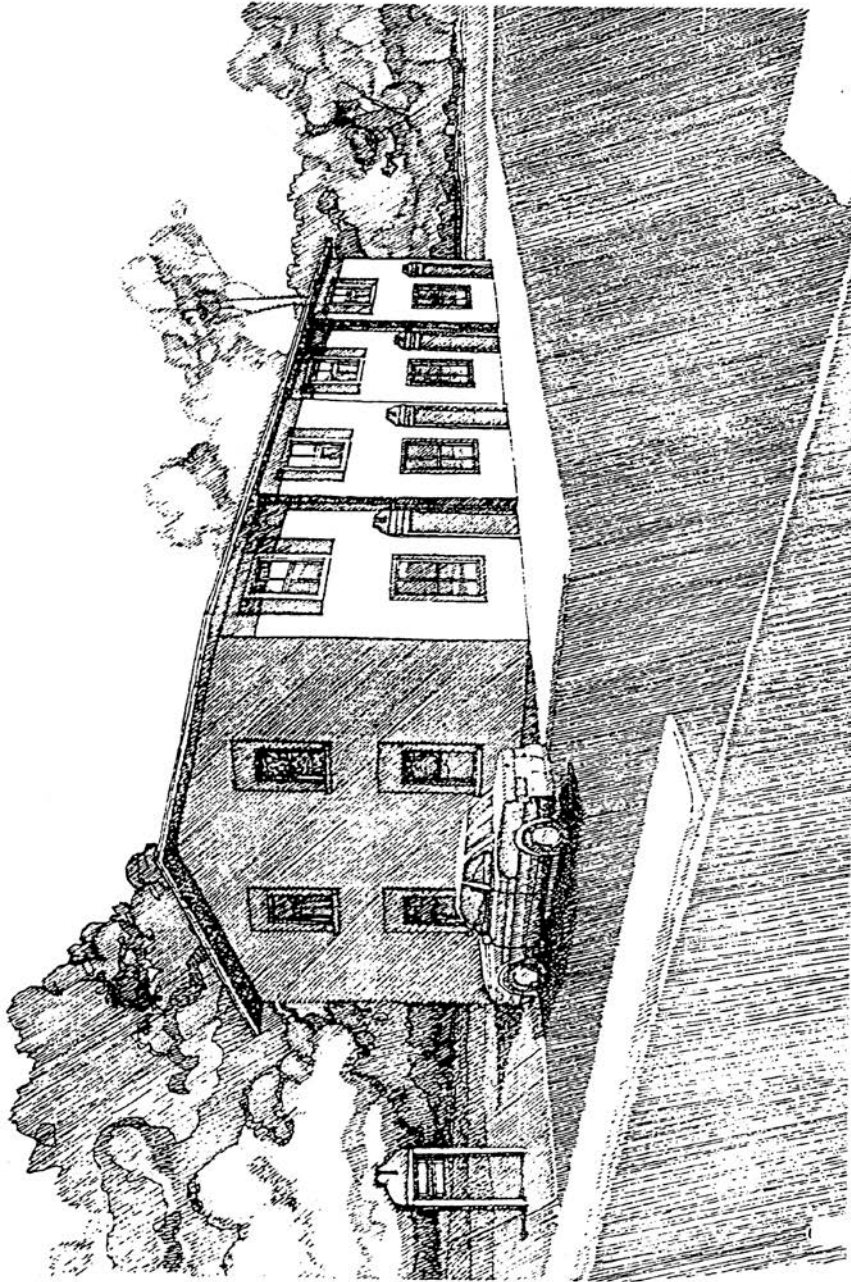
THIS: OR-1- Office Residential District -

Preserving the residential character of neighborhoods is essential when residential structures are converted to office use. Maintaining the landscape quality of the front yard area is required. Also, note the limited signage, parking to the side or rear, and screening and buffering of parking.



NOT THIS: OR-1- Office Residential District -

The residential character of this development is lost in a sea of parking. Building fronts that do not face the street, parking in front of the building and lack of landscaping make this an unacceptable neighbor in a residential area.



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(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09)

SECTION 8. Section 10-6.643 of Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, entitled "OR-2 Office Residential District" is hereby amended to read as follows:

Sec. 10-6.643. - OR-2 Office Residential District.

1. District Intent	PERMITTED USES		
	2. Principal Uses		3. Accessory Uses
<p>The OR-2 district is intended to be located within areas designated Bradfordville Mixed Use or Suburban on the Future Land Use Map of the Comprehensive Plan in areas where employment and residential uses are encouraged to locate in close proximity to each other. The provisions of this district are intended to promote urban density and intensity of residential and office</p>	<p>(1) Banks and other financial institutions. (2) Broadcasting studios. (3) Community facilities related to office or residential facilities, including libraries, religious facilities, police/fire stations and elementary, and middle, schools-high schools and vocational schools. Other community facilities may be allowed in</p>	<p>(15) Retail food and grocery (only allowed in a business park development). (16) Single-family attached dwellings. (17) Single-family detached dwellings. (18) Social, fraternal and recreational clubs and lodges, including assembly halls. (19) Stand-alone restaurants without drive-thrus (only</p>	<p>(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure</p>

<p>uses and the mixing of permitted uses to promote the use of public transit and the efficient use of public infrastructure. Off-street parking facilities in the OR-2 district shall be located and designed to promote convenient access to pedestrian and mass transit facilities. A variety of housing types, compatible non-retail activities of moderate intensity, retail commercial activities (limited to the ground floor), and certain community and recreational facilities related to office or residential uses are permitted in the OR-2 district. The maximum gross density allowed for new residential development in the OR-2 district is 16 dwelling units per acre, while the minimum gross density allowed is eight dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities. In order to implement the business park development pattern, a minimum of ten acres is required with at least three types of uses which shall include office and commercial.</p>	<p>accordance with section 10-6.806 of these regulations. (4) Day care centers. (5) Golf courses. (6) Hotels and motels, including bed and breakfast inns. (7) Medical and dental offices and services, laboratories and clinics. (8) Multiple-family dwellings. (9) Nonmedical offices and services, including business and government offices and services. (10) Nursing homes and other residential care facilities. (11) Off-street parking facilities. (12) Passive and active recreational facilities. (13) Personal services. (14) Retail drug store with drive-thrus (only allowed in a business park development).</p>	<p>allowed in a business park development). (20) Studios for photography, music, art, dance, drama and voice. (21) Two-family dwellings. (22) Veterinary services, including veterinary hospitals. (23) Zero-lot line single-family detached dwellings. (24) Any use permitted in the C-1 district (and is not listed in uses 1—20 above), provided that the use is on the first floor of a multi-story building containing office and/or residential uses on any of the floors above the first floor.</p>	<p>and/or utility services and facilities necessary to serve permitted uses, as determined by the administrator or designee.</p>
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	15 feet	7.5 feet on each side: or any combination	15 feet	25 feet	not applicable	3 stories

					n of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet				
Two-Family Dwellings	8,500 square feet	70 feet	100 feet	15 feet	same as single-family above	15 feet	25 feet	not applicable	3 stories
Single-Family Attached Dwellings	1,600 square feet minimum ; average of 2,000 square feet	16 feet	none	15 feet	none	15 feet	25 feet	not applicable	3 stories
Multiple-Family Dwellings	10,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	25 feet	10 feet	not applicable	3 stories
Zero-Lot Line Single-Family Detached Dwellings	3,750 square feet	30 feet interior lot; 40 feet corner lot	100 feet	20 feet	0 feet one side; 5 feet other side	15 feet	25 feet	not applicable	3 stories
Any Permitted Principal Nonresidential Use	12,000 square feet	60 feet	100 feet	15 feet	15 feet on each side	25 feet	10 feet	20,000 square feet of gross building floor area per acre	3 stories
DEVELOPMENT STANDARDS—Continued									
Commercial Uses (Only Allowed in Business Park Development)	12,000 square feet	60 feet	100 feet	15 feet	15 feet on each side	25 feet	10 feet	20,000 square feet of gross building floor area per acre; Individual buildings may not exceed 15,000 gross square feet	3 stories
7. Additional Criteria and Restrictions for Business Park Development: Commercial uses shall not exceed 25 percent of the total square feet of the development.									

- 1 GENERAL NOTES:
 2 1. If central sanitary sewer is not available, residential development is limited to a minimum of
 3 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of
 4 building area. Community service facilities are limited to a maximum of 5,000 square feet of
 5 building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the
 6 Comprehensive Plan for additional requirements.
 7 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
 8 regulation of environmental features (preservation/conservation features), stormwater
 9 management requirements, etc.
 10 3. Refer to the Concurrent Management Ordinance for Information pertaining to the availability
 11 of capacity for certain public facilities (roads, parks, etc.).

12 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09; Ord. No. 09-33, § 3, 10-13-09)

13
 14 **SECTION 9.** Section 10-6.644 of Article VI of Chapter 10 of the Code of Laws of Leon County,
 15 Florida, entitled "OR-3 Office Residential District" is hereby amended to read as follows:
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17 **Sec. 10-6.644. - OR-3 Office Residential District.**
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1. District Intent	PERMITTED USES		
	2. Principal Uses		3. Accessory Uses
The OR-3 district is intended to be located within areas designated Bradfordville Mixed Use or Suburban on the Future Land Use Map of the Comprehensive Plan in areas where employment and residential uses are encouraged to locate in close proximity to each other. The provisions of this district are intended to promote urban density and intensity of residential and office uses and the mixing of permitted uses to promote the use of public transit and the efficient use of public infrastructure. Off-street parking facilities in the OR-3 district shall be located and designed to promote convenient access to pedestrian and mass transit facilities. A variety of housing types, compatible nonretail activities of moderate intensity, retail commercial activities (limited to the ground floor), and certain community and recreational facilities related to office or residential uses are permitted in the OR-3 district. The maximum gross density allowed for new residential development in the OR-3 district is 20 dwelling units per acre, while the	(1) Banks and other financial institutions. (2) Broadcasting studios. (3) Community facilities related to office or residential facilities, including libraries, religious facilities, vocational, police/fire stations, elementary, middle, and high schools. Other community facilities may be allowed in accordance with section 18.1 of these regulations. (4) Day care centers. (5) Golf courses. (6) Hotels and motels, including bed and breakfast inns. (7) Medical and dental offices and services, laboratories, and clinics. (8) Multiple-family dwellings. (9) Nonmedical offices and services, including business and government offices and services. (10) Nursing homes, including other residential care facilities. (11) Off-street parking facilities.	(12) Passive and active recreational facilities. (13) Personal services. (14) Single-family attached dwellings. (15) Single-family detached dwellings. (16) Social, fraternal, recreational clubs and lodges, and assembly halls. (17) Studios for photography, music, art, dance, drama, and voice. (18) Two-family dwellings. (19) Veterinary services, including veterinary hospitals. (20) Zero lot line single-family detached dwellings. (21) Any use permitted in the C-1 district (and is not listed in uses 1—20 above), provided that the use is on the first floor of a multi-story building containing office and/or residential uses on any of the floors above the first floor.	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

minimum gross density allowed is eight dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities.			
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	15 feet	7.5 feet on each side: or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	not applicable	3 stories
Two-Family Dwellings	8,500 square feet	70 feet	100 feet	15 feet	same as single-family above	15 feet	25 feet	not applicable	3 stories
Single-Family Attached Dwellings	1,600 square feet minimum ; average of 2,000 square feet	16 feet	none	15 feet	none	15 feet	25 feet	not applicable	3 stories
Multiple-Family Dwellings	10,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	25 feet	10 feet	not applicable	3 stories
Zero-Lot Line Single-Family Detached Dwellings	3,750 square feet	30 feet interior lot; 40 feet corner lot	100 feet	20 feet	0 feet one side; 5 feet other side	15 feet	25 feet	not applicable	3 stories
Any	12,000	60	100	15	15 feet on	25	10	20,000	3 stories

Permitted Principal Nonresidential Use	square feet	feet	feet	feet	each side	feet	feet	square feet of gross building floor area per acre (SEE NOTE 4)	(SEE NOTE 4)
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2 GENERAL NOTES:

- 3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
4 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of
5 building area. Community service facilities are limited to a maximum of 5,000 square feet of
6 building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the
7 Comprehensive Plan for additional requirements.
8 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
9 regulation of environmental features (preservation/conservation features), stormwater
10 management requirements, etc.
11 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
12 of capacity for certain public facilities (roads, parks, etc.).
13 4. In properties formerly designated as Mixed Use-C in the Future Land Use Map, the maximum
14 nonresidential gross building floor area is 40,000 square feet per acre and the maximum
15 building height is 6 stories, if parking structures are provided for at least 50 percent of the
16 parking spaces.

17 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09)

18

19 **SECTION 10.** Section 10-6.647 of Article VI of Chapter 10 of the Code of Laws of Leon County,
20 Florida, entitled "C-2 General Commercial District" is hereby amended to read as follows:

21

22 **Sec. 10-6.647. - C-2 General Commercial District.**

1. District Intent	PERMITTED USES		
	2. Principal Uses		3. Accessory Uses
The C-2 district is intended to be located in areas designated Bradfordville Mixed Use, Suburban or Woodville Rural Community on the Future Land Use Map of the Comprehensive Plan shall apply to areas with direct access to major collector or arterial roadways located within convenient traveling distance to several neighborhoods, wherein small groups of retail commercial, professional, office, community and recreational facilities and other convenience commercial activities are permitted in order to provide goods and services that people frequently use in close proximity to their homes. The C-2 district is not intended to accommodate large scale commercial or	(1) Antique shops. (2) Automotive service and repair, including car wash. (3) Bait and tackle shops. (4) Banks and other financial institutions. (5) Camera and photographic stores. (6) Cocktail lounges and bars. (7) Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations, elementary, middle and high schools. Elementary schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (8) Day care centers. (9) Gift, novelty and souvenir shops.	(24) Residential (any type), provided that it is located on the second floor or above a building containing commercial or office uses on the first floor. (25) Restaurants, with or without drive-in facilities. (26) Retail bakeries. (27) Retail computer, video, record and other electronics. (28) Retail department, apparel and accessory stores. (29) Retail drug stores. (30) Retail florist. (31) Retail food and grocery. (32) Retail	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

<p>service activities or other types of more intensive commercial activity. The maximum gross density allowed for new residential development in the C-2 district is 16 dwelling units per acre, with a minimum gross density of eight dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum density. The residential uses are required to be located on the second floor or above of a building containing commercial or office uses on the first floor. Mixed use projects in the C-2 district are encouraged, but are not required. In order to maintain compact and nonlinear characteristics, C-2 districts shall not be located closer than ¼ mile to other C-2 or C-1 districts or to parcels of land containing commercial developments including more than 20,000 gross square feet of floor area and shall not exceed 30 acres in size.</p>	<p>(10) Indoor amusements (bowling, billiards, skating, etc.). (11) Indoor theaters (including amphitheaters). (12) Laundromats, laundry and dry cleaning pick-up. (13) Mailing services. (14) Medical and dental offices, services, laboratories and clinics. (15) Motor vehicle fuel sales. (16) Nonmedical offices and services, including business and government offices and services. (17) Nonstore retailers. (18) Passive and active recreational facilities. (19) Personal services (barber shops, fitness clubs, etc.). (20) Photocopying and duplicating services. (21) Rental and sales of dvds, video tapes and games. (22) Rental of tools, small equipment or party supplies. (23) Repair services, nonautomotive.</p>	<p>furniture, home appliances, accessories. (33) Retail home/garden supply, hardware and nurseries. (34) Retail jewelry store. (35) Retail needlework shops and instruction. (36) Retail newsstand, books, greeting cards. (37) Retail office supplies. (38) Retail optical and medical supplies. (39) Retail package liquors. (40) Retail pet stores. (41) Retail picture framing. (42) Retail sporting goods, toys. (43) Retail trophy store. (44) Shoes, luggage and leather goods. (45) Social, fraternal and recreational clubs and lodges, including assembly halls. (46) Studios for photography, music, art, dance and voice. (47) Tailoring. (48) Veterinary services, including veterinary hospitals. (49) Other uses, which in the opinion of the county administrator or designee, are of a similar and compatible nature to those uses described in this district.</p>	
<p>FOR ADDITIONAL DEVELOPMENT STANDARDS, REFER TO PAGE 2 OF 2</p>			

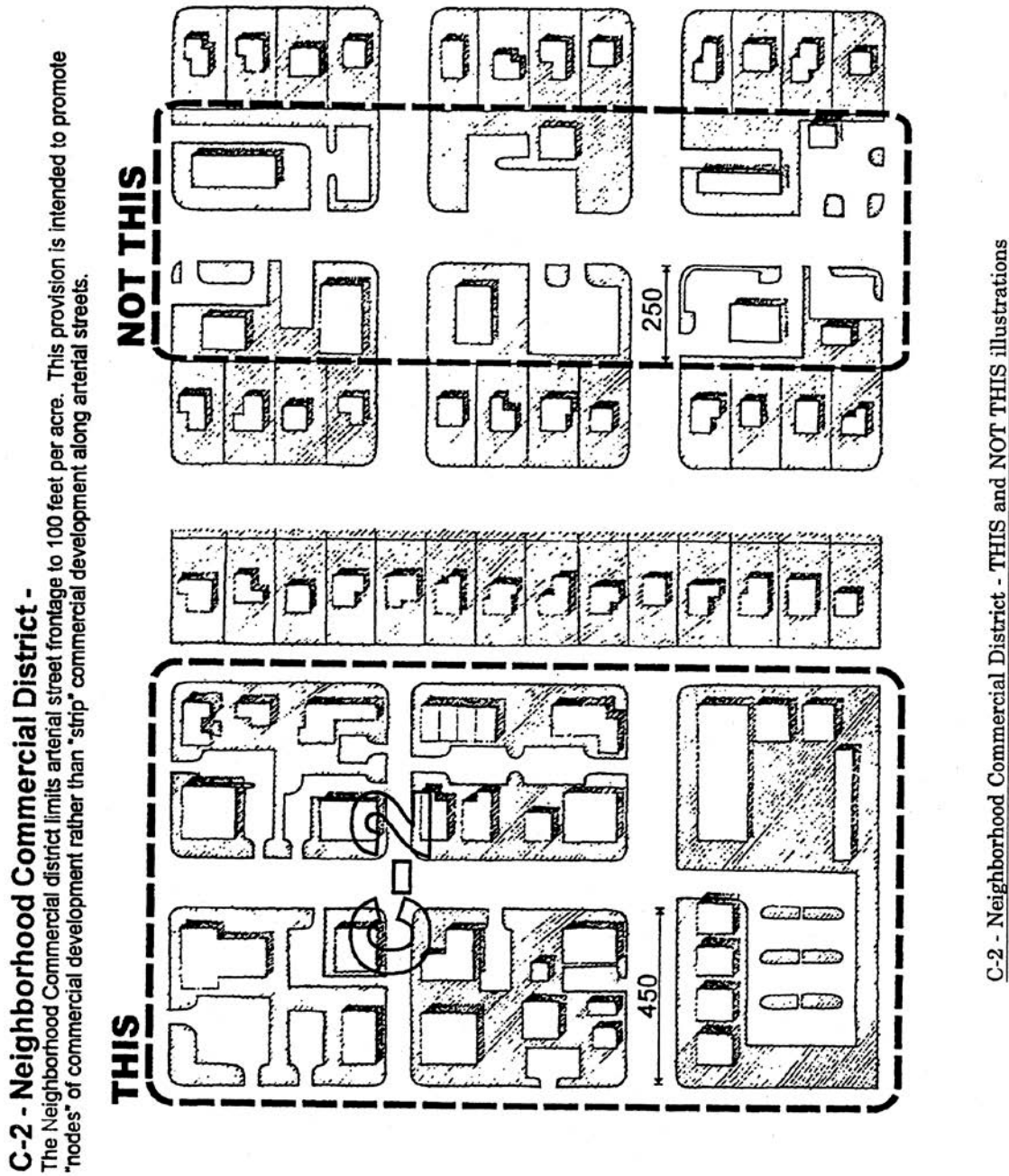
DEVELOPMENT STANDARDS									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Any Permitted Principal Use	none	none	none	25 feet	15 feet on each side	25 feet	10 feet	<p>Except for properties within the Woodville Rural Community, 12,500 square feet of nonresidential gross building floor area per acre and commercial and/or office uses not to exceed 200,000 square feet of gross building floor area for each district containing 20 acres or less. 12,500 square feet of nonresidential gross building floor area per acre and commercial and/or office uses not to exceed maximum of 250,000 square feet of nonresidential gross building area per district for districts containing more than 20 acres to 30 acres. Individual buildings may not exceed 50,000 gross square feet.</p> <p>Within the Woodville Rural Community, 12,500 square feet of nonresidential gross building area per acre and commercial uses not to exceed 50,000 square feet of gross building floor area per parcel.</p>	3 stories
<p>7. Street Vehicular Access Restrictions: Properties in the C-2 zoning district shall be located on a major collector or arterial street, but may have additional vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from nonresidential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RHA, R-1, R-2, R-3, R-4, R-5, MH and RP.</p>									

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2 GENERAL NOTES:

- 3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
4 0.50 acre lots and Inside the Urban Service Area nonresidential development is limited to a

- 1 maximum of 2,500 square feet of building area. Inside the Urban Service Area, community
- 2 service facilities are limited to a maximum of 5,000 square feet of building area of a 500 gallon
- 3 septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional
- 4 requirements.
- 5 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
- 6 regulation of environmental features (preservation/conservation features), stormwater
- 7 management requirements, etc.
- 8 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
- 9 of capacity for certain public facilities (roads, parks, etc.).



10
11 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09; Ord. No. 09-33, § 3, 10-13-09)

12 **SECTION 11.** Section 10-6.650 of Article VI of Chapter 10 of the Code of Laws of Leon County,
13 Florida, entitled "UP-1 Urban Pedestrian District" is hereby amended to read as follows:

14
15 **Sec. 10-6.650. - UP-1 Urban Pedestrian District.**

1. District Intent	PERMITTED USES		
	2. Principal Uses		3. Accessory Uses
The UP-1 district is intended to be located in areas designated Suburban or Bradfordville Mixed Use on the Future Land Use Map of the Comprehensive Plan and shall apply to compact,	(1) Antique shops. (2) Banks and other financial institutions, without drive-through facilities. (3) Camera and photographic stores. (4) Cocktail lounges and	(21) Residential (any type). (22) Restaurants without drive-in facilities. (23) Retail bakeries. (24) Retail	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more

<p>linear urban areas with direct access to an arterial roadway. The intent of this district is to promote the redevelopment of areas from lower intensity "strip" development pattern to a more intensive, higher density urban pattern. It is one of the intents of this district to permit the gradual conversion of existing development to the new standards by allowing the continuation of certain existing uses and allowing the conversion of those existing uses to drive-through uses, provided that the new uses meet the development standards of this district and foster an improved pedestrian environment. It is not intended that additional sites within this district be converted to new drive-through uses. The UP-1 district shall be located in areas near employment or activity centers with access to public transit. The provisions of this district are intended to promote more intensive and multiple use developments with pedestrian facilitation and orientation. Retail commercial, professional, office, medium density residential, and community and recreational facilities related to principal permitted uses are permitted. This district is not intended to accommodate regional scale commercial and service activities, not automotive oriented uses (auto sales, service or repair). New residential development shall have a minimum gross density of 6 dwelling units per acre and a maximum gross density of 16 dwelling units per acre. The minimum gross density requirements may be eliminated if constrains of concurrency or preservation and/or conservation features</p>	<p>bars. (5) Community facilities related to the permitted principal uses, including libraries, religious facilities, vocational and middle schools, and police/fire stations, vocational, elementary, middle and high schools. Elementary and high schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (6) Day care centers. (7) Gift, novelty, and souvenir stores. (8) Hotels and motels, including bed and breakfast inns. (9) Indoor amusements (bowling, billiards, skating, etc.). (10) Laundromats, laundry and dry cleaning pick-up stations without drive-through facilities. (11) Mailing services. (12) Medical and dental offices, services, laboratories, and clinics. (13) Nonmedical offices and services, including business and government offices and services. (14) Non-store retailers. (15) Off-street parking facilities. (16) Passive and active recreational facilities. (17) Personal services (barber shops, fitness clubs etc.). (18) Photocopying and duplicating services. (19) Rental and sales of dvds, video tapes and games. (20) Repair services, non-automotive.</p>	<p>computer, video, record, and other electronics. (25) Retail department, apparel, and accessory stores. (26) Retail drug store. (27) Retail florist. (28) Retail food and grocery. (29) Retail furniture, home appliances, accessories. (30) Retail home/garden supply, hardware, and nurseries without outside storage or display. (31) Retail jewelry stores. (32) Retail needlework shops and instruction. (33) Retail newsstand, books, greeting cards. (34) Retail package liquors. (35) Retail picture framing. (36) Retail trophy stores. (37) Shoes, luggage, and leather goods. (38) Social, fraternal and recreational clubs and lodges, including assembly halls. (39) Studios for photography, music, art, drama, and voice. (40) Tailoring. (41) Existing drive-through uses and existing motor vehicle fuel sales which were legally established and in existence on October 1, 1997. (42) Other uses, which in the opinion of the county administrator or designee, are of a similar and</p>	<p>than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.</p>
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preclude the attainment of the minimum densities.		compatible nature to those uses described in this district.	
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DEVELOPMENT STANDARDS									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height
Any Permitted Principal Use	none	none	none	0 feet minimum 10 feet maximum	none	0 feet minimum 10 feet maximum	20 feet minimum if adjoining a residential district	20,000 square feet of gross building floor area per acre and commercial uses not to exceed 200,000 square feet of gross building floor area per parcel	6 stories (excluding stories used for parking); or 4 stories (including stories used for parking) if proposed structure is within 150 feet of a low density residential zoning district
<p>7. Requirements and Incentives for Off-Street Parking Facilities: In order to create developments consistent with the intent of the district and to encourage mixed used and pedestrian friendly developments, off-street parking facilities associated with the construction of a new building or the expansion of an existing building are prohibited from being located in the front of the subject lot or parcel. The off-street parking requirements set forth in Subdivision 2 of Division 5 of Article VII, including the number of required off-street parking spaces and dimensional requirements are not applicable to properties in the UP-1 zoning district. Instead, the number of required off-street parking spaces and dimensional requirements shall be approved by the county administrator or designee during site plan review or permitting (whichever comes first) based on the information provided by the applicant.</p>									
<p>8. Additional Criteria for Nonresidential Uses: The construction of a new nonresidential building or expansion of an existing nonresidential building shall require the front lot and street side exterior walls on the ground floor to contain a minimum of 70 percent transparent material.</p>									
<p>9. Street Vehicular Access Restrictions: Properties in the UP-1 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from nonresidential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, and RP.</p>									
<p>10. Criteria for Conditional Uses: After October 1, 1997, drive-through facilities as part of a permitted use in this district may be permitted as conditional uses, providing that the following criteria are met: (a) the new use must be the redevelopment of a site which contains a conforming motor vehicle fuel sale use or a conforming drive-through use (see section No. 2 of this chart); (b) the new use complies with development standards of the zoning district; (c) the use has a cross building floor area in excess of 5,000 square feet; and (d) arterial street access does not exceed one vehicular access point per arterial street frontage.</p>									

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2 GENERAL NOTES:

- 3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
 4 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of
 5 building area. Community service facilities are limited to a maximum of 5,000 square feet of
 6 building area or a 500 gallon septic tank, also, refer to sanitary Sewer Policy 2.1.12 of the
 7 Comprehensive Plan for additional requirements.
 8 2. Refer to the environmental Management Act (EMN) for information pertaining to the
 9 regulation of environmental features (preservation/conservation features), stormwater
 10 management requirements, etc.
 11 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
 12 of capacity for certain public facilities (roads, parts, etc.).

13 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09)

14

15 **SECTION 12.** Section 10-6.651 of Article VI of Chapter 10 of the Code of Laws of Leon County,
 16 Florida, entitled "UP-2 Urban Pedestrian District" is hereby amended to read as follows:

17

18 **Sec. 10-6.651. - UP-2 Urban Pedestrian District.**

1. District Intent	PERMITTED USES		
	2. Principal Uses		3. Accessory Uses
The UP-2 district is intended to be located in areas designated Suburban or Bradfordville Mixed Use on the Future Land Use Map of the Comprehensive Plan and shall apply to compact, linear urban areas with direct access to an access roadway. The intent of this district is to promote the redevelopment of areas from lower intensity "strip" development pattern to a more intensive, higher density urban pattern. It is one of the intents of this district to permit the gradual conversion of existing development to the new standards by allowing the continuation of certain existing uses and allowing the conversion of those existing uses to drive-through uses, provided that the new uses meet the development standards of this district and foster an improved pedestrian environment. It is not intended that additional sites within this district be converted to new drive-through uses. The UP-2 district shall be located in areas near employment or activity centers with access to public transit. The provisions of this district are intended to promote	(1) Antique shops. (2) Banks and other financial institutions, without drive-through facilities. (3) Camera and photographic stores. (4) Cocktail lounges and bars. (5) Community facilities related to the permitted principal uses, including libraries, religious facilities, vocational and middle schools, and police/fire stations <u>vocational, elementary, middle and high schools. Elementary and high schools are prohibited.</u> Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (6) Day care centers. (7) Gift, novelty, and souvenir stores. (8) Hotels and motels, including bed and breakfast inns. (9) Indoor amusements (bowling, billiards, skating, etc.). (10) Laundromats, laundry and dry cleaning pick-up stations without drive-through facilities. (11) Mailing services. (12) Medical and dental offices, services, laboratories, and clinics.	(21) Residential (any type). (22) Restaurants without drive-in facilities. (23) Retail bakeries. (24) Retail computer, video, record, and other electronics. (25) Retail department, apparel, and accessory stores. (26) Retail drug store. (27) Retail florist. (28) Retail food and grocery. (29) Retail furniture, home appliances, accessories. (30) Retail home/garden supply, hardware, and nurseries without outside storage or display. (31) Retail jewelry stores. (32) Retail needlework shops and instruction. (33) Retail newsstand, books, greeting cards. (34) Retail package liquors. (35) Retail picture framing.	(1) A use of structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

<p>more intensive and multiple use developments with pedestrian facilitation and orientation. Retail commercial, professional, office, medium density residential, and community and recreational facilities related to principal permitted uses are permitted. This district is not intended to accommodate regional scale commercial and service activities, not automotive oriented uses (auto sales, service). New residential development that is exclusively residential shall have a minimum gross density of 6 dwelling units per acre and a maximum gross density of 16 dwelling units per acre. New residential development combined with nonresidential development shall have a minimum gross density of 6 dwelling units per acre and a maximum density of 20 dwelling units per acre. The minimum gross density requirements may be eliminated if constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities.</p>	<p>(13) Nonmedical offices and services, including business and government offices and services. (14) Non-store retailers. (15) Off-street parking facilities. (16) Passive and active recreational facilities. (17) Personal services (barber shops, fitness clubs etc.). (18) Photocopying and duplicating services. (19) Rental and sales of dvds, video tapes and games. (20) Repair services, non-automotive.</p>	<p>(36) Retail trophy stores. (37) Shoes, luggage, and leather goods. (38) Social, fraternal and recreational clubs and lodges, including assembly halls. (39) Studios for photography, music, art, drama, and voice. (40) Tailoring. (41) Existing drive-through uses and existing motor vehicle fuel sales which were legally established and in existence on October 1, 1997. (42) Other uses, which in the opinion of the county administrator or designee, are of a similar and compatible nature to those uses described in this district.</p>	
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height
Any Permitted Principal Use	none	none	none	0 feet minimum 10 feet maximum	none	0 feet minimum 10 feet maximum	20 feet minimum if adjoining a residential district	For properties that are exclusively nonresidential: 20,000 square feet of gross building floor area per acre	6 stories (excluding stories used for parking) only if proposed project combines nonresidential with

								and commercial uses not to exceed 200,000 square feet of gross building floor area per parcel. For properties that combine nonresidential with residential development : 40,000 square feet of gross building floor area per acre and commercial uses not to exceed 200,000 square feet of gross building floor area per parcel, provided that the combined development has at least 1 dwelling unit per 3,000 square feet of nonresidential use, or at least 1,000 square feet of nonresidential use per 3 dwelling units.	residential uses; or 4 stories (including stories used for parking) if proposed structure is within 150 feet of a low density residential zoning district.
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7. Requirements and Incentives for Off-Street Parking Facilities: In order to create developments consistent with the intent of the district and to encourage mixed uses and pedestrian friendly developments, off-street parking facilities associated with the construction of a new building or the expansion of an existing building are prohibited from being located in the front of the subject lot or parcel. The off-street parking requirements set forth in Subdivision 3 of Division 5 of Article VII, including the number of required off-street parking spaces and dimensional requirements are not applicable to properties in the UP-2 zoning district. Instead, the number of required off-street parking spaces and dimensional requirements shall be approved by the county administrator or designee during site plan review of permitting (whichever comes first) based on the information provided by the applicant.

8. Additional Criteria for Nonresidential Uses: The construction of a new nonresidential building or expansion of an existing nonresidential building shall require the front lot and street side exterior walls on the ground floor to contain a minimum of 70 percent transparent material.

9. Street Vehicular Access Restrictions: Properties in the UP-2 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from nonresidential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, and RP.

10. Criteria for Conditional Uses: After October 1, 1997, drive-through facilities as part of a permitted use in this district may be permitted as conditional uses, providing that the following criteria are met: (a) the new use must be the redevelopment of a site which contains a conforming motor vehicle fuel sale use or a conforming drive-through use (see section No. 2 of this chart); (b) the new use complies with development standards of the zoning district; (c) the use has a gross building floor area in excess of 5,000 square feet; and (d) arterial street access does not exceed one vehicular access point per arterial street frontage.

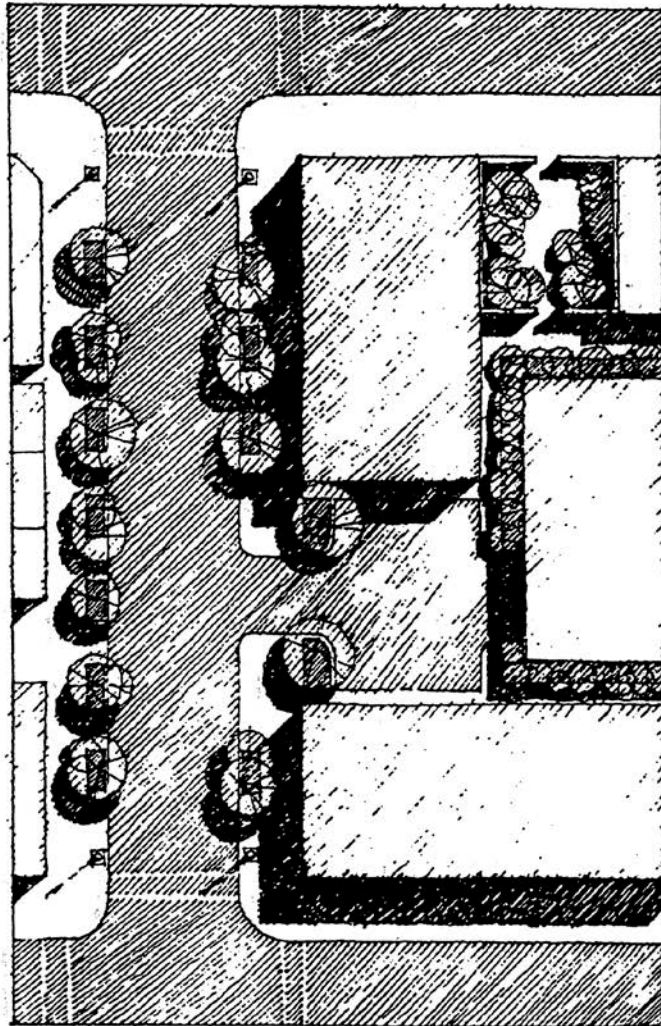
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2 GENERAL NOTES:

- 3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
4 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of
5 building area. Community service facilities are limited to a maximum of 5,000 square feet of
6 building area or a 500 gallon septic tank, also, refer to sanitary Sewer Policy 2.1.12 of the
7 Comprehensive Plan for additional requirements.
8 2. Refer to the environmental Management Act (EMN) for information pertaining to the
9 regulation of environmental features (preservation/conservation features), stormwater
10 management requirements, etc.
11 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
12 of capacity for certain public facilities (roads, parts, etc.).

13 **UP-1 & 2 - Urban Pedestrian Corridor Districts-**

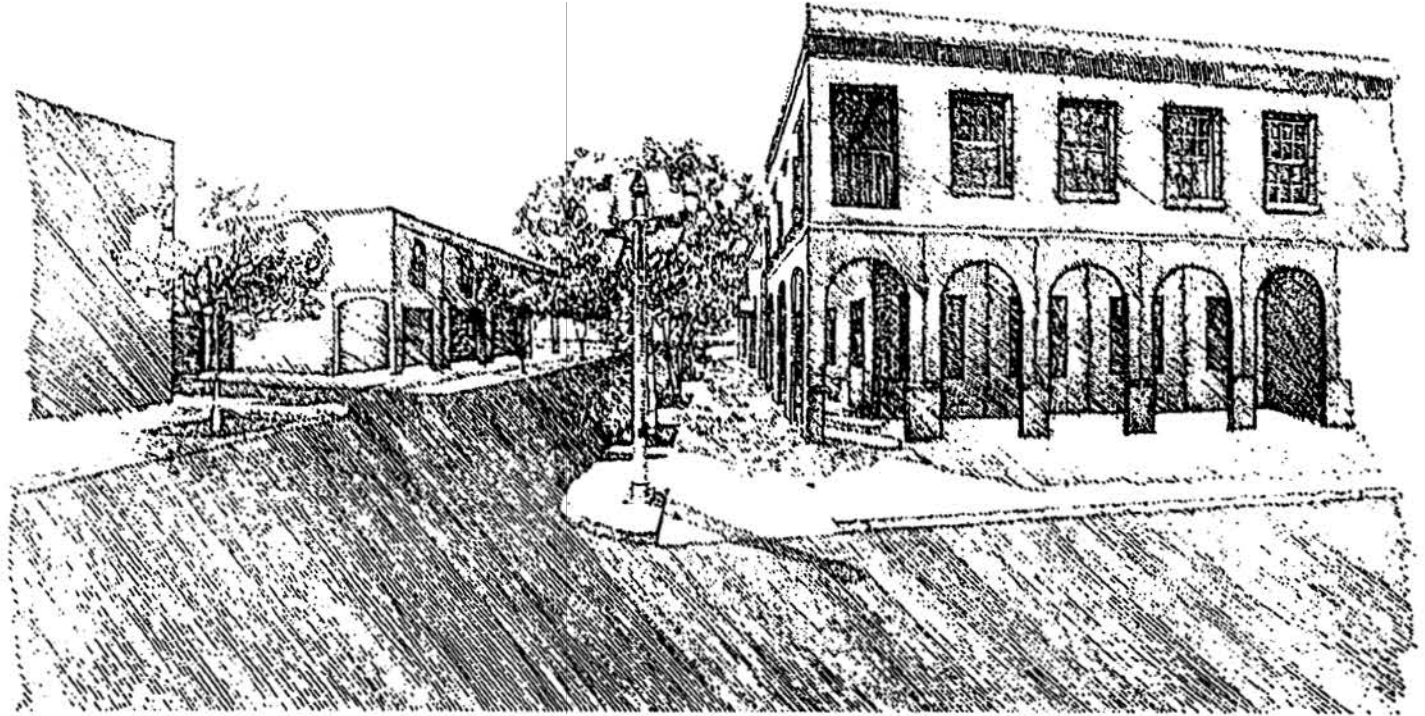
These zoning districts are intended to promote office and residential use above office or commercial use of the first floor. Design standards in the UPC districts require buildings to be built close to the street. 70% of the building facade facing a public street are required to be transparent.



UP-1 & 2 - Urban Pedestrian Corridor Districts(1)

UP-1 & 2 - Urban Pedestrian Corridor Districts-

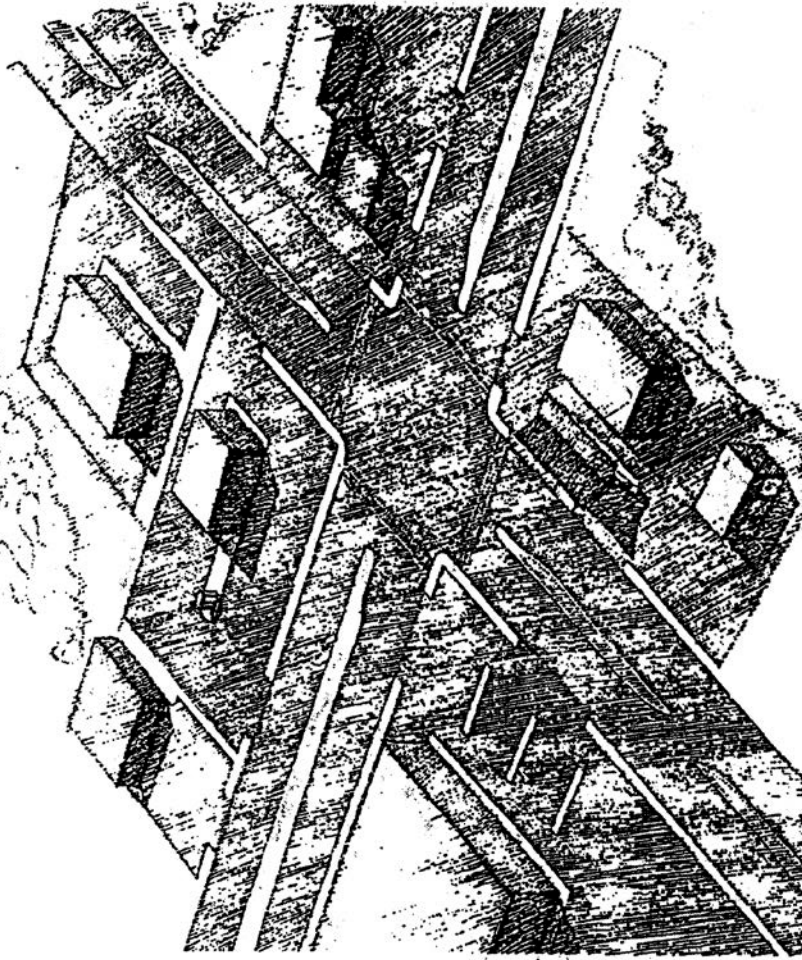
These zoning districts are intended to facilitate the change of older commercial areas from low intensity single use development to higher intensity mixed use development.



UP-1 & 2 - Urban Pedestrian Corridor Districts(2)

UP-1 & 2 - Urban Pedestrian Corridor Districts-

In order to promote pedestrian activity in the UPC districts building fronts are brought up close to the street. Parking is prohibited in front of buildings in the UPC districts and can occur to the side or rear. It is intended that most parking will be provided in shared parking structures in the interiors of blocks.



UP-1 & 2 - Urban Pedestrian Corridor Districts(3)

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(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09)

SECTION 13. Section 10-6.654.1 of Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, entitled "MCN Mahan Corridor Node District" is hereby amended to read as follows:

Sec. 10-6.654.1. - MCN Mahan Corridor Node District.

1. Purpose and Intent	2. Allowable District Location
<p>The Mahan Corridor Node (MCN) zoning district is intended to implement the Mahan Gateway Node Future Land Use Map (FLUM) category of the Comprehensive Plan. The MCN zoning district allows residential development, within a range of 6—12 dwelling units per acre; or, up to 16 dwelling units per acre when incentives are used. The MCN zoning district allows nonresidential development of up to 8,000 square feet floor area per acre; or, up to 12,000 square feet floor area per acre when incentives are used. Incentives for greater development density or intensity are provided for mixed-use development. Gross development intensities may be reduced in those instances where environmental limitations affect the amount of area that may be developed in any particular location. Nonresidential development allowed within this district is limited to office, nonautomotive related retail, services, and community facilities.</p>	<p>a. The district may only be located within areas designated Mahan Gateway Node on the Future Land Use Map. b. The district location is further limited to specific locations within the FLUM category, as follows: i. The MCN zoning district shall be located at those areas immediately surrounding the intersection of Mahan Drive and Dempsey Mayo Road, Edenfield Road/Highland Drive, and Thornton Road. ii. The MCN zoning district shall not extend more than 800 feet in either direction from the intersection of Mahan Drive and the perpendicular cross streets referenced in (i), nor shall it extend away from Mahan Drive more than 1,200 feet. iii. Future applications of the MCN zoning district shall not be approved if abutting parcels designated Residential Preservation on the FLUM. iv. Regardless of the provisions in i.-iii., the</p>

<p>The district is intended to accomplish the following:</p> <ul style="list-style-type: none"> • Preserve the attractive Mahan Drive gateway corridor; • Preserve the through-traffic mobility function and limit congestion of Mahan Drive by limiting direct access and promoting an interconnected local street network; • Accommodate compact mixed-use development at major intersections to provide convenience for area residents by providing access to common goods, services, and recreation within a short distance of home; • Provide a development pattern that is transit supportive, based on a high degree of interconnected streets, and a compact layout of use that addresses streets and sidewalks; • Create a development pattern that maximizes infrastructure and environmental efficiency by concentrating non-residential uses around major intersections; • Protect community health and safety by minimizing automobile dependency and reducing vehicle miles traveled through design supporting a variety of travel modes; • Create a community where travel by foot and bicycle is safe, convenient, and comfortable; • Minimize stormwater runoff by limiting surface area devoted to parking; and • Facilitate compatibility with nearby neighborhoods through buffers, transitioning building mass and scale, and through careful site design. 	<p>MCN zoning district is applicable in all areas designated Mahan Residential Corridor Node on the FLUM as of January 30, 2009.</p> <p>c. Within the areas described in (b), the location of the district may be further limited to facilitate compatibility with existing, adjoining residential preservation FLUM areas, minimize potential adverse environmental impacts, to correspond district boundaries with lot lines, or in recognition of physiographic features.</p>
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PERMITTED, PROHIBITED, AND CONDITIONAL USES			
3. Principal Uses	4. Prohibited Uses	5. Conditional Uses and Applicable Conditions	6. Accessory Uses
<p>(1) Community Facilities/Service (2) Office—Medical (3) Office—Nonmedical (4) Recreation Facility—Passive (5) Residential—Multifamily (6) Residential—Single-family attached (7) Residential—Two-family (8) Restaurant (9) Retail Commercial (10) School—Elementary, Middle, High and Vocational</p>	<p>(1) Automotive and boat, sales, services, repair, and rental (2) Building contractors and related services (3) Campgrounds and recreational vehicle parks, except where legally established and in existence prior to January 01, 2010 (4) Car rental (5) Car wash facilities (6) Cocktail lounges and bars (7) Drive-through facilities (8) Funeral homes (9) Fuel/oil dealers and liquefied petroleum (LP) dealers (10) Golf courses (11) Heavy equipment rental</p>	<p>(1) Daycare centers. a. May be established after 300 dwelling units have been built within one-half-mile radius; or, b. May be established as part of a development application including other uses, in which case, must be limited to no greater than 45 percent of the total development floor area, and; c. May not obtain a certificate of occupancy prior to the issuance of certificate for no less than 45 percent of the remainder of the development. (2) Small appliance repair. a. All repair activity shall occur within an enclosed structure; (3) Hotels, motels, bed</p>	<p>(1) Any use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.</p>

	<p>(12) Manufactured home parks (13) Motor vehicle fuel sales (14) Outdoor storage (15) Residential—Mobile homes and standard design manufactured homes (16) Schools—High (17) Scrap material storage or processing (18) Towing, wrecking, and recovery (19) Warehouses and self-storage (20) Welding and machine shops (21) Wholesale trade</p>	<p>and breakfast inns. a. Shall be located no less than 300 feet from areas designated Residential Preservation on the FLUM, and; b. Shall not exceed 15 guest rooms. (4) Commercial kennels or pet day care. a. Shall be an accessory use to a veterinary clinic or pet store. b. Outside boarding and unsupervised outside activity are prohibited. (5) Shared stormwater management facilities. a. Shall be designed as an amenity. b. Safety fences shall be planted with vegetation equal to the fence height at plant maturity.</p>	
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DEVELOPMENT STANDARDS										
	7. Density, Intensity and Building Restrictions			8. Lot or Site Area Restrictions			9. Building Setbacks			
Use Category	a. Allowable Densities (dwelling units/acre)	b. Allowable Intensities (square feet/acre)	c. Maximum Building Height	a. Minimum Lot Area	b. Lot Width	c. Minimum Lot Depth	a. Front	b. Side Interior	c. Side Corner	d. Rear
SINGLE USE DEVELOPMENT										
Single-Family Attached Residential	Min: 6 Max: 10 With master planning bonus: 16 [See number 12.]	N/A	35 feet	N/A	N/A	N/A	Min: 10 feet Max: 15 feet	Min: 0 feet Max: 10 feet Adjoins RP Future Land Use Category: 25 feet min.	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40 feet min.
Multifamily Residential	Min: 6 Max: 10 With master planning bonus: 16 [See number	N/A	35 feet	N/A	N/A	N/A	Min: 5 feet Max: 15 feet	Min: 10 feet Max: 15 feet Adjoins RP Future Land	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40

	12.]							Use Category: 40 feet min.		feet min.
Nonresidential and Community Facilities	N/A	8,000 sf/ac; 10,000 sf/ac with master planning bonus [See number 12]	35 feet	N/A	N/A	N/A	Min: 5 feet Max: 15 feet	Min: Zero [abutting buildings] or 10 feet Max: 15 feet Adjoins RP Future Land Use Category: 40 feet min.	Min: Zero Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40 feet min.
MIXED-USE DEVELOPMENT										
Mixed-Use Development	Min: 6 Max: 12 With master planning bonus: 16 [See numbers 11 and 12.]	10,000 sf/ac; 12,000 sf/ac with master planning bonus. [See numbers 11 and 12.]	45 feet	N/A	N/A	N/A	Min: 5 feet Max: 15 feet	Min: Zero [abutting buildings] or 10 feet Max: 15 feet Adjoins RP Future Land Use Category: 40 feet min.	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40 feet min.

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10. Building Size Standards		
Use Category	a. Maximum Building Footprint	b. Maximum building floor area per structure
Single-Family Attached Residential	N/A	N/A
Multifamily Residential	15,000 square feet	N/A
Nonresidential and Community Facilities	Standard: 8,000 square feet With master planning bonus: 10,000 square feet	Standard: 14,000 square feet With master planning bonus: 20,000 square feet
Mixed-Use Development	Standard: 10,000 square feet With master planning bonus: 15,000 square feet	Standard: 30,000 square feet With master planning bonus: 40,000 square feet
11. Mixed Use Incentive Qualifications: Developments incorporating both residential and nonresidential uses within a single development application or those which retrofit an existing		

development to include both residential and nonresidential uses, qualify for additional density and intensity provided for mixed-use development, pursuant to the following criteria:

- a. At the completion of all development phases, no less than 20 percent of the gross floor area within the development is devoted to either residential use or nonresidential use;
- b. The development consists of a mixture of uses within a single building or within multiple adjacent buildings, wherein the different uses are located no further than 200 feet apart; and,
- c. The development application must provide a common plan for the development of all included parcels, including shared infrastructure.

12. Master Planning Bonus: The following shall be entitled to the master planning bonus:

- a. Any development site area of eight or more acres; or
- b. Development site area of five or more acres wherein at least 50 percent of associated off-street parking will be provided in a shared facility; and at least 50 percent of the surface area required for stormwater management facility area is located below grade, or in a shared facility.
- c. The development site area may be composed of multiple parcels; in those instances, the development application must provide a common plan for the development of all included parcels.

13. Access Management:

- a. Direct access to Mahan Drive shall be limited and provided via public right-of-way.
- b. There shall be no more than one public right-of-way connection to Mahan Drive and to each adjacent collector street per each nodal quadrant; until such time as a street system is created to provide access to all parcels adjoining Mahan Drive and the adjacent collector street, individual properties may obtain access, if needed, on a temporary basis.
- c. Applicants for development shall enter an agreement to cooperate in any future project to consolidate access points or to share access with abutting properties as opportunities arise.

14. Blocks, Frontage, and Sidewalks: Street design and layout shall support an interconnected street network and pattern of a scale conducive to pedestrian and bicycle use.

- a. Block Length: Long side: 600 feet maximum, except where divided by a mid-block pedestrian crossing or alley, in which case, maximum block length may be 850 feet. Short side: Distance may vary between 200 and 400 feet to accommodate environmental and physiographic limitations.
- b. Mid-block Pedestrian Crossings: A publicly accessible pedestrian crossing shall be provided for blocks with a length greater than 600 feet on one or more sides.
- c. Sidewalk width and placement: Frontage sidewalks shall be a minimum of eight feet in width. All other sidewalks shall be no less than five feet in width.
- d. Pedestrian weather protection: Where practical, nonresidential and mixed-use buildings shall provide weather protection—arcade, awning, etc.—along the frontage sidewalk extending at least three feet.
- e. Alternative Surface Material: Use of distinctive paving texture, type, and color for transitions between neighborhoods and within pedestrian areas is encouraged. Interconnections between neighborhoods should also be distinguished through the use of vertical architectural elements, such as archways, gateways, or bollards.

15. Street Trees: All development or redevelopment shall incorporate street trees within the right-of-way, preferably between the back of curb and sidewalk.

- a. Street trees shall be planted between 20—30 feet on center, except when a greater distance may be required to avoid conflict with visibility, street lamps, utilities, or safety issues would be compromised with the required location.
- b. A minimum planting strip of six feet shall be provided between the back of curb and sidewalk, except where on-street parking is provided and tree wells or planters are more appropriate.
- c. Tree selection and location shall be approved by the local utility provider and shall be no higher than 20 feet at maturity when located beneath power lines.

16. Parking:

- a. Location: Parking shall not be located between the building facade and the right-of-way, and shall be located on-street, internal to the block, or to the rear of structures. Where site constraints necessitate, up to 25 percent of required parking may be permitted to the side of buildings.
- b. On-street parking: All streets created or expanded in association with development in this district shall be designed to accommodate on-street parking.
- c. Quantity: On-site parking shall be limited to a range of 40 percent to 70 percent of the general parking standard set forth in section 10-7.545, schedule 6-2. On-street parking, provided on adjacent rights-of-way within the MCN zoning district without crossing an arterial or collector street may be counted towards meeting the parking requirement. Shared parking may also count toward the requirement.
- d. Size: Individual off-street surface parking lots shall not exceed 0.75 acre.

17. Building Position:

- a. Orientation: The principal building entryway shall be oriented to the street, other than Mahan

Drive, and be designed to provide direct pedestrian access from that street. Where buildings are equidistant to two or more streets, the principal entryway may be located on either street. Buildings may be oriented toward Mahan Drive so long as there is a parallel street located between Mahan Drive and the building.

b. Encroachments: Porches, balconies, patios, pedestrian weather protection features and other like architectural features may encroach into 50 percent of the front setbacks. Seating within the required yard setbacks shall be allowed. Encroachments—permanent and temporary—shall not result in a constrained pedestrian passageway of less than five feet in width.

18. Building Facade Length: Nonresidential and mixed-use building facades along any public street frontage shall not exceed 100 feet, unless vertical structural elements and functional entrance doors divide that facade no less than every 50 feet.

19. Transparency: Adjacent to streets, sidewalks, and publicly accessible parking areas, nonresidential and mixed-use buildings shall provide a minimum facade transparency of 50 percent at pedestrian level—between two and eight feet above finished grade—and residential buildings shall provide a minimum facade transparency of 25 percent at pedestrian level.

20. Building Materials:

a. The following materials are prohibited: corrugated metal, standing seam, or v-crimp metal sheeting exterior walls or wall coverings.

b. The use of vinyl siding may not comprise more than 20 percent of any wall plane.

21. Roof Types:

a. All roof types are allowed. The use of gable roofs, cross gable roofs, and dormers are encouraged for buildings of two stories or less.

b. Flat roofs shall provide horizontal articulation with a building cap at the top of the building base and/or incorporate the use of parapets.

22. Buffering, fencing, and screening:

a. Buffer Zone Standards: Buffering is not required between uses in the MCN zoning district. Where development abuts Residential Preservation future land use areas, the landscape buffer standards of Section 10-7.522 shall apply.

b. Fencing: Chain link fencing visible from public right-of-way or property is prohibited, unless screened by vegetation that covers completely at plant maturity.

c. Screening of service connections and facilities: Outdoor service areas — loading docks, trash collection, outdoor storage, mechanical equipment — shall be mitigated by the use of screening material consistent with the materials and design treatments of the primary facade of the primary building and/or evergreen landscape plant material.

i. Landscape plans shall provide sight lines for natural surveillance between 3 and 8 feet above grade.

ii. The service areas shall not be within 50 feet of any adjoining residential property.

iii. The service areas shall be screened with vegetation and fences/masonry walls that are of sufficient height (minimum six feet) and opacity (minimum 50 percent) to screen from nearby streets and residential areas. Fences or masonry walls shall be constructed with materials that are incorporated in the design of the principal building.

iv. Above-ground utility boxes visible from the street shall be screened with landscaping on at least two sides, thereby preserving access for the utility provider.

d. Off-street parking—Landscaping: A minimum ten-foot wide landscaping strip shall line the perimeter of surface parking lots, and shall be landscaped with one canopy tree per 20 linear feet of frontage and a continuous row of shrubbery not to exceed three feet at maturity.

e. Required Landscaping—Alternative Compliance Methods. Development is encouraged to utilize the site design alternatives set out in Sections 10-4.346 and 10-4.350.

23. Lighting:

a. Intensity limits. Lighting levels at the property line as measured at six feet above ground level shall not exceed 0.5 footcandles. The footcandle average in on-site parking lots should not exceed 2.0 footcandles. The recommended maximum uniformity ratio (average: minimum light level) is 4:1.

b. Light fixture types and location:

i. "Shoebox" and "Cobrahead" lights are prohibited.

ii. All light fixtures shall be full cut-off type fixtures and direct light internal to the site.

iii. Individual light poles and wall mounted light fixtures shall be no taller than 20 feet above grade. Wall mounted light fixtures shall be placed no closer than every 25 feet along the facade. Lighted bollards are encouraged along pedestrian routes.

24. Signage: All signs shall comply with the county sign code and requirements set out in this section; where conflicts occur, the most restrictive standard applies.

a. Prohibited Signs: Roof signs, billboard signs, pole signs, signs that rotate or are in motion, including animated signs, are not allowed in this district.

b. One free-standing monument ground sign of no greater than 80 square feet display area per side, with no more than two sides, may be provided for each tenant. Properties shall be entitled

to one ground sign per 500 feet of frontage.

c. Maximum height of monument signs shall not exceed six feet above grade for single tenant structures and shall not exceed 15 feet above grade for multiple tenant structures.

d. Monument ground signs shall incorporate the same exterior materials as the principal structure, and should utilize exterior finish of metal, wood, or masonry materials.

e. Two on-site directional signs, not to exceed 4 square feet each, shall be allowed per tenant. Such signs are intended for navigational purposes and shall be free of logos, advertisements, badges, or slogans.

f. Sign Illumination:

i. Prohibited lighting: Flashing, rotating, pulsing, search, laser, or lights moving in any manner.

ii. Ground sign lighting: Ground signs are encouraged to be illuminated with an opaque field and letters of a lighter tone to control glare.

iii. Wall sign lighting: Wall mounted signs shall be internally illuminated or externally illuminated with full cut off-type light fixtures directed downward.

25. Stormwater Management Facilities:

a. Whenever possible, Low Impact Development (LID) techniques such as rain gardens and bio-retention swales are encouraged to allow stormwater infiltration to occur as close to the source as possible. A decentralized stormwater management design which disperses stormwater facilities across the site rather than to a centralized treatment facility is encouraged.

b. Landscape vegetation shall be incorporated around the perimeter of the stormwater facility, which at maturity will visually conceal required fencing.

c. Landscape plants should be native. A minimum of four different species of trees and shrubs shall be utilized. Stormwater management facilities shall incorporate appropriate tree and plant species that take into account the soil, hydrologic, and other site and facility conditions. Existing vegetation should be incorporated into the facility design where possible.

26. Facility Accommodation Credit Exchange. Where land area is dedicated to the state, Leon County, or City of Tallahassee for public facility development, the associated development rights may be transferred in whole or part to any other parcel within the MCN district. The resulting density and intensity shall not be greater than 200 percent of the amount which would otherwise be authorized to be developed.

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank, also, refer to sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.

2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.

3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

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2 (Ord. No. 10-07, § 3, 3-23-10)

3

4 **SECTION 14.** Section 10-6.655 of Article VI of Chapter 10 of the Code of Laws of Leon County,
5 Florida, entitled "Neighborhood Boundary Office" is hereby amended to read as follows:

6

7 **Sec. 10-6.655. - Neighborhood boundary office.**

8 (a) Purpose and intent: The purpose and intent of this district is to provide minor office
9 opportunities and higher intensity residential land uses up to a maximum of eight dwelling
10 units per acre. The district is intended to be located on the edges of existing or planned
11 single-family neighborhoods fronting on arterial and collector roadways and provides a
12 transition between the residential development and more intensive development. This
13 zoning district is not intended to be applied to the interior of an existing neighborhood or in
14 areas designated as Lake Protection on the Future Land Use Map of the Comprehensive
15 Plan. The provisions of this district are intended to allow higher density residential
16 development and nonresidential development that is compatible in scale and design with
17 adjoining residential neighborhoods. The maximum amount of nonresidential square
18 footage allowed per acre is 10,000 square feet, but additional criteria may further limit that
19 amount. Design guidelines applicable to this district include building orientation, lighting
20 criteria for nonresidential use, street vehicular access requirements, fencing, buffering, and

- 1 screening requirements, signs, noise source restrictions, and solid waste container
2 restrictions.
- 3 (b) Allowable uses: For the purpose of this article, the following land use types are allowable in
4 this zoning district and are controlled by the land use development standards of this article,
5 the Comprehensive Plan and schedules of permitted uses.
- 6 (1) Low density residential.
7 (2) Minor office.
8 **(3) Community Facilities and Services**
- 9 (c) List of permitted uses: The activity or use may be classified as principal, accessory,
10 restricted, or not allowed.

1. District Intent	PERMITTED USES (Page 1 of 3)		
	2. Principal Uses		3. Accessory Uses
The Neighborhood Boundary Office (NBO) district is intended to be located in areas designated as Neighborhood Boundary on the Future Land Use Map of the Comprehensive Plan and shall apply to areas located on the edges of existing or planned single-family attached and detached residential neighborhoods fronting arterial and collector roadways. The NBO district is intended to provide minor office opportunities serving the immediate area and higher intensity residential land uses while providing a transition between the residential development and more intensive development and preserving roadway capacity through appropriate access management. The intent of the access management requirements associated with this district is to reduce access points along the roadway system, to provide for interconnectivity between nonresidential developments within this land use category, and to encourage convenient walk-to-work opportunities in close proximity to the residential areas it will serve. This zoning district shall not be applied to the interior of an existing neighborhood nor in areas designated as Lake Protection on the Future Land Use Map of the Comprehensive Plan. In addition, the NBO district shall not exceed 350 feet in depth parallel to the arterial	<p>1. Offices (all types)</p> <p>2. Multi-family Residential (any type except dormitories, fraternities and sororities) located on the second floor of a building containing the permitted office uses on the first floor.</p> <p>3. Residential: Single-family-attached dwellings; Single-family-detached dwellings; and Two-family dwellings.</p> <p>4. Community facilities and services related to residential uses including: elementary and middle schools</p>	<p>4. Other uses, which in the opinion of the county administrator or designee, are of a similar and compatible nature to those uses described in this district. Noise and lighting impacts shall be considered when determining the eligibility of additional land uses.</p>	<p>(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.</p>

<p>or collector roadway in which it fronts or one (originally) platted lot whichever is less. The provisions of this district are intended to allow higher density residential development and nonresidential development that is compatible in scale and design with adjoining residential neighborhoods. The NBO district is not intended to accommodate large scale office development. The maximum gross density allowed for new residential development in the NBO district is eight (8) dwelling units per acre.</p>			
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- 2 General Notes:
- 3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
- 4 0.50 acre lots and inside the Urban Service Area, nonresidential development is limited to a
- 5 maximum of 2,500 square feet of building area. Also, refer to Sanitary Sewer Policies 3.1.6 and
- 6 3.1.7 of the Comprehensive Plan for additional requirements.
- 7 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
- 8 regulation of environmental features (preservation/conservation features), stormwater
- 9 management requirements, etc.
- 10 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
- 11 of capacity for certain public facilities (roads, parks, etc.)
- 12 4. If setbacks have been previously established by a preliminary plat or recorded plat, then
- 13 setbacks that have been established shall apply except where approved by the Development
- 14 Review Committee.
- 15 (d) Development standards. All proposed development shall meet the buffer zone standards
- 16 (section 10-7.522); the parking and loading requirements (subdivision 3 of division 5 of
- 17 Article VII) and the land use development criteria as specified below.

DEVELOPMENT STANDARDS									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks (Note 4)				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side — Interior Lot	c. Side — Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (Including stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	20 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet.	15 feet	25 feet	not applicable	2 Stories including floors devoted to parking.
Single-	3,750	37.5	80	20	Not applicable	15 feet	25	maximum	2 Stories

family Attached Dwellings	square feet end unit; 2,400 square feet interior lot	feet end unit; 25 feet interior lot	feet	feet			feet	length: 4 residential units	including floors devoted to parking.
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DEVELOPMENT STANDARDS									
Two-Family Dwellings	8,000 square feet	60 feet	100 feet	20 feet	Same as for single-family detached dwellings	15 feet	25 feet	A) Residential structures adjacent to existing single-family detached dwellings structures may not be less than 50% smaller than the smallest adjacent principal single-family detached dwelling structure: and B) All other two-family residential has no size limitations.	2 Stories including floors devoted to parking.
Any Permitted Nonresidential Principal Use	None	80 feet	None	25 feet	15 feet on each side	25 feet	25 feet	A) Nonresidential structures adjacent to existing residential single-family detached structures may not exceed 2 times that of the largest adjacent principal residential structure: and B) All other no-residential structures shall not exceed 5,000 square feet of nonresidential gross building floor area per parcel and 10,000 square feet per acre.	2 Stories including floors devoted to parking.
Community Facilities and Service Uses	NA	50 feet	80 feet	N/A	15 feet	15 feet	50 feet	8,500 square feet of gross building floor area per acre	35 feet

7. Building Orientation:

a. Nonresidential development and/or redevelopment of properties located at the intersection of arterial or collector roadways shall have a primary building entrance oriented toward the arterial or collector roadway.

8. Lighting Criteria for Nonresidential Uses: All nighttime lighting including wall mounted security lighting, shall not exceed 0.5 vertical surface foot-candle measured at the property line 6 feet above grade. Lighting shall not exceed 10 feet in height and shall have recessed bulbs and filters, which conceal the source of illumination. No wall or roof mounted flood or spotlights used as general grounds lighting are permitted. Wall mounted security lighting is permitted.

9. Street Vehicular Access Requirements:

a. Properties in the NBO zoning district may have vehicular access to any type of street except where specifically prohibited by this section.

b. Residential developments shall have access to the street serving the adjoining residential neighborhood where possible.

c. Nonresidential development is not permitted access onto the street serving the residential

neighborhood, or local street, and must have access onto the collector or arterial roadway.
d. All new nonresidential development shall construct a vehicular and pedestrian interconnection to adjoining properties that have an existing commercial use. Interconnections shall be required to adjoining vacant properties, which are zoned for commercial and/or office use. The vehicular interconnection shall be constructed with material consistent with constructed or proposed vehicular use areas. Location of such interconnections shall be approved by the county Engineer or designee and constructed prior to issuance of a Certificate of Occupancy. Required interconnections between properties and/or to a private or public roadway shall be placed in a cross access easement acceptable by the county Attorney. The Parking Standards Committee shall approve exemptions to and deviations from the interconnection requirements of this section.
10. Fencing, Buffering and Screening Requirements:
a. Chain link fencing is prohibited.
b. Buffering shall be in accordance with the provisions of section 10-7.522. Notwithstanding that any existing trees and vegetation are required to remain in place and must be used to either fully or partially satisfy the buffering requirements of section 10-7.522. In instances where existing trees and vegetation are not present or are not sufficient to satisfy the buffering requirements of section 10-7.522, then new plantings shall be required.
c. The off-site visual impacts associated with outdoor service functions or areas such as loading areas, trash collections, outdoor storage, or mechanical equipment shall be mitigated by the use of screening material consistent with the materials and design treatments of the primary facade of the primary building and/or evergreen landscape plant material.
d. On-site parking adjoining roadways shall be screened from view from public roadways by landscape buffers with a minimum height of three feet. Approved height of screening shall take into consideration the elevation of the site in relation to the public roadway.
e. Landscaping should be used to define on-site pedestrian corridors, building design elements, public areas, and viewsapes.
11. Signs:
All signs within the NBO district shall be designed in accordance with the current locally adopted sign code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the NBO district shall conform to the following minimum guidelines:
a. One wall-mounted sign per building per collector or arterial street frontage is permitted. A wall-mounted sign shall not exceed 10% of the area of the building wall area on which it is mounted. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed. Only one wall sign for multiple tenant office land uses shall be allowed.
b. No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.
c. Freestanding signs shall be setback a minimum of 10 feet from the right-of-way line.
d. Freestanding signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principle building.
e. One free standing sign per driveway access along the collector or arterial street frontage is permitted and shall be internally illuminated with an opaque field to control glare. The Maximum sign area permitted is 36 square feet with a maximum height of 10 feet.
12. Noise Source Restrictions: In the event that a property zoned NBO abuts a residential property, the noise source of the NBO zoned property shall not exceed an L10 noise level of 60 dBA in the daytime (7:00 A.M. to 7:00 P.M.) and an L10 noise level of 50 dBA in the night time (7:00 P.M. to 7:00 A.M.) as measured on the property line abutting the source.
13. Solid Waste Restrictions: New development and redevelopment may not place solid waste facilities within 30 feet of an adjoining residential property. However, such facilities shall be screened with a material consistent with the principle structure. The use of solid waste facilities greater than 90 gallons is prohibited within in the NBO district.
Sec. 1241. NBO Neighborhood Boundary Office District (Page 3 of 3)
DEVELOPMENT STANDARDS (Continued from page 2 of 3)
14. Additional Criteria for the Construction of New Nonresidential Buildings and Additions: The overall goals of this district is to provide a unified sense of place, a pedestrian scale, and design that reflects the general character and scale of typical residential structures in adjacent neighborhoods. No particular architectural style or materials are mandated Variety within these design criteria is encouraged. However, buildings shall be designed to reduce the mass, scale, and monolithic appearance of large structures. Flat roofs are prohibited. Roofs shall be

designed with a minimum pitch of 4 in 12 (four feet of rise per twelve feet of run). The horizontal footprint of a single roof plane may not exceed one thousand (1,000) square feet. Doors and windows shall be placed to reflect the predominant character and scale of adjacent residential structures, and to provide natural surveillance opportunities to discourage criminal activities. Exterior walls shall be designed with doors or windows spaced horizontally no more than fourteen (14) feet from each other. For purposes of this requirement, doors and windows shall be defined as having a horizontal dimension of no less than three (3) feet and no more than ten (10) feet. Development and redevelopment applications shall provide sufficient documentation including but not limited to architectural elevations (at time of site plan submittal) demonstrating that the proposed development is consistent with the following features of the adjoining neighborhood:

a. Building facades including building material, architectural style, and colors.

b. Roof forms

These criteria shall only apply to new construction and when building additions are being proposed.

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2 General Notes:

3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
4 0.50 acre lots and inside the Urban Service Area, nonresidential development is limited to a
5 maximum of 2,500 square feet of building area. Also, refer to Sanitary Sewer Policies 3.1.6 and
6 3.1.7 of the Comprehensive Plan for additional requirements.

7 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
8 regulation of environmental features (preservation/conservation features), stormwater
9 management requirements, etc.

10 3. Refer to the Concurrency Management: Ordinance for information pertaining to the
11 availability of capacity for certain public facilities (roads, parks, etc.)

12 4. If setbacks have been previously established by a preliminary plat or recorded plat, then
13 setbacks that have been established shall apply except where approved by the Development
14 Review Committee.

15 (e) Specific restrictions. If uses are restricted according to the scheduled of permitted uses,
16 they must follow the general development guidelines for restricted uses as provided in this
17 division.

18 (Ord. No. 07-20, § 2, 7-10-07)

19

20 **SECTION 15.** Section 10-6.674 of Article VI of Chapter 10 of the Code of Laws of Leon County,
21 Florida, entitled "Bradfordville Commercial Pedestrian-Oriented District" is hereby amended to
22 read as follows:

23

24 **Sec. 10-6.674. - BC-2 Bradfordville commercial pedestrian-oriented district.**

PERMITTED USES			
1. District Intent	2. Principal Uses		3. Accessory Uses
The BC-2 district is intended to be located in areas designated Bradfordville mixed use in the future land use map of the Comprehensive Plan and shall apply to lands within the Bradfordville commercial center district. The intent of the BC-2 district is to implement the Bradfordville Study Area goals, objectives and policies of the Comprehensive Plan preserving the residential character of the Bradfordville Study Area through a mixture of uses	(1) Antique shops. (2) Banks and other financial institutions, without drive-through facilities. (3) Camera and photographic stores. (4) Cocktail lounges and bars. (5) Community facilities related to the permitted principal uses, including libraries, religious facilities, vocational and middle schools, and police/fire stations. Elementary and high High schools are prohibited. Other	(18) Residential (any type provided it is located on second floor above commercial or office development). (19) Restaurants without drive-in facilities. (20) Retail bakeries. (21) Retail computer, video, record, and other electronics. (22) Retail department, apparel, and	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve

<p>at a compatible scale with the adjacent residential communities. More specifically, the BC-2 district is intended to provide a location for areas of intense pedestrian scale and oriented commercial services for the Bradfordville area. The BC-2 district is intended to encourage residential and office development above ground floor commercial development. The BC-2 district also encourages shared parking and utilization of on-street parking. Drive through facilities are prohibited in the BC-2 district. Residential intensities shall not exceed 16 dwelling units per acre. The access management standards set forth in for the BC-2 district are intended to minimize and control ingress and egress to collector and arterial roadways and to promote smooth and safe traffic flow of the general traveling public. Increases in land zoned BC-2 shall demonstrate the need for additional services for the Bradfordville Study Area. Reuse of existing single use sites for multiple use developments, adding new uses to single use sites and/or multiple use developments that share parking facilities are encouraged in the BC-2 district. Expansions of the BC-2 district are prohibited in viable residential areas.</p>	<p>community facilities may be allowed in accordance with section 10-6.806 of these regulations. (6) Gift, novelty, and souvenir stores. (7) Indoor amusements (bowling, billiards, skating, theaters etc.). (8) Laundromats, laundry and dry cleaning pick-up stations without drive-through facilities. (9) Mailing services. (10) Medical and dental offices, services, laboratories, and clinics. (11) Non-medical offices and services, including business and government offices and services. (12) Off-street parking facilities. (13) Passive and active recreational facilities. (14) Personal services (barber shops, fitness clubs etc.). (15) Photocopying and duplicating services. (16) Rental and sales of dvds, video tapes and games. (17) Repair services, non-automotive.</p>	<p>accessory stores. (23) Retail drug store. (24) Retail florist. (25) Retail food and grocery. (27) Retail home/garden supply, hardware, and nurseries without outside storage or display. (28) Retail jewelry stores. (29) Retail needlework shops and instruction. (30) Retail newsstand, books, greeting cards. (31) Retail package liquors. (32) Retail picture framing. (33) Retail trophy stores. (34) Shoes, luggage, and leather goods. (35) Social, fraternal and recreational clubs and lodges, including assembly halls. (36) Studios for photography, music, art, drama, and voice. (37) Tailoring. (38) Other uses, which in the opinion of the county administrator or designee, are of a similar and compatible nature to those uses described in this district.</p>	<p>permitted uses, as determined by the county administrator or designee.</p>
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Any Permitted	none	none	none	none (5 feet)	none	none	30 feet	18,000 square feet of	3 stories

Principal and Special Exception Use				maximum)				commercial floor area per acre. No single use tenant shall exceed 10,000 gross square feet.
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7. Access Management Criteria. (In case of a conflict with the provisions of other ordinances or regulations, the most strict provisions shall apply):

(a.) Arterial and collector roads: Direct driveway access to arterial and collector roads is prohibited except for: 1) Existing driveway access as of July 28, 1998; 2) A single driveway access for properties in existence before July 28, 1998 which have sole access to the arterial road and does not have other street access; and 3) Temporary driveway access may be permitted for properties which establish permanent access to another public street and grant the local government with jurisdiction the right to close the temporary access without compensation upon opening of access to an alternative roadway.

(b.) All properties: All properties shall provide cross access easements benefiting adjoining properties to permit the development of an internal vehicular and pedestrian circulation system. All nonresidential properties shall provide driveway interconnections to adjoining nonresidential properties. All new developments proposing subdivision shall have shared access for every two parcels created where accessed from a local street.

(c.) Local streets: Full movement access to a local street shall not be permitted within 200 feet of a signalized intersection. Right-in/right-out access to a local street shall not be permitted closer than 100 feet to another access point or intersecting public street, nor within 200 feet of a signalized intersection, except properties with sole access to a local street are permitted at least one access point, which may be limited to right-in/right-out based upon a traffic safety evaluation.

8. Street Vehicular Access Restrictions: Properties in the BC-2 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from nonresidential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, R, and RP.

9. Landscape Standards: Development within the BC-2 shall be subject to the landscape requirements of this section in addition to those requirements of the Environmental Management Act (EMA). Where standards conflict, the stricter of the two shall apply. All landscape plans shall be prepared by a registered landscape architect as per F.S. § 481.

(a.) Arterial road landscaping: All properties fronting arterial roads shall provide and maintain a 30 foot wide landscape area immediately adjoining the arterial road. All vegetation within the 30 foot wide landscaped area of good condition four inches and larger shall be preserved. This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to section 7. above, but compensatory area shall be added, equal to the area of the driveway, adjacent to the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with section 13. below may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in subsection 10-4.349(b) toward meeting the tree planting requirement. Management of the existing trees within the 30 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed,

(b.) Collector road landscaping: All properties fronting collector and local roads shall provide and maintain a 20-foot-wide landscape area immediately adjoining the collector road. All vegetation within the 20-foot-wide landscaped area of good condition four inches and larger shall be preserved (This provision shall not apply where a primary entrance is oriented toward the street and there is no vehicular use area between the building and roadway). This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed (for redevelopment projects only) by driveways permitted pursuant to subsection 7. above, but compensatory area shall be added equal to the area of the driveway within the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13. may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in subsection 10-4.349(b) toward meeting the use planting requirement. Management of the existing trees within the 20 feet shall include pruning of dead and hazardous tree limbs, paining of live limbs less

than 25 percent of the green mass of the tree, fertilization, post control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.
(c.) Local road and access ways landscaping: All properties fronting a local road and every access way shall provide one canopy tree for every 15 linear feet of local road frontage and/or access way.

(d.) Street trees—All canopy tree planting areas shall contain a minimum of 200 sq. ft. of landscaped area. Creative design and spacing is encouraged.

(e.) Parking areas—All vehicular use areas shall be buffered from view from public streets and/or access ways through the use of vegetation and/or topography or other manmade structures so long as such structures are architecturally compatible with the principle structure. All manmade visual buffers greater than 20 feet in unbroken length shall be designed to provide interesting visual effects and reduce apparent mass through the use of vegetation and plane projections, material changes, changes in scale or other architectural features. Canopy tree cover for the parking area shall be provided so as to attain a minimum of 60 percent plan view shading within ten years of planting date. At grade parking grade shall include interior landscaped areas at a minimum ratio of 400 sq. ft. per 5,000 sq. ft. of vehicular use area located internally to the parking area. Where interior landscaped areas can not be obtained, the required landscaped area shall be placed between the proposed vehicular use area and the public right-of-way and/or access way. Existing vegetation shall be incorporated into the landscaped areas to the greatest extent possible. Planting areas shall have a minimum area of 400 sq. ft., with a minimum dimension of ten feet and shall have a depth of three feet of good planting soil.

(f.) Trees planted within a sidewalk area shall incorporate tree grates or other surfacing so as to not impede the flow of pedestrian traffic.

(g.) Buffer standards for uncomplimentary land uses shall meet the requirements of section 10-7.522 of the Land Development Code.

(h.) Developments within this district shall preserve a minimum of 25 percent of the total site as natural area. The required natural area may be located off-site if the required area is designated as public open space and is accepted by the public works department. On-site natural area shall encompass significant, naturally occurring vegetation areas or other significant environmental features.

(i.) Stormwater management facilities shall be landscaped in accordance with the Environmental Management Act, however, development is encouraged to provide innovative designs making such facilities an amenity to the site. All stormwater management facilities are encouraged to be constructed with 4:1 side slopes. Chain link and vinyl clad fencing enclosures are prohibited where stormwater management facilities are visible from public roadways/access ways. Where fencing and/or retaining walls are proposed and visible from a public roadway/access way, such fencing shall be architecturally compatible with the principle structure. Stormwater ponds shall be designed to imitate "natural" pond characteristics, including curved geometrics, gently sloping edges, landscaping and paving materials, and should be placed so as to be focal design amenities.

10. Signs:

All signs within the BC-2 district shall be designed in accordance with the current locally adopted building code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the BC-2 district shall conform to the following minimum guidelines:

(a.) One wall mounted sign per tenant per street frontage is permitted. A wall mounted sign shall not exceed ten percent of the area of the tenant wall area on which it is mounted. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed.

(b.) No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.

(c.) Freestanding signs shall be setback a minimum of ten feet from the right-of-way line.

(d.) Temporary signs (not to exceed 30 days of display in a calendar year) are permitted at the discretion of the developer, except signs advertising property for sale or lease are not subject to this restriction.

(e.) Free standing signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principle building. One free standing sign per driveway access per street frontage is permitted and shall be internally illuminated with an opaque field to control glare. Freestanding signs are sized proportional to the type of roadway to which they are adjacent. Allowable size restrictions are as follows:

- 1.) Arterial Roads: Maximum area: 150 square feet, Maximum Height: 25 feet
- 2.) Major Collector Roads: Maximum area: 100 square feet, Maximum Height: 20 feet
- 3.) Minor Collector and Local Roads: Maximum area: 36 square feet, Maximum Height: 8 feet

11. Parking Standards:

(a) Off-street parking is prohibited between buildings fronting a local street and/or access way.

12. Lighting Standards:

(a.) All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof mounted flood or spot lights used as general grounds lighting are

permitted. Security lighting is permitted.
 (b.) Lighting for off-street walkways shall be spaced no more than 30 feet apart, and shall not exceed ten feet in height.
 (c.) Parking lighting shall be spaced a maximum of 50 feet apart and shall not exceed 20 feet in height.
 (d.) Lighting levels at the property line (six feet above ground) adjacent to residential areas shall not exceed five footcandles.

13. Noncompliance:
 Existing noncompliance of the standards set forth in this section shall be subject to the provisions of Division 3 of the Land Development Code.

14. Variance Procedure: Conformance to these design criteria shall be verified by the county during the site and development plan review process required for individual development projects. Deviation from the following subsections of this section may be requested pursuant to division 3 of the Leon County Land Development Code: subsections 4, 6, 7, 8, 9, 11(a), and 12.

15. Incentives for Site Design Alternatives: An intensity bonus shall be provided to developments incorporating any of the following site design alternatives.

- 1) An intensity bonus of 2,000 sq. ft. per acre (maximum) shall be allowed provided new development or redevelopment utilizes one or more of the following:
 - a) For properties fronting an arterial or collector roadway, no less than 25% of the parking will be provided in a shared facility.
 - b) Development site areas of 3 or more acres wherein at least 50% of the parking will be provided in a shared facility.
 - c) Parking is provided within a range of 50% - 75% of the parking requirements in section 10-7.545.
 - d) The development contains a minimum of 35% natural open space.

1

2 GENERAL NOTES:

- 3 1. If central sanitary sewer is not available, nonresidential development is limited to a maximum
- 4 of 2,500 square feet of building area. Community service facilities are limited to a maximum of
- 5 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to sanitary sewer
- 6 policy 2.1.12 of the Comprehensive Plan for additional requirements.
- 7 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
- 8 regulation of environmental features (preservation/conservation features), stormwater
- 9 management requirements, etc.
- 10 3. Refer to the concurrency management ordinance for information pertaining to the availability
- 11 of capacity for certain public facilities (roads, parks, etc.).

12 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09; [Ord. No. 15-03](#), § 3, 2-10-15)

13
 14 **SECTION 16.** Section 10-6.676 of Article VI of Chapter 10 of the Code of Laws of Leon County,
 15 Florida, entitled "Bradfordville Office-Residential District" is hereby amended to read as follows:
 16

17 **Sec. 10-6.676. - BOR Bradfordville office residential district.**

	PERMITTED USES	
1. District Intent	2. Principal Uses	3. Accessory Uses
The BOR district is intended to be located in areas designated Bradfordville mixed use in the future land use map of the Comprehensive Plan and shall apply to lands within the Bradfordville commercial center district. The intent of the BOR district is to implement the Bradfordville Study Area goals. Objectives and Policies of the Comprehensive Plan preserving the residential character of the Bradfordville Study Area through a mixture of uses at a compatible scale with the adjacent residential communities. More	(1) Bed and breakfast inns up to a maximum of 6 rooms. (2) Broadcasting studios. (3) Community facilities related to office or residential facilities, including libraries, religious facilities, police/fire stations, and elementary, and middle schools, and high schools. Vocational schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (4) Day care centers. (5) Medical and dental offices	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

<p>specifically, the BOR district is intended to be located in areas where employment and residential uses are encouraged to locate in close proximity to one another. The provisions of the BOR district are intended to provide the district with a residential character to further encourage this mixing of uses at a compatible scale. A variety of housing types, compatible non-retail activities of moderate intensity and certain community facilities related to office or residential facilities (recreational, community services, and light infrastructure) may be permitted in the BOR district. The maximum gross density allowed for new residential development in the BOR district is 8 dwelling units per acre. The access management standards set forth in for the BOR district are intended to minimize and control ingress and egress to collector and arterial roadways and to promote safe and efficient traffic circulation of the general traveling public. Increases in land zoned BOR shall demonstrate the need for additional services for the Bradfordville Study Area. Reuse of existing single use sites for multiple use developments, adding new uses to single use sites and/or multiple use developments that share parking facilities are encouraged in the BOR district. Expansions of the BOR district are prohibited in viable residential areas.</p>	<p>and services, laboratories, and clinics. (6) Mini-warehouses (see subsection 16). (7) Non-medical offices and services, including business and government offices and services. (8) Nursing homes and other residential care facilities. (9) Passive and active recreational facilities. (10) Personal services. (11) Single-family attached dwellings. (12) Single-family detached dwellings. (13) Studios for photography, music, art, dance, drama, and voice. (14) Two-family dwellings. (15) Veterinary services, including veterinary hospitals.</p>	
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-family detached dwellings	5,000 square feet	50 feet	100 feet	20 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided	20 feet	25 feet	not applicable	3 stories

					that no such schools shall be less than 5 feet				
Two-family dwellings	8,500 square feet	70 feet	100 feet	20 feet	same as single-family above	20 feet	25 feet	not applicable	3 stories
Single-family attached dwellings	3,750 square feet end unit; 2,400 square feet interior lot	37.5 feet end unit; 25 feet interior lot	80 feet	20 feet	none	20 feet	25 feet	maximum length: 8 units	3 stories
Any permitted principal nonresidential use	6,000 square feet	50 feet	100 feet	20 feet	same as single-family above	20 feet	10 feet	10,000 square feet of gross building floor area per acre (does not apply to a conversion of an existing structure)	3 stories

7. Access Management Criteria (in case of a conflict with the provisions of other ordinances or regulations, the most strict provisions shall apply):

(a.) Arterial and collector roads: Direct driveway access to arterial and collector roads is prohibited except for: 1) Existing driveway access as of July 28, 1998; 2) A single driveway access for properties in existence before July 28, 1998, which have sole access to the arterial road and does not have other street access; and 3) Temporary driveway access may be permitted for properties which establish permanent access to another public street and grant the local government with jurisdiction the right to close the temporary access without compensation upon opening of access to an alternative roadway.

(b.) All properties: All properties shall provide cross access easements benefiting adjoining properties to permit the development of an internal vehicular and pedestrian circulation system. All nonresidential properties shall provide driveway interconnections to adjoining nonresidential properties. All new developments proposing subdivision shall have shared access for every two parcels created.

(c.) Local streets: Full movement access to a local street shall not be permitted within 200 feet of a signalized intersection. Right-in/right-out access to a local street shall not be permitted closer than 100 feet to another access point or intersecting public street, nor within 200 feet of a signalized intersection, except properties with sole access to a local street are permitted at least one access point, which may be limited to right-in/right-out based upon a traffic safety evaluation.

8. Street vehicular access restrictions: Properties in the BOR zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from nonresidential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, R, and RP.

9. Landscape Standards: Development within the BOR shall be subject to the landscape requirements of this section in addition to those requirements of the Environmental Management Act (EMA). Where standards conflict, the stricter of the two shall apply. All landscape shall be prepared by a registered landscape architect as per F.S. ch. 481.

(a.) Arterial road landscaping: All properties fronting arterial roads shall provide and maintain a 30-foot-wide landscape area immediately adjoining the arterial road. All vegetation within the 30-foot-wide landscaped area of good condition four inches and larger shall be preserved. This landscape area shall be planted with canopy trees with at least one tree for each 200 square

feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to subsection 7. above, but compensatory area shall be added, equal to the area of the driveway, adjacent to the required landscape area. Sidewalks are not permitted within the landscape area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13. below may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in subsection 10-4.349(b) toward meeting the tree planting requirement. Management of the existing trees within the 30 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(b.) Collector and local road landscaping: All properties fronting collector and local roads shall provide and maintain a 20-foot-wide landscape area immediately adjoining the collector or local road. All vegetation within the 20-foot-wide landscaped area of good condition four inches and larger shall be preserved (This provision shall not apply where a primary entrance is oriented toward the street and there is no vehicular use area between the building and roadway). This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to subsection 7. above, but compensatory area shall be added equal to the area of the driveway within the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13. may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in subsection 10-4.349(b) toward meeting the tree planting requirement. Management of the existing trees within the 20 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(c.) Street trees—All existing and proposed roadways/access ways shall be planted with canopy trees at a standard of one canopy tree per 200 sq. ft. of landscaped area. Credit shall be given for existing vegetation within the required landscaped areas as identified in a. and b. above. Creative design and spacing is encouraged.

(d.) Parking areas—All vehicular use areas shall be buffered from view from public streets and/or access ways through the use of vegetation and/or topography or other manmade structures so long as such structures are architecturally compatible with the principle structure. All manmade visual buffers greater than 20 feet in unbroken length shall be designed to provide interesting visual effects and reduce apparent mass through the use of vegetation and plane projections, material changes, changes in scale or other architectural features. Canopy tree cover for the parking area shall be provided so as to attain a minimum of 60 percent plan view shading within ten years of planting date. At grade parking areas shall include interior landscaped areas at a minimum ratio of 400 sq. ft. per 5,000 sq. ft. of vehicular use area located internally to the parking area. Where interior landscaped areas can not be obtained, the required landscaped area shall be placed between the proposed vehicular use area and the public right-of-way and/or access way. Existing vegetation shall be incorporated into the landscaped areas to the greatest extent possible. Planting areas shall have a minimum area of 400 sq. ft. with a minimum dimension of ten feet and shall have a depth of three feet of good planting soil.

(e.) Trees planted within a sidewalk area shall incorporate tree grates or other surfacing so as to not impale the flow of pedestrian traffic.

(f.) Buffer standards for uncomplimentary land uses shall meet the requirements of section 10-7.522 of the Land Development Code.

(g.) Developments within this district shall preserve a minimum of 25 percent of the total site as natural area. The required natural area may be located off-site if the required area is designated as public open space and is accepted by the public works department. On-site natural area shall encompass significant, naturally occurring vegetation areas or other significant environmental features.

(h.) Stormwater management facilities shall be landscaped in accordance with the Environmental Management Act, however, development is encouraged to provide innovative designs making such facilities an amenity to the site. All stormwater management facilities are encouraged to be constructed with 4:1 side slopes. Chain link and vinyl clad fencing enclosures are prohibited where stormwater management facilities are visible from public roadways/access ways. Where fencing and/or retaining walls are proposed and visible from a public roadway/access way, such fencing shall be architecturally compatible with the principle structure. Stormwater ponds shall be designed to imitate "natural" pond characteristics, including curved geometries, gently sloping edges, landscaping and paving materials, and should be placed so as to be focal design amenities.

10. Signs:

All signs within the BOR district shall be designed in accordance with the current locally adopted

building code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the BOR district shall conform to the following minimum guidelines:

(a.) One wall-mounted sign per tenant per street frontage is permitted. A wall mounted sign shall not exceed ten percent of the area of the tenant wall area on which it is mounted. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed. Only one wall sign for multiple tenant office land uses shall be allowed.

(b.) No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.

(c.) Freestanding signs shall be setback a minimum of ten feet from the right-of-way line.

(d.) Temporary signs (not to exceed 30 days of display in a calendar year) are permitted at the discretion of the developer, except signs advertising property for sale or lease are not subject to this restriction.

(e.) Freestanding signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principle building. One freestanding sign per driveway access per street frontage is permitted and shall be internally illuminated with an opaque field to control glare. Freestanding signs are sized proportional to the type of roadway to which they are adjacent. Allowable size restrictions are as follows:

1.) Arterial Roads: Maximum area: 150 square feet, Maximum Height: 25 feet

2.) Major Collector Roads: Maximum area: 100 square feet, Maximum Height: 20 feet

3.) Minor Collector and Local Roads: Maximum area: 36 square feet, Maximum Height: 8 feet

11. Off-Street Parking Requirements: Off-street parking facilities associated with permitted principal nonresidential uses in the OR-1 zoning districts must comply with the following requirements:

(a.) Parking Setbacks: Side-Corner: 20 feet Rear and Side-Interior: 10 feet

(b.) Driveway Setbacks: Side-Corner: 10 feet (none if driveway is shared) Rear and Side-Interior: 4 feet (none if driveway is shared)

(c.) Off-street parking may not be placed in a front yard between a building and the street.

(d.) The parking or driveway separation from the building is four feet

(e.) All off-street parking spaces behind a building shall be screened from the required front yard and side corner lot areas by evergreen landscaping at least four feet in height.

(f.) Parking spaces shall be screened from rear and interior side property lines by a combination of a six feet high opaque fence or wall and landscape plant material.

(g.) Driveways connecting to a public street shall be the narrowest possible width to ensure appropriate safety standards, as determined by the county administrator or designee.

12. Lighting Standards:

(a.) All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof-mounted flood or spot lights used as general grounds lighting are permitted. Security lighting is permitted.

(b.) Lighting for off-street walkways shall be spaced no more than 30 feet apart, and shall not exceed ten feet in height.

(c.) Parking lighting shall be spaced a maximum of 50 feet apart and shall not exceed 20 feet in height.

(d.) Lighting levels of the property line (six feet above ground) adjacent to residential areas shall not exceed five footcandles.

13. Noncompliance:

Existing noncompliance of the standards set forth in this section shall be subject to the provisions of Division 3 of the Land Development Code.

14. Variance Procedure:

Conformance to these design criteria shall be verified by the county during the site and development plan review process required for individual development projects. Deviation from the following subsections of this section may be requested pursuant to division 8 of the Leon County Land Development Code: subsections 4, 5, 6, 7, 8, 10(a), 10(C), and 11.

15. Design Standards Applicable to Mini-warehouse Land Uses:

(a.) Mini-warehouse developments shall be developed in accordance with standards as set forth in section 10-6.675 (BCS district).

(b.) A continuous 100 percent opaque buffer obtained through the use of vegetation and/or fencing shall be required around the perimeter of all areas used for mini-warehouse storage. This standard does not apply to the portion of the development utilized for a sales office.

1

2 GENERAL NOTES:

3 1. If central sanitary sewer is not available, nonresidential development is limited to a minimum
4 of 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet
5 of building area. Community service facilities are limited to a maximum of 5,000 square feet of

- 1 building area or a 500 gallon septic tank. Also, refer to sanitary sewer policy 2.1.12. of the
2 Comprehensive Plan for additional requirements.
3 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
4 regulation of environmental features (preservation conservation features), stormwater
5 management requirements, etc.
6 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
7 of capacity for certain public facilities (roads, parks, etc.).

8 (Ord. No. 09-13, § 4, 3-19-09; [Ord. No. 15-03](#), § 5, 2-10-15)

9
10 **SECTION 17.** Section 10-6.806 of Article VI of Chapter 10 of the Code of Laws of Leon County,
11 Florida, entitled "Community Services and facilities/institutional uses" is hereby amended to
12 read as follows:
13

14 **Sec. 10-6.806. - Community services and facilities/institutional uses.**

- 15 (a) Purpose and intent. The intent of this section is to establish regulations, requirements, and
16 standards for land uses and activities conducted for the public welfare. The location of
17 community services and facilities/institutional uses shall be consistent with the
18 Comprehensive Plan.

19 This section is intended to address uses, facilities, and structures necessary for the health,
20 safety, and welfare of the general public, that are not typically provided for profit by private
21 individuals and establishments. This section establishes public notice requirements for the
22 establishment of any proposed community services and facilities/institutional uses as well as for
23 the expansion or redesign of any such existing uses or facilities, and provides for public
24 participation in this process. This section promulgates standards to ensure that the location of
25 community services and facilities/institutional uses is unlikely to be incompatible with
26 surrounding land uses and activities and to ensure that all such facilities or structures are
27 designed to minimize negative impacts upon the surrounding properties.

- 28 (b) Development standards. During the course of the required land development review, the
29 appropriate review authority shall authorize development standards appropriate for the
30 proposed institutional use. Such development standards shall address land use
31 compatibility, environmental constraints, and the availability of infrastructure.

- 32 (c) Minimum requirements for approval; new development. Any and all applications for new
33 community services and facilities/institutional uses must comply with the following
34 requirements:

35 (1) Consistency with Comprehensive Plan. The appropriate review authority shall find that
36 the proposed location is consistent with the Comprehensive Plan. New institutional
37 uses and facilities shall be located to serve areas of population experiencing an
38 existing deficiency of facilities and services or to serve areas where demand for
39 facilities and services is projected to occur as identified in the Comprehensive Plan.
40 Facilities and services shall not be established or expanded in any location which will
41 result in land development patterns inconsistent with the Comprehensive Plan nor shall
42 any such development be permitted that is likely to promote the premature
43 development of any area resulting in land use intensities inconsistent with the future
44 land use map. In the determination of proposed facility or structure location or the
45 acceptability of any such proposed expansion, the appropriate review authority may
46 balance the benefits of location in proximity to the service population with any
47 associated disadvantages.

48 a. The applicant must demonstrate that there presently exists, or is expected to exist
49 an unmet demand within the community for the public benefit intended to result
50 from the establishment and operation of that proposed or expanded community
51 service/or facility institutional use.

52 b. The applicant must demonstrate that the proposed use or facility will alleviate that
53 demand, either in full or in part.

54 c. The applicant must demonstrate that the proposed site for the use or facility is
55 suitably located to provide the public benefit to the intended generalized service
56 population area.

57 d. The applicant must demonstrate that the proposed use or facility and site are sized
58 according to the demand that the facility is proposed to satisfy.

59 e. The applicant must demonstrate and document that the anticipated benefit to be
60 provided to the community outweighs the potential harm to the public interest,
61 including harm to environmentally sensitive areas or private interests, likely to

- 1 result from the establishment and operation of the proposed community service or
2 facility/institutional use.
- 3 f. The applicant must demonstrate that the establishment and operation of the
4 propose use or facility will not prevent the normal and customary use of
5 residentially zoned properties and residential structures or otherwise adversely
6 affect residential neighborhoods to the extent that residential displacement is
7 likely, or indicate what provisions are proposed to mitigate any adverse effects and
8 displacement.
- 9 g. The applicant must demonstrate that the new facility will promote the efficient use
10 of existing or planned infrastructure and discourage uncontrolled urban sprawl.
- 11 (2) Environmental analysis required. An environmental analysis shall be completed and
12 submitted in conjunction with the application for rezoning review by the governing
13 body. The environmental analysis for community services of facilities/institutional uses
14 to be located in the unincorporated portion of the county shall be completed as per the
15 requirements of Article IV.
- 16 (d) Minimum requirements for approval; redevelopment/expansion. Any and all applications for
17 the redevelopment, modification, or expansion of existing community services and
18 facilities/institutional uses shall be subject to review and approval by the county
19 administrator or designee.
- 20 (e) Site plan approval required. Every new use or development of land to be utilized as a
21 community service or facility/institutional use shall require site plan approval before
22 development activities may be permitted.

23 In order to grant approval, the appropriate review authority shall find, as a minimum, that the site
24 plan is reasonably sufficient to accurately describe all proposed uses of the property, including,
25 but not limited to the following: The proposed location of all uses and structures, building heights
26 and other dimensions, setbacks and visual screens, accessways, vehicle parking and circulation
27 system, proposed stormwater drainage facilities, abutting properties and their zoning, and all
28 data necessary to the issuance of any permit or approval required by this article and all other
29 applicable land development regulations, other than the building codes.

30 The appropriate review authority may approve, deny, approve with conditions, or continue
31 discussion to a date-time certain, regarding the submitted site plan. Continued compliance with
32 any conditions or approval thereof shall be a condition of any other development permit or
33 approval for such use.

34 (f) Development review and approval.

35 (1) All proposed community service or facility/institutional uses shall be reviewed and
36 approved consistent with the provisions of section 10-7.402.

37 (2) Rights-of-way and easements dedicated for public benefit use shall be exempt from the
38 requirements of this article.

39 (g) Special requirements for community services and facilities/institutional uses that may cause
40 air pollution. Any new or expanded portion of a coal burning utility, asphalt plant, resource
41 recovery facility or other potential point source of air pollution required by law to obtain an
42 air pollution permit from the state department of environmental regulation or the United
43 States Environmental Protection Agency shall be required to utilize the best available
44 control technology and shall be subject to site plan review by the Board of County
45 Commissioners.

46 (h) Private and charter schools shall not be accessed from an arterial roadway unless designed
47 to provide full, safe access from both directions. Secondary schools shall not be accessed
48 from a residential local street unless designed as part of a master plan development or
49 Planned Unit Development. Proposed schools shall not require a new driveway access to a
50 designated Canopy Road, as defined in Sec. 10-1.101.

51 (Ord. No. 07-20, § 2, 7-10-07)

52
53 **SECTION 18.** Section 10-7.522 of Article VII of Chapter 10 of the Code of Laws of Leon
54 County, Florida, entitled "Buffer zone standards" is hereby amended to read as follows:
55

56 **Sec. 10-7.522. - Buffer zone standards.**

57 (a) Buffering standards. The following buffering standards are intended to implement the
58 provisions of the Land Development Code and applicable policies of the Comprehensive
59 Plan. Should there be a conflict between the provisions of this article and those of the

- 1 Comprehensive Plans and article IV, the most restrictive or that imposing the higher
2 standard shall govern.
- 3 (1) A buffer zone is a landscaped strip along parcel boundaries that serve a buffering and
4 screening function between uses and zoning districts, provides an attractive boundary
5 of the parcel or use, or as both a buffer and attractive boundary. This shall not be
6 interpreted to mean that parcels within a planned mixed use development must meet
7 these requirements.
- 8 (2) The width and degree of vegetation required depends on the nature of the adjoining
9 uses. The standards specified below prescribe the required width and landscaping of
10 all buffer zones.
- 11 (3) The standards for buffer zones are set out in the following illustrations that specify the
12 number of plants required per 100 linear feet. To determine the total number of plants
13 required, the length of each side of the property requiring a buffer shall be divided by
14 100 and multiplied by the number of plants shown in the illustration. The plants shall be
15 spread reasonably evenly along the length of the buffer.
- 16 (4) The buffering standards applicable to community services/institutional uses shall be
17 determined during the course of the required land development review process
18 pursuant to Section 10-6.806.
- 19

(5) The foregoing standards shall be applied between abutting parcels as follows:

BUFFERING AND SCREENING REQUIREMENTS																										
EXISTING DEVELOPMENT		PROPOSED DEVELOPMENT Land Use Code Number																								
L/U Code Number	Land Use Activity	NONURBAN			RESIDENTIAL					COMMERCIAL					OFFICE USES				INDUSTRIAL				COMMUNITY SERVICE FACILITIES AND INSTITUTIONAL USES			
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22			
NONURBAN LAND USES																										
1	Agriculture	NR	NR	NR	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	A	
2	Commercial forestry	NR	NR	NR	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	A	
3	Mining	NR	NR	NR	D	D	D	D	D	B	B	B	B	B	C	C	C	C	B	C	NA	B		D		
RESIDENTIAL LAND USES																										
4	Single-family detached	NR	NR	D	A ¹	A	B	B	C	B	C	C	D	B	A	B	A	B	C	D	D	D		D ²		
5	Two-family, attached; duplexes	NR	NR	D	A	NR	B	B	B	B	C	C	D	B	A	B	A	B	C	D	D	D		D ²		
6	Townhouse; single-family attached	NR	NR	D	B	B	NR	B	C	B	C	C	D	B	A	B	A	B	C	C	D	D		D ²		
7	Multifamily	NR	NR	D	B	B	B	NR	C	B	B	C	C	B	A	B	A	B	C	D	D	D		D ²		
8	Manufactured mobile home park	NR	NR	D	B	B	B	C	NR	B	B	C	C	B	A	B	A	B	C	D	D	D		D ²		

COMMERCIAL LAND USES																								
9	<20,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	A	NR	NR	B	B	C	B	B	
10	20,000—100,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	B	NR	NR	B	B	C	B	B		
11	100,000—200,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	B	NR	NR	B	B	C	B	B		
12	200,000—1,000,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	C	NR	NR	B	B	C	B	B		
13	Retail w/ outside storage, not withstanding square feet	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	A	NR	C	C	A	B	
OFFICE AND PERSONAL SERVICES LAND USES																								
14	Minor offices	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	B	B	C	B	B	
15	Office park	NR	NR	B	B	B	B	B	B	A	B	B	C	B	NR	NR	NR	NR	B	B	C	B	B	
	Office buildings																							
16	Personal services	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	B	B	C	B	B	
17	Major	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	A	B	C	B	B	
HEAVY COMMERCIAL/INDUSTRIAL LAND USES																								
18	Warehousing/distribution	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	A	NR	A	C	A	B	
19	Light industrial	NR	NR	C	D	D	D	D	D	B	B	B	B	B	B	B	A	B	A	NR	C	A	B	
20	Heavy industrial/heavy infrastructure	NR	NR	NA	D	D	D	D	D	C	C	C	C	C	C	D	B	C	B	C	NR	B	B	

21	Transportation/ utilities	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	B	A	C	B	NR	B	
	COMMUNITY SERVICE FACILITIES AND INSTITUTIONAL USES																							
22	Elementary and/or secondary schools																						NR	

1 KEY:

2 A, B, C, and D indicate accompanying Landscape Standards that must be used.

3 NR indicates that no buffering is required.

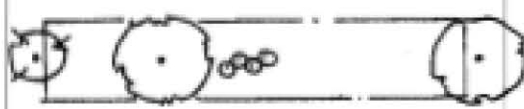
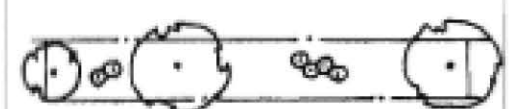

4 ¹ indicates that no buffering is required, except when the proposed development is adjoining a single-family detached dwelling unit located within the RP zoning district,
5 whereupon, the proposed development must provide buffering meeting no less than the Type A landscape standard.

6 ² indicates that a 10 foot Type “B” buffer with an 8 foot (height) opaque wooden fence may be utilized as an alternative for a required Type “D” buffer. Expansions to existing
7 schools that do not qualify for a major modification, pursuant to Section 10-7.411, shall not be subject to the buffer zone standards.

8 NOTES: To determine the required buffer:




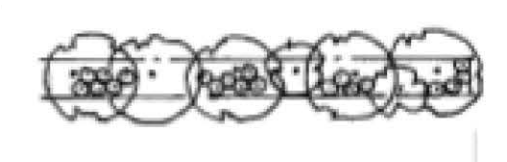
- 9 (1) Locate "Existing" adjacent use on left side of table;
- 10 (2) Locate "Land Use Code Number" of proposed use at top of table;
- 11 (3) Read down in row of Existing Adjacent Use in final buffer requirement.

TYPE "A" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
1.2 CANOPY 0.4 UNDERSTORY 4 SHRUBS	20'	
1.8 CANOPY 0.6 UNDERSTORY 6 SHRUBS	15'	
2.4 CANOPY 0.8 UNDERSTORY 8 SHRUBS	10'	





1

TYPE "B" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
3.5 CANOPY 1.4 UNDERSTORY 14 SHRUBS	25'	
4 CANOPY 1.6 UNDERSTORY 16 SHRUBS	20'	
4.5 CANOPY 1.8 UNDERSTORY 18 SHRUBS	15'	
5 CANOPY 2 UNDERSTORY 20 SHRUBS	10'	

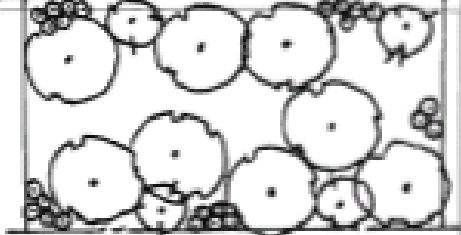
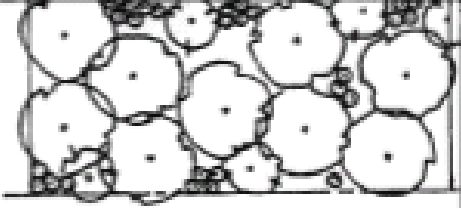


2

TYPE "C" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
4.8 CANOPY 2.4 UNDERSTORY 19 SHRUBS	35'	
5.4 CANOPY 2.7 UNDERSTORY 22 SHRUBS	30'	
6 CANOPY 3 UNDERSTORY 24 SHRUBS	25'	
6.6 CANOPY 3.3 UNDERSTORY 28 SHRUBS	20'	

1

TYPE "D" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
8 CANOPY 4 UNDERSTORY 24 SHRUBS	60'	
9 CANOPY 4.5 UNDERSTORY 27 SHRUBS	50'	
10 CANOPY 5 UNDERSTORY 30 SHRUBS	40'	
12 CANOPY 6 UNDERSTORY 36 SHRUBS	30'	

- 1
- 2 (6) Buffering for mixed use developments shall be based on the more intense use in the
- 3 building or cluster of buildings.
- 4 (7) The use of existing native vegetation in buffer zones is preferred. If a developer
- 5 proposes to landscape a buffer zone with existing native vegetation, the environmental
- 6 compliance staff may recommend, and the director may allow, a waiver from the strict
- 7 planting requirements of this section if:
 - 8 1. The waiver is necessary to prevent harm to the existing native vegetation; and
 - 9 2. The buffering and/or aesthetic purposes of the buffer zone are substantially fulfilled
 - 10 despite the waiver.
- 11 (8) The desired width of a buffer zone between two parcels is the sum of the required
- 12 buffer zones of the parcels. Where a new use is proposed next to an existing use that
- 13 has less than the required buffer zone for that use, the lower standards will be tolerated
- 14 until the nonconforming parcel is redeveloped and brought into conformity with the
- 15 buffer zone requirements of this article. The developer of the new adjoining use is
- 16 encouraged, however, to take into account the inadequacy of the adjoining buffer zone
- 17 in designing the site layout of the new development.
- 18 (9) In any case where an unbuffered view exists within 500 feet from the side or rear
- 19 service areas of any nonresidential land use to any single-family or two-family
- 20 residential land use, uncomplimentary land use buffer requirements shall apply as if
- 21 such residential uses were located on immediately adjacent lands.
- 22 (10) A buffer fence as defined in section 10-1.101, which may include the use of berms for
- 23 visual screening, shall be required, in addition to minimum landscaping standards,
- 24 when nonresidential uses are adjacent to existing single-family or manufactured/mobile
- 25 home uses. When required, a buffer fence shall meet standards in subsection (b)
- 26 below. The buffer fence may be exempted for the following reasons:

- 1 a. If the uncomplimentary land use areas are occurring within an approved planned
2 unit development or site and development plan, provided that the objectives of this
3 division are met in the design of the planned unit development.
- 4 b. If a transitional character, sufficient to satisfy the purpose and intent of this
5 division, has been achieved through the design of the planned unit development or
6 site and development plan as determined by the director.
- 7 (11) Prevailing requirements. Whenever development activity is subject to both the
8 perimeter landscaping requirements and the uncomplimentary land use buffer strip
9 requirements of this subdivision, the latter requirement shall prevail.
- 10 (b) Buffer fence standards:
- 11 (1) Whenever a buffer fence is required, it shall be of sufficient height to obstruct the view
12 between adjoining properties, as determined by the director, presumably a minimum of
13 eight feet in height, unless the applicant can prove to the satisfaction of the director
14 that the intent of this article will be met by a fence of lesser height under the particular
15 circumstances. The buffer fence shall be solid opaque, constructed of durable
16 materials appropriate for the intended use and consistent with materials commonly
17 used in surrounding neighborhoods, and shall include provision for access to all
18 landscape materials.
- 19 (2) The side of a fence facing a less intensive use shall have a finished appearance to
20 furnish an aesthetically pleasing view.
- 21 (3) At least one-half of all required plant materials shall be installed and maintained on the
22 side facing the less intensive use, unless otherwise specifically provided.
- 23 (4) Fencing shall be maintained in good repair.
- 24 (5) In the case when a buffer fence and vegetative buffer is required, the required
25 vegetative buffer shall be reduced by one landscape standard.
- 26 (c) Use of buffer areas. No use shall be made of, nor development activity permitted in, the
27 uncomplimentary land use buffers. No accessory structures, garbage or trash collection
28 points or receptacles, parking or any other functional use contrary to the intent and purpose
29 of this article shall be permitted in a required buffer area except for:
- 30 (1) Planting material approved as part of the landscape plan.
- 31 (2) Installing and maintaining completely underground utilities and essential, specifically
32 approved, overhead or above ground utilities which do not interfere with the mature
33 growth of required plant material.
- 34 (3) Installing and maintaining grass ditches, with back slopes no steeper than 3:1, which
35 can support the required landscaping materials.
- 36 This does not prohibit the combining of compatible functions such as landscaping,
37 drainage facilities, passive recreation areas and preservation areas into an effective
38 and beneficial multiple use of the subject land resource.
- 39 (d) Development. All development must be consistent with article IV.
- 40 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 18, 1-29-08; Ord. No. 09-20, § 8, 7-14-09; Ord.
41 No. 13-06, § 13, 3-12-13)

42
43 **SECTION 19.** Conflicts. All ordinances or parts of ordinances in conflict with the provisions of
44 this Ordinance are hereby repealed to the extent of such conflict, as of the effective date of this
45 Ordinance, except to the extent of any conflicts with the Tallahassee-Leon County
46 Comprehensive Plan, as amended, which provisions shall prevail over any parts of this
47 Ordinance which are inconsistent, either in whole or in part, with the Comprehensive Plan.

48
49 **SECTION 20.** Severability. If any section, subsection, sentence, clause, phrase or portion of
50 this article is for any reason held invalid or unconstitutional by any court of competent
51 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and
52 such holding shall not affect the validity of the remaining portions of this Ordinance.

53
54 **SECTION 21.** Effective date. This ordinance shall be effective according to law.
55
56
57

1 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County,
2 Florida, this ____ day of _____, 2016.
3

4
5 LEON COUNTY, FLORIDA
6

7
8 BY: _____
9 BILL PROCTOR, CHAIRMAN
10 BOARD OF COUNTY COMMISSIONERS
11

12
13 ATTEST:
14 BOB INZER, CLERK OF THE COURT
15 AND COMPTROLLER
16 LEON COUNTY, FLORIDA
17

18
19 BY: _____
20

21 APPROVED AS TO FORM:
22 LEON COUNTY ATTORNEY'S OFFICE
23

24
25 BY: _____
26 HERBERT W.A. THIELE, ESQ.
27 COUNTY ATTORNEY
28
29

PUBLIC SCHOOL FACILITIES
GOALS, OBJECTIVES AND POLICIES

Goal 1: [PS] (EFF. 6/6/08)
PUBLIC SCHOOL CONCURRENCY

Recognizing the obligations of Article IX of the Florida Constitution, make available public school facilities consistent with the adopted level of service standard.

Objective 1.1: [PS] (EFF. 6/6/08)
LEVEL OF SERVICE

Ensure that school capacity is sufficient to support student growth at the adopted level of service standard in the five-year planning period, is financially feasible by the end of the five-year planning period, and is sufficient through the long term planning period.

Policy 1.1.1: [PS] (EFF. 6/6/08)
COORDINATING AND SHARING OF INFORMATION

The School Board shall annually submit the educational facilities report and plan to the City and the County. The plan will be consistent with the requirements of §1013.35, F.S. Within 45 days of the School Board’s annual workshop, the City and County shall review the plan and send any comments to the School Board, including any objections to adopting the plan into the annual capital improvements update of the comprehensive plan. The educational facilities report and plan will serve as a basis for adoption of annual five-year school capital improvement amendments adding a new fifth year, incorporate an updated financially feasible public schools capital facilities

program, and will be consistent with the five-year district facilities work plan.

Policy 1.1.2: [PS] (EFF. 6/6/08)
LEVEL OF SERVICE STRUCTURE

All new residential development shall be reviewed to ensure that adequate school capacity will exist within three years after the issuance of a final site and development plan approval for the residential development, in order to support the additional student growth at the adopted level of service.

Policy 1.1.3: [PS] (EFF. 6/6/08)
SCHOOL CONCURRENCY AREAS

The School Concurrency Service Areas shall be coterminous with the school attendance zones for each school, as adjusted by the School Board.

Policy 1.1.4: [PS] (EFF. 6/6/08)
ENSURING SCHOOL CAPACITY

School concurrency shall be applied on a less than district-wide basis through the attendance zones for each school. Development may proceed if the level of service standard is exceeded for a project, but capacity exists in one or more contiguous school attendance zones provided that transportation restrictions do not exist.

Policy 1.1.5: [PS] (EFF. 6/6/08)
ADJUSTING SCHOOL CONCURRENCY AREAS

The School Board will optimize use of student capacity at each school to the greatest extent practicable, based on the adopted level of service and the total number of permanent student stations available according to the FISH inventory, taking into account special considerations such as core capacity, special programs, transportation costs, geographic impediments, and class size reduction requirements to prevent disparate enrollment levels between schools of the same type (elementary, middle, high). The School Board may adjust the school attendance zones as needed to comply with state and federal mandates and other programs and to maximize capacity utilization. The adjustment of school concurrency service areas will follow the School Board's changes to school attendance zones and the process established in the Public School Concurrency and Facilities Planning Interlocal Agreement.

Policy 1.1.6: [PS] (EFF. 6/6/08)
LEVELS OF SERVICE

The level of service established for Elementary schools is 100% of Florida Inventory of School Houses (FISH) capacity.

The level of service established for Middle schools is 100% of Florida Inventory of School Houses (FISH) capacity.

The level of service established for High schools is 100% of Florida Inventory of School Houses (FISH) capacity.

Policy 1.1.7: [PS] (EFF. 6/6/08)
MAINTENANCE OF LEVEL OF SERVICE

The School Board will annually compare the number of projected students, calculated based on approved site and development plan applications submitted by the City and County, to available capacity within each school concurrency service area over the five-year period.

Policy 1.1.8: [PS] (EFF. 6/6/08)
CHANGES TO LEVEL OF SERVICE STANDARDS

Proposed changes to the level of service for each school type will be administered through the processes detailed in the Public School Concurrency and Facility Planning Interlocal Agreement.

Objective 1.2: [PS] (EFF. 6/6/08)
CAPITAL IMPROVEMENTS & CORRECTION OF DEFICIENCIES

To ensure that existing deficiencies and future needs are addressed, provide mitigation alternatives that are financially feasible by the end of the five-year planning period in order to achieve and maintain the adopted level of service standard, and include those projects in the five-year schedule of capital improvements.

Policy 1.2.1: [PS] (EFF. 6/6/08)
DISTRICT EDUCATIONAL FACILITIES REPORT AND PLAN

The School District's annual education facilities report and plan will contain the School Board's capital improvement plan, including a financially feasible plan for acquisition, expansion, and construction of facilities with funding for the five-year

planning period, and the educational facilities representing the district's unmet need. This plan will address identified needs and how level of service will be maintained.

Policy 1.2.2: [PS] (EFF. 6/6/08)
COLLOCATION

Collocation and shared use opportunities will be considered by the City and the County when preparing the annual update to the comprehensive plan's schedule of capital improvements and when planning and designing new, or renovating existing, community facilities.

Policy 1.2.3: [PS] (EFF. 6/6/08)
SCHOOL BOARD DIRECTION TO ENSURE SUFFICIENT CAPACITY

If adequate capacity is not available or planned to serve the proposed development at the time of review, the School Board shall specify how it proposes to meet the anticipated student enrollment demand; alternatively, the School Board, local government, and developer may collaborate to find means to ensure sufficient capacity will exist to accommodate the development, such as, developer contributions, project phasing, required facility improvements, etc.

Policy 1.2.4: [PS] (EFF. 6/6/08)
COORDINATION WITH COMMUNITY DEVELOPMENT PLANS

In formulating community development plans and programs, the City and the County will consider giving priority to capital improvements that are coordinated with, and meet the capital needs identified in, the School Board's school facilities plan.

Policy 1.2.5: [PS] (EFF. 6/6/08)
MITIGATION OPTION

If there is not adequate capacity within the schools impacted by a proposed residential site and development plan, the School Board shall consider proportionate fair-share mitigation options, and if acceptable, will enter into a binding agreement with the developer and the City or County, as applicable, to mitigate the impacts from the development through the creation of additional school capacity.

Policy 1.2.6: [PS] (EFF. 6/6/08)
BASIS OF MITIGATION

When the student impacts from a proposed residential development would cause the adopted level of service to fail, the developer's proportionate fair-share mitigation for the development will be based upon the number of additional student stations necessary to meet the established level of service. The amount to be paid by the developer will be calculated utilizing the cost per student station allocations for elementary, middle, and high school, as published by the Department of Education (DOE), and adjusted by the School Board to reflect local conditions, such as land and infrastructure costs.

Policy 1.2.7: [PS] (EFF. 6/6/08)
MITIGATION FORMULA

The following methodology shall be used to calculate the developer's proportionate fair-share mitigation amount:

Proportionate Share = (Development Students – Available Capacity) x Total Cost per Student Station

Where:

Development Students =
Students generated by the proposed development that are assigned to the particular school

Available Capacity =
FISH Capacity – (actual enrollment + vested)

Total Cost =
the cost per student station as determined and published by the DOE, adjusted by the School Board to account for land costs and infrastructure costs, as determined and published annually in the School District’s Five-Year Capital Facilities Plan

school facilities; contribution of District-owned portable school facilities meeting SREF standards (only in cases where capacity is available in the core facilities of the school); construction of a charter school meeting SREF standards if the mitigation agreement requires the ownership of the charter school to revert to the District upon closure of the facility; and developer-established mitigation banks, including both construction of schools and acquisition of land.

Policy 1.2.8: [PS] (EFF. 6/6/08)
MITIGATION AGREEMENT

The applicant will negotiate an acceptable mitigation option with the School Board prior to approval of the development order, and the mitigation option shall be clarified in a binding development agreement submitted to the County or City, as applicable, for approval.

Policy 1.2.9: [PS] (EFF. 6/6/08)
ACCEPTABLE FORMS OF MITIGATION

The following mitigation options will be acceptable to the City, County, and School Board, as negotiated by the School Board on a case-by-case basis: payment for land acquisition; contribution of land; construction of new, or expansion of existing, public

Goal 2: [PS] (EFF. 6/6/08)
SCHOOL FACILITY SITING

Maintain and enhance joint planning processes and procedures for coordination of public education facilities for planning and decision-making regarding public school siting and collocation with other public facilities, supporting the development of public education facilities concurrent with residential development and other services.

Objective 2.1: [PS] (EFF. 6/6/08)
SCHOOL FACILITY SITING PROCESS

To establish a process of coordination and collaboration between the County, local governments, and the School District in the planning and siting of public school facilities in coordination with planned infrastructure and public facilities.

Policy 2.1.1: [PS] (EFF. 6/6/08)
INITIATING SCHOOL SITING PROCESS

The School Board will submit potential sites for new schools and proposals for significant renovation, significant expansion, and closure of existing schools to the staff Work Group created by the Public School Concurrency and Facility Planning Interlocal Agreement.

Policy 2.1.2: [PS] (EFF. 6/6/08)
PARTICIPATION IN SCHOOL SITING

When the Superintendent/School Board identifies the need for a new school, or significant expansion of an existing school, requiring the purchase or lease of land, the school district staff

will provide to the staff Work Group information pertaining to the type of proposed school or facility, or expansion thereof, acreage required, geographic boundaries of the area of need, and a listing of activities to occur on the site.

Policy 2.1.3: [PS] (EFF. 6/6/08)
EVALUATION BY WORK GROUP

The staff Work Group, as established by the Public School Concurrency and Facility Planning Interlocal Agreement, will evaluate and make recommendations regarding the location and need for new, significant renovation or expansion, and closures of educational facilities, and the consistency of such plans with the Comprehensive Plan and the Public School Concurrency and Facility Planning Interlocal Agreement.

Policy 2.1.4: [PS] (EFF. 6/6/08)
CONSISTENCY REVIEW

At least sixty (60) days prior to acquiring or leasing property that may be used for a new public educational facility, or initiating the significant renovation or expansion of an existing school, the School Board shall provide written notice to the Planning Department. Upon receipt of the notice, the Planning Department shall notify the School Board within forty-five (45) days if the proposed new school site(s) or the proposed significant renovation or expansion of an existing school is consistent with the land use categories and policies of the Comprehensive Plan.

Policy 2.1.5: [PS] (EFF. 6/6/08)
SITE PLAN REVIEW

At least ninety (90) days prior to commencing construction, the School Board shall submit a site design/development plan to either the City or County Growth Management Department, as applicable. Within forty-five (45) days after receiving the submittal, the City or County Growth Management Department will certify, in writing, whether the proposal is consistent with any applicable provisions of the land development code.

Policy 2.1.6: [PS] (EFF. 6/6/08)
POTENTIAL CLOSURE DETERMINATION

Upon receipt of notice of a potential school closure, the Work Group, as established by the Public School Concurrency and Facility Planning Interlocal Agreement, will issue a report to the Coordinating Committee summarizing the School Board's determination of the need for the closure and the impact on adjacent school concurrency service.

Objective 2.2: [PS] (EFF. 6/6/08)
COLLOCATION WITH OTHER PUBLIC FACILITIES

Coordinate location of public school facilities relative to the location of other public facilities.

Policy 2.2.1: [PS] (EFF. 6/6/08)
COLLOCATION AND SHARED USE

Collocation and shared use of facilities are important to the School Board, the City of Tallahassee, and Leon County. The School Board will look for opportunities to collocate and share

use of school facilities and civic facilities when preparing the Educational School Plant Survey. Opportunities for collocation and shared use will be considered for libraries, parks, recreation facilities, community centers, auditoriums, learning centers, museums, performing arts centers, and stadiums. Where applicable, collocation and shared use of school and governmental facilities for health care and social services will be considered.

Policy 2.2.2: [PS] (EFF. 6/6/08)
AGREEMENTS FOR COLLOCATION AND SHARED USE

A separate agreement will be developed for each instance of collocation and shared use that addresses legal liability, operating and maintenance costs, scheduling of use, and facility supervision.

Goal 3: [PS] (EFF. 6/6/08)
COORDINATION OF SCHOOL FACILITY DEVELOPMENT

Maintain and enhance joint planning processes and procedures for coordination of public education facilities for planning and decision-making regarding intergovernmental coordination and coordination of population projections, supporting the development of public education facilities concurrent with residential development and other services.

Objective 3.1: [PS] (EFF. 6/6/08)
INTERGOVERNMENTAL COORDINATION

To establish and maintain a cooperative relationship between the School District, City of Tallahassee, and Leon County in coordinating land use planning with development of public school facilities proximate to existing or proposed residential areas and are complementary with other public facilities.

Policy 3.1.1: [PS] (EFF. 6/6/08)
JOINT MEETINGS

The City Commission, the County Commission, and the School Board will meet at least once every year in a joint workshop session. The joint workshop session will provide the opportunity for the City, the County, and the School Board to set direction, discuss issues and reach understandings regarding issues of mutual concern such as coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities.

Policy 3.1.2: [PS] (EFF. 6/6/08)
COORDINATING COMMITTEE

The City, County, and School Board will appoint a Coordinating Committee, as established by the Public School Concurrency and Facility Planning Interlocal Agreement, for oversight of the school concurrency program and the joint planning efforts of the parties. The Coordinating Committee will meet twice per year, synchronizing with the amendment cycles to the Comprehensive Plan.

Policy 3.1.3: [PS] (EFF. 6/6/08)
WORK GROUP

The staff Work Group, as established by the Public School Concurrency and Facility Planning Interlocal Agreement, will formulate recommendations to the Coordinating Committee.

Policy 3.1.4: [PS] (EFF. 6/6/08)
WORK GROUP PURPOSE

The Work Group shall formulate recommendations to the Coordinating Committee regarding coordination of land use and school facility planning, including such issues as population and student enrollment projections, development and redevelopment trends and plans, transportation, school needs, collocation and joint use opportunities, and ancillary infrastructure improvements needed to support the school and ensure safe student access. The Work Group shall also make recommendations to the Coordinating Committee on amendments to the Comprehensive Plan.

Policy 3.1.5: [PS] (EFF. 6/6/08)
WORK GROUP MEETINGS

The Work Group will meet at least once per year regarding implementation of school concurrency, including adopted levels-of-service, school concurrency service areas, and preparation of the school district’s 5-year facilities work program and any suggested revisions to these components of school concurrency.

Policy 3.1.6: [PS] (EFF. 6/6/08)
EDUCATIONAL PLANT SURVEY

The Work Group will assist the School Board in an advisory capacity in the preparation of the update to its Educational Plant Survey. The survey shall be consistent with the requirements of §1013.31, F.S., and include an inventory of existing educational facilities, recommendations for new and existing facilities, and the general location of each in coordination with the land use plan.

Policy 3.1.7: [PS] (EFF. 6/6/08)
CONSISTENCY WITH COMPREHENSIVE PLAN

The Work Group will evaluate and make recommendations regarding the location and need for new, significant renovation or expansion, and closures of educational facilities, and the consistency of such plans with the Public School Concurrency and Facility Planning Interlocal Agreement and the Comprehensive Plan. The work group will also ensure compatibility of school sites and surrounding land uses.

Policy 3.1.8: [PS] (EFF. 6/6/08)
COORDINATION FOR EMERGENCY MANAGEMENT

A joint committee made up of School Board members and/or district staff with appropriate Tallahassee Police Department, Leon County Sheriff Department, Tallahassee Fire Department, Juvenile Justice, other law enforcement officials, and community representatives shall be established to review the issues of emergency preparedness and school safety. This committee will have authority to make specific recommendations to the School Board, City or County Commissions, or other governmental agencies to enhance emergency preparedness and safety in and around district school facilities.

Policy 3.1.9: [PS] (EFF. 6/6/08)
AVAILABILITY OF SCHOOL FACILITIES

School Board facilities shall be made available at no charge to the City and County, when scheduling and school utilization permit, for public meetings related to land use, transportation planning, community improvement, and other related topics. The City and County shall make available at no charge to the School Board, maps, GIS and other data related to school sites, attendance zones, and land use.

Policy 3.1.10: [PS] (EFF. 6/6/08)
JOINT DETERMINATION ON TIMING OF IMPROVEMENTS

In conjunction with the local government review of a proposed new school site or the significant renovation or expansion of an existing school, the School Board and the affected local government will jointly determine the need for timing of onsite and off-site improvements necessary to support each school or

renovation or expansion thereof, and will enter into a written Agreement as to the timing, location, and the party or parties responsible for constructing, operating, and maintaining the required improvements.

Policy 3.1.11: [PS] (EFF. 6/6/08)
SCHOOL BOARD PARTICIPATION IN SITE PLANNING

The Public School Concurrency and Facility Planning Interlocal Agreement requires the application of school concurrency at site plan and development approval, and therefore requires that the School Board participate in the review of all proposed site and development plans for new residential construction.

Policy 3.1.12: [PS] (EFF. 6/6/08)
SCHOOL IMPACT ANALYSIS PROCESS

The City and County will amend their land development regulations to require an applicant for a residential site and development plan to complete a School Impact Analysis Form for submittal with their application. The School Impact Analysis Form will require information concerning the location of the project; the number, type and size of dwelling units proposed; and the school concurrency service area in which the project is located.

Policy 3.1.13: [PS] (EFF. 6/6/08)
SCHOOL BOARD PARTICIPATION IN COMPREHENSIVE PLAN AMENDMENT

The Tallahassee/Leon County Planning Department (TLCPD) will amend its Comprehensive Plan application process to require an applicant for a residential Comprehensive Plan

Amendment to complete a School Impact Analysis Form for submittal with their application. The School Impact Analysis Form will require information concerning the location of the project; the total number dwelling units permitted in the Future Land Use Map category; and the school concurrency service area in which the project is located.

Policy 3.1.14: [PS] (EFF. 6/6/08)
REVIEW OF SCHOOL IMPACT ANALYSIS BY SCHOOL BOARD

The City or County will transmit the School Impact Analysis Form for a residential site and development plan to a designated employee of the School Board for review at the same time the application is submitted to all departments for review. The TLCPD will provide the School Impact Analysis Form to a Comprehensive Plan Amendment applicant for review by a designated employee of the School Board for a determination of Level of Service impact created by the proposed Comprehensive Plan Amendment.

Policy 3.1.15: [PS] (EFF. 6/6/08)
SCHOOL BOARD MEMBER ON DRC

The City will amend its Land Development Regulations to require a member appointed by the School Board serve on the Development Review Committee.

Objective 3.2: [PS] (EFF. 6/6/08)
POPULATION PROJECTIONS

To establish a joint process of coordination and collaboration between the School District, the City of Tallahassee, and Leon

County in the planning and decision-making on population projections.

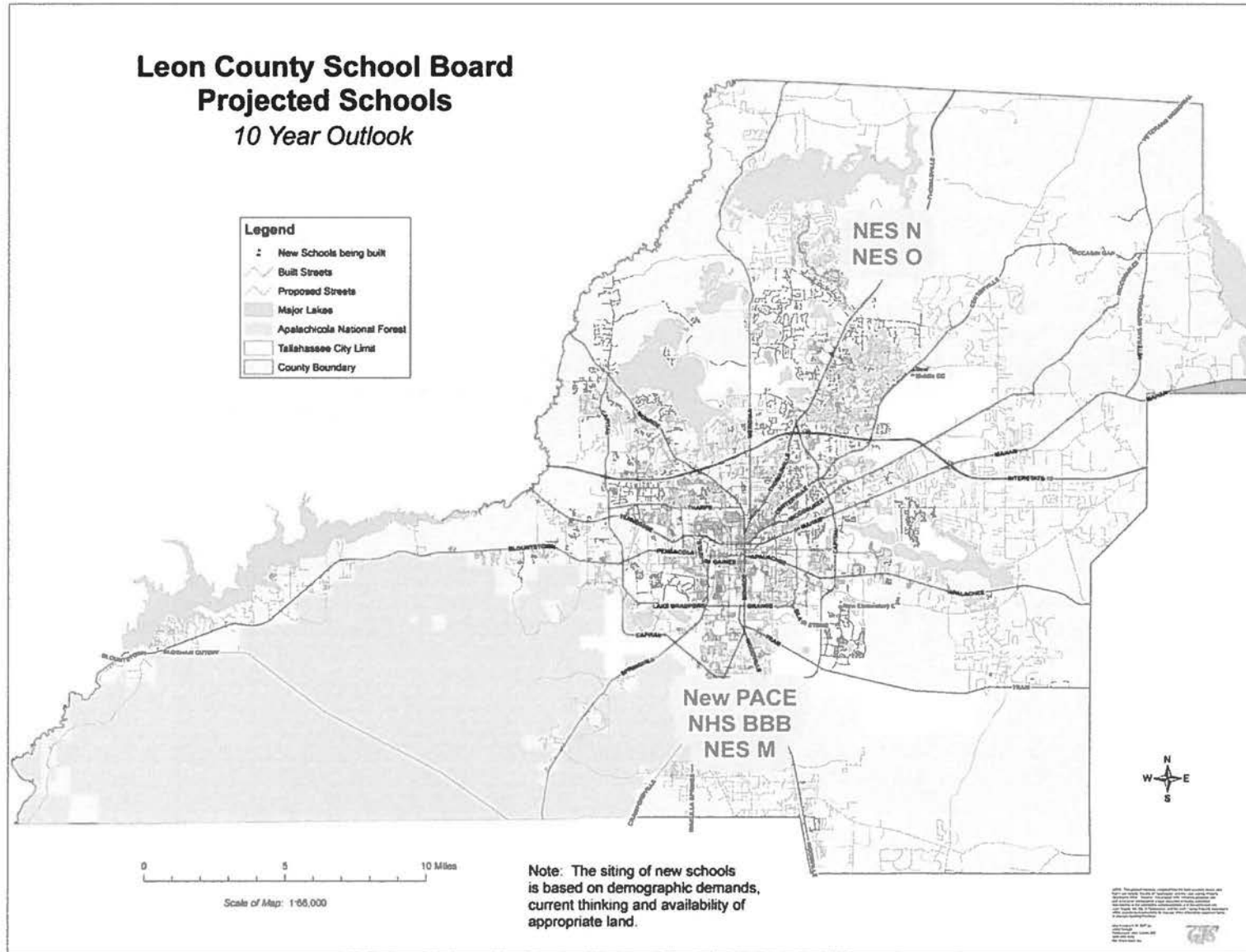
Policy 3.2.1: [PS] (EFF. 6/6/08)
ENROLLMENT AND POPULATION PROJECTIONS

The City, the County, and the School Board agree to coordinate their plans upon the same projections of the amount, type, and distribution of population growth and student enrollment. The City, the County and the School Board agree to utilize the mid-range population projections published by the Bureau of Economic and Business Research (BEBR) at the University of Florida.

Policy 3.2.2: [PS] (EFF. 6/6/08)
RECONCILING PROJECTIONS

The School Board shall also utilize the Department of Education (DOE) five-year countywide student enrollment projections. The School Board may request that the DOE projections be adjusted to reflect BEBR projections, and actual enrollment and development trends not anticipated by the DOE projections. In formulating such a request, the School Board will coordinate with the City and County regarding future population projections and growth.

Map 43: Leon County School Board, Projected Schools, 10 Year Outlook



**INTERLOCAL AGREEMENT FOR TALLAHASSEE-LEON COUNTY AND LEON
COUNTY SCHOOLS PUBLIC SCHOOL CONCURRENCY AND FACILITY
PLANNING**

This Agreement is entered into between the City of Tallahassee, Florida (hereinafter referred to as “City”), Leon County, Florida (hereinafter referred to as “County”) and the School Board of Leon County (hereinafter referred to as “School Board”).

WHEREAS, the City, County and the School Board recognize their mutual obligation and responsibility for the education, nurture and general well-being of the children of Leon County; and

WHEREAS, the City, County and School Board recognize the benefits that will flow to the citizens and students of their community by more closely coordinating their comprehensive land use and school facilities planning programs: namely (1) better coordination of new schools in time and place with land development, (2) greater efficiency for the School Board and local governments by the placement of schools to take advantage of existing and planned roads, water, sewer, parks and drainage systems, (3) improved student access and safety by coordinating the construction of new and expanded schools with the road and sidewalk construction programs of the local governments, (4) the location and design of schools so that they serve as community focal points, (5) the location and design of schools with parks, ballfields, libraries, and other community facilities to take advantage of joint use opportunities, and (6) the location of new schools and expansion and rehabilitation of existing schools so as to reduce pressures contributing to urban sprawl and support existing neighborhoods; and

WHEREAS, Section 1013.33, Florida Statutes (F.S.), requires that the location of public educational facilities must be consistent with the comprehensive plan and implementing land development regulations of the appropriate governing body; and

WHEREAS, Sections 163.3177(6)(h)1 and 2, F. S., requires each local government to adopt an intergovernmental coordination element as part of their comprehensive plan that states principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of the school board, and describe the processes for collaborative planning and decision making on population projections and public school siting; and

WHEREAS, Section 163.3177(6)(h)4, F.S., requires each local government to execute an interlocal agreement with the district school board, the county, and non-exempt municipalities within the county to implement the requirements of Section 163.31777, F.S.; and

WHEREAS, Section 163.31777, F.S., requires the interlocal agreement to include consistent population projections, sharing of information on existing and planned educational facilities, participation of each party in the planning of facilities and selection of school sites, procedures for determination of need and timing of onsite and offsite improvements to support new schools, procedures for the school district to inform local governments of the impact of comprehensive plan amendments on school capacity, participation by the local governments in preparation of the school district's 5-year facilities work plan and educational plant survey, a dispute resolution procedure, and an oversight process which includes an opportunity for public participation; and

WHEREAS, Section 163.3180(13)(g), F.S., requires the interlocal agreement to establish (1) mechanisms for coordinating development, adoption, and amendment of the local government's public school facilities element and the plans of the school district to ensure uniform district-wide school concurrency; (2) procedures for the development of siting criteria which encourages location of public schools in proximity to urban residential development and seeks co-location of schools with other public facilities; (3) uniform, district-wide level-of-service standards for public schools of the same type and a process for modifying those levels-of-service; (4) procedures for preparation, amendment, and joint approval of a financially-feasible local government public school capital facilities program; (5) the geographic application of school concurrency, or "concurrency service areas"; (6) a uniform district-wide procedure for implementing school concurrency; and (7) a process and uniform methodology for determining proportionate-share mitigation by development applicants; and

WHEREAS, the City, the County and the School Board enter into this Agreement in fulfillment of the above-stated statutory requirements and in recognition of the benefits accruing to their citizens and students described above; and

WHEREAS, the City, the County and the School Board have mutually agreed that coordination of school facility planning and comprehensive land use planning is in the best interest of the citizens of Leon County; and

WHEREAS, the City has jurisdiction for land use and growth management decisions within its boundary and the County has similar jurisdiction for land use and growth management decisions within its unincorporated boundary, and

WHEREAS, the School Board has the responsibility to provide school facilities to insure a free and adequate public education to the residents of Leon County, and

WHEREAS, the City, the County and the School Board agree that they can better fulfill their respective responsibilities by working in close cooperation to insure that adequate public school facilities are available for the residents of Leon County, and

WHEREAS, the parties are required to enter into this Agreement pursuant to Section 163.3177(6)(h)4, F.S. and Section 1013.33, F.S.

NOW THEREFORE, be it mutually agreed between the Tallahassee City Commission, the Leon County Commission and the Leon County School Board that the following procedures will be utilized to implement school concurrency and better coordinate public school facilities planning and land use planning:

SECTION 1. JOINT MEETINGS.

1.1 School Planning and Concurrency Work Group. There is hereby created a work group consisting of staff from the Tallahassee-Leon County Planning Department (TLCPD), City and County Growth Management Departments, and School Board. The School Planning and Concurrency Work Group (the "Work Group") will meet at least once per year, to discuss and formulate recommendations to the Coordinating Committee created in Section 1.3 of this Agreement regarding implementation of school concurrency, including adopted levels-of-service, school concurrency service areas, and preparation of the school district's 5-year facilities work program and any suggested revisions to these components of school concurrency. The Work Group shall also discuss and formulate recommendations to the Coordinating Committee regarding coordination of land use and school facility planning, including such issues as population and student enrollment projections, development and redevelopment trends and plans, transportation, school needs, co-location and joint use opportunities, and ancillary infrastructure improvements needed to support the school and ensure safe student access. The Work Group shall also discuss and make recommendations to the Coordinating Committee on amendments to the Public School Facilities Element, Intergovernmental Coordination Element, and Capital Improvements Element of the Tallahassee-Leon County 2010 Comprehensive Plan, and successor documents. The TLCPD Director, or designee, will be responsible for making meeting arrangements and providing notification.

1.2 Workshops. The City Commission, the County Commission, and the School Board will meet at least once every year in a joint workshop session. The joint

workshop session will provide the opportunity for the City, the County, and the School Board to set direction, discuss issues and reach understandings regarding issues of mutual concern such as coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities. The TLCPD Director, or designee, will be responsible for making meeting arrangements and providing notification.

1.3 Coordinating Committee. The City, County, and School Board will appoint a Coordinating Committee for oversight of the School Concurrency Program established herein and the joint planning efforts of the parties. One member each from the City Commission, Board of County Commissioners, and the School Board will be appointed to serve on the Coordinating Committee. In addition, the City, County and School Board will each appoint one citizen member to serve on the Coordinating Committee.

- 1.3.1 The term for each member of the Coordinating Committee will be four (4) years, except for the first cycle, in which the City appointee's term will expire after two (2) years, and the County appointee's term will expire after three (3) years. If a Commissioner or Board member leaves their respective governing board, a replacement shall be designated to serve out the remainder of the term of the departing member.
- 1.3.2 The Coordinating Committee will meet twice per year, coordinating with the amendment cycles to the Tallahassee-Leon County 2010 Comprehensive Plan, or more often as needed, to address the following issues:
 - 1.3.2.1 Evaluation and any suggested changes to the process for sharing information on planned school facilities and the City and County participation in the School District's Five-Year Capital Facilities Plan;
 - 1.3.2.2 Changes to the Level of Service standards adopted for each school type in the School District;
 - 1.3.2.3 Changes to the School Concurrency Service areas, as recommended by the School Board;
 - 1.3.2.4 Monitoring of the school concurrency management system;
 - 1.3.2.5 Changes to this Interlocal Agreement;
 - 1.3.2.6 Amendments to the Capital Improvements Element, Public School Facilities Element, or Interlocal

Coordination Elements of the Tallahassee-Leon County
2010 Comprehensive Plan;

- 1.3.2.7 Effectiveness of School Concurrency Implementation;
and
- 1.3.2.8 Staffing and research needs.

1.3.3 The Coordinating Committee will issue a report with recommendations to the City Commission, County Commission and School Board within sixty (60) days of each meeting.

SECTION 2. STUDENT ENROLLMENT AND POPULATION PROJECTIONS.

2.1 In fulfillment of their respective planning duties, the City, the County, and the School Board agree to coordinate their plans upon the same projections of the amount, type, and distribution of population growth and student enrollment. The City, the County and the School Board agree to utilize the mid-range population projections published by the Bureau of Economic and Business Research (BEBR) at the University of Florida.

2.2 The School Board shall also utilize the Department of Education (DOE) five-year county-wide student enrollment projections. The School Board may request that the DOE projections be adjusted to reflect BEBR projections, and actual enrollment and development trends not anticipated by the DOE projections. In formulating such a request, the School Board will coordinate with the City and County regarding future population projections and growth.

2.3 The City, the County, and the School Board will use information on growth and development trends for municipal and unincorporated areas, such as census information on population and housing characteristics, persons-per-household figures, historic and projected growth rates, City and County planning initiatives, and the information described below in Section 8, to better coordinate their respective planning activities and decisions.

SECTION 3. COORDINATING AND SHARING OF INFORMATION.

3.1 District Educational Facilities Report and Plan. By May 15th of each year, the School Board shall submit to the City and the County, the educational facilities report and plan. The plan will be consistent with the requirements of Section 1013.35, F.S. The report will contain information detailing existing and projected school

enrollment, an inventory of existing educational facilities, their locations, information on the relocatables in use at each school, and projected space needs. The report will also contain the School Board's capital improvement plan, including a financially-feasible plan for acquisition, expansion and construction of facilities with funding over the next five (5) years, and the educational facilities representing the district's unmet need. The report will provide data for each individual school concerning school capacity based on adopted level of service standards and enrollment of each individual school based on actual counts. The report will show the generalized locations in which new schools will be needed and planned renovations, expansions and closures of existing schools. The report will indicate properties the School Board has already acquired through developer donation and proportionate fair-share payments; properties on which there is a developer obligation to provide land to the School Board as an acceptable mitigation alternative for school concurrency; and properties acquired through other means that are potential school sites. The City and County shall review the plan and send any comments to the School Board, within forty-five (45) days prior to the School Board's annual workshop, including whether the local government has any objections to adopting the plan into the annual update of the CIE of the comprehensive plan. If the local government's objections are not resolved, the matter shall be resolved pursuant to Section 10 of this Agreement.

3.2 Educational Plant Survey. The Work Group established in subsection 1.1 will assist the School Board in an advisory capacity in the preparation of the update. The Educational Plant Survey shall be consistent with the requirements of Section 1013.31, F.S., and include at least an inventory of existing educational facilities, recommendations for new and existing facilities, and the general location of each in coordination with the land use plan. The Work Group will evaluate and make recommendations regarding the location and need for new, significant renovation or expansion, and closures of educational facilities, and the consistency of such plans with the local government comprehensive plan and relevant issues listed in subsections 4.2, 8.6, 8.7 and 9.1 of this Agreement.

3.3 Student and Transportation Safety. Student and transportation safety shall be a major consideration at all School Board operated facilities and shall be an essential part of operation, renovation, expansion and future development. A joint committee made up of School Board members and/or district staff with appropriate Tallahassee Police Department, Leon County Sheriff Department, Tallahassee Fire Department, Juvenile Justice, other law enforcement officials, and community representatives shall be established to review the issue of school safety. This committee will have authority to make specific recommendations to the School Board, City or

County Commissions, or other governmental agencies to enhance safety in and around district school facilities.

3.4 City and County Public Meetings. School Board facilities shall be made available at no cost to the City and County, when scheduling and school utilization permit, for public meetings related to land use, transportation planning, community improvement and other related topics. The City and County shall make available at no cost to the School Board, maps, GIS and other data related to school sites, attendance zones, and land use.

SECTION 4. SCHOOL SITE SELECTION SIGNIFICANT RENOVATIONS, AND POTENTIAL SCHOOL CLOSURES.

4.1 The School Board will submit potential sites for new schools and proposals for significant renovation, significant expansion, and closure of existing schools to the Work Group established in Section 1.1, which will review the proposals and make suggested recommendations to the Superintendent and the School Board. For this purpose, the Work Group will meet on an as needed basis on the call of the School Board, in addition to the schedule set forth in Section 1.

4.2 Potential Closures. Upon receipt of notice of a potential school closure, the working group will issue a report to the Coordinating Committee summarizing the School Board's determination of the need for the closure, including whether the determination is based on rezonings or other land use activity, and the impact on adjacent school concurrency service areas and need for amendment to the Capital Improvements Element or Public School Facilities Element of the comprehensive plan. The Coordinating Committee shall meet and decide whether to schedule the closure issue for discussion by the City or County Commission.

4.3 Participation in New Sites, Significant Expansions and Renovations. When the Superintendent/School Board identifies the need for a new school, or significant expansion of an existing school, requiring the purchase or lease of land, the school district staff will provide to the Work Group information pertaining to the type of proposed school or facility, or expansion thereof, acreage required, geographic boundaries of the area of need, and a listing of activities to occur on the site. The Work Group will request from the TLCPD a list of potential sites in the area of need targeted in the Education Plant Survey. The Work Group will review the potential sites and may add to or reduce the list of potential sites. The Work Group will submit to the TLCPD a list of sites for an informal assessment regarding consistency with the comprehensive plan. This assessment or general overview shall address the following:

- (A) environmental features
- (B) transportation and pedestrian access
- (C) availability of infrastructure and services
- (D) safety concerns
- (E) land use compatibility
- (F) special planning areas, such as sector plans, the Southern Strategy Area, planned unit developments, etc.
- (G) community vision
- (H) other pertinent issues such as special programs or student assignment that have a bearing on site suitability

The TLCPD will prepare the assessment(s) from existing data. The Work Group will review the assessments and any other relevant information. The Work Group and the TLCPD will also consider the issues identified in Section 4.2 based on available information as each potential site and each proposed new site or significant expansion is evaluated. Based on the information gathered during this review, the Work Group will make a recommendation to the Superintendent and School Board, of one or more sites in order of preference.

The following issues will be considered by the Work Group, the TLCPD, the Superintendent and School Board when evaluating potential school sites or significant expansion or rebuilding of existing schools:

- (A) The locations of school sites that will provide logical focal points for community activities such as the community facilities itemized in section 9.1 below and serve as the cornerstone for innovative urban design standards, including opportunities for shared use and co-location of community facilities.
- (B) The location of new schools with dual access points to facilitate vehicular, bicycle, and pedestrian access, and within reasonable walking and/or bicycle distance of primary residential dwelling units served by the schools, as practicable under the student assignment program.
- (C) The location of new elementary and middle schools within the Urban Services Area or designated Rural Communities proximate to residential neighborhoods, and not located adjacent to limited access or major arterial roads, nor shall they have direct access from limited access, arterial or local roads.
- (D) The location of new high schools or adult-vocational schools on the periphery of urban residential neighborhoods, inside the Urban

Services Area and not located adjacent to limited access or major arterial roads, nor shall they have direct access from limited access, major arterial or local roads.

- (E) Compatibility of the school site with present and projected uses of adjacent property.
- (F) Encouraging community redevelopment and revitalization and efficient use of existing infrastructure and discouraging urban sprawl.
- (G) Site acquisition and development cost.
- (H) Safe access to and from the school site by pedestrians and vehicles, to include sidewalks, crosswalks, bike lanes, access road, traffic calming, signage, etc. where necessary.
- (I) Adequate public facilities and services to support the proposed school are available, or will be available, concurrent with the impact of schools.
- (J) Environmental constraints that would preclude development of a public school on the site or cannot be mitigated.
- (K) Adverse impact on archaeological or historic sites listed in the National Register of Historic Places or designated by the affected local government as a locally significant historic or archaeological resource.
- (L) The proposed site is well drained and soils are suitable for development or are adaptable for development and outdoor educational purposes with drainage improvements.
- (M) The proposed location is not in conflict with local government stormwater management plans or watershed management plans.
- (N) Whether the proposed location is within a flood zone, a floodway, special development zone, or Lake Protection future land use district as delineated in the comprehensive plan.
- (O) The proposed site can accommodate the required parking, circulation and queuing of vehicles onsite.
- (P) Whether the proposed location lies outside the area regulated by Section 333.03, F.S., regarding the construction of public educational facilities in the vicinity of an airport, or within the heavy industrial future land use category which does not allow schools.
- (Q) The proposed site can be co-located with other public facilities such as parks, recreational facilities, libraries, and community centers, as set forth in Section 9.0 of this Agreement.

City and County law enforcement and fire department officials shall review all proposed school facility sites and architectural plans for the expansion of current school facilities and the construction of new schools and provide recommendations for safety design or improvements.

4.4 Consistency Review and Site Plan Review. At least sixty (60) days prior to acquiring or leasing property that may be used for a new public educational facility, or initiating the significant renovation or expansion of an existing school, the School Board shall provide written notice to the TLCPD. The TLCPD, upon receipt of the notice, shall notify the School Board within forty-five (45) days if the proposed new school site(s) or the proposed significant renovation or expansion of an existing school is consistent with the land use categories and policies of the comprehensive plan. This preliminary notice does not constitute the local government's determination of consistency pursuant to section 1013.33, F.S.

At least ninety (90) days prior to commencing construction, the School Board shall submit a site design/development plan to the TLCPD and either the City or County Growth Management Department, as applicable. Within forty-five (45) days after receiving the submittal, the TLCPD shall certify, in writing, whether the proposed educational facility is in compliance with the Comprehensive Plan (as determined by The Planning Commission, if required), and the City or County Growth Management Department will certify, in writing, whether the proposal is consistent with any applicable provisions of the land development code. The site design/development plan shall be reviewed in accordance with the procedures prescribed in the applicable sections of the City or County Land Development Code (Type C development review in the City of Tallahassee, and Type A, B, or C, in Leon County, depending on the square footage and other factors).

4.5 In conjunction with the local government review of a proposed new school site or the significant renovation or expansion of an existing school, the School Board and affected local government will jointly determine the need for timing of on-site and off-site improvements necessary to support each school or renovation or expansion thereof, and will enter into a written Agreement as to the timing, location, and the party or parties responsible for constructing, operating, and maintaining the required improvements.

SECTION 5. SCHOOL CONCURRENCY PROGRAM.

5.1 School Concurrency Program Overview. The school concurrency program requires that Leon County, Tallahassee and the School Board maintain a minimum level of service standard for public schools. The school concurrency program requires that all new residential development be reviewed to ensure that adequate school capacity will exist within three (3) years after the issuance of a final site and development plan approval for the residential development, in order to support the additional student growth at the adopted level of service.

5.2 Commencement. The School Concurrency Program described in this Agreement shall commence on January 8, 2008, or the effective date of the amendments to the Tallahassee-Leon County 2010 Comprehensive Plan required by this Agreement, whichever is earlier.

5.3 School Concurrency Service Areas

5.3.1 The School Concurrency Service Areas shall be coterminus with the school attendance zones for each school, as adjusted by the School Board. The current school concurrency service areas are depicted on the map attached hereto as Exhibit A.

5.3.2 The County and City shall include the school concurrency service areas submitted by the School Board as data and analysis to support the adoption of the Public School Facilities Element of the Tallahassee-Leon County 2010 Comprehensive Plan, on or before January 8, 2008.

5.3.3 To ensure that development is coordinated with schools having available capacity, the County, City and School Board agree that school concurrency, when implemented in approximately January, 2008, shall be applied on a less than district-wide basis through the attendance zones for each school.

5.4 Modification of School Concurrency Service Areas

5.4.1 The City and County agree that the School Board may adjust the school attendance zones as needed to comply with state and federal mandates and other programs.

5.4.2 The modification of school concurrency service areas will follow the School Board's changes to school attendance zones. Such changes shall be noticed to the Coordinating Committee, as set

forth in Section 1.3 within fifteen (15) days of their effective date. The Coordinating Committee shall recommend incorporation into the Comprehensive Plan.

5.5 Levels of Service (LOS)

- 5.5.1 FISH (Florida Inventory of School Houses) is an annual report prepared by the Department of Education's Office of Education Facilities that provides information on the permanent building capacity of the schools in the state. To ensure that the capacity of each school is sufficient to support student growth at the adopted level of service for each year of the five year planning period and through the long term planning period for each school concurrency service area, the City, County, and School Board hereby establish the following Levels of Service for each school type:
 - 5.5.2 Elementary: one hundred percent (100%) of FISH capacity
 - 5.5.3 Middle: one hundred percent (100%) of FISH capacity
 - 5.5.4 High: one hundred percent (100%) of FISH capacity
- 5.5.5 The LOS for each school type will be adopted by the City and County into the Capital Improvements Element of the Tallahassee-Leon County Comprehensive Plan. The target date for adoption of these amendments is January 8, 2008.
- 5.5.6 In order to ensure achievement of the LOS for each school type, the School Board will annually compare the number of projected students, calculated based on approved site and development plan applications submitted by the City and County, to available capacity within each school concurrency service area over the five-year period, and report such findings to the Work Group and Coordinating Committee.
- 5.5.7 The City, County and School Board agree that amendments to the LOS for each school type will be considered through the Work Group set forth in Section 1.1 of this Agreement, which will make a recommendation to the Coordinating Committee, set forth in Section 1.3.

SECTION 6. IMPLEMENTATION OF SCHOOL CONCURRENCY.

6.1 This Agreement requires school concurrency to be applied at site plan and development approval, and therefore requires that the School Board participate in the review of all proposed site and development plans for new residential construction.

6.2 The City and County will amend their land development regulations to require an applicant for a residential site and development plan to complete a School Impact Analysis Form for submittal with their application.

6.3 The School Impact Analysis Form will require information concerning the location of the project; the number, type and size of dwelling units proposed; and the school concurrency service area in which the project is located.

6.4 The City or County will transmit the School Impact Analysis Form to a designated employee of the School Board for review at the same time the application is submitted to all departments for review.

6.5 After receipt of the School Impact Analysis Form, the designated School Board employee will issue a written report to the City or County outlining its findings on the following:

- 6.5.1 The number of students generated by the proposed development for the school concurrency service area(s) impacted;
- 6.5.2 Analysis of the available capacity within each school concurrency service area; and
- 6.5.3 Whether proportionate fair-share mitigation is required of the applicant, pursuant to Section 7.0.

The designated School Board employee must issue the report within the review timeframes established in the applicable City or County land development code for other reviewing agencies or departments.

6.6 The School Board will employ one full-time equivalent (FTE) staff member to review School Impact Analysis forms, analyze impacts and make the findings set forth in Section 6.5, and negotiate proportionate fair-share mitigation agreements on behalf of the School Board. Such employee may also be designated to participate on staff committees.

6.7 At the DRC meeting on the application, the City and County will consider the report from the School Board and incorporate into the development order the School Board's findings outlined in 6.5.1 through 6.5.3.

6.8 The City and County may issue development orders contingent upon compliance with conditions of a development agreement executed pursuant to Section 7.1.

6.9 The City will amend its Land Development Regulations to require a member appointed by the School Board serve on the Development Review Committee.

SECTION 7. PROPORTIONATE FAIR-SHARE MITIGATION.

7.1 In the event that there is not adequate capacity within the schools impacted by a proposed residential site and development plan, the School Board shall consider proportionate fair-share mitigation options, and if acceptable, will enter into a binding agreement with the developer and the City or County, as applicable, to mitigate the impacts from the development through the creation of additional school capacity. The development agreement must address payment and receipt of mitigation fees, or other acceptable forms of mitigation, if option 7.6.1 is exercised by the developer and acceptable to the School Board.

7.2 When the student impacts from a proposed residential development would cause the adopted LOS to fail, the developer's proportionate fair-share mitigation for the development will be based upon the number of additional student stations necessary to meet the established LOS. The amount to be paid by the developer will be calculated utilizing the cost per student station allocations for elementary, middle and high school, as published by the Department of Education (DOE), and adjusted by the School Board to reflect local conditions, such as land and infrastructure costs.

7.3 The following methodology shall be used to calculate the developer's proportionate fair-share mitigation amount:

Proportionate Share = (Development Students^a - Available Capacity^b) x Total Cost^c Per Student Station

Where:

^a Development Students = Students generated by the proposed development that are assigned to the particular school

^b Available Capacity = FISH Capacity – (actual enrollment + vested)

^c Total Cost = the cost per student station as determined and published by the DOE, adjusted by the School Board to account for land costs and infrastructure costs, as determined and published annually in the School District's Five-Year Capital Facilities Plan

7.4 The applicant will negotiate an acceptable mitigation option with the School Board prior to approval of the development order, and the mitigation option shall be reduced to writing in the form of a binding development agreement submitted to the County or City, as applicable, for approval.

7.5 The City Growth Management Director, or his or her designee, and the County Administrator, or his or her designee, shall have authority to accept and execute proportionate fair-share mitigation agreements on behalf of the City or County, as applicable. The City and County will amend their Code of Ordinances, if necessary, to grant said authority.

7.6 The following mitigation options will be acceptable to the City, County and School Board, as negotiated by the School Board on a case-by-case basis:

- 7.6.1 Payment for land acquisition
- 7.6.2 Contribution of land
- 7.6.3 Construction of new, or expansion of existing, public school facilities.
- 7.6.4 Contribution of District-owned portable school facilities meeting SREF standards, only in cases where capacity is available in the core facilities of the school.
- 7.6.5 Construction of a charter school meeting SREF standards if the mitigation agreement requires the ownership of the charter school to revert to the District upon closure of the facility.
- 7.6.6 Developer-established mitigation banks, including both construction of schools and acquisition of land

SECTION 8. LOCAL PLANNING AGENCY, COMPREHENSIVE PLAN AMENDMENTS, AND REZONINGS.

8.1. The School Board will be afforded full voting membership on the Capital Regional Transportation Planning Authority and Planning Commission, and the Planning Commission acting in its capacity as the local planning agency.

8.2. In accordance with the agenda distribution procedures for the Planning Commission and Capital Regional Transportation Planning Authority, the School Board will receive agendas and support materials from both City and County agencies regarding Comprehensive Planning, Transportation, Growth Management, etc., and will review and comment as appropriate.

8.3. In addition to the information required to be shared with the School Board pursuant to Section 8.2, the City and County will amend their land development regulations to require each applicant for comprehensive plan amendment or rezoning involving a residential development, or proposing a change of zoning or land use adjacent to a residential development, to provide the School Board a completed School

Impact Analysis Form, as set forth in Section 6 of this agreement. The form will require information concerning the location of the proposed comprehensive plan amendment or rezoning, the proposed change in land use or zoning classification, the maximum number of dwelling units authorized by the requested land use or zoning classification, and the school concurrency service area in which the property is located. After review of the School Impact Analysis Form, the designated School Board employee shall issue a written report to the City or County containing the following information:

- 8.3.1 The number of students generated based upon buildout at the maximum density of residential development allowed in the requested land use or zoning category for the school concurrency service area(s) impacted;
- 8.3.2 Analysis of the available capacity within each school concurrency service area impacted; and
- 8.3.3 Analysis of how the proposed land use or rezoning will affect transportation for school facilities or safety for students.

8.4. Based on the adopted Level of Service for the impacted school concurrency service areas, if adequate capacity is not available or planned to serve the proposed development at the time of review, the School Board shall specify how it proposes to meet the anticipated student enrollment demand; alternatively, the School Board, local government, and developer may collaborate to find means to ensure sufficient capacity will exist to accommodate the development, such as, developer contributions, project phasing, required facility improvements, etc.

8.5. The City and County will consider recommendations of the School Board or School Board staff on the following issues, prior to taking final actions on rezoning requests and comprehensive plan amendments:

- (A) Providing school sites and facilities within planned neighborhoods.
- (B) Insuring the compatibility of land uses and infrastructure adjacent to existing schools and reserved school sites.
- (C) The co-location of parks, recreation and community facilities with school sites.
- (D) The linkage of schools, parks, libraries and other public facilities with bikeways, trails and sidewalks.
- (E) Insuring the development of traffic circulation plans to serve schools and surrounding neighborhood(s).
- (F) Providing offsite signalization, signage, access improvements and sidewalks to serve all schools.

- (G) The inclusion of school bus stops and turnarounds in new developments.
- (H) School Board comments on comprehensive plan amendments and other land use decisions.
- (I) Available school capacity or planned improvements to increase school capacity.

8.6 In formulating community development plans and programs, the City and the County will consider the following issues:

- (A) Targeting community development improvements in older and distressed neighborhoods near schools.
- (B) Giving priority to scheduling City and County programs and capital improvements that are coordinated with, and meet the capital needs identified in, the School Board's school facilities plan.

SECTION 9. CO-LOCATION AND SHARED USE.

9.1 Co-location and shared use of facilities are important to both the School Board and local governments. The School Board will look for opportunities to collocate and share use of school facilities and civic facilities when preparing the Educational School Plant Survey. Likewise, co-location and shared use opportunities will be considered by local governments when preparing the annual update to their comprehensive plan's schedule of capital improvements and when planning and designing new, or renovating existing, community facilities. For example, opportunities for co-location and shared use will be considered for libraries, parks, recreation facilities, community centers, auditoriums, learning centers, museums, performing arts centers, and stadiums. In addition, where applicable, co-location and shared use of school and governmental facilities for health care and social services will be considered.

9.2 A separate agreement will be developed for each instance of co-location and shared use that addresses legal liability, operating and maintenance costs, scheduling of use, and facility supervision.

SECTION 10. RESOLUTION OF DISPUTES. If the parties to this Agreement are unable to resolve any issue in which they may be in disagreement covered in this Agreement, such dispute will be resolved in accordance with governmental conflict resolution procedures in Exhibit B, attached hereto and incorporated herein.

SECTION 11. AMENDMENT AND TERMINATION OF AGREEMENT. Any party may elect to withdraw from participation in this Agreement upon official action of its governing body and after thirty (30) days written notice to all other parties to this Agreement.

IN WITNESS WHEREOF, this Interlocal Agreement has been executed by and on behalf of the City of Tallahassee, Leon County, and the School Board of Leon County on this 1 day of Sept, 2006. This Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument and be the agreement between the parties.

LEON COUNTY, FLORIDA


Bill Proctor, Chairman

ATTEST:

Robert B. Inzer, Clerk of the Court



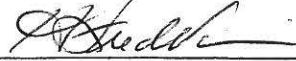
By: 

APPROVED AS TO FORM:

By: 

Herbert W. A. Thiele, Esq.
County Attorney

LEON COUNTY SCHOOL BOARD



H. Fred Varn, Chairman, School Board
of Leon County, Florida

ATTEST:

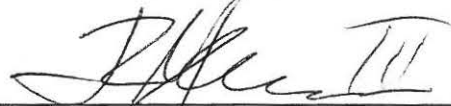
James M. Croteau, PhD, Superintendent

By: 

APPROVED AS TO FORM:


By: jwh 8.22.06
J. Jeffry Wahlen, School Board Attorney


CITY OF TALLAHASSEE

By: 
John R. Marks, III
Mayor

ATTEST:

APPROVED AS TO FORM

By: 
Gary Herndon
City Treasurer-Clerk

By: 
James R. English
City Attorney

APPROVED BY CITY COMMISSION
August 23 2006

**Interlocal Agreement For Tallahassee-Leon County And Leon County Schools
Public School Concurrency And Facility Planning**

EXHIBIT A

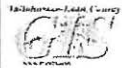
SCHOOL ATTENDANCE ZONES

Leon County Elementary School Zoning

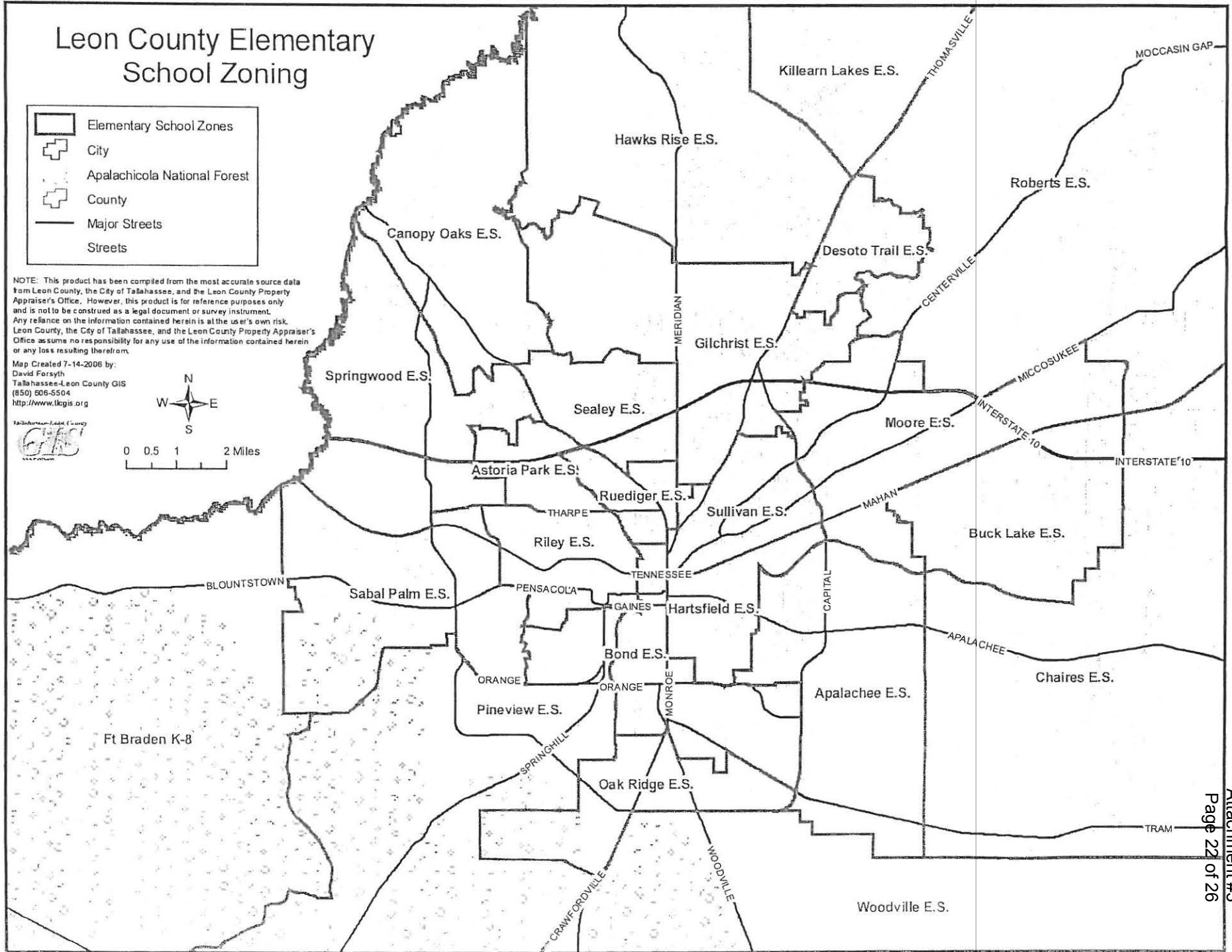
	Elementary School Zones
	City
	Apalachicola National Forest
	County
	Major Streets
	Streets

NOTE: This product has been compiled from the most accurate source data from Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

Map Created 7-14-2006 by:
David Forsyth
Tallahassee-Leon County GIS
(850) 508-5504
<http://www.lcgis.org>



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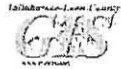


Leon County Middle School Zoning

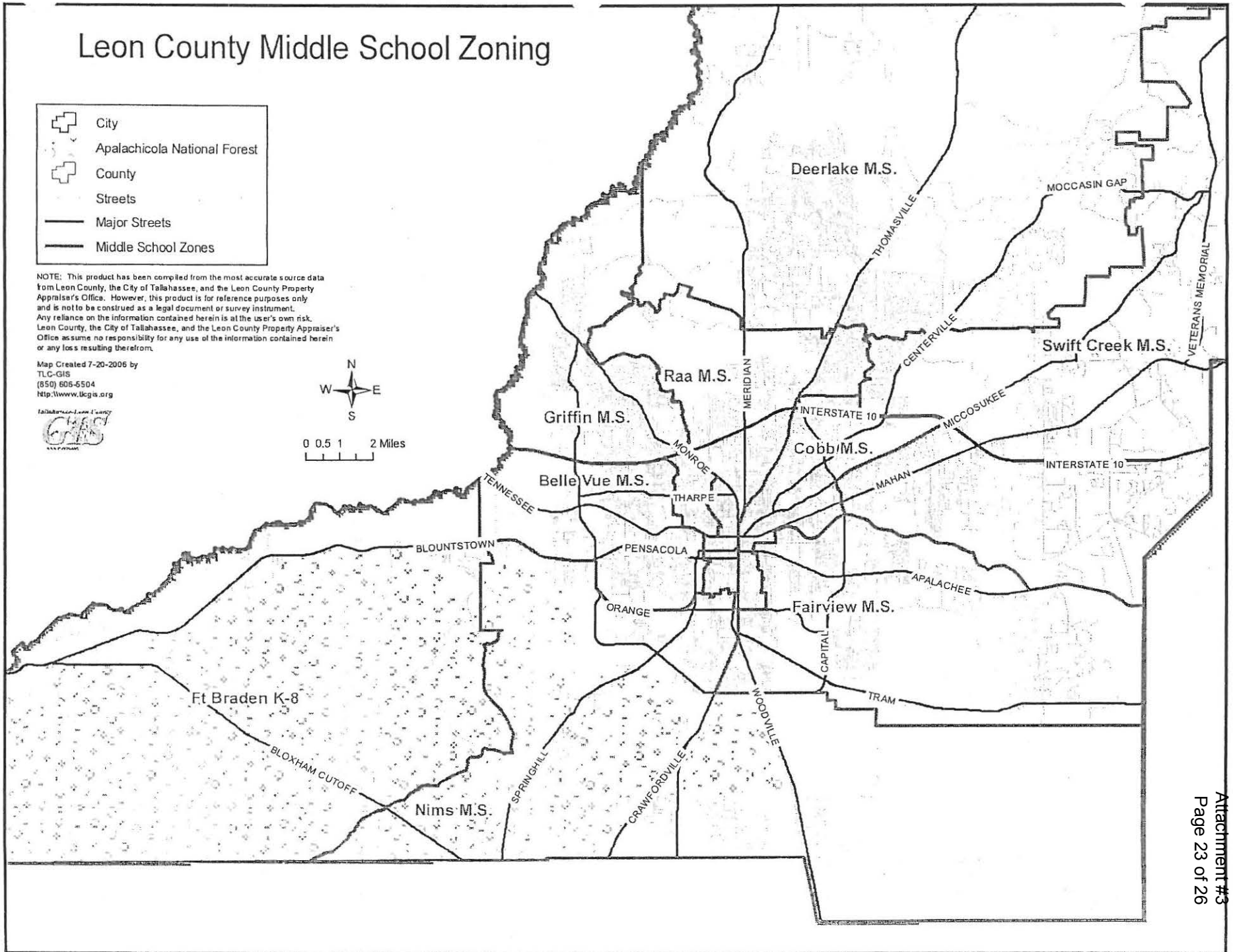
	City
	Apalachicola National Forest
	County
	Streets
	Major Streets
	Middle School Zones

NOTE: This product has been compiled from the most accurate source data from Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office assume no responsibility for any use of the information contained herein or any loss resulting therefrom.







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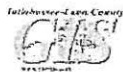


Leon County High School Zoning


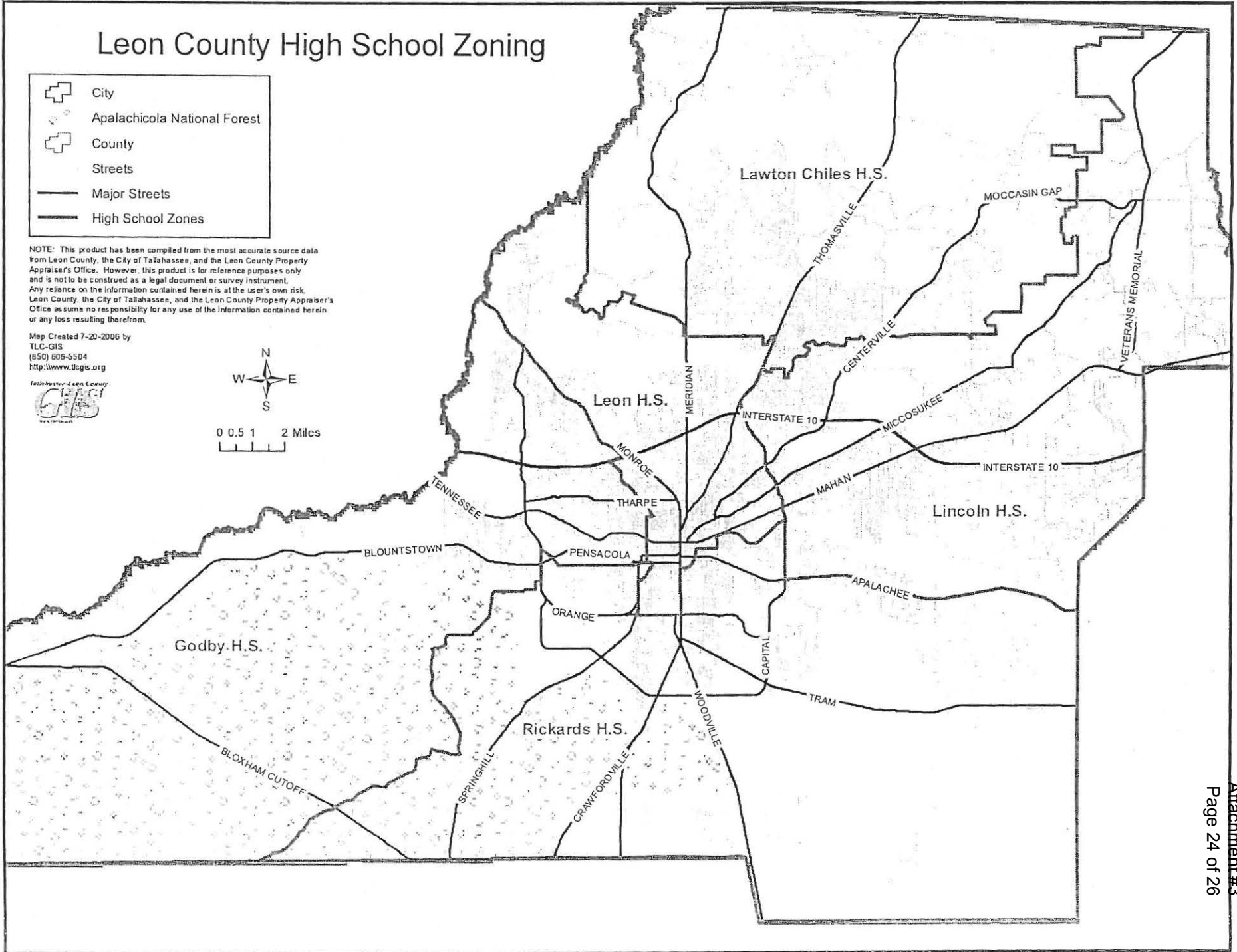
-  City
-  Apalachicola National Forest
-  County
-  Streets
-  Major Streets
-  High School Zones

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**Interlocal Agreement For Tallahassee-Leon County And Leon County Schools
Public School Concurrency And Facility Planning**

EXHIBIT B

DISPUTE RESOLUTION PROCEDURE

Section 11. Dispute Resolution.

a. The Parties shall attempt to resolve any disputes that arise under this Agreement in good faith and in accordance with this Section. The provisions of the "Florida Governmental Conflict Resolution Act" shall not apply to disputes under this Agreement, as an alternative dispute resolution process, is hereby encompassed within Section 11. The aggrieved Party shall give written notice to the other Party, setting forth the nature of the dispute, date of occurrence (if known), and proposed resolution, hereinafter referred to as the "Dispute Notice".

b. The appropriate City and County department heads shall meet at the earliest opportunity, but in any event within 10 days from the date the Dispute Notice is received, to discuss and resolve the dispute. If the dispute is resolved to the mutual satisfaction of both, the department heads shall report their decision, in writing, to the City Manager and the County Administrator.

c. If the department heads are unable to reconcile the dispute, they shall report their impasse to the City Manager and the County Administrator who shall then communicate at their earliest opportunity regarding the dispute, but in any event within 20 days following receipt of the Dispute Notice, to attempt to reconcile the dispute.

d. If a dispute is not resolved by the foregoing steps within thirty (30) days after receipt of the Dispute Notice, unless such time is extended by mutual agreement of the Parties, then either Party may require the dispute to be submitted to mediation by delivering written notice thereof (the "Mediation Notice") to the other Party. The mediator shall meet the qualifications set forth in Rule 10.100(c), Florida Rules for Mediators, and shall be selected by the Parties within 10 days following receipt of the Mediation Notice. If agreement on a mediator cannot be reached in that 10-day period, then either Party can request that a mediator be selected by an independent conflict resolution organization, and such selection shall be binding on the Parties. The costs of the mediator shall be borne equally by the Parties.

e. If an amicable resolution of a dispute has not been reached within 60 calendar days following selection of the mediator, or by such later date as may be mutually agreed upon by the Parties, then such dispute may be referred to binding arbitration by either Party. Such arbitration shall be conducted in accordance with the Florida Arbitration Code (Chapter 682, Florida Statutes).

f. Such arbitration shall be initiated by delivery, from one Party (the "Claimant") to the other (the "Respondent"), of a written demand therefor containing a statement of the nature of the dispute and the amount, if any, involved. The Respondent, within ten (10) days following its receipt of such demand, shall deliver an answering statement to the Claimant. After the delivery of such statements, either Party may make new or different claims by providing the other with written notice thereof specifying the nature of such claims and the amount, if any, involved.

g. Within ten (10) days following the delivery of such demand, each Party shall select an arbitrator and shall deliver written notice of that selection to the other. If either Party fails to select an arbitrator within such time, the other Party may make application to the court for such appointment in accordance with the Florida Arbitration Code. Within ten (10) days following delivery of the last of such written notices, the two arbitrators so selected shall confer and shall select a third arbitrator. Each of the arbitrators so appointed shall have experience in local government and/or utility issues.

The arbitration hearing shall be commenced in Leon County, Florida within sixty (60) days following selection of the third arbitrator. Except as may be specifically provided herein, the arbitration shall be conducted in accordance with Rules R-23 – R-48, of the Commercial Arbitration Rules of the American Arbitration Association.

Zoning District Chart of Allowable Schools

Zoning District	Elementary	Middle	High School
Rural	Y	Y	Y
Urban Fringe	Y	Y	Y
Urban Activity Center	Y	Y	Y
Rural Community	Y	Y	Y
Lake Protection	Y	Y	N
Lake Protection Node	Y	Y	Y
Residential Preservation	Y	Y	Y
Lake Talquin/Urban Fringe	Y	Y	Y
Industrial	N	N	N
Residential Acre	Y	Y	N
R-1	Y	Y	N *
R-2	Y	Y	N
R-3	Y	Y	N
R-4	Y	Y	N
R-5	Y	Y	N
MH	N	N	N
MR-1	Y	Y	Y
OR-1	Y	Y	N
OR-2	Y	Y	N
OR-3	N	Y	Y
OA-1	N	N	N
C-1	N	N	N

C-2	N	N	Y
CP	N	N	N
UP-1	N	Y	N
UP-2	N	Y	N
M-1	N	N	N
IC	N	N	N
MCN	Y	Y	N
MCR	Y**	Y**	N
NBO	N	N	N
BC-1	N	N	N
BC-2	N	Y	N
BCS	N	N	N
BOR	Y	Y	N
WC	N	N	N

* Expansion of existing high schools is allowed

** Conditional Use

**Leon County
Board of County Commissioners**


Notes for Agenda Item #12

Leon County Board of County Commissioners

Cover Sheet for Agenda #12

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Request to Schedule Two Public Hearings to Consider Proposed Amendments to the Leon County Land Development Code to Allow Outdoor Sport Shooting Ranges in the Rural Zoning District for May 10 and June 14, 2016 at 6:00 p.m.

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator David McDevitt, Director, Development Support and Environmental Management
Lead Staff/ Project Team:	Ryan Culpepper, Director, Development Services Scott Brockmeier, Administrator, Development Services Ryan Guffey, Concurrency Management Planner, Development Services

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Schedule two required Public Hearings to consider proposed amendments to the Land Development Code to allow outdoor sport shooting ranges in the Rural Zoning District for May 10 and June 14, 2016 at 6:00 p.m.

Title: Request to Schedule Two Public Hearings to Consider Proposed Amendments to the Leon County Land Development Code to Allow Outdoor Sport Shooting Ranges in the Rural Zoning District for May 10 and June 14, 2016 at 6:00 p.m.

March 8, 2016

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Report and Discussion

Background:

On July 7, 2015, the Leon County Board of County Commissioners (BCC) adopted an Ordinance amending the Rural Zoning District (Ordinance 15-08). The amendment to the Rural Zoning District was in response to direction by the Board, as well as response to proposed amendments to the Rural Future Land Use (FLU) Category of the Comprehensive Plan.

On September 23, 2014, the Board approved a Settlement Agreement as a result of litigation involving the Keep It Rural Coalition (KIRC), Thelma Crump, and Leon County concerning a proposed development within the Rural Zoning District. One of the terms of the Settlement Agreement required the County to consider amendments to the Rural FLU category to determine whether commercial development was appropriate on properties designated “Rural” on the Future Land Use Map of the Comprehensive Plan. An application for a Comprehensive Plan Amendment to the Rural FLU Category was submitted by the KIRC on September 26, 2014. The amendment addressed the Board’s Strategic Initiative to “protect the rural character of our Rural Land Use Category” that was adopted by the Board on January 27, 2015.

Ordinance 15-08 was reviewed by the Department of Development Support and Environmental Management (DSEM) Citizen’s User Group prior to adoption by the Board. The Citizen’s User Group recommended that outdoor sport shooting ranges be considered as an allowable use in the Rural Zoning District. Due to timeframes outlined in the Settlement Agreement, staff was only able to complete a preliminary review of other jurisdictions to determine how they addressed the location and standards for outdoor sport shooting ranges before the proposed Ordinance went to the Board in July 2015. The review revealed a lack of consistency among other jurisdictions with regard to the development of locational standards for outdoor sport shooting ranges. As a result, staff did not include outdoor sport shooting ranges in Ordinance 15-08 amending the Rural Zoning District. However, the July 7, 2015 agenda item for the referenced Ordinance noted that staff would continue to analyze the development of locational standards for outdoor sport shooting ranges and bring back a recommendation to the Board later in the year. Staff received authorization from the Board to proceed with drafting a proposed Ordinance at their meeting on December 8, 2015.

Analysis:

The Rural zoning district contains specific standards for non-residential uses or activities. Some non-residential uses continue to be allowed at major intersections, while other retail uses (as part of a bona-fide agricultural operation) are allowed in the Rural District provided the uses are functionally related to or supportive of agriculture, silviculture or natural resource based use. Rural commercial that is functionally supportive of agricultural, silvicultural, or natural resource base is allowed at some intersections, provided development standards can be met. This

Title: Request to Schedule Two Public Hearings to Consider Proposed Amendments to the Leon County Land Development Code to Allow Outdoor Sport Shooting Ranges in the Rural Zoning District for May 10 and June 14, 2016 at 6:00 p.m.

March 8, 2016

Page 3

provides greater certainty and predictability with regard to where non-residential uses can occur in the Rural District.

A select number of non-residential uses and activities are identified as restricted uses in the Rural Zoning District due to their increased potential for adverse impacts to adjacent properties. Restricted uses have additional development standards that must be addressed prior to approval. These standards and restrictions were established to ensure consistency with the Comprehensive Plan and to address the Board's Strategic Priority to "protect the rural character of the Rural Land Use Category." Staff proposes that an outdoor sport shooting range may be allowed as a restricted use in Rural.

An outdoor sport shooting range has never been specifically listed as an allowed use within the Rural Zoning District. An outdoor sport shooting range could be expected to have some adverse impacts such as noise, traffic and safety concerns. As a result, any proposed Ordinance to allow outdoor sport shooting ranges in the Rural Zoning District will need to include the development of site-specific standards to mitigate the anticipated off-site impacts to adjacent and nearby property owners. Any existing outdoor sport shooting ranges will need to be taken into consideration during the drafting of an Ordinance, as well.

The focus of the draft Ordinance will be the following: residential impacts, increased traffic and buffers. The residential impacts related to noise are addressed by the Noise Ordinance and the amount of land needed for the range. A new outdoor sport shooting range will increase traffic and may have adverse impacts to established neighborhoods and local roadways. Adequate buffers will also be required to mitigate adverse impacts from noise, lighting, and related issues.

Staff is currently only aware of two (2) outdoor shooting ranges in Leon County. One is located in the Apalachicola National Forest (located in the Rural Zoning District). The other consists of a private shooting range on Oak Ridge Road, which is located in the Urban Fringe zoning district and would not be affected by any proposed amendments to the Rural District. Both outdoor shooting ranges are considered to be legally non-conforming uses, as the use is currently not allowed in either zoning district.

Therefore, based on the issues noted above, staff is requesting authorization from the Board to schedule two Public Hearings on a proposed Ordinance that includes locational and development standard guidelines for proposed outdoor shooting ranges in the Rural zoning district (Attachment #1). Subsequent to this agenda item, staff will present the draft Ordinance to the DSEM Citizen's User Group for review and comment, and will be presented to the Planning Commission at a Public Hearing.

Staff has presented the draft Ordinance to the KIRC and is continuing to work with them on their concerns and comments. KIRC has specifically noted concerns about the impact of an outdoor sport shooting range on the rural character of Leon County. They do not want to see any additional commercial uses allowed in the Rural zoning district, and are also generally opposed

Title: Request to Schedule Two Public Hearings to Consider Proposed Amendments to the Leon County Land Development Code to Allow Outdoor Sport Shooting Ranges in the Rural Zoning District for May 10 and June 14, 2016 at 6:00 p.m.

March 8, 2016

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to a 'gun club' as an allowable use, believing it would circumvent the intent of the Comprehensive Plan. Staff will continue to solicit feedback from KIRC as the draft Ordinance proceeds through the DSEM Citizen's User Group and Planning Commission review process.

Options:

1. Schedule two required Public Hearings to consider proposed amendments to the Leon County Land Development Code to allow outdoor sport shooting ranges in the Rural zoning district for May 10 and June 14, 2016 at 6:00 p.m.
2. Do not schedule the two required Public Hearings to consider proposed amendments to the Leon County Land Development Code to allow outdoor sport shooting ranges in the Rural zoning district for May 10 and June 14, 2016 at 6:00 p.m.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Draft Ordinance

ORDINANCE NO. 15- _____

1
2
3 AN ORDINANCE OF THE BOARD OF COUNTY
4 COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING
5 CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE
6 CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING
7 SECTION 10-1.101, DEFINITIONS; AMENDING SECTION 10-
8 6.612, RURAL ZONING DISTRICT; AMENDING SECTION 10-
9 6.619, COMMERCIAL SITE LOCATION STANDARDS;
10 PROVIDING FOR CONFLICTS; PROVIDING FOR
11 SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
12

13 WHEREAS, the intent of the Rural Zoning District is to maintain and promote agriculture,
14 silviculture and natural resource based activities, to preserve natural systems and ecosystem
15 functions and to protect the scenic vistas and pastoral development patterns that typify Leon
16 County's rural areas; and
17

18 WHEREAS, the Ordinance will protect and enhance the Rural area as an amenity; and,
19

20 WHEREAS, the Ordinance allows for the development of residential and non-residential
21 uses compatible with agricultural, silvicultural and other natural resource based activities; and,
22

23 WHEREAS, the implementing regulations for the Rural Zoning District are located in
24 Chapter 10 of the Leon County Code of Laws; and,
25

26 WHEREAS, amendments to the applicable provisions of Chapter 10 will be required to
27 maintain consistency with the Comprehensive Plan; and,
28

29 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY,
30 FLORIDA:
31

32 **SECTION 1.** Section 10-1.101 of Article I of Chapter 10 of the Code of Laws of Leon County,
33 Florida, entitled "Definitions" is hereby amended to include the following new definitions:
34

35 **Sec. 10-1.101. Definitions.**
36

* * *

37 *Agritourism* shall mean any agricultural related activity consistent with a bona-fide farm or
38 ranch or in a working forest which allows members of the general public to view or enjoy
39 activities related to farming, ranching, historical, cultural or harvest-your-own attractions for
40 recreational, entertainment or educational purposes.
41

42 *Ecotourism* shall mean tourism that focuses on the appreciation of natural areas, wildlife or
43 cultural and historical resources and strives to minimize ecological impact or damage. This
44 nature-based tourism involves education and interpretation of the natural environment and is
45 managed to be ecologically sustainable. Activities may include cycling, camping, fishing,
46 hunting, paddling, hiking, birding, visiting scenic by-ways, agritourism, and wildlife viewing.
47

48 *Natural resource-based activities* shall mean activities directly dependent upon naturally
49 occurring resources, such as minerals, forests, water, and fertile land. These activities
50 include, but are not limited to, farming, forestry, grazing, mining, hunting and fishing.
51

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SECTION 2. Section 10-6.612 of Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, entitled "Rural zoning district," is hereby amended to read as follows:

Sec. 10-6.612. Rural zoning district.

1 Sec. 10-6.612 Rural

1. District Intent The intent of the Rural zoning district is to maintain and promote agriculture, silviculture, and natural resource-based activities, preserve natural systems and ecosystem functions, and protect the scenic vistas and pastoral development patterns that typify Leon County's rural areas. Allowable land uses within this district include agriculture, silviculture, ecotourism based activities, very low density residential, some active recreation as a restricted use, and community and passive recreational facilities. Non-residential uses, with the exception of community and passive recreational facilities, that are not functionally related to and supportive of agriculture, silviculture and other natural resource-based activities shall be prohibited within the Rural zoning district. This district is not intended to accommodate commercial activities designed to service basic household needs of area residents. Rural commercial uses, as well as restricted uses, may be allowed in this district but shall be limited to the locational and design standards as noted herein. Due to the need to protect and preserve existing Rural lands from fragmentation and to promote infill and redevelopment within the Urban Services Area and Rural Communities, urban services are not planned or programmed for this area. Design standards and development standards for non-residential development and restricted uses, as noted herein, shall be required to prevent encroachment and fragmentation of agricultural uses as well as to ensure compatibility with adjacent uses.	2. Allowable District Location The district may only be located within areas designated Rural on the Future Land Use Map.
---	---

PERMITTED, PROHIBITED, AND RESTRICTED USES

3. Principal Uses	4. Prohibited Uses	5. Restricted Uses	6. Rural Accessory Uses Functionally Related to Bona-Fide Agriculture, Silviculture or Natural Resource-Based Activities
(1) Agricultural (2) Silviculture (3) Wholesale Trade: Farm-product raw materials (4) Wholesale Nursery Products (5) Rural commercial (6) Community services (7) Low-density residential (single, two-family, or manufactured home) (8) Passive recreation (9) Light infrastructure (10) Cemeteries	(1) Manufacturing (2) Extraction and bottling of mineral or springwater – wholesale (3) High Pressure well stimulation/Acid Fracturing and/or Hydraulic Fracturing (4) Gas stations, fuel oil and liquefied petroleum products (5) Convenience stores (6) Grocery stores (7) General merchandise sales (8) Drug stores (9) Automotive repair (10) Motor vehicle racing tracks/amusement parks (11) Heavy Infrastructure (with the exception of those listed under restricted uses) (12) Active recreation (with the exception of those listed under restricted uses) (13) Other uses which are not functionally supportive of and accessory to established agricultural, silvicultural or natural resource-based activities within the Rural zoning district.	(1) Mining (2) Landscape counseling and planning (3) Airports, flying fields and services (4) Camps and recreational vehicle parks (5) Botanical and zoological gardens (6) Archaeological historical sites (7) Commercial kennels (8) Veterinary clinics (9) Riding academies/livery or boarding stables (10) <u>Outdoor Sport Shooting Ranges</u>	Pursuant to Section 823.14, F.S., a bona-fide farm operation shall be exempt from local regulation, ordinance, rule or policy that prohibits, restricts, regulates or otherwise limits activities of a bona-fide farm operation on land classified as agricultural land pursuant to s. 193.461 FS. Pursuant to Section 823.14(3)(b), F.S., “farm operation” shall mean all conditions or activities which occur on a farm in connection with that farm’s products.

2

7. Development Standards										
Use Category	a. Lot area (acres)	b. Minimum lot frontage	c. Front yard setback	d. Corner yard setback	e. Side yard setback	f. Rear Yard Setback	g. Maximum percent impervious surface area	h. Maximum height at building envelope perimeter	i. Maximum height per additional setback	j. Total maximum height
Low Density Residential	10 acres minimum	15 feet	30 feet	30 feet	20 feet	50 feet	30	35 feet	1’/1’	Not applicable

Rural Commercial	3.0 acres minimum; 5.0 acres maximum*	40 feet	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	30	35 feet	1'/1'	45 feet
Community Services	3.0 acres minimum; 5.0 acres maximum	40 feet	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	30	35 feet	1'/1'	45 feet
Restricted Uses; Passive Recreation Facilities	3.0 acres minimum	Not applicable	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	30	35 feet	1'/1'	45 feet
Comp. Plan Policy 2.1.9 Subdivision	0.5 acres minimum	15 feet	25 feet	25 feet	15 feet	50 feet	30	35 feet	1'/1'	Not applicable

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development shall provide no less than 0.50 acre of buildable area. Nonresidential development and community service facilities are limited to a maximum of 900 gallons of wastewater flow per day. Refer to sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

Footnotes:

* If subdivision is proposed to create the rural commercial parcel, then the remaining portion of the property shall meet the minimum lot size standards noted herein.

8. Development Standards for Community Service uses:

Community Service uses shall also be subject to the buffer zone standards (section 10-7.522), the parking and loading requirements (Subdivision 3 of Division 5 of Article VII) and applicable design standards outlined in subsection 11 of this section.

- (1) Single structure: 5,000 gross square feet maximum
- (2) Site area: 3 acres minimum; Maximum of 5 acres

9. Rural Commercial Intersection Location Standards:

The intersection location standard is intended to group rural commercial activities toward intersections to provide access and to prevent fragmentation of agricultural uses.

- (1) *Major Function:*
Provide sales and services functionally related to and supportive of agriculture, silviculture and natural resource-based activities.
- (2) *Location:*
On or near the intersection (access within 330 feet of the centerline of the intersection) of an arterial/arterial or arterial/major collector roadway
- (3) *Site area:*
3.0 acres minimum with a maximum of 5.0 acres per quadrant
- (4) *Allowable building square footage:*
Maximum of 10,000 gross square feet per intersection (only 2 quadrants per intersection may be developed for rural commercial). Single structure limited to a maximum of 5,000 gross square feet

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10. Development standards for restricted uses.

All proposed restricted uses shall meet the applicable provisions of Section 10-6.611 (Special Exception uses and Restricted uses); the applicable design standards noted in subsection 11 of this section; the buffer zone standards (section 10-7.522); and, the parking and loading requirements (Subdivision 3 of Division 5 of Article VII). All restricted uses shall be limited to a maximum building area of 2,000 gross square feet per acre with no more than 5,000 gross square feet of retail commercial or office space. The following restricted uses require satisfaction of additional criteria:

(1) Mining activities.

- a. All mining activities as defined on the schedule of permitted uses must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. This includes NAICS items 212321 and 212324.
- b. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:
 1. The mining activity, all accessory uses and structures, internal roadways, and driveways onto the adjacent streets shall be set back a minimum of 100 feet from the perimeter property boundaries or 200 feet from the nearest off-site residence, residential zoning district, or subdivision intended primarily for residential land use, whichever distance is greater. This setback standard may be reduced if less of a setback is approved in writing by the adjacent property owner or owners prior to site plan approval or if the adjacent property is also used as a mining activity.
 2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use. For purposes of this requirement, local and minor collector streets shall be those identified in the local government Comprehensive Plan and the Tallahassee-Leon County Long Range Transportation Plan.
 3. A land reclamation plan shall be submitted demonstrating that upon termination of the activity the land shall be returned to a condition that will allow an effective reuse comparable to surrounding properties.
 4. Fencing requirement: All areas proposed for use in open-pit mining operations and/or construction and demolition debris disposal must be secured by a fence, unless the area is determined by the county administrator or designee to be a reclaimed open-pit mine. The fence must be at least four feet in height with openings that will reject the passage of a seven-inch diameter sphere. The fence must be equipped with a gate which shall remain locked when workers or employees of the land owner or mining company are not present at the site. At every gate or access point, at least one sign must be posted which states, in at least four-inch tall letters, "Danger," "Keep Out," "No Trespassing," or similar language indicate that there may be hazardous conditions on the premises.

(2) Camps and recreational vehicle parks (NAICS 721211 and 721214).

- a. All camps and recreational vehicle parks must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:
 1. Sanitary facilities shall be provided.
 2. Not more than five campsites per gross acre shall be provided.
 3. Individual campsites, roadways, and accessory structures shall be located to meet the minimum building setback standards from the exterior property lines of the campground.

(3) Airports, flying fields and services

- a. All airports, flying fields and services must meet the specific development standards as noted in this section and as required by state or federal law, and shall require review and approval by the Board of County Commissioners following a duly noticed public hearing.

(4) Outdoor Sport Shooting Ranges

- a. All outdoor sport shooting ranges must meet the specific development standards as noted in this section, and shall require review and approval by the Board of County Commissioners following duly noticed public hearings, for a Type "C" site and development plan.
- b. All outdoor sport shooting ranges must demonstrate protection of adjacent properties and the public interest which shall include, but not limited to the following:
 1. An outdoor shooting range shall not be located within an unrecorded or recorded subdivision.
 2. The hours of operation are limited to daylight hours only (sunrise to sunset).
 3. No outdoor shooting range may be permitted in the Residential Preservation Overlay nor within 250' of the property line of an existing dwelling unit, church, or school.
 4. No outdoor shooting range shall have direct access to a Canopy Road as defined in Section 10-1.101 of the LDC 'Definitions.'
 5. The minimum lot size shall consist of no less than 39 acres.
 6. Security lighting, if necessary, shall be wall mounted with illumination focused on the building in a manner that limits off-site illumination, consistent with the "Dark Sky Friendly" guidelines.
 7. Lighting for parking areas shall not exceed 15 feet in height as measured from average grade to the light fixture.
 8. Lines of fire shall be directed away from all water bodies.
 9. A Type D Buffer and berm behind the line of fire/targets shall be constructed. A lead collection, and proper disposal plan shall be submitted and approved as part of the environmental management permit.

10. A perpetual maintenance and inspection plan (which includes lead disposal) shall be submitted and approved as part of the environmental management permit. These inspections shall take place every 3 years.

11. No retail activity is allowed on site.

11. Site Design Criteria.

Rural commercial uses, as well as restricted uses, may be allowed in this district but shall be limited to the locational and design standards as noted herein.

- (1) A plan and supporting narrative must be submitted pursuant to the applicable site and development plan process outlined in Article VII that demonstrates compliance, as applicable, with the following:
 - a. Freestanding onsite signs shall be limited to monument-style signs and the sign base shall be consistent with the materials and design context of the primary onsite building. Signs shall be illuminated with externally mounted lighting focused on the sign in a manner that limits off-site illumination. Internally illuminated signs and pole signs are prohibited. For sites not located at intersections, onsite ground signs shall be limited to no more than 32 square feet in area and limited to no more than 10 feet in height.
 - b. Building design standards including any proposed accessory buildings and structures shall reflect or compliment the local vernacular architectural style. Building facade treatments and materials shall provide architectural interest through, but not limited to: the utilization of fenestration that allows for natural surveillance and gabled or parapet roof treatments.
 - c. On-site lighting including 24-hour security lighting shall be wall mounted with illumination focused on the building in a manner that limits off-site illumination, consistent with the "Dark Sky Friendly" guidelines.
 - d. All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof mounted flood or spot lights used as general grounds lighting are permitted. Security lighting is permitted.
 - e. Lighting at the property line (six feet above ground) adjacent to residential uses shall not exceed 0.1 footcandles.
 - f. Lighting for parking areas shall not exceed 15 feet in height as measured from average grade to the light fixture.
 - g. Perimeter buffering and/or fencing requirements shall be based on the density of the adjacent residential uses. If the adjacent residential density is 0.5 dwelling units per acre or greater, a Type C buffer shall be required. A wooden buffer fence may be utilized on sites where the required vegetative buffer cannot be established based on site limitations or constraints.
 - h. The trash collection dumpster shall be accessible to waste collection vehicles, and shall be located in the side or rear setback area of the onsite principle building. The dumpster shall be screened with a material and design treatment consistent with the building façade of the principle building.
 - i. All appurtenant mechanical and electrical equipment, outside collection/drop-off/storage areas, and other accessory or ancillary structures shall be screened from public view. The screening material shall be consistent with the materials and design context of the primary onsite building.
 - j. The site design shall integrate internal and where appropriate external pedestrian circulation and interconnection including the accommodation of bike circulation were applicable.
 - k. The hours of operation shall be limited to 6:00 am to 10:00 pm.
 - l. To ensure compatibility, other site design treatments and considerations may be applicable to the proposed use and shall be identified during the proposed project's application review meeting.

1 **SECTION 4.** Conflicts. All ordinances or parts of ordinances in conflict with the provisions of
2 this Ordinance are hereby repealed to the extent of such conflict, as of the effective date of this
3 Ordinance, except to the extent of any conflicts with the Tallahassee-Leon County
4 Comprehensive Plan, as amended, which provisions shall prevail over any parts of this
5 Ordinance which are inconsistent, either in whole or in part, with the Comprehensive Plan.
6

7 **SECTION 5.** Severability. If any section, subsection, sentence, clause, phrase or portion of this
8 article is for any reason held invalid or unconstitutional by any court of competent jurisdiction,
9 such portion shall be deemed a separate, distinct, and independent provision and such holding
10 shall not affect the validity of the remaining portions of this Ordinance.
11

12 **SECTION 6.** Effective date. This ordinance shall be effective according to law.
13

14
15 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County,
16 Florida, this ____ day of _____, 2016.
17

18
19 LEON COUNTY, FLORIDA
20

21
22 BY: _____
23 BILL PROCTOR, CHAIRMAN
24 BOARD OF COUNTY COMMISSIONERS
25

26
27 ATTEST:
28 BOB INZER, CLERK OF THE COURT
29 AND COMPTROLLER
30 LEON COUNTY, FLORIDA
31

32
33 BY: _____
34

35
36 APPROVED AS TO FORM:
37 LEON COUNTY ATTORNEY'S OFFICE
38

39
40 BY: _____
41 HERBERT W.A. THIELE, ESQ.
42 COUNTY ATTORNEY

**Leon County
Board of County Commissioners**


Notes for Agenda Item #13

Leon County Board of County Commissioners

Cover Sheet for Agenda #13

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Request to Schedule the First and Only Public Hearing to Adopt an Ordinance to Regulate Outdoor Dog Friendly Dining Areas for April 12, 2016 at 6:00 p.m.

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator David McDevitt, Director, Development Support and Environmental Management
Lead Staff/ Project Team:	Weldon Richardson, Senior Planner, Development Services

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Schedule the first and only Public Hearing to adopt an Ordinance to regulate outdoor dog friendly dining areas for April 12, 2016 at 6:00 p.m. (Attachment #1).

Report and Discussion

Background:

In May 2006, the Florida Legislature enacted Florida Statute 509.233 allowing cities and counties to permit dogs in outdoor dining seating areas, ending a long-standing ban (Attachment #2). Restaurant health laws, whether administrative or statutory, originate at the state level. There are no Federal laws that apply to the allowance of dogs in restaurants with the exception of the Americans with Disabilities Act (ADA), which requires that restaurants allow service and guide dogs at indoor and outdoor dining areas.

The 2006 Statute allows local jurisdictions to establish, by Ordinance, a local exemption to allow patrons' dogs within designated outdoor portions of public food service establishments. The adoption of the local exemption is made at the sole discretion of the governing body of the participating local government. Any Ordinance adopted pursuant to F.S. 509.233 is required to be codified within the land development code of the participating local government.

By passing F.S. 509.233, Florida gave its cities and counties sole discretion and review authority to allow patrons' dogs at outdoor dining areas. Although this law does not, by itself, allow dogs at outdoor dining areas throughout Florida, the action established a predicate for local governments to permit dogs in designated outdoor dining areas.

Following the adoption of F.S. 509.233, the City of Orlando was first to adopt an Ordinance to allow patrons' dogs within designated outdoor portions of public food service establishments. Orlando's Ordinance not only enforces the provisions of F.S. 509.233, but also provides specific criteria to be set forth in the permitting process for the public food service establishments. Other jurisdictions in Florida have followed suit in adopting Ordinances to allow for dog-friendly dining within designated outdoor areas, including City of Sarasota, City of Titusville, Okaloosa County, City of Ormond Beach, and Panama City Beach (Attachment #3).

On December 7, 2015, during discussion at the annual Board of County Commissioner's Retreat, the Board directed staff to evaluate the development of a dog-friendly dining ordinance. At their January 26, 2016, regular meeting, the Board authorized staff to proceed with drafting the Outdoor Dog Friendly Dining Ordinance.

Analysis:

Over the last few years, the County has received several requests within new commercial developments to allow patrons' dogs in public designated dining areas; more specifically, within the Fallschase PUD, Bannerman Crossing and Persimmon Hill developments. "Doggie Dining" may become a way for restaurant owners to expand their customer base by welcoming dogs to their outdoor porches and patios, and hosting pet-themed events.

In order to protect the health, safety, and general welfare of the public, the local jurisdiction exemption provided under Florida Statute requires participating public food service establishments to apply for and receive a permit before allowing patrons' dogs within designated outdoor areas. According to the F.S. 509.233, the following information shall be included as part of the permit application: 1) a diagram and description of the outdoor area to be designated as available to patrons' dogs, including a depiction of the fences and barriers of the outdoor dining

areas; and 2) a description of the days of the week and hours of operation that patrons' dogs will be permitted in the designated outdoor area. Additionally, F.S. 509.233 requires the local exemption Ordinance to include specific regulations regarding: 1) sanitation measures; 2) general outdoor dining operations; and 3) signs reminding employees and patrons of applicable rules. Other guidelines and standards may be included, if necessary.

In order to ensure compliance with F.S. 509.233, a new permit application would be established. Pursuant to Section 10-4.216 of the Land Development Code (LDC), a permit review fee in the amount established by the Board of County Commissioners shall be paid at the time any application is submitted for approval.

As is standard procedure for all proposed LDC amendments, prior to conducting the Public Hearing, staff will present the draft Ordinance to the Development Support and Environmental Management Citizen's User Group for review and comment. The draft Ordinance will also be reviewed by the Planning Commission for consistency on March 1, 2016. Comments and recommendations from these reviews will be included in the Public Hearing agenda item.

Options:

1. Schedule the first and only Public Hearing to adopt an Ordinance to regulate outdoor dog friendly dining areas for April 12, 2016 at 6:00 p.m.
2. Do not schedule the first and only Public Hearing to adopt an Ordinance to regulate outdoor dog friendly dining areas for April 12, 2016 at 6:00 p.m.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Draft Ordinance
2. Florida Statute 509.233
3. List of Florida Municipalities with Dog Friendly Dining Ordinances

ORDINANCE NO. 16- _____

1
2
3 **AN ORDINANCE OF THE BOARD OF COUNTY**
4 **COMMISSIONERS OF LEON COUNTY, FLORIDA;**
5 **AMENDING CHAPTER 10, THE LAND DEVELOPMENT**
6 **CODE, OF THE CODE OF LAWS OF LEON COUNTY,**
7 **FLORIDA; AMENDING CHAPTER 10 ARTICLE VI,**
8 **DIVISION 8; ENTITLED “SUPPLEMENTARY**
9 **REGULATIONS FOR SPECIFIC USES,” BY ADDING A**
10 **NEW SECTION 10-6.818 ENTITLED “OUTDOOR DOG**
11 **FRIENDLY DINING AREAS”; PROVIDING FOR**
12 **CONFLICTS; PROVIDING FOR SEVERABILITY; AND**
13 **PROVIDING AN EFFECTIVE DATE.**
14

15 WHEREAS, Chapter 509, Florida Statutes, requires the State of Florida Division
16 of Hotel and Restaurants (the “Division”) of the Department of Business and
17 Professional Regulation (the “Department”) to carry out all laws and rules relating to the
18 inspection and regulation of public food service establishments for the purpose of
19 safeguarding the public health, safety, and welfare; and
20

21 WHEREAS, Section 509, Florida Statutes, requires the Division to adopt and
22 enforce such rules as are necessary to ensure the protection of the public from food-
23 borne illness in public food service establishments; and
24

25 WHEREAS, Section 509, Florida Statutes, further requires the Division to adopt
26 such rules in order to “provide the standards and requirements for obtaining, storing,
27 preparing, processing, serving, or displaying food in public food service establishments,
28 approving public food service establishment facility plans, conducting necessary public
29 food service establishment inspections for compliance with sanitation regulations,
30 cooperating and coordinating with the Department of Health in epidemiological
31 investigations, and initiating enforcement actions, and for other such responsibilities
32 deemed necessary by the [D]ivision”; and
33

34 WHEREAS, pursuant to the grant of rulemaking authority cited in Section 509,
35 Florida Statutes, the Division has adopted by rule sanitation and safety requirements of
36 public food service establishments, including requirements relating to physical facilities,
37 which adopts by reference certain portions of the Food and Drug Administration Food
38 Code (the “Food Code”), as amended from time to time, as developed by the Food and
39 Drug Administration of the United States Department of Health and Human Services;
40 and
41

42 WHEREAS, the Food Code generally prohibits live animals from public food
43 service establishments; and
44

45 WHEREAS, Section 509, Florida Statutes, expressly preempts to the state the
46 regulation of public lodging establishments and public food service establishments for
47 compliance with the sanitation standards adopted by the Division; and
48

1 WHEREAS, Section 509, Florida Statutes, provides an exemption to Section
2 509, Florida Statutes, by authorizing the governing body of a local government to
3 establish, by ordinance, a local exemption procedure to certain provisions of the Food
4 Code in order to allow patrons' dogs within certain designated outdoor portions of public
5 food service establishments;
6

7 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON
8 COUNTY, FLORIDA, that:
9

10 **SECTION 1.** Chapter 10, Article VI, Division 8 of the Code of Laws of Leon County,
11 Florida, is hereby amended by adding a new section to be numbered Section 10-6.818
12 and entitled "Outdoor Dog Friendly Dining Areas," to read as follows:
13

14 **Section 10-6.818. Outdoor Dog Friendly Dining Areas.**
15

16 (1) *Purpose and Intent.* The purpose and intent of this section is to implement
17 the program authorized by F.S. 509 by permitting public food service establishments
18 within Leon County, Florida, subject to the terms and contained herein, to become
19 exempt from certain portions of the United States Food and Drug Administration Food
20 Code, as amended from time to time, and as adopted by the State of Florida Division of
21 Hotels and Restaurants of the Department of Business and Professional Regulation, in
22 order to allow patrons' dogs within certain designated outdoor portions of their
23 respective establishments. This ordinance shall be known as the Outdoor Dog Friendly
24 Dining Program.
25

26 (2) In order to protect the health, safety, and general welfare of the public, a
27 public food service establishment is prohibited from having any dog on its premises
28 unless it possesses a valid permit issued in accordance with this section.
29

30 (3) *Definitions.* Terms used in this section shall have the following meaning:
31

32 (a) *Division* means the Division of Hotels and Restaurants of the State
33 of Florida Department of Business and Professional Regulation
34 (DBPR).
35

36 (b) *Dog* means an animal of the subspecies *Canis lupus familiaris*.
37

38 (c) *Outdoor Area* means an area adjacent to a public food service
39 establishment that is predominantly free of any physical barrier on
40 all sides and above.
41

42 (d) *Patron* has the meaning given to "guest" by Section 509, Florida
43 Statutes.
44

45 (e) *Public food service establishment* has the meaning given it by
46 Section 509, Florida Statutes.
47

1 (4) *Application Requirements.*

2
3 (a) Applications for a designated outdoor dog dining area permit under
4 this section shall be made to the County Administrator or designee,
5 and shall include, along with any other such information deemed
6 reasonably necessary by the County Administrator or designee in
7 order to implement and enforce the provisions of this section, the
8 following:

- 9
10 1. The name, location, mailing address, telephone contact
11 information, and e-mail address of the subject public food
12 service establishment.
13
14 2. The name, location, mailing address, telephone contact
15 information and e-mail address of the permit applicant.
16
17 3. Written authorization to obtain the permit from the owner of
18 the property on which the public food service establishment
19 is located if the applicant is not the owner.
20
21 4. A diagram and description of the outdoor area to be
22 designated as available to patrons' dogs, including
23 dimensions of the designated area; a depiction of the
24 number and placement of tables, chairs, and restaurant
25 equipment, if any; the entryways and exits to the designated
26 outdoor area; boundaries of the designated area and any
27 other areas of outdoor dining not available for patrons' dogs;
28 any fences or barriers; surrounding property lines and public
29 rights-of-way, including sidewalks and common pathways;
30 and such other information reasonably required by the
31 County Administrator or designee. The diagram or plan shall
32 be accurate and to scale but need not be prepared by a
33 licensed design professional.
34
35 5. A description of the days of the week and hours of operation
36 that patrons' dogs will be permitted in the designated
37 outdoor area.
38
39 6. The license number issued by the Division for the public food
40 service establishment.

1 7. Payment of an application review fee as established by the
2 Fee Schedule approved by the Board of County
3 Commissioners and on file with the Leon County Department
4 of Development Support and Environmental Management
5 (DSEM).
6

7 (5) *Permit issuance.* Upon the submittal of the required documents and
8 application review fee to DSEM, the County Administrator, or designee, shall review and
9 approve the application for the designated outdoor dog dining area. The County may
10 impose additional conditions as necessary in order to protect the health, safety, and
11 welfare of the community.
12

13 (6) *Permit renewal.* The permit shall be renewed annually, on or before
14 October 1st, by submitting an application and the renewal fee as established by the Fee
15 Schedule on file with DSEM. If the permit renewal application is received five (5) days
16 or later past October 1st a late fee shall be assessed in addition to the annual permit
17 renewal fee.
18

19 (7) *Permit transferability.* A permit issued pursuant to this section shall not be
20 transferred to a subsequent owner upon the sale or transfer of a public food service
21 establishment, but shall expire automatically upon such sale or transfer. The
22 subsequent owner shall be required to apply for a permit pursuant to this section if such
23 owner wishes to continue to accommodate patrons' dogs.
24

25 (8) *Public food service establishment requirements.* In order to protect the
26 health, safety, and welfare of the public, and pursuant to Section 509, Florida Statutes,
27 public food service establishments that receive a permit to allow dogs in a designated
28 outdoor area shall comply with the following requirements:
29

30 (a) All public food service establishment employees shall wash their
31 hands promptly after touching, petting, or otherwise handling any
32 dog. Employees shall be prohibited from touching, petting, or
33 otherwise handling any dog while serving food or beverages or
34 handling tableware or before entering any other parts of the public
35 food service establishment.
36

37 (b) Patrons in a designated outdoor area shall be advised that they
38 should wash their hands before eating. Waterless hand sanitizer
39 shall be provided at tables in the designated outdoor area.
40

41 (c) Employees and patrons shall be instructed that they shall not allow
42 dogs to come into contact with serving dishes, utensils, tableware,

1 linens, paper products, or any other items involved in food service
2 operations.

3
4 (d) Patrons shall keep their dogs on a leash at all times and shall keep
5 their dogs under reasonable control.

6
7 (e) Dogs shall not be allowed on chairs, tables, or other furnishings.

8
9 (f) All table and chair surfaces shall be cleaned and sanitized with an
10 approved product between seating of patrons. Spilled food and
11 drink shall be removed from the floor or ground between seating of
12 patrons.

13
14 (g) Accidents involving dog waste shall be cleaned immediately and
15 the area sanitized with an approved product. A kit with the
16 appropriate materials for this purpose shall be kept near the
17 designated outdoor area.

18
19 (h) At least one sign reminding employees of the applicable rules,
20 including those contained in this section, and those additional rules
21 and regulations, if any, included as further conditions of the permit
22 by the County Administrator or designee, shall be posted in a
23 conspicuous location frequented by employees within the public
24 food service establishment. The mandatory sign shall be not less
25 than eight and one-half inches in width and eleven inches in height
26 (8 ½ x 11) and printed in easily legible typeface of not less than
27 twenty (20) point font size.

28
29 (i) At least one sign reminding patrons of the applicable rules,
30 including those contained in this section, and those additional rules
31 and regulations, if any, included as further conditions of the permit
32 by the County Administrator or designee, shall be posted in a
33 conspicuous location frequented by employees within the public
34 food service establishment. The mandatory sign shall be not less
35 than eight and one-half inches in width and eleven inches in height
36 (8 ½ x 11) and printed in easily legible typeface of not less than
37 twenty (20) point font size.

38
39 (j) At all times while the designated outdoor portion of the public food
40 service establishment is available to patrons and their dogs, at least
41 one sign shall be posted in a conspicuous and public location near
42 the entrance to the designated outdoor portion of the public food

1 service establishment, the purpose of which shall be to place
2 patrons on notice that the designated outdoor portion of the public
3 food service establishment is currently available to patrons
4 accompanied by their dog or dogs. The mandatory sign shall be
5 not less than eight and one-half inches in width and eleven inches
6 in height (8 ½ x 11) and printed in easily legible typeface of not less
7 than twenty (20) point font size.

8
9 (k) Dogs shall not be permitted to travel through indoor or
10 undesignated outdoor portions of the public food service
11 establishment, and ingress and egress to the designated outdoor
12 portions of the public food service establishment shall not require
13 entrance into or passage through any indoor or undesignated
14 outdoor portion of the public food service establishment.

15
16 (9) *Complaints.* In accordance with Section 509, Florida Statutes, the County
17 Administrator or designee shall accept and document complaints related to the Outdoor
18 Dog Friendly Dining Program within the County, and shall report to the Division all such
19 complaints and any County-related enforcement actions. The County Administrator or
20 designee shall provide the Division with a copy of all approved applications and permits
21 issued on an annual basis.

22
23 (10) *Revocation.* Any public food service establishment that fails to comply
24 with the permitted outdoor dog dining area as provided in the application diagram
25 approved with the permit shall be guilty of violating Section 10-6.818 of the Leon County
26 Land Development Code and shall be subject to any and all enforcement proceedings
27 consistent with the applicable provisions of the LDC and general law.

28
29 (a) The County Administrator or designee may revoke a permit for
30 violation of the designated outdoor dog dining area if after notice
31 and reasonable time in which the grounds for revocation may be
32 corrected, the public food service establishment fails to comply with
33 any of the standards, any condition of approval, fails to comply with
34 the diagram or plans, or fail to maintain any required state or local
35 license. Prior to revocation, the County Administrator or designee
36 shall provide to the public food service establishment the following:

- 37
38 1. A written notice of intent to revoke the permit shall be
39 provided to the applicant by certified mail;
40
41 2. A seven (7) calendar day opportunity to cure the alleged
42 violation, or an opportunity to be heard prior to revocation.

1
2 (b) The decision to revoke a permit may be appealed to the Board of
3 Adjustment and Appeals (“BOAA”). The decision of the BOAA shall
4 constitute final action subject to judicial review. Any appeal of a
5 revocation decision shall be made no later than thirty (30) calendar
6 days of receipt of a notice of revocation by filing a written notice of
7 appeal with the BOAA, along with the applicable appeal fee.
8 Failure to file a written notice of appeal and appeal fee within the
9 prescribed time period constitutes a waiver of the right to appeal.

10
11 (c) If revoked, an owner may not reapply for a period of 12 months
12 from the date of revocation.

13
14 (11) *Liability.* Prior to issuance of a permit, the applicant shall submit to the
15 County Administrator or designee a signed instrument agreeing to indemnify and hold
16 harmless the County and its council members, officers, employees, and attorneys. The
17 signed instrument shall be in a form acceptable to the County Attorney and County
18 Administrator or designee, but at a minimum the instrument shall state the applicant will
19 indemnify and hold the County harmless against liability, including court costs and
20 reasonable attorney’s fees, through all appellate proceedings, for any and all claims for
21 damage to property, or injury to, or death of, persons arising out of or resulting from the
22 issuance of the permit.

23
24 **SECTION 2.** Conflicts. All ordinances or parts of ordinances in conflict with the
25 provisions of this Ordinance are hereby repealed to the extent of such conflict, as of the
26 effective date of this Ordinance, except to the extent of any conflicts with the
27 Tallahassee-Leon County Comprehensive Plan, as amended, which provisions shall
28 prevail over any parts of this Ordinance which are inconsistent, either in whole or in
29 part, with the Comprehensive Plan.

30
31 **SECTION 3.** Severability. If any section, subsection, sentence, clause, phrase or
32 portion of this section is for any reason held invalid or unconstitutional by any court of
33 competent jurisdiction, such portion shall be deemed a separate, distinct, and
34 independent provision and such holding shall not affect the validity of the remaining
35 portions of this Ordinance.

36
37 **SECTION 4.** Effective Date. This Ordinance shall become effective July 1, 2016 upon
38 adoption by the Board of County Commissioners.

39
40 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon
41 County, Florida, this ____ day of _____, 2016.

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LEON COUNTY, FLORIDA

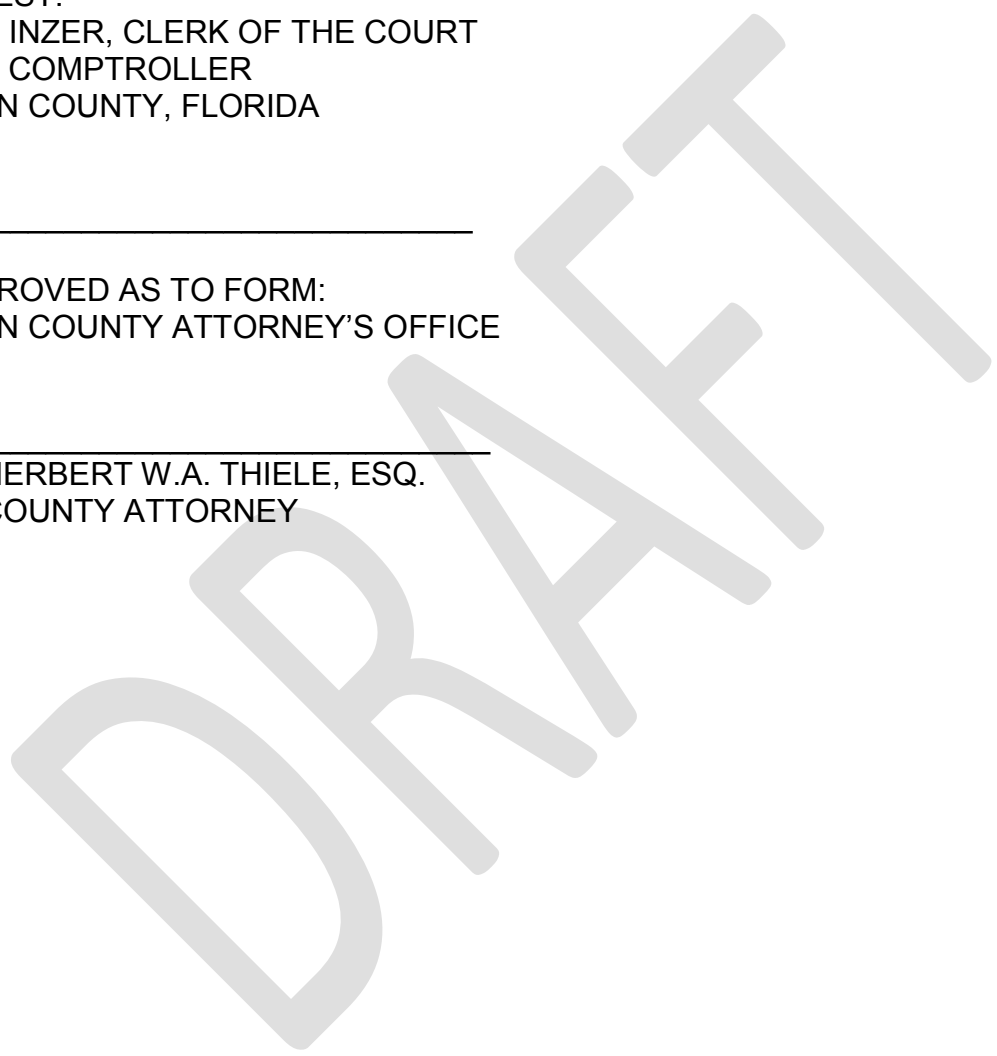
BY: _____
BILL PROCTOR, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

ATTEST:
BOB INZER, CLERK OF THE COURT
AND COMPTROLLER
LEON COUNTY, FLORIDA

BY: _____

APPROVED AS TO FORM:
LEON COUNTY ATTORNEY'S OFFICE

BY: _____
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY



The 2015 Florida Statutes

[Title XXXIII](#)
REGULATION OF TRADE, COMMERCE,
INVESTMENTS, AND SOLICITATIONS

[Chapter 509](#)
LODGING AND FOOD SERVICE
ESTABLISHMENTS; MEMBERSHIP
CAMPGROUNDS

[View
Entire
Chapter](#)

509.233 Public food service establishment requirements; local exemption for dogs in designated outdoor portions.—

(1) LOCAL EXEMPTION AUTHORIZED.—Notwithstanding s. [509.032\(7\)](#), the governing body of a local government may establish, by ordinance, a local exemption procedure to certain provisions of the Food and Drug Administration Food Code, as currently adopted by the division, in order to allow patrons' dogs within certain designated outdoor portions of public food service establishments.

(2) LOCAL DISCRETION; CODIFICATION.—

(a) The adoption of the local exemption procedure shall be at the sole discretion of the governing body of a participating local government. Nothing in this section shall be construed to require or compel a local governing body to adopt an ordinance pursuant to this section.

(b) Any ordinance adopted pursuant to this section shall provide for codification within the land development code of a participating local government.

(3) LIMITATIONS ON EXEMPTION; PERMIT REQUIREMENTS.—

(a) Any local exemption procedure adopted pursuant to this section shall only provide a variance to those portions of the currently adopted Food and Drug Administration Food Code in order to allow patrons' dogs within certain designated outdoor portions of public food service establishments.

(b) In order to protect the health, safety, and general welfare of the public, the local exemption procedure shall require participating public food service establishments to apply for and receive a permit from the governing body of the local government before allowing patrons' dogs on their premises. The local government shall require from the applicant such information as the local government deems reasonably necessary to enforce the provisions of this section, but shall require, at a minimum, the following information:

1. The name, location, and mailing address of the public food service establishment.
2. The name, mailing address, and telephone contact information of the permit applicant.
3. A diagram and description of the outdoor area to be designated as available to patrons' dogs, including dimensions of the designated area; a depiction of the number and placement of tables, chairs, and restaurant equipment, if any; the entryways and exits to the designated outdoor area; the boundaries of the designated area and of other areas of outdoor dining not available for patrons' dogs; any fences or other barriers; surrounding property lines and public rights-of-way, including sidewalks and common pathways; and such other information reasonably required by the permitting authority. The diagram or plan shall be accurate and to scale but need not be prepared by a licensed design professional.
4. A description of the days of the week and hours of operation that patrons' dogs will be permitted in the designated outdoor area.

(c) In order to protect the health, safety, and general welfare of the public, the local exemption ordinance shall include such regulations and limitations as deemed necessary by the participating local government and shall include, but not be limited to, the following requirements:

1. All public food service establishment employees shall wash their hands promptly after touching, petting, or otherwise handling dogs. Employees shall be prohibited from touching, petting, or

otherwise handling dogs while serving food or beverages or handling tableware or before entering other parts of the public food service establishment.

2. Patrons in a designated outdoor area shall be advised that they should wash their hands before eating. Waterless hand sanitizer shall be provided at all tables in the designated outdoor area.

3. Employees and patrons shall be instructed that they shall not allow dogs to come into contact with serving dishes, utensils, tableware, linens, paper products, or any other items involved in food service operations.

4. Patrons shall keep their dogs on a leash at all times and shall keep their dogs under reasonable control.

5. Dogs shall not be allowed on chairs, tables, or other furnishings.

6. All table and chair surfaces shall be cleaned and sanitized with an approved product between seating of patrons. Spilled food and drink shall be removed from the floor or ground between seating of patrons.

7. Accidents involving dog waste shall be cleaned immediately and the area sanitized with an approved product. A kit with the appropriate materials for this purpose shall be kept near the designated outdoor area.

8. A sign or signs reminding employees of the applicable rules shall be posted on premises in a manner and place as determined by the local permitting authority.

9. A sign or signs reminding patrons of the applicable rules shall be posted on premises in a manner and place as determined by the local permitting authority.

10. A sign or signs shall be posted in a manner and place as determined by the local permitting authority that places the public on notice that the designated outdoor area is available for the use of patrons and patrons' dogs.

11. Dogs shall not be permitted to travel through indoor or nondesignated outdoor portions of the public food service establishment, and ingress and egress to the designated outdoor portions of the public food service establishment must not require entrance into or passage through any indoor area of the food establishment.

(d) A permit issued pursuant to this section shall not be transferred to a subsequent owner upon the sale of a public food service establishment but shall expire automatically upon the sale of the establishment. The subsequent owner shall be required to reapply for a permit pursuant to this section if the subsequent owner wishes to continue to accommodate patrons' dogs.

(4) POWERS; ENFORCEMENT.—Participating local governments shall have such powers as are reasonably necessary to regulate and enforce the provisions of this section.

(5) STATE AND LOCAL COOPERATION.—The division shall provide reasonable assistance to participating local governments in the development of enforcement procedures and regulations, and participating local governments shall monitor permit holders for compliance in cooperation with the division. At a minimum, participating local governments shall establish a procedure to accept, document, and respond to complaints and to timely report to the division all such complaints and the participating local governments' enforcement responses to such complaints. A participating local government shall provide the division with a copy of all approved applications and permits issued, and the participating local government shall require that all applications, permits, and other related materials contain the appropriate division-issued license number for each public food service establishment.

History.—s. 3, ch. 2006-72; s. 127, ch. 2007-5; s. 46, ch. 2009-195.

Municipality Report - Doggy Dining Local Ordinance

<i>Name of Municipality</i>	
Atlantic Beach	9/9/2010
Bonita Springs	4/26/2013
Boyton Beach	4/1/2013
Bradenton	9/9/2010
Cape Coral	4/12/2013
Cedar Key	12/21/2010
City of Fernandina Beach	8/15/2014
City of Treasure Island	4/23/2012
City of Wildwood	5/11/2015
Clearwater	4/3/2013
Clearwater	4/24/2012
Destin	9/9/2010
Dunedin	3/29/2013
Eustis	6/16/2011
Fort Walton Beach	9/9/2010
Gainesville	7/18/2013
Gulfport	4/15/2013
High Springs	4/24/2008
Indian Rocks Beach	9/9/2010
Jacksonville Beach	9/10/2010
Key West	12/16/2010
Lee County	10/16/2015
Manatee County	9/10/2010

<i>Name of Municipality</i>	
Martin County	1/12/2012
Mount Dora	2/15/2012
Naples	9/10/2010
North Redington Beach	1/20/2011
Ocala	9/29/2010
Orlando	9/14/2010
Osceola County	9/20/2010
Palm Beach Gardens	9/21/2010
Panama City Beach	2/9/2010
Pinellas County	4/15/2013
Punta Gorda	9/9/2010
Sarasota	9/9/2010
Sarasota County	9/10/2010
Seminole County	2/16/2012
St Augustine	12/20/2010
St. Augustine Beach	9/10/2010
St. Petersburg	10/5/2006
Stuart	10/20/2010
Tavares	12/2/2010
Vero Beach	9/10/2010


**Leon County
Board of County Commissioners**

Notes for Agenda Item #14

Leon County
Board of County Commissioners
Cover Sheet for Agenda #14

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Ratification of Board Actions Taken at the February 9, 2016 Workshop on Infant Mortality Issues

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator
Lead Staff/ Project Team:	Eryn D. Calabro, Director, Office of Human Services and Community Partnerships Tiffany Y. Harris, Healthcare Services Coordinator

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Ratify Board actions taken at the February 9, 2016 Workshop on Infant Mortality Issues.

Report and Discussion

Background:

On February 9, 2016, the Board conducted a Workshop on Infant Mortality Issues to discuss the ongoing concern for local infant mortality rates, particularly among African American children, to explore opportunities to further efforts to address these issues through early childhood preventative health services. Staff presented the following information based on the Board's direction for the workshop:

- Local, state, and national data on infant mortality rates, literature, best practices, etc.
- Ongoing efforts of the state, county, non-profits, and healthcare providers in addressing high infant mortality rates.

In addition, the Board directed staff to invite several local services providers and experts to participate in the Board workshop.

Analysis:

Based on the Board's direction, staff invited the following local service providers and experts to participate in the workshop:

- Claudia Blackburn, MPH & RN, Administrator for Florida Department of Health in Leon County (DOH-Leon).
- Kristy Goldwire, MSW, Executive Director of Capital Area Healthy Start Coalition.
- Dr. Mimi Graham, PhD, Director of FSU Center for Prevention and Early Intervention Policy.
- Dr. Joedrecka Brown, MD, Associate Professor, Department of Family Medicine and Rural Health of FSU College of Medicine.

The workshop materials identified ongoing efforts in addressing high infant mortality rates including efforts to address the racial disparities in infant mortality. Staff provided local, state, and national data on infant mortality rates along with the leading causes of infant death in the United States and presented several findings to the Board:

Finding #1: An annual fluctuation of infant mortality rates in Leon County is not uncommon. This is due to the small sample size which greatly affects the rate.

Finding #2: Despite the annual fluctuation, Leon County's infant mortality rate has trended downward over the last 20 years to closely align with the statewide rate.

Finding #3: Much like the rest of the state, there is a significant disparity of mortality rates between white and black infants.

Finding #5: The local birthing facilities, including the hospitals, continue to express concerns over the number of women in the later pregnancy stage who have yet to identify a pediatrician for their unborn child.

While the rate for infant mortality in Leon County has declined over the past 20 years to better align with the state rate, there are still considerable efforts to continue addressing the issue. The Board received information on best practice models that improve infant mortality rate and each expert panelist provided additional information on local efforts and activities to address infant mortality and the racial disparities. The Healthy Start Coalition plans to hold an event in July 2016 targeting families in the Southside area of Tallahassee. Speakers will conduct breakout sessions to discuss safe sleep and chronic diseases and how they affect pregnancy. One of the County's CareNet entities, Neighborhood Medical Center, has agreed to participate and will provide blood glucose and blood pressure checks at the event. Healthy Start Coalition will partner with Dr. Joedrecka Brown and the Maternal Child Health Equity Conference Committee.

Dr. Brown will also lead the Maternal Child Health Equity Forum on September 30 – October 1, 2016. The goals of the upcoming conference are: to discuss advocacy education and policy strategies to address the inequity in maternal child health for the black community through the integration of diverse community and professional perspectives; to identify priorities for the elimination of maternal child health disparities and the promotion of health equity using a life course perspective; and to describe culturally responsive mechanisms useful for providers to address maternal child health equity.

As noted in the workshop materials, Claudia Blackburn with the Florida Department of Health was expected to provide detailed information about a new initiative relating to racial disparities among infant mortality rates:

Finding #4: The Florida Department of Health in Leon County was recently notified that it will receive special funding to reduce infant mortality disparities and will include information on this funding in its presentation to the Board at the February 9th workshop.

Unfortunately, Ms. Blackburn did not have the funding and programmatic information in time to share with the Board at the workshop. Since the workshop, the Florida Department of Health in Leon County has been notified it will receive \$30,000 of federal Title V (maternal and child health) funding to focus on reducing the racial disparity in infant mortality.

Following the conclusion of the presentations and discussion by Commissioners, the Board approved Option #1 to accept the staff report along with the Recommendations 1-3 as amended:

R1: Leon County Government should actively participate in the upcoming community events relating to infant mortality in order to bring additional attention to the issue in an effort to further reach more health professionals, engage Southside families, and improve the health outcomes of women and children.

- R2: County staff should continue to coordinate with DOH-Leon regarding the special funding anticipated to reduce infant mortality and report back to the Board on plans to utilize said funding as a budget discussion item. The item should include any short and long-term goals established by DOH-Leon regarding infant mortality.
- R3: Support increasing the County's CHSP funding level for non-profit service agencies by \$200,000 for FY 2017 totaling \$1.2 million (on the Board's March 8th, 2016 regular agenda).

Based on the Board's guidance, staff will prepare a discussion item for the April 26th budget workshop to include:

- Opportunities for the County's active participation in the upcoming events to address infant mortality.
- Details of DOH-Leon's plans and goals for the \$30,000 in federal Title V funding to focus on reducing the racial disparity in infant mortality.

Options:

1. Ratify Board actions taken at the February 9, 2016 Workshop on Infant Mortality Issues.
2. Do not ratify actions taken at the February 9, 2016 Workshop on Infant Mortality Issues.
3. Board direction.

Recommendation:

Option #1

**Leon County
Board of County Commissioners**


Notes for Agenda Item #15

Leon County Board of County Commissioners

Cover Sheet for Agenda #15

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Cristina Paredes, Director of Economic Vitality
Lead Staff/ Project Team:	Lee Daniel, Director of Tourism Development Brian Hickey, Sr. Sports Manager, Tourism Development Amanda Heidecker, Sports Manager, Tourism Development

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Schedule first and only public hearing on a proposed Ordinance (Attachment #1) amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.

Option #2: Direct staff to modify County policies regarding the use of alcoholic beverages in County facilities and properties.

Report and Discussion

Background:

Recent special events such as the Florida Association of Counties' 2015 Legislative Day Reception hosted by the Board in the Courthouse rotunda, the Silver Anniversary Gala for the Downtown Main Library hosted by the Friends of the Library, and a pending request by the Division of Tourism Development have brought to the attention of staff inconsistencies in County Ordinance and policies regarding the use of alcoholic beverages as well as a lack of formal guidelines for special event exceptions. For example, alcohol is specifically prohibited in all County parks by Ordinance and the County Courthouse by policy but there is no such provision regarding alcohol at the Library. This item seeks the Board's approval to modify County Ordinance and policies for a consistent application across County facilities for special exceptions at the discretion of the County Administrator.

The most recent request for an exception for the consumption of alcohol on a County property has been initiated by the Division of Tourism Development for two large events scheduled at the Leon County Apalachee Regional Park (ARP). Leon County has been awarded the USA Track & Field (USATF) Master's 5km Cross Country National Championship and the USATF Club Cross Country Championship on November 6 and December 10, 2016 respectively. The Master's National Championship is anticipated to host over 500 participants, 1,000 visitors, and generate \$472,565 in direct spending. The Club Championship is expected to have over 1,800 participants, 3,000 visitors and generate \$1,928,930 in direct spending to Leon County. In conjunction with the USATF Master's 5km Cross Country National Championship on November 6th, an open/preview race will be held allowing USATF Clubs to run the course prior to the USATF Club Cross Country Championship taking place the following month. This open/preview race may draw an additional 500 runners from the general public to the Master's event to exceed 1,000 total participants the morning of November 6th.

As part of the bids for these events, the County is required to coordinate award ceremonies and make arrangements for onsite food vendors. Due the substantial attendance of both events, the ceremonies will be held outdoors at ARP following the races and transition to a festival environment for the runners and their families. Staff has begun preliminary discussion with local restaurateurs for onsite concessions rather than relying exclusively on food trucks which are often used for smaller races. The ability to include the sale of alcoholic beverages from licensed alcoholic beverage distributors, which is currently prohibited at County parks by Section 13-58 of the Leon County Code of Laws (Attachment #2), is being sought for the USATF races on November 6th and December 10th. Shuttle service will be provided between ARP and the partner hotels throughout both events.

Analysis:

ARP has become one of the premier locations to host cross country events as shown by the upcoming 2016 season anticipated to bring more than 20,000 visitors, 11,600 room nights and a direct visitor spending of \$8.4 million to Leon County (Attachment #3). By amending County Ordinance and policies to allow for special event exceptions, these races may help alleviate some of the concerns expressed by local retailers at the Tourism Listening Session. Several participants stated their concern about declining revenue as a direct result of the loss of two Florida State Seminoles' home games during the 2016 football season (the spring game and season opener, both in Orlando). On February 12, 2016, subsequent to the Listening Session, the *Tallahassee Democrat* released a report announcing Florida State University's decision to explore the possibility of moving a future ACC home football game to another Florida city in order to decrease travel costs for out-of-town season ticket holders.

Although the Board has the authority to waive policies for special events, the prohibition of alcohol in parks by County Ordinance does not provide for consideration of exceptions or special events. This item seeks the Board's approval to modify County Ordinance and policies for a consistent application across County facilities for special exceptions at the discretion of the County Administrator. To effectuate these changes, the Board must approve a request to schedule the first and only public hearing on a proposed Ordinance amending Section 13-58 of the Leon County Code of Laws, specifically subsections a and b, which states:

Sec. 13-58. - Consumption of alcohol, intoxication and public nuisances.

(a) Drinking of intoxicating beverages within any county park is prohibited.

(b) No person under the influence of any intoxicant, whether narcotic or of any other form, shall enter or remain in the park. Any person discovered in such a condition may be arrested and/or ejected from the park.

The proposed Ordinance amending Section 13-58 of the Leon County Code of Laws would be consistent with the City of Tallahassee's current Property Alcohol Policy which permits alcohol for special events such as the 4th of July Celebration at Tom Brown Park, concerts at the Capital City Amphitheater in Cascades Park, and various events at Kleman Plaza. The Ordinance would delegate authority to the County Administrator to approve the use of alcoholic beverages on County park property for short term (one to three days) events where a special exemption is deemed appropriate. Staff would also prepare revisions of the County policy for the Board's approval delegating the County Administrator to authorize the consumption of alcohol in other County facilities and properties for special events.

Subject to a public hearing to amend Section 13-58 of the Leon County Code of Laws and approval by the County Administrator, Tourism staff would coordinate with licensed vendors to offer alcohol at ARP for the two 2016 USATF cross country events. This delegated authority would require compliance with other existing requirements set forth in Chapter 3 (Alcoholic Beverages) and Chapter 13 (Parks and Recreation) of the Leon County Code of Law.

Options:

1. Schedule first and only public hearing on a proposed Ordinance amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.
2. Direct staff to modify County policies regarding the use of alcoholic beverages in County facilities and properties.
3. Do not schedule first and only public hearing on a proposed Ordinance amending Section 13-58 of the Leon County Code of Laws.
4. Do not direct staff to modify County policies regarding the use of alcoholic beverages in County facilities and properties.
5. Board direction.

Recommendation:

Options 1 and 2.

Attachments:

1. Proposed Ordinance
2. Section 13-58 of the Leon County Code of Laws
3. 2016 Fall Cross Country Events Flyer

ORDINANCE NO. 16-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 13, ARTICLE II, DIVISION 2, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, REGARDING CLASS I PARKS, BY AMENDING SECTION 13-58, ENTITLED “CONSUMPTION OF ALCOHOL, INTOXICATION AND PUBLIC NUISANCES”; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners desires to enact an ordinance amending Chapter 13, Section 13-58, Leon County Code of Laws, relating to consumption of alcohol, intoxication and public nuisances;

BE IT ORDAINED by the Board of County Commissioners of the County of Leon, Florida, as follows, that:

Section 1. Section 13-58 of the Code of Laws of Leon County, Florida, is hereby amended to read as follows:

~~(a) Drinking of intoxicating beverages within any county park is prohibited.~~

(b)(a) No person under the influence of any intoxicant, whether narcotic or of any other form, shall enter or remain in the park. Any person discovered in such condition may be arrested and/or ejected from the park.

(c)(b) Persons in any park who conduct themselves in a disorderly, offensive, obnoxious, obscene or profane manner, may be considered public nuisances and are subject to arrest and/or ejection from the park.

(d)(c) No person shall abuse the facilities, rules and regulations, or privileges of any park.

(e)(d) No person shall cause public inconvenience, annoyance or alarm by making or causing unreasonably loud noises, including, but not limited to, offensive use of stereos and radios and improper muffling of engine exhaust.

Section 2. Conflicts.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended, which provisions shall prevail over any parts of this ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.

Section 3. Severability.

If any provisions or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. Effective Date.

This ordinance shall have effect upon becoming law.

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon
County, Florida this ____ day of _____, 2016.

LEON COUNTY, FLORIDA

By: _____
Bill Proctor, Chairman
Board of County Commissioners

ATTESTED BY:
BOB INZER, CLERK OF THE COURT
LEON COUNTY, FLORIDA

By: _____
Bob Inzer, Clerk of Court
Leon County, Florida

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

By: _____
Herbert W. A. Thiele, Esq.
County Attorney

Sec. 13-58. - Consumption of alcohol, intoxication and public nuisances.

- (a) Drinking of intoxicating beverages within any county park is prohibited.
- (b) No person under the influence of any intoxicant, whether narcotic or of any other form, shall enter or remain in the park. Any person discovered in such a condition may be arrested and/or ejected from the park.
- (c) Persons in any park who conduct themselves in a disorderly, offensive, obnoxious, obscene or profane manner, may be considered public nuisances and are subject to arrest and/or ejection from the park.
- (d) No person shall abuse the facilities, rules and regulations, or privileges of any park.
- (e) No person shall cause public inconvenience, annoyance or alarm by making or causing unreasonably loud noises, including, but not limited to, offensive use of stereos and radios and improper muffling of engine exhaust.

(Ord. No. 92-12, § 3(16-47(4)), 3-10-92)

Cross reference— Alcoholic beverages, ch. 3.



FLORIDA'S SPORTS CAPITAL



APALACHEE REGIONAL PARK CROSS COUNTRY 2016

Where Champions Are Decided

The cross country course at the more than 100-acre Apalachee Regional Park will again test runners of all ages in 2016. More than 10,000 athletes will compete in races that decide state high school championships, determine which college teams advance to national meets and three meets will determine national championships. It's where champions run and championships are decided.

**Apalachee Regional Park
7550 Apalachee Parkway
Tallahassee, Florida**

www.VisitTallahassee.com/ARP



Posted at 3:02 PM on February 29, 2016

#INERTALL #ARP_TALLY



FLORIDA'S SPORTS CAPITAL



2016 FALL CROSS COUNTRY EVENTS

Apalachee Regional Park

- Oct. 7** Florida State Cross Country Invitational
- Oct. 8** Florida State Cross Country Invitational High School Pre-State Meet
- Nov. 5** Florida High School Athletic Association Cross Country State Championship
- Nov. 6** USA Track & Field Master's 5km Cross Country Championships & Preview Race for the USA Track & Field Club Cross Country National Championships
- Nov. 11** NCAA South Region Championship
- Nov. 19** Florida Athletic Coaches Association All-Star Race
- Nov. 19** USA Track & Field Youth Region 4 Cross Country Regionals
- Dec. 3** Amateur Athletic Union (AAU) Cross Country National Championship
- Dec. 10** USA Track & Field Club Cross Country National Championships




**Leon County
Board of County Commissioners**

Notes for Agenda Item #16

Leon County Board of County Commissioners Cover Sheet for Agenda #16

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of the Marketing Status Report from the Division of Tourism Development

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Cristina Paredes, Director of Economic Vitality
Lead Staff/ Project Team:	Lee Daniel, Director of Tourism Development Gary Stogner, Senior Marketing Director for Tourism Development

Fiscal Impact:

This item has a fiscal impact and adequate funding is available in the FY 2016 Tourism Development marketing budget.

Staff Recommendation:

Option #1: Accept the Marketing Status Report from the Division of Tourism Development.

Report and Discussion

Background:

In the Spring of 2015, Tourism Development initiated a very successful “Spring on Stage” campaign to take advantage of the many special events that occur in Leon County during the March to May time period. With the early legislative session in 2016 and loss of the Florida State University spring football game to Orlando; this campaign is even more important in driving visitation during March, April and May 2016.

This agenda item serves as a status report to the Board on Tourism’s marketing efforts to drive visitation to Leon County during the spring season and ongoing efforts to support possible new JetBlue air service to and from the Tallahassee International Airport and Ft. Lauderdale International Airport.

This marketing campaign is essential to the following FY 2012 – FY 2016 Strategic Initiatives that the Board approved at the January 26, 2016 meeting:

- Implement Strategies that promote the region as a year round destination.

This particular Strategic Initiative aligns with the Board’s Strategic Priority:

- Grow our tourism economy, its economic impact and the jobs it supports, including: being a regional hub for sports and cultural activities.

Analysis:

The analysis will focus on Spring on Stage, which includes the promotion of the Capital City Amphitheater concerts, and the proposed campaign that, when official, would support the new air service on JetBlue. The first two campaigns are designed to primarily drive spring 2016 business and the JetBlue campaign would begin later in 2016.

Spring on Stage

The integrated campaign focuses on the collective strength of the unique offerings that create multiple reasons for visiting the destination during the three month period. In addition to concert performances at the Capital City Amphitheater in Cascades Park, the campaign focuses on major events and festivals, including the Red Hills Horse Trials, Springtime Tallahassee, Word of South Festival, Southern Shakespeare Festival, LeMoyne Chain of Parks Art Festival, and the Emancipation Celebration.

The overall paid media campaign includes more than 8 million digital impressions primarily among travel prospects in Florida and Georgia and more than 500,000 magazine readers. The print campaign launched with the February, 50th anniversary issue of Southern Living and continues with regional publications such as Tallahassee Magazine, Emerald Coast Magazine and 850 Business Magazine. The paid media campaign is being supported through the Division’s social media and public relations activities which are focused on daily and weekly/community newspapers in Florida, Georgia and Alabama and regional travel bloggers.

In addition to being included on all Spring On Stage advertising, social media and public relations activities, the concert performances (April 8 with Dawes, April 9 with Jason Isbell and April 22 with Boz Scaggs) have a supplemental promotional program. These efforts include local media (WCTV, 106.1-FM, 101.5-FM, Tallahassee Democrat, etc.), poster distribution to area businesses and college campuses, targeted digital marketing to music fans, promotional flyers in county, city employee newsletters and utility bills and sweepstakes radio promotions in top feeder markets. Staff has been distributing concert promotional material at the recent County and Community events.

JetBlue

Staff has been active in working with the Tallahassee International Airport and the Director of Tourism Development serves on the Airport Advisory Committee. Staff attended the Sixel Airport Conference last year in California with the City of Tallahassee Airport Director to meet with various airlines regarding air service to Tallahassee. This year the 2016 Sixel Conference will be held in Tallahassee and Tourism Development has provided funding from the convention bid pool and transportation grants budget to help secure this conference. It is estimated that over 100 route planners from major airlines will be attending the three-day event, which will be held on April 10 – 12.

Recently, staff has been participating in meetings with senior management at JetBlue regarding service to Tallahassee. Based on these conversations, the airline has expressed interest in providing air service to Tallahassee, and staff is encouraged that service connecting the Tallahassee International Airport to the Ft. Lauderdale International Airport can commence later this year.

A three-phase approach has been developed to provide the incentives necessary to secure JetBlue service for Tallahassee. First, the Tallahassee Area Chamber of Commerce is spearheading efforts to get pledges from area businesses that would result in at least a \$2 million bank of tickets to support the service. Businesses, association, universities and organizations are being asked to pledge \$5,000 worth of tickets per year for two years. At a recent press conference to launch the ticket campaign to the community, Florida State University pledged \$1 million for future ticket purchases based on estimated travel expenses for its staff. Second, the Tallahassee International Airport is offering an incentive package that includes reductions in landing fees, ticket counter space and other costs. Finally, the Division of Tourism Development is working with the County's advertising agency of record to develop a \$40,000 advertising package, within the existing marketing budget, in southeast Florida to drive visitation from greater Ft. Lauderdale to Tallahassee on JetBlue. Tourism Development will also develop a sales campaign to southeast Florida for FY 2017 that will include direct-to-consumer as well as travel agents, meeting planners, group organizers and others that can drive additional air traffic this way.

The promotional package includes:

- Discussions with Jet Blue in developing cooperative advertising ventures that maximize messaging in South Florida that reaches leisure and business travelers;
- Focus on in-market opportunities in digital media and radio in and around Fort Lauderdale, positioning the new service as the most efficient (in terms of saving time and money) means of travel to Tallahassee;

- Incorporate social media, sweepstakes promotions, email newsletters and public relations activities as part of an integrated campaign.
- Introduce Fort Lauderdale – Tallahassee service through email communications and targeted sales presentations with travel agents, meeting planners and group organizers.

Based on the success of the Spring on Stage campaign in 2015, staff has added additional media opportunities for 2016 in order to minimize lost business in March and April due to the early legislative session. The potential JetBlue service provides an excellent opportunity to increase visitation from southeast Florida, and staff will continue to follow the developments closely and research future opportunities to expand this market.

Options:

1. Accept the Marketing Status Report from the Division of Tourism Development.
2. Do not accept the Marketing Status Report from the Division of Tourism Development.
3. Board direction.

Recommendation:

Option #1.

**Leon County
Board of County Commissioners**

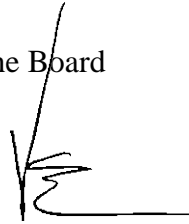
Notes for Agenda Item #17

Leon County Board of County Commissioners

Cover Sheet for Agenda #17

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Adoption of a Resolution in Support of a Grant Application to Construct a Sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Tony Park, P.E., Director of Public Works
Lead Staff/ Project Team:	Katherine G. Burke, P.E., Director of Engineering Services Charles Wu, P.E., Chief of Engineering Design Felton Ard, P.E., Senior Design Engineer

Fiscal Impact:

This item is associated with a grant. There are no match requirements associated with the grants. If awarded, FDOT will reimburse the County 100% of the cost of construction.

Staff Recommendation:

Option #1: Adopt the Resolution in support of a Grant Application to construct a sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive (Attachment #1).

Report and Discussion

Background:

As part of the grant applications, FDOT has required a Resolution from the Board in support of the project. The Resolution will be an attachment to both the application packages; no additional county funds are required for the project.

During its December 8, 2014 retreat, the Board directed staff to prepare an agenda item to update the sidewalk priority list. The actions taken by the Board at the retreat were ratified at the January 27, 2015 Board meeting.

At the April 28, 2015 Budget Workshop a sidewalk prioritization agenda was presented and adopted by the Board. Included in the agenda was a revision of Leon County Policy No. 13-1 establishing sidewalk eligibility criteria and implementation. The criteria requires that for a sidewalk to be considered a Safe Route to School (SRTS) it must be on the list adopted by the Capital Region Transportation Planning Agency Board (CRTPA). As part of CRTPA agenda Item 5C, this segment of sidewalk was included in the list adopted at the September 15, 2014 CRTPA Board meeting.

With respect to sidewalk segments located on Florida Department of Transportation (FDOT) roadways that are on the Approved Sidewalk List, Leon County Policy No. 13-1 directs staff to prepare plans and acquire permits in order to be able to better position/leverage other funds for the sidewalk construction. Staff has initiated the design and permitting of sidewalk on the east side of North Monroe (US 27) from Clara Kee to Harriett and the proposed grant submittal is part of the leveraging process to secure funding for construction.

Analysis:

The proposed sidewalk will be located on the east side of North Monroe Street extending approximately 2,200 linear feet between Harriet Drive and Clara Kee Boulevard (Attachment #2). It will connect to an existing signalized crosswalk at the intersection of Faulk Drive, Perkins Road and North Monroe Street. An existing sidewalk on the north side of Perkins Road extends to Canopy Oaks Elementary School. The proposed sidewalk will provide the densely populated neighborhoods on the east side of North Monroe to have a safe means of pedestrian access to Canopy Oaks Elementary School and the adjacent ball field.

The design plans for the sidewalk are at 90% completion and permit application packages are being finalized. Staff anticipates applying for both a FDOT Florida Safe Routes to School Grant and a FDOT District Three Transportation Alternative Grant. As part of the grant applications, FDOT has required a Resolution from the Board in support of the project. The Resolution will be an attachment to both the application packages. The estimated cost of construction is \$ 300,000 and possible receipt of grant monies will facilitate its construction.

Title: Adoption of a Resolution in Support of a Grant Application to Construct a Sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive

March 8, 2016

Page 3

There are no match requirements associated with the grants. If awarded, FDOT will reimburse the County 100% of the construction cost. A grant agreement to accept funds will come back to the Board for approval if the County is awarded.

Options:

1. Adopt the Resolution in support of a Grant Application to construct a sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive (Attachment #1), and Authorize the Chairman to execute.
2. Do not adopt the Resolution in support of the grant application to construct a sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Resolution
2. Location Map

RESOLUTION: 2016-_____

A RESOLUTION BY LEON COUNTY, FLORIDA IN SUPPORT OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF A SAFE ROUTE TO SCHOOLS (SRTS) SIDEWALK IMPROVEMENT PROJECT ON NORTH MONROE STREET

WHEREAS, the Leon County Board of County Commissioners seeks to increase the number of children who safely walk or bicycle to school; and

WHEREAS, Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law on July 6, 2012 providing a funding source for SRTS activities; and

WHEREAS, this support is consistent with the Capital Regional Transportation Planning Agency (CRTPA), Florida Department of Transportation, and MAP-21 policies.

WHEREAS, the proposed sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive will provide the neighborhood on the east side of North Monroe to have a safe means of pedestrian access to Canopy Oaks Elementary School and the adjacent ball field.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

1. The Board of County Commissioners hereby authorizes the County to submit an application for a Florida Department of Transportation Sidewalk Construction Grant and expresses a willingness to enter into a Memorandum of Agreement between Leon County, Florida and the Florida Department of Transportation if said grant is awarded.

DONE AND ADOPTED by the Board of County Commissioners of Leon County,
Florida, on this the 8th day of March 2016.

LEON COUNTY, FLORIDA

By: _____
Bill Proctor, Chairman
Board of County Commissioners

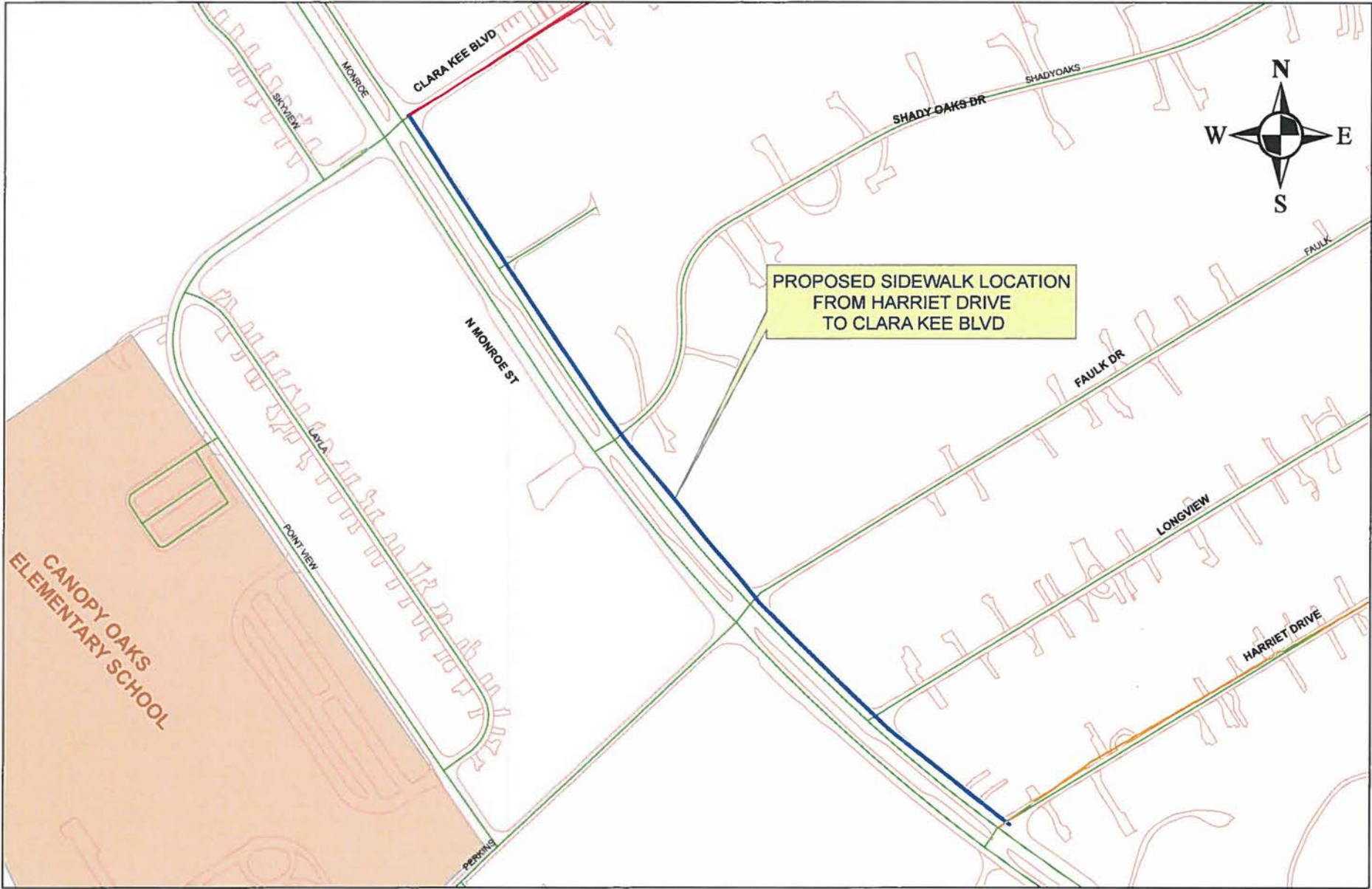
ATTEST:
Bob Inzer, Clerk of the Circuit Court and Comptroller
Leon County, Florida

By: _____

Approved as to Form:
Leon County Attorney's Office

By: _____
Herbert W.A. Thiele, Esq.
County Attorney

**PROPOSED NORTH MONROE STREET SIDEWALK BETWEEN CLARA KEE BLVD. AND HARRIET DRIVE
LOCATION MAP**



**Leon County
Board of County Commissioners**

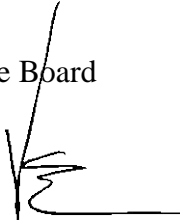
Notes for Agenda Item #18

Leon County Board of County Commissioners

Cover Sheet for Agenda #18

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of a License Agreement with Babe Ruth League for Use of the Fred George Greenway and Park Baseball Field

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Tony Park, P.E., Director of Public Works
Lead Staff/ Project Team:	Leigh Davis, Director of Parks & Recreation

Fiscal Impact:

This item has no fiscal impact. Field maintenance, supplies and staffing for the park is already contemplated in the Division's operating budget. As with other License Agreements, this one calls for a nominal annual rental rate of ten dollars.

Staff Recommendation:

Option #1: Approve the License Agreement with the Babe Ruth League for use of the Fred George Greenway and Park baseball field (Attachment #1), and authorize the County Administrator to execute.

Report and Discussion

Background:

When the development of Fred George Greenway and Park began several years ago, the Babe Ruth League approached County staff about the possibility of using the full size baseball field as a home field for its competitive, 13-15 year old, baseball teams.

This Agreement is supportive of the following revised FY2012 - FY2016 Strategic Initiative that the Board approved at the January 26, 2016 meeting:

- Continue to develop parks and greenways consistent with management plans including Okeeheepkee Prairie Park, Fred George Park and St. Marks Headwater Greenway (Q1, Q5, EC1, EC4)
- Further establish community partnerships for youth sports development programs (Q4)

These particular Strategic Initiatives align with the Board's Strategic Priorities: Quality of Life and Economy

- Maintain and enhance our recreational offerings associated with parks and greenway system for our families, visitors and residents (Q1).
- Enhance and support amenities that provide social offerings for residents and visitors of all ages (Q4).
- Create senses of place in our rural areas through programs, planning and infrastructure, phasing in appropriate areas to encourage connectedness (Q5).
- Integrate infrastructure, transportation, redevelopment opportunities and community planning to create the sense of place which attracts talent (EC1)."
- Grow our tourism economy, its economic impact and the jobs it supports, including: being a regional hub for sports and cultural activities (EC4).

Analysis:

The County currently has a License Agreement with Little League Baseball to be its County-wide, sports provider for baseball and softball for all age levels and skill levels. Little League is considered a recreational program, and no child is turned away from participating based on skill level. Conversely, Babe Ruth is considered a competitive baseball league for older boys, thirteen and up, and actually conducts try-outs for participation.

Since the two programs are somewhat different in scope, staff agreed to explore the request by Babe Ruth to determine if there was potential for shared-use of the baseball diamond between the two organizations.

When discussions began, Little League did not have a 13-16 year old recreational division in operation. Since that time, however, enough interest was shown by players that were "aging-

out” of the existing divisions to attempt to reinstitute teams within this age group. Little League was able to successfully field four teams in that age-group that will begin playing this spring.

Both Little League and Babe Ruth representatives, along with Division staff, have been able to establish a shared-use schedule for Fred George Park. To effectuate shared usage, the County Attorney advised that a license agreement would also be necessary for the Babe Ruth League (Attachment #1). The proposed Agreement is presented here for Board consideration. Execution of this Agreement will maximize use of the baseball field at Fred George Greenway and Park. Both Babe Ruth and Little League concur with the shared use concept and agree with the proposed license agreement.

Options:

1. Approve the License Agreement with the Babe Ruth League for use of the Fred George Greenway and Park baseball field (Attachment #1), and authorize the County Administrator to execute.
2. Do not approve the License Agreement with the Babe Ruth League for use of the Fred George Greenway and Park baseball field.
3. Board direction.

Recommendation:

Option #1.

Attachment:

1. Proposed License Agreement for use of the Fred George Greenway and Park baseball field

**LICENSE AGREEMENT FOR FRED GEORGE GREENWAY AND PARK
BASEBALL FIELD**

THIS LICENSE AGREEMENT FOR USE OF THE BASEBALL FIELD AT FRED GEORGE GREENWAY AND PARK (the or this "License Agreement") is made and entered into the date upon which the last of the parties signs the License Agreement ("Effective Date"), by and between **LEON COUNTY, FLORIDA**, a charter county and political subdivision of the State of Florida, whose post office address is 301 South Monroe Street, Tallahassee, FL 32301, hereinafter referred to as "the County" or "Licensor," and the **BABE RUTH LEAGUE**, whose mailing address is _____, hereinafter referred to as "Licensee."

WITNESSETH:

WHEREAS, the County is the owner of that certain real property located at 3043 Capital Circle NW, Leon County, Florida and identified by the Leon County Property Appraiser as Parcel ID 2108206020000 (the "County Property"), on which a recreational park is utilized by the citizens of Leon County; and

WHEREAS, Licensee is part of the BABE RUTH LEAGUE, a competitive teen baseball league program in Leon County desiring to use Fred George Greenway and Park baseball field on a regular basis during its season; and

WHEREAS, Licensor and Licensee wish to establish with this License Agreement a license to allow Licensee to utilize said baseball field at Fred George Greenway and Park for the purposes as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and conditions herein contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Licensor and Licensee agree as follows:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into the terms of this License Agreement.
2. Licensed Area. The area governed by the terms and conditions set forth in this License Agreement shall comprise that certain area described as the baseball field located at the Fred George Greenway and Park (the "Licensed Area").
3. Permitted Use. The use of the Licensed Area shall be used by the affiliated local teams of the Licensee, ages 13 -15, to conduct practices or play games during the baseball season. Scheduling of said practices or games to be held at the Fred George baseball field shall be coordinated by Leon County Parks and Recreation Division and in agreement with the County's recreational baseball sports provider, Little League. At a minimum, the Licensee shall have 50% usage of the field between Monday and Saturday during the months of May and June. Additional usage time may be made available if the County's licensed sports provider, Little League, is not using the field. Unless otherwise negotiated or requested for special events, lights

for the field shall be illuminated, at no cost to the Licensee, no more than three nights per week either for practice or games or some combination thereof.

4. Term of License Agreement. This License Agreement shall commence on March 8, 2016, and shall continue thereafter for one (1) year (the "Initial Term") or until otherwise terminated in accordance with the terms provided herein. The License may be extended on a year-by-year basis after the expiration of the Initial Term for an additional term of one (1) year thereafter, upon mutual written agreement by both parties, unless and until one party, no later than fifteen (15) calendar days prior to the expiration date of either the Initial Term or an additional term, notifies the other party in writing of their intent to terminate the License.

5. License. This nonexclusive License Agreement is a license for the use of the Licensed Area and does not grant any permanent possessory interest in real property, nor shall this License Agreement be construed as conveying any real property interest in the Licensed Area. The loss of any privileges granted by this License Agreement resulting from termination shall not be compensable to Licensee.

6. License Fee. In consideration of the Licensee managing and operating the Park Premises, in accordance with the terms of this License Agreement, in a manner that provides Leon County residents the opportunity to participate in competitive youth sports as a worthwhile activity, the Licensee shall be entitled to the use of the Park Premises for a nominal annual rental rate in the amount of TEN and 00/100 DOLLARS (\$10.00) per year to be paid annually no later than March 1.

7. Maintenance of the Field. The County shall be responsible for all ground maintenance to the athletic fields. The County shall be the sole judge as to whether the conditions of the field are playable. The County shall provide, for joint use of the Licensee and Little League, the following: a chalking machine and chalk, up to four collapsible L-screens, two tamps, and a template for the batter's box. The County retains the right to make modifications and repairs to grounds and any facilities located therein and to close the facility such as the County deems necessary during terms of this Agreement.

8. Background Checks. It is the responsibility of the Licensee to provide a County background check form to each of its coaches, volunteers, or hired workers. All completed forms are then to be timely returned to the County for processing. The County is responsible for processing background checks on all volunteers in the manner that the County deems appropriate. The Licensee agrees that no individual shall be permitted to volunteer or work until the background check has been processed by the County and the individual has been deemed by the County eligible to participate.

9. Operating Times. The Park premises hours during the week are 6:00 AM to 10:00 PM. On Friday and Saturday the operating hours are 6:00 AM to 11:00 PM. The Licensee is responsible to make sure that all activities are over and everyone has left the area on time unless otherwise coordinated with Leon County Parks & Recreation staff.

10. Concession Stand. Any use of the concession stand shall be coordinated with Leon County Parks & Recreation and the County's licensed sports provider, Little League. Furthermore, any use of the concession stand must also comply with the rules of Florida Communities Trust (FCT). Specifically, revenues collected by the Licensee at this facility shall be reported separately in the annual report provided to FCT by the County. All revenues generated from FCT acquired land must be deposited into a separate, segregated account exclusively used for funds generated from FCT acquired land only. If the concession stand is utilized by the Licensee, it is the responsibility of the Licensee to clean the concession stand after each and every use and deposit all trash in the dumpster provided at the park. All outside equipment is to be stored in the concession building at the end of each day. At the end of the season, the Licensee is responsible to clean the concession, remove all products, from the building, and turn over all keys to the County within fifteen (15) days after the season. In addition, the Licensee may negotiate profit-sharing agreements with a vendor to set up outside of the concession building. Such agreements require final approval by the County and must still meet the FCT rules. If the Licensee does not elect to operate the concessions in the park, the County has the authority to negotiate a contract with another vendor or service organization to operate the concessions during this time period. The County reserves the right to restrict items for sale on the premises.

11. Personal Property. The Licensee shall be responsible for all personal property that is brought or stored on the premises. The County shall not be responsible for the loss, theft, or destruction of any personal property of the Licensee or third party.

12. Rules and Regulations. The Licensee shall observe any and all ordinances, policies, rules, and regulations (Leon County Code Chapter 13) regarding the use of the Parks which are currently in place or which may be hereinafter created or amended, from time to time, by the County.

13. Conduct. The Licensee shall operate under the provisions of this Agreement in such a manner that conforms with all statutes of the State of Florida and the rules and regulations and ordinances of Leon County (See Section 12.). Further, the Licensee agrees to adopt and adhere to programs and behaviors designed to teach and enforce sportsmanship, to the satisfaction of the County.

14. Advertising Displays. Advertising displays and space may be permissible, in coordination with Leon County Parks & Recreation and the County's sports provider, Little League. All advertising must be made out of cloth or vinyl materials and have openings to allow wind to go through the sign. All advertising shall be removed within fifteen (15) days after the end of the season. Only sponsorship advertising shall be considered by the County.

15. Amendment. This License Agreement may be amended in whole or in part by Licensor when such action is deemed necessary or desirable to incorporate new terms and conditions as may be required by law, regulation, land management plans, or other management decisions.

16. Improvements. Should Licensee or its affiliated local teams desire to make improvements to any structure within the Licensed Area, or construct new improvements within the

Licensed Area, to include scoreboards, flagpoles, batting cage, etc. Said improvements and/or additions shall require approval, in advance, by the Leon County Parks and Recreation Division.

17. Existing Rights. This License Agreement is subject to all valid rights and claims of third parties. Licensor shall not be liable to Licensee for the exercise of any such right or claim.

18. License Not Assignable. Neither this License Agreement, nor the License established hereunder, may be assigned by Licensee, nor the Licensed Area sublet in whole or in part, without the prior written consent of Licensor, which consent may be given or withheld in Licensor's sole discretion.

19. Compliance with Laws, Regulations, and Other Legal Requirements. Licensee shall comply with all applicable federal, state, and local laws, regulations, and standards including, but not limited to, any applicable laws related to environmental protection or public health and safety, as well as those relating to the operation and maintenance of any equipment or personal property on, or in, the Licensed Area.

12. Maintenance of Licensed Area. Licensee, at Licensee's expense, shall be responsible for keeping the Licensed Area free and clear of any trash and other such debris. Licensor shall continue to perform general maintenance to include landscaping, and other maintenance activities of the Licensed Area.

13. Risk of Loss. Licensee, its employees, and other authorized individuals using the Licensed Area shall assume all risk of loss to any vehicles, equipment or personal property operated, used, or placed on, or in, the Licensed Area. Furthermore, this License Agreement is one of licensing in property and is not a bailment. As such, Licensee, its employees, and other authorized individuals using the Licensed Area shall assume full responsibility for equipment, vehicles, and personal property. Licensee, as a material part of the consideration to be rendered to Licensor under this License, to the extent permitted by law, hereby waives all claims against Licensor, its agents, servants or employees for loss, theft or damage to property and for injuries to persons in, on or about the County Property, including the Licensed Area.

14. Licensee's Indemnity. Licensee agrees to indemnify, defend and hold Licensor, its officers, directors, employees, agents, and servants exempt and harmless from and against any and all claims, including, but not limited to, reasonable attorneys' fees, which claims are threatened or assessed against, levied upon, or collected from, Licensor for damage or injury to any person, or to the property, goods, wares and merchandise of any person, arising from, or in connection with, the performance by Licensee, its agents, representatives, employees, and/or contractors and subcontractors of the rights, duties, and responsibilities pursuant to this License Agreement. However, Licensee shall not be required to indemnify Licensor with respect to any liability, loss, damages, cost or expense suffered as a result of the negligence or misconduct of Licensor or any of the agents or employees of Licensor.

15. Insurance Requirement. Licensee and its affiliated local teams shall, at its sole expense, procure and maintain for the duration of this License Agreement insurance against claims for injuries to persons or damages to property which may arise from, or in connection with, the performance by Licensee, its agents, representatives, employees, and/or contractors and

subcontractors of the rights, duties, and responsibilities pursuant to this License Agreement, in the minimum coverage and amounts as follows:

a. Liability Insurance. Licensee shall provide commercial general liability insurance coverage with combined single limits for bodily injury, personal injury, and property damage of no less than \$1,000,000 per occurrence and a \$2,000,000 annual aggregate. Licensee's insurance shall include Licensor as an additional insured.

b. Workers' Compensation Employers Liability Insurance. To the extent that such employees exist, Licensee shall provide workers' compensation insurance covering all employees meeting statutory limits in compliance with all applicable state and federal laws, and shall provide employer's liability insurance with limits of \$500,000 per accident, \$500,000 disease policy limit, and \$500,000 disease limit for each employee. In lieu of naming Licensor as an additional insured, Licensee shall provide to Licensor a waiver of all rights of subrogation against Licensor with respect to losses payable under such workers' compensation policy(ies).

c. Certificates Of Insurance. Licensee shall furnish Licensor with certificates of insurance and with any original endorsements evidencing the coverages described above. All certificates and endorsements are to be received and approved by Licensor prior to the commencement of Licensee's use of the Licensed Area under this License Agreement.

16. Termination by Licensee. Licensee may terminate this License Agreement for any reason by delivering written notice to Licensor of Licensee's intent to terminate; provided, however, such termination shall not be effective until three (3) business days after Licensor's receipt of written notice of Licensee's intent to terminate.

17. Termination by Licensor. Licensor may terminate this License Agreement for (i) Licensee's noncompliance with any federal, state, or local laws or regulations; (ii) noncompliance with any of the terms and conditions of this License Agreement; or (iii) Licensee's abandonment of the Licensed Area or failure to otherwise exercise the privileges granted by this License Agreement; a final determination of Licensee's abandonment of the Licensed Area is reserved to Licensor at Licensor's sole discretion; or (iv) any reason deemed by Licensor to be in the public interest.

18. Opportunity to Take Corrective Action. Prior to the Licensor's termination of this License Agreement, Licensor shall provide to Licensee written notice setting forth the reason for such termination and a reasonable period of time, not to exceed five (5) calendar days, within which Licensee may complete any corrective action deemed necessary by Licensor to prevent such termination.

19. Default; Licensor's Remedies. In the event of any default by Licensee under this License Agreement, which default continues for five (5) calendar days after Licensee's receipt of Licensor's written notice of such default, any continued use by Licensee of the Licensed Area shall be considered a trespass by Licensee and Licensor shall have the right under this License Agreement to remove from the License Area any vehicles, equipment, or other personal property

of Licensee, or those of its employees and other authorized individuals using the Licensed Area, at Licensee's expense. In the event of such removal, Licensee shall hold Licensor harmless from any and all claims of damage as a result of such removal. In addition to Licensor's right of such removal, Licensor shall have any and all other remedies provided by law.

20. Attorney's Fees. In the event Licensee defaults in the performance of any of the covenants, terms, or conditions contained in this License Agreement, and Licensor thereafter places the enforcement of this License Agreement, or any part thereof, or the collection of any fees due or to become due hereunder or recovery of the possession of the Licensed Area, in the hands of an attorney who files suit upon the same and should Licensor prevail in such suit, Licensee agrees to pay Licensor's reasonable attorneys' fees and costs incurred from the time of Licensee's default.

21. Delivery of Notices. Any written notice required or permitted to be delivered by the terms and conditions of this License Agreement shall be delivered by (i) hand delivery; (ii) certified mail, return receipt requested; or (iii) guaranteed overnight delivery service.

d. Notices to Licensee shall be delivered to the address specified in the introductory paragraph of this License Agreement or as specified in any change of address provided by Licensee in accordance with the terms herein.

e. Notices to Licensor shall be delivered to:

Leon County Parks and Recreation Division
Attention: Director
2280 Miccosukee Road
Tallahassee, FL 32308

With a copy delivered to:

Herbert W. A. Thiele, Esq.
Leon County Attorney's Office
301 S. Monroe Street, Suite 217
Leon County Courthouse
Tallahassee, FL 32301

f. All notices shall be effective upon delivery or attempted delivery during regular business hours. Either party may change its notice address upon written notice to the other party, given in accordance herewith by an authorized officer, partner, or principal.

22. Waivers. All waivers must be in writing and signed by the waiving party. Licensor's failure to enforce any provision of this License Agreement shall not be a waiver and shall not prevent Licensor from enforcing that provision or any other provision of this License Agreement in the future.

23. No Recordation. Licensee shall not record this License Agreement, nor any memorandum thereof, without prior written consent from Licensor.

24. Florida Law. This License Agreement shall be governed by the laws of the State of Florida. Venue for any legal proceeding arising from this License Agreement shall be the 2nd Judicial Circuit in and for Leon County, Florida unless otherwise agreed upon by the parties.

25. Time Is Of The Essence. Time is of the essence of this License Agreement and all provisions contained herein.

26. Riders And Exhibits. All Riders, Addenda and Exhibits attached hereto shall be deemed to be a part of this License Agreement and are hereby incorporated herein.

27. Incorporation of Prior Agreements; Modifications. This License Agreement is the only effective agreement between the parties pertaining to the Licensed Area and no other agreements either oral or otherwise are effective unless embodied herein. All amendments to this License Agreement shall be in writing and signed by all parties. Any other attempted amendment shall be void.

IN WITNESS WHEREOF, Licensee and Licensor have caused this License Agreement to be duly executed as of the date first above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

BABE RUTH LEAGUE, INC.

Name: _____

By: Lecia Behennan
Its: President

Name: _____

Date: _____

LEON COUNTY, FLORIDA

By: Vincent S. Long
County Administrator

Date: _____

ATTEST:
BOB INZER, CLERK OF THE COURT,
LEON COUNTY, FLORIDA

BY: _____
Clerk of the Court & Comptroller

APPROVED AS TO FORM:
LEON COUNTY ATTORNEY'S OFFICE

BY: _____
Herbert W. A. Thiele, Esq.

**Leon County
Board of County Commissioners**


Notes for Agenda Item #19

Leon County Board of County Commissioners

Cover Sheet for Agenda #19

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of First Amendment to the Lease Agreement Between Leon County and the Seminole Radio Control Club, Inc.

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Tony Park, P. E., Director of Public Works
Lead Staff/ Project Team:	Leigh Davis, Director of Parks & Recreation Robert Mills, Director of Office of Resource Stewardship

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Approve the First Amendment to the Lease Agreement between Leon County and the Seminole Radio Control Club, Inc. (Attachment #1).

Report and Discussion

Background:

The County originally entered into a Lease Agreement with the Seminole Radio Control Club, Inc. (SRCC) in April 1990 for maintenance and operation of the airfield at Apalachee Regional Park located at 7550 Apalachee Parkway.

In March 2009, a Lease Agreement was renewed with SRCC. As stipulated in Section 2 of that Agreement, at the end of five years, if the Director of Parks & Recreation received written notification from the SRCC of its desire to extend the Agreement, the Term would automatically extend for an additional period of five years commencing on March 1, 2014 and continuing through its termination on February 28, 2019. Such written notification was received, and the Agreement remains in effect.

Analysis:

SRCC's President recently approached the Director of Parks & Recreation about an amendment to the Agreement regarding the Operating Times, specifically Sections 4.2.1.1 and 4.2.1.2. The proposed Amendment brings operating hours of this facility in line with other Parks & Recreation facilities, dawn to dusk, with the exception of the operation of aircraft with internal combustion engines on Sunday. On Sunday, such aircraft will not be permitted to fly until noon so as not to interfere or disturb church services occurring adjacent to the facility.

In addition, the proposed Amendment addresses the County's need to increase the number of sports events (Section 5.1) to twelve. This doubles the number of events currently expressed in the Agreement which is necessary due to the growth and success of the cross country course also located at the park and immediately adjacent to the airfield. The twelve events are considered to be those events that require exclusive use of the park premises and that cause the airfield to be closed for one or more full days.

Finally, the proposed Amendment brings current the names of County personnel in Section 19.5.

Options:

1. Approve the First Amendment to the Lease Agreement between Leon County and the Seminole Radio Control Club, Inc. (Attachment #1).
2. Do not approve the First Amendment to the Lease Agreement between Leon County and the Seminole Radio Control Club, Inc.
3. Board direction.

Recommendation:

Option #1.

Attachment:

1. Proposed First Amendment

FIRST AMENDMENT TO LEASE AGREEMENT BY AND BETWEEN LEON COUNTY, FLORIDA AND SEMINOLE RADIO CONTROL CLUB, INC. DATED MARCH 26, 2009

This First Amendment to Agreement is entered into this ___ day of _____, 2016, by and between Leon County, Florida, a political subdivision of the State of Florida, hereinafter "County," and, Seminole Radio Control Club, Inc. hereinafter "Contractor".

WITNESSETH

WHEREAS, County and Contractor entered into an Lease Agreement, Seminole Radio Control Club Airfield ("Agreement") dated March 26, 2009, which allows for changes to be made to the Agreement upon the prior written consent of the Parties thereto; and

WHEREAS, pursuant to a lease agreement with the County originally entered into in April 1990 and extended continually thereafter through several amendments, the SRCC has for over 25 years successfully maintained and operated its airfield at the Leon County Apalachee Regional Park (the "Park") located adjacent to the Leon County Solid Waste Facility on U.S. 27 South (the "Solid Waste Facility"); and

NOW THEREFORE, in consideration of the mutual covenants, restrictions, and representations set forth herein, the sufficiency of which is hereby acknowledged, County and Contractor do hereby agree as follows:

SECTION I. Section 4.2.1.1 of the Agreement dated March 26, 2009 is hereby amended in its entirety to read as follows:

4.2.1.1 Aircraft with internal combustion engines shall be allowed to be operated only between the hours of 10:00 a.m. until 1/2 hour after sunset Monday through Saturday, and between the hours of 12:00 p.m. (noon) until 1/2 hour after sunset on Sunday; and

SECTION II. Section 4.2.1.2 of the Agreement dated March 26, 2009 is hereby amended in its entirety to read as follows:

4.2.1.2 Aircraft without internal combustion engines shall be allowed to be operated during normal hours of all county parks, 1/2 hour before sunrise until 1/2 hour after sunset; and

SECTION III. Section 5.1 of the Agreement dated March 26, 2009 is hereby amended in its entirety to read as follows:

5.1 **SPORTING EVENTS.** The County shall be entitled to exclusive use of the Park Premises for periodic scheduled cross-country running meets and other such sporting events; provided, however, that the number of such events shall not exceed twelve (12) per year, unless the SRCC consents in writing to a larger

number of events, and the County shall, no later than thirty (30) days prior to the date of each event, deliver to the SRCC written notice informing the SRCC of the specific date and time of the event; and

SECTION IV. Section 19.5 of the Agreement dated March 26, 2009 is hereby amended in its entirety to read as follows:

19.5 Notices to the County shall be delivered to:

Leigh Davis, Director
Leon County Division of Parks and Recreation
2280 Miccosukee Road
Tallahassee, Florida 32308

With a copy delivered to:

Herbert W.A. Thiele, Esq.
Leon County Attorney's Office
Leon County Courthouse
301 South Monroe Street, Suite 202
Tallahassee, Florida 32301

And

Vincent S. Long, County Administrator
Leon County Courthouse
301 South Monroe Street
Tallahassee, Florida 32301

SECTION V. All other provisions contained in the Agreement dated March 26, 2009 not otherwise in conflict with the provisions herein shall remain in full force and effect.

SECTION VI. This First Amendment to Lease Agreement shall become effective upon full execution hereof by both Parties.

IN WITNESS WHEREOF, the Parties evidence their agreement through the execution of this First Amendment to the Agreement by their duly authorized signatories.

[REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY

[SIGNATURE PAGES TO FOLLOW]

Signed, Sealed and Delivered
in the Presence of:

SEMINOLE RADIO CONTROL CLUB, INC.

By: _____

Print Name: _____

Print Name: _____

Its: _____

Print Name: _____

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this ___ day of _____, 2016 by _____, as _____ of Seminole Radio Control Club, Inc., a Florida corporation, on behalf of the corporation who is personally known to me or has produced _____ as identification.

Signature of Notary

Print, Type or Stamp Name of Notary

My Commission Expires:

[REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY

[SIGNATURE PAGES TO FOLLOW]

LEON COUNTY, FLORIDA

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

DATE: _____

ATTEST:
Bob Inzer
Clerk and Comptroller
Leon County, Florida

By: _____

APPROVED AS TO FORM:
Leon County Attorney's Office

By: _____
Herbert W.A. Thiele, Esq.
County Attorney

**Leon County
Board of County Commissioners**


Notes for Agenda Item #20

Leon County Board of County Commissioners

Cover Sheet for Agenda #20

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval to Award Bid to TALCOR Commercial Real Estate Services, Inc., for the Provision of Nonresidential Real Estate Services

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Scott Ross, Director, Office of Financial Stewardship
Lead Staff/ Project Team:	Graham Stewart, Real Estate Manager, Facilities Management Shelly Kelley, Director, Purchasing

Fiscal Impact:

This item has fiscal impact.

Staff Recommendation:

Option #1: Approve the award of the solicitation to TALCOR Commercial Real Estate Services, Inc. for the provision of Nonresidential Real Estate Services, authorize staff to negotiate the agreement, and authorize the County Administrator to execute the agreement in a form approved by the County Attorney.

Report and Discussion

Background:

Leon County is seeking a Broker to provide Nonresidential Real Estate Services for the County on an as needed basis to enable the County to more effectively, efficiently, and productively perform the duties of purchasing, leasing, and selling of nonresidential real estate and to provide outstanding customer service to both the parties to the transaction. These Nonresidential Real Estate Services may include, but will not necessarily be limited to the following:

- Real Estate Acquisition Project Management Services
- Real Estate Acquisition Negotiation Services
- Real Estate Consulting Services
- Real Estate Sales, Promotion, Marketing and Negotiation Services
- Real Estate Staff Support
- Various Real Estate Special Project Services

The County released RFP #BC-12-17-15-04 for the provision of nonresidential real estate services on November 24, 2015. Ten vendors requested the RFP package; however, no proposals were received by the December 17, 2015 opening date. Discussions were held with staff and it was determined that another RFP for these services be released in January 2016.

Analysis:

RFP #BC-02-09-16-13 (Attachment #1) for the provision of nonresidential real estate services was released by the County on January 7, 2016. The solicitation was advertised locally in the newspaper, on the County website and through Demandstar. A total of 444 vendors were notified through the automated procurement system. Twenty-four vendors requested the RFP package, which resulted in a single proposal being received by the County on February 9, 2016. The single response was submitted by TALCOR Commercial Real Estate Services, Inc. (Attachment #2).

Staff reviewed the proposal and determined that the vendor was responsive and responsible. There were no MWBE aspirational targets in this solicitation.

Staff is seeking the Board's approval to award the solicitation for Nonresidential Real Estate Services to TALCOR Commercial Real Estate Services, Inc., and authorization for staff to negotiate the agreement and the County Administrator to execute an agreement in a form approved by the County Attorney.

Title: Approval to Award Bid to TALCOR Commercial Real Estate Services, Inc. for the Provision of Nonresidential Real Estate Services

March 8, 2016

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Options:

1. Approve the award of the solicitation to TALCOR Commercial Real Estate Services, Inc. for the provision of Nonresidential Real Estate Services, authorize staff to negotiate the agreement, and authorize the County Administrator to execute the agreement in a form approved by the County Attorney.
2. Do not approve the award of the solicitation to TALCOR Commercial Real Estate Services, Inc. for the provision of Nonresidential Real Estate Services.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. RFP #BC-02-09-16-13
2. TALCOR response to RFP #BC-02-09-16-13



REQUEST FOR PROPOSALS

FOR

NONRESIDENTIAL REAL ESTATE SERVICES

PROPOSAL NUMBER BC-02-09-16-13

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA**

I. INTRODUCTION

Leon County Board of County Commissioners “Leon County” is accepting proposals from qualified Brokers to conduct Nonresidential Real Estate Services, as described in the Scope of Services in Section III below, on an as needed basis as directed by County Administration and the Real Estate Office of the Leon County Division of Facilities Management (the “Real Estate Office”).

The County intends to execute a multi-year, task assignment contract with the responsive and responsible Vendor(s) whose response is recommended by the Evaluation Committee and determined by the Board of County Commissioners to provide the best value to the County.

II. GENERAL INSTRUCTIONS

A. Response Address: The response to the proposal should be submitted in a sealed envelope/package addressed in the following manner:

Proposal Number
Purchasing Division
1800-3 N. Blair Stone Road
Tallahassee, FL 32308

B. Proposal Copies: **One ORIGINAL, five (5) copies and one electronic copy** of the Response (“Proposal”) must be furnished on or before the deadline. Responses will be retained as property of the County. **The ORIGINAL of your reply must be clearly marked “Original” on its face and must contain an original, non-electronic signature of an authorized representative of the responding firm or individual**, all other copies may be photocopies and should be printed double-sided. The contents of the proposal of the successful Proposer will become part of the contractual obligations.

C. Schedule of Events: Below in Table 1 is the current schedule of the events that will take place as part of this solicitation. Leon County reserves the right to make changes or alterations to the schedule as the Leon County determines is in the best interest of the public. If any changes to the Schedule of Events are made, Leon County will post the changes on the Leon County website either as a public meeting notice, or as an addendum, as applicable. **It is the responsibility of Registered Planholders and other interested persons and parties to review the Purchasing Division’s website to stay informed of the Schedule of Events, addenda to the RFP, and public meetings.** The website address is: <http://www.leoncountyfl.gov/procurementconnect/>.

Date and Time (all eastern time)	Event
January 7, 2016	Release of the RFP
January 14, 2016 at 5:00 p.m.	QUESTIONS/INQUIRIES DEADLINE: Date and time by which written questions and inquiries regarding the RFP must be received by the Leon County Purchasing Division via e-mail submittal to Shelly Kelley at kelleys@leoncountyfl.gov and Don Tobin at tobind@leoncountyfl.gov Respondents are requested to send the e-mail to both representatives.

Table 1 - Schedule of Events	
Date and Time (all eastern time)	Event
February 9, 2016 at 2:00 p.m.	OPENING DATE: Date and time by which Proposals must be received by the Leon County Purchasing Division, located at 1800-3 North Blair Stone Road, Tallahassee, FL 32308

- D. Information: Any questions concerning the request for proposal process, required submittals, evaluation criteria, proposal schedule, and selection process should be directed to Shelly W. Kelley and Don Tobin at (850) 606-1600; FAX (850) 606-1601; or e-mail at kelleys@leoncountyfl.gov and tobind@leoncountyfl.gov. **Vendors are requested to send such requests to both representatives of the Purchasing Division.** Email inquiries are preferred.

Each Vendor shall examine the request for proposal documents carefully; and, no later than seven days prior to the date for receipt of proposals, he shall make a written request to the County for interpretations or corrections of any ambiguity, inconsistency or error which he may discover. All interpretations or corrections will be issued as addenda. The County will not be responsible for oral clarifications. No negotiations, decisions or actions shall be initiated or executed by the proposer as a result of any discussions with any County employee prior to the opening of proposals. Only those communications which are in writing from the County may be considered as a duly authorized expression on the behalf of the Board. Also, only communications from firms which are in writing and signed will be recognized by the Board as duly authorized expressions on behalf of proposers.

- E. Prohibited Communications: Any Form of communication, except for written communication with the Purchasing Division requesting clarifications or questions, shall be prohibited regarding a particular request for proposal, request for qualification, bid, or any other competitive solicitation between:
1. Any person or person’s representative seeking an award from such competitive solicitation; and
 2. Any County Commissioner or Commissioner’s staff, or any county employee authorized to act on behalf of the Commission to award a particular contract.

For the purpose of this section, a person’s representative shall include, but not be limited to, the person’s employee, partner, officer, director, consultant, lobbyist, or any actual or potential subcontractor or consultant of the person.

The prohibited communication shall be in effect as of the release of the competitive solicitation and terminate at the time the Board, or a County department authorized to act on behalf of the Board, awards or approves a contract, rejects all bids or responses, or otherwise takes action which ends the solicitation process.

The provisions of this section shall not apply to oral communications at any public proceeding, including pre-bid conferences, oral presentations before selection committees, contract negotiations during any public meetings, presentations made to the Board, and protest hearings. Further, the provisions of this section shall not apply to contract negotiations between any employee and the intended awardee, any dispute resolution process following the filing of a protest between the person filing the protest and any employee, or any written correspondence with any employee, County Commissioner, or decision-making board member or selection committee member, unless specifically prohibited by the applicable competitive solicitation process.

The penalties for an intentional violation of this article shall be those specified in §125.69(1), Florida Statutes, as amended, and shall be deemed supplemental to the penalties set forth in Section 1-9 of the Code of Laws, Leon County, Florida.

- F. Special Accommodation: Any person requiring a special accommodation at a Pre-Proposal Conference or Bid/RFP opening because of a disability should call the Division of Purchasing at (850) 606-1600 at least five (5) workdays prior to the Pre-Proposal Conference or Bid/RFP opening. If you are hearing or speech impaired, please contact the Purchasing Division by calling the County Administrator's Office using the Florida Relay Service which can be reached at 1(800) 955-8771 (TDD).
- G. Proposer Registration: Proposers who obtain solicitation documents from sources other than the Leon County Purchasing Division or DemandStar.com MUST officially register with the County Purchasing Division in order to be placed on the planholders list for the solicitation. This list is used for communications from the County to prospective Proposers. Also, Proposers should be aware that solicitation documents obtained from sources other than those listed above may be drafts, incomplete, or in some other fashion different from the official solicitation document(s). Failure to register as a prospective Proposer through the Purchasing Division or online through DemandStar.com may cause your submittal to be rejected as non-responsive.

As a convenience to vendors, Leon County has made available via the internet lists of all registered planholders for each bid or request for proposals. The information is available on-line at <http://www.leoncountyfl.gov/procurementconnect/> by simply clicking the planholder link at the bottom of the list of documents for each respective solicitation. A listing of the registered vendors with their telephone and fax numbers is designed to assist vendors in preparation of their responses.

- H. Proposal Deadline: Your Proposal prepared in response to this RFP must be received by the Purchasing Division at the above listed address no later than the Opening Date (date and time), as identified in the Schedule of Events, to be considered.
- I. Receipt and Opening of Vendor Responses: Vendor responses will be opened publicly at the date and time identified in the Schedule of Events as the Opening Date. A tabulation sheet of timely received Proposals will be made public and will be posted on the Purchasing Division website at: <http://www.leoncountyfl.gov/procurementconnect/>.

Responses to the RFP received prior to the time of opening will be secured unopened. The Purchasing Agent, whose duty it is to open the responses, will decide when the specified time has arrived and no proposals received thereafter will be considered. The Purchasing Agent will not be responsible for the premature opening of a proposal not properly addressed and identified by Proposal number on the outside of the envelope/package.

Sealed bids, proposals, or replies received by the County pursuant to a competitive solicitation are exempt from public records disclosure until such time as the County posts an intended decision or until 30 days after opening of the documents, whichever is earlier.

- J. Timely Delivery: It is the Proposers responsibility to assure that the proposal is delivered at the proper time and location. Responses received after the scheduled receipt time will be marked "TOO LATE." Late proposals may be returned unopened to the vendor.

- K. Preparation Costs: The County is not liable for any costs incurred by Respondents prior to the issuance of an executed contract.
- L. Interviews: Firms responding to this RFP must be available for interviews by County staff and/or the Board of County Commissioners.
- M. Preparation and Changes: Proposal must be typed or printed in ink. All corrections made by the Proposer prior to the opening must be initialed and dated by the Proposer. No changes or corrections will be allowed after proposals are opened.
- N. Reservation of Rights: The County reserves the right to reject any and/or all proposals, in whole or in part, when such rejection is in the best interest of the County. Further, the County reserves the right to withdraw this solicitation at any time prior to final award of contract.
- O. Public Entity Crimes Statement: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list. By submission of a proposal in response to this solicitation, the proposer certifies compliance with the above requirements as stated in Section 287.133, Florida Statutes.
- P. Certification Regarding Debarment, Suspension, and Other Responsibility Matters: The prospective primary participant must certify to the best of its knowledge and belief, that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency and meet all other such responsibility matters as contained on the attached certification form.
- Q. Licenses and Registrations: The contractor shall be responsible for obtaining and maintaining throughout the contract period his or her city occupational license and any licenses required pursuant to the laws of Leon County, the City of Tallahassee, or the State of Florida.

If the contractor is operating under a fictitious name as defined in Section 865.09, Florida Statutes, proof of current registration with the Florida Secretary of State **shall be submitted** with the bid. A business formed by an attorney actively licensed to practice law in this state, by a person actively licensed by the Department of Business and Professional Regulation or the Department of Health for the purpose of practicing his or her licensed profession, or by any corporation, partnership, or other commercial entity that is actively organized or registered with the Department of State **shall submit** a copy of the current licensing from the appropriate agency and/or proof of current active status with the Division of Corporations of the State of Florida or such other state as applicable.

Failure to provide the above required documentation may result in the proposal being determined as non-responsive.

R. Minority and Women Business Enterprise and Equal Opportunity/Affirmative Action Requirements:

1. Minority Business Enterprise (MBE) and Women (WBE) Business Enterprise Requirements

- a. There is no Minority and Women Business Enterprise aspirational target prescribed for this solicitation.
- b. The purpose of the Minority and Women-Owned Business Enterprise (MWBE) Program is to effectively communicate Leon County procurement and contracting opportunities, through enhanced business relationships, to end disparity and to increase participation opportunities for certified minority and women-owned business enterprises in a competitive environment. This program shall:
 - 1) Eliminate any policies and/or procedural barriers that inhibit MBE and WBE participation in our procurement process.
 - 2) Established targets designed to increase MBE and WBE utilization proportionate to documented underutilization.
 - 3) Provide increased levels of information and assistance available to MBEs and WBEs.
 - 4) Implement mechanisms and procedures for monitoring MBE and WBE compliance by prime contractors.
- c. Each Respondent is strongly encouraged to secure MBE and WBE participation through the purchase of those goods or services when opportunities are available. For additional information regarding Leon County's Minority, Women and Small Business Enterprise Policy, or to obtain a listing of certified MWBEs, please contact Shanea Wilks, MWSBE Director, at 1800-3 N. Blair Stone Road, Tallahassee, FL 32308, by telephone at (850) 606-1650; fax (850) 606-1651 or by e-mail wilkssh@leoncountyfl.gov.

2. Equal Opportunity/Affirmative Action Requirements

The contractors and all subcontractors shall agree to a commitment to the principles and practices of equal opportunity in employment and to comply with the letter and spirit of federal, state, and local laws and regulations prohibiting discrimination based on race, color, religion, national origin, sex, age, handicap, marital status, and political affiliation or belief.

For federally funded projects, in addition to the above, the contractor shall agree to comply with Executive Order 11246, as amended, and to comply with specific affirmative action obligations contained therein.

In addition to completing the Equal Opportunity Statement, the Respondent shall include a copy of any affirmative action or equal opportunity policies in effect at the time of submission.

S. Local Preference in Purchasing and Contracting:

1. Preference in requests for proposals. In purchasing of, or letting of contracts for procurement of, personal property, materials, contractual services, and construction of improvements to real property or existing structures for which a request for proposals is developed with evaluation criteria, a local preference of the total score may be assigned for a local preference, as follows:

- a) Individuals or firms which have a home office located within Leon, Gadsden, Wakulla, or Jefferson County, and which meet all of the criteria for a local business as set forth in this section, shall be given a preference in the amount of five percent.
 - b) Individuals or firms which do not have a home office located within Leon, Gadsden, Wakulla, or Jefferson County, and which meet all of the criteria for a local business as set forth in this article, shall be given a preference in the amount of three percent.
2. Local business definition. For purposes of this section, "local business" shall mean a business which:
 - a) Has had a fixed office or distribution point located in and having a street address within Leon, Gadsden, Wakulla, or Jefferson County for at least six (6) months immediately prior to the issuance of the request for competitive bids or request for proposals by the County; and
 - b) Holds any business license required by Leon County, and, if applicable, the City of Tallahassee; and
 - c) Is the principal offeror who is a single offeror; a business which is the prime contractor and not a subcontractor; or a partner or joint venturer submitting an offer in conjunction with other businesses.
 3. Certification. Any vendor claiming to be a local business as defined herein, shall so certify in writing to the Purchasing Division. The certification shall provide all necessary information to meet the requirements set forth above. The Local Vendor Certification Form is enclosed. The purchasing agent shall not be required to verify the accuracy of any such certifications, and shall have the sole discretion to determine if a vendor meets the definition of a "local business."
- T. Addenda To Specifications: If any addenda are issued after the initial specifications are released, the County will post the addenda on the Leon County website at <http://www.leoncountyfl.gov/procurementconnect/>. For those projects with separate plans, blueprints, or other materials that cannot be accessed through the internet, the Purchasing Division will make a good faith effort to ensure that all registered bidders (those vendors who have been registered as receiving a bid package) receive the documents. It is the responsibility of the vendor prior to submission of any proposal to check the above website or contact the Leon County Purchasing Division at (850) 606-1600 to verify any addenda issued. The receipt of all addenda must be acknowledged on the response sheet.
- U. Unauthorized Alien(s): The Contractor agrees that unauthorized aliens shall not be employed nor utilized in the performance of the requirements of this solicitation or any work authorized thereunder. The County shall consider the employment or utilization of unauthorized aliens a violation of Section 274A(e) of the Immigration and Naturalization Act (8 U.S.C. 1324a). Such violation shall be cause for unilateral termination of this Agreement by the County. As part of the response to this solicitation, please complete and submit the attached form "AFFIDAVIT CERTIFICATION IMMIGRATION LAWS."
- V. Employment Eligibility Verification:
1. Contractor agrees that it will enroll and participate in the federal E-Verify Program for Employment Verification under the terms provided in the "Memorandum of Understanding"

- governing the program. Contractor further agrees to provide to the County, within thirty days of the effective date of this contract/amendment/extension, documentation of such enrollment in the form of a copy of the E-Verify “‘Edit Company Profile’ screen”, which contains proof of enrollment in the E-Verify Program (this page can be accessed from the “Edit Company Profile” link on the left navigation menu of the E-Verify employer’s homepage).
2. Contractor further agrees that it will require each subcontractor that performs work under this contract to enroll and participate in the E-Verify Program within sixty days of the effective date of this contract/amendment/extension or within sixty days of the effective date of the contract between the Contractor and the subcontractor, whichever is later. The Contractor shall obtain from the subcontractor(s) a copy of the “Edit Company Profile” screen indicating enrollment in the E-Verify Program and make such record(s) available to the Agency upon request.
 3. Contractor will utilize the U.S. Department of Homeland Security’s E-Verify system to verify the employment eligibility of: (a) all persons employed during the term of the Agreement by Contractor to perform employment duties within Florida; and (b) all persons (including subcontractors) assigned by Contractor to perform work pursuant to the Agreement.
 - a. Contractor must use E-Verify to initiate verification of employment eligibility for all persons employed during the term of the Agreement by Contractor to perform employment duties within Florida within 3 business days after the date of hire.
 - b. Contractor must initiate verification of each person (including subcontractors) assigned by Contractor to perform work pursuant to the Agreement within 60 calendar days after the date of execution of this contract or within 30 days after assignment to perform work pursuant to the Agreement, whichever is later.
 4. Contractor further agrees to maintain records of its participation and compliance with the provisions of the E-Verify program, including participation by its subcontractors as provided above, and to make such records available to the County or other authorized state entity consistent with the terms of the Memorandum of Understanding.
 5. Compliance with the terms of this Employment Eligibility Verification provision is made an express condition of this contract and the County may treat a failure to comply as a material breach of the contract.
- W. Award of RFP and Protest: The proposal will be awarded as soon as possible to the responsive, responsible respondent(s) who rank highest in the evaluation process, unless otherwise stated elsewhere in this document. The County reserves the right to waive any informality in proposals and to award a proposal in whole or in part when either or both conditions are in the best interest of Leon County.

Notice of the Intended Decision will be posted on the Leon County website at: <http://www.leoncountyfl.gov/procurementconnect/> for a period of seventy-two (72) consecutive hours, which does not include weekends or County observed holidays. Any Bidder/Respondent who desires to protest the Intended Decision must file a notice of intent to protest in writing within seventy-two (72) hours after the posting of the Notice of Intended Decision. Any bid award recommendation may be protested on the grounds of irregularities in the specifications, bid procedure, or the evaluation of the bid. Such notice of intent of bid protest shall be made in writing to the Purchasing Director, 1800-3 Blair Stone Road, Tallahassee, Florida 32308.

Protestor shall file a formal written bid protest within 10 days after the date in which the notice of intent of bid protest has been submitted. Failure to file a notice of intent of bid protest or failure to file a formal written bid protest shall constitute a waiver of all rights granted under this section. The vendor shall be responsible for inquiring as to any and all award recommendation/postings.

Should concerns or discrepancies arise during the bid process, vendors are encouraged to contact the Purchasing Division prior to the scheduled bid opening. Such matters will be addressed and/or remedied prior to a bid opening or award whenever practically possible. Vendors are not to contact departments or divisions regarding the vendor complaint.

X. Errors and Omissions: The County and its representatives shall not be responsible for any errors or omission in the RFP. Due care and diligence has been exercised in the preparation of this RFP, and all information contained herein is believed to be substantially correct. Information is subject to review by the successful proposer.

Y. Terms and Conditions

Leon County objects to and shall not consider any additional terms or conditions submitted by a respondent, including any appearing in documents attached as part of a respondent's response. In submitting its response, a respondent agrees that any additional terms or conditions, whether submitted intentionally or inadvertently, shall have no force or effect. Failure to comply with terms and conditions, including those specifying information that must be submitted with a response, shall be grounds for rejecting a response or placing a respondent in default.

III. SCOPE OF SERVICES

Leon County is seeking a Broker(s) to provide Nonresidential Real Estate Services for the County on an as needed basis to enable the County to more effectively, efficiently, and productively perform the duties of purchasing, leasing, and selling of nonresidential real estate and to provide outstanding customer service to both the parties to the transaction. It is expected that the Broker(s) will serve as a Transaction Broker in most transactions but, on occasion, may be requested to serve as Leon County's Single Agent. These Nonresidential Real Estate Services may include, but will not necessarily be limited to the following:

- Real Estate Acquisition Project Management Services
- Real Estate Acquisition Negotiation Services
- Real Estate Consulting Services
- Real Estate Sales, Promotion, Marketing and Negotiation Services
- Real Estate Staff Support
- Various Real Estate Special Project Services

The following services will not be included under the contract(s) issued as a result of this solicitation:

- Appraisals
- Surveying
- Environmental Assessment Services
- Title or Closing Services
- Legal Services

The selected Broker or Brokers will assist the County in the purchase, sale, site selection, and determination of marketing prices of selected properties. If a sale of County-owned real estate, the Broker will perform the advertisement of these properties through the use of the Multiple Listing Service, internet, trade publications and other advertising media and assist the Real Estate Office through the contracting and closing processes. If a purchase of real estate for the County, the Broker will assist with evaluating appraisals, providing input for contracts, and assisting as needed at closing. The selected Broker(s) may also be used for other Nonresidential Real Estate Services as necessary to support the County.

All Nonresidential Real Estate Services shall be performed by the Broker(s), and those working under Broker's supervision, in compliance with local and state laws, administrative code and any additional legal directive provided by the County.

IV. MINIMUM QUALIFICATIONS/EXPERIENCE

The selected Broker(s) should have no less than seven (7) years of commercial real estate experience, of which at least 75% of the generated commissions are from non-single family residential real estate, and should be associated with a firm that possesses at a minimum:

- A. Three licensed Sales Associates, with commercial and land brokerage experience and a subscriber to Costar/LoopNet.
- B. Average annual nonresidential sales or leasing of \$10,000,000, per year over the past three years.
- C. At least one Broker, Broker Associate, or Sales Associate that holds the Certified Commercial Investment Manager (CCIM) designation evidenced by proof of current membership and certification award.

V. REQUIRED SUBMITTALS

Proposals are to be submitted bound by binder clips only. No manner of plastic, comb or wire bindings, three ring binders, or staples are acceptable. All copies of proposals are to be printed double-sided, on paper with no less than 30% post-consumer recycled content. As a part of our sustainability program, Leon County is reducing the excess packaging, binders, and waste associated with submittals.

Each Applicant is requested to provide the following information using the same numbering/lettering scheme as the format below.

- A. Business Information
 1. Firm name or Joint Venture, business address and office location, telephone number.

If a joint venture, list participating firms and outline specific areas of responsibility (including administrative, technical, and financial) of each firm.
 2. Current location with address for all offices. Indicate which office is the primary office that will be performing the work outlined in this solicitation.
 3. Federal Identification Tax Number or Social Security Number.
 4. Organizational Overview to include, at a minimum:
 - a. the age of the firm;
 - b. brief history and mission of the firm;

- c. present size of the firm;
 - d. areas of market focus;
 - e. breakdown of staff by discipline; and
 - f. organizational chart.
5. If a joint venture, has this joint venture previously worked together? If yes, what projects? A copy of the joint venture agreement should be provided, if available at this time. If the joint venture agreement is not available at this time, then the selection of the firm will be subject to the County receiving and approving the joint venture agreement, prior to negotiating the contract.

If the respondent is not a joint venture, list outside consultants anticipated to be used on this project. When listing consultants, give the respective specialty of the firm.

B. Business Qualifications & Experience

Please provide the following information. The submitted information should illustrate how the organization meets the minimum qualifications/experience stated above.

1. Qualification of Firm in Meeting Areas of Expertise Needed

Provide a detailed narrative of your organization's (your team's) experience and expertise in each of the real estate service areas (categories) identified below. Please be specific. For each category, provide the total annual dollar volume (excluding commission) generated by your company for each year in business, not to exceed the last five years.

a) Commercial and Industrial Properties

- 1) Acquisition
- 2) Sales/Marketing
- 3) Leasing

b) Agricultural and Large Acreage, Large Development Tracts and Timber Lands

- 1) Acquisition
- 2) Sales/Marketing
- 3) Leasing

2. Names and descriptions of major projects for which the firm is presently under contract.

3. Successful Negotiation Experience

Describe in detail some of the successful negotiations of large and complex acquisitions, sales, and leases your company has conducted over the last three years.

4. Marketing and Public Relations

Discuss your company's marketing and public relations program. Provide examples of creative and successful efforts or campaigns your company has conducted.

C. Personnel Qualifications & Experience

Please provide the following information. The submitted information should illustrate how the organization meets the minimum qualifications/experience stated above.

1. Give brief resume of key persons to be assigned to the project including but, not limited to:
 - a) Name & title
 - b) How many years with this firm
 - c) How many years with other firms
 - d) Experience
 - 1) Types of projects
 - 2) Size of projects (dollar value and SF of project)
 - 3) What was the specific project involvement?
 - e) Education/Training
 - f) Active registration, professional designations and affiliations
 - g) Other experience and qualifications that are relevant to this project
- D. Describe your experience working for or with governmental entities.
- E. Complete and submit the following included forms: Proposal Response Cover Sheet; Insurance Certification Form; Equal Opportunity/Affirmative Action Statement; Certification Regarding Debarment, Suspension, And Other Responsibility Matters, Primary Covered Transactions; Affidavit Certification Immigration Laws; Local Vendor Certification (if applicable)

VI. SELECTION PROCESS

- A. The County Administrator shall appoint an Evaluation Committee composed of three to five members who will review and evaluate all proposals received on time. The Committee may, select one or more firms for interview based on the evaluation of the responses of each proposer.

Meetings of Evaluation Committees subsequent to the opening of the solicitation shall be public meetings except for any portion of a meeting at which a negotiation with a vendor is conducted pursuant to a competitive solicitation, at which a vendor makes an oral presentation as a part of the competitive solicitation, or at which a vendor answers questions as a part of a competitive solicitation. Also, any portion of a meeting at which negotiation strategies are discussed are exempt from being a public session.

Notice of all meetings shall be posted on the Purchasing Division website at: <http://www.leoncountyfl.gov/procurementconnect/> and in the Purchasing Division Offices no less than 72 hours (excluding weekends and holidays).

- B. The Evaluation Committee will recommend to the Board of County Commissioners (BCC), in order of preference (ranking), the firms deemed to be most highly qualified to perform the requested services.
- C. The (BCC) will negotiate with the recommended firms for the proposed services at compensation which the BCC determines is fair, competitive, and reasonable for said services.
- D. Should the BCC be unable to negotiate a satisfactory contract with a recommended firm considered to be fair, competitive and reasonable, negotiations with that firm shall be formally terminated. The County shall then undertake negotiations with the next highest ranked firm.
- E. Should the County be unable to negotiate a satisfactory contract with any of the selected firms, the Board representative shall select additional firms to continue negotiations.

- F. Evaluation Criteria: Proposals will be evaluated and ranked on the basis of the following considerations (“Rating System”):

Rating System	
Evaluation Criteria	Maximum Rating Points*
1. Business Qualifications and Experience	30
2. Personnel Qualifications and Experience	20
3. Experience with Governmental Entities	20
4. Sufficiency of Proposal	10
5. Local Preference	5
6. Maximum Points Allowed	100
*Actual rating for each criteria may range from zero (lowest rating) to the maximum rating points for that criteria	

Definitions of the Evaluation Criteria are as follows:

1. Business Qualifications and Experience: Shall consider past experience of the firm in providing the same or similar type of services requested herein; the ability, capacity, and skill of the firm to perform the requested services on a timely basis; continuing direction and vision of the firm.
 2. Personnel Qualifications and Experience: Shall consider the past experience of the key personnel identified for this solicitation;
 3. Government Entities Experience: Shall consider the past experience of the firm in working with or for government entities; demonstration of the firm’s understanding of government needs; the firm’s approach to dealing with government entities.
 4. Sufficiency of Proposal: Shall consider demonstration of the firm’s general understanding of the services requested herein; and compliance with the proposal preparation instructions and adequacy of the information presented.
 5. Local Preference: Points for Local Preference will be awarded as follows:
 - a. Individuals or firms which have a home office located within Leon, Gadsden, Wakulla, or Jefferson County, and which have been certified by the Leon County Purchasing Division as a Local Business, as set forth in this RFP, shall be given a preference in the amount of five percent (five (5) points out of the 100 maximum points allowed); and
 - b. Individuals or firms which do not have a home office located within Leon, Gadsden, Wakulla, or Jefferson County, and which have been certified by the Leon County Purchasing Division as a Local Business, as set forth in this RFP, shall be given a preference in the amount of three percent (three (3) points out of the 100 maximum points allowed); and
 - c. All other individuals or firms shall be given zero (0) points for Local Preference.
- E. Presentations/Interviews and Final Ranking. After reviewing the applicants and their initial ranking, the Evaluation Committee may short-list the highest ranking firms and request formal interviews. The committee shall utilize the Ordinal Process Rating System to rank the firms and shall list respondents in order of preference. The list of best-qualified firms shall be forwarded to the County Administrator or Board, as appropriate, for approval prior to beginning contract negotiations. Negotiation sequence shall be based on the order of preference.

VII. CONTRACT PROVISIONS

- A. Work: The Contractor understands that no amount of work is guaranteed to it nor is the County under an obligation to utilize the services of the Contractor in those instances where the work to be performed can be done by County personnel or under separate contract. Any work to be performed shall be upon the written request of the County Administrator or his representative, which request shall set forth the commencing date of such work and the time within which such work shall be completed.
- B. Cancellation: The contract may be terminated by the County without cause by giving a minimum of thirty (30) days written notice of intent to terminate. Contract prices must be maintained until the end of the thirty (30) day period. The County may terminate this agreement at any time as a result of the contractor's failure to perform in accordance with these specifications and applicable contract. The County may retain/withhold payment for nonperformance if deemed appropriate to do so by the County.
- C. Audits, Records, and Records Retention: The Contractor shall agree:
1. To establish and maintain books, records, and documents (including electronic storage media) in accordance with generally accepted accounting procedures and practices, which sufficiently and properly reflect all revenues and expenditures of funds provided by the County under this contract.
 2. To retain all client records, financial records, supporting documents, statistical records, and any other documents (including electronic storage media) pertinent to this contract for a period of five (5) years after termination of the contract, or if an audit has been initiated and audit findings have not been resolved at the end of five (5) years, the records shall be retained until resolution of the audit findings or any litigation which may be based on the terms of this contract.
 3. Upon completion or termination of the contract and at the request of the County, the Contractor will cooperate with the County to facilitate the duplication and transfer of any said records or documents during the required retention period as specified in paragraph 1 above.
 4. To assure that these records shall be subject at all reasonable times to inspection, review, or audit by Federal, state, or other personnel duly authorized by the County.
 5. Persons duly authorized by the County and Federal auditors, pursuant to 45 CFR, Part 92.36(l)(10), shall have full access to and the right to examine any of provider's contract and related records and documents, regardless of the form in which kept, at all reasonable times for as long as records are retained.
 6. To include these aforementioned audit and record keeping requirements in all approved subcontracts and assignments.
- D. Monitoring: To permit persons duly authorized by the County to inspect any records, papers, documents, facilities, goods, and services of the provider which are relevant to this contract, and interview any clients and employees of the provider to assure the County of satisfactory performance of the terms and conditions of this contract.

Following such evaluation, the County will deliver to the provider a written report of its findings and will include written recommendations with regard to the provider's performance of the terms and

conditions of this contract. The provider will correct all noted deficiencies identified by the County within the specified period of time set forth in the recommendations. The provider's failure to correct noted deficiencies may, at the sole and exclusive discretion of the County, result in any one or any combination of the following: (1) the provider being deemed in breach or default of this contract; (2) the withholding of payments to the provider by the County; and (3) the termination of this contract for cause.

- E. Indemnification: The Contractor shall indemnify and hold harmless the County, its officials, officers and employees from and against all liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fee, to the extent caused by negligence, recklessness, or intentionally wrongful conduct of the Contractor and other persons employed or utilized by the Contractor in the performance of this agreement.

The County may, at its sole option, defend itself or require the Contractor to provide the defense. The Contractor acknowledges that the sum of ten dollars (\$10.00) of the amount paid to the Contractor constitutes sufficient consideration for the Contractor's indemnification of the County, its officials, officers and employees.

The Contractor shall be liable to the County for any reasonable costs incurred by it to correct, modify, or redesign any portion of the project, which is the subject of the services provided under this Agreement, that is found to be defective or not in accordance with this Agreement, as a result and to the extent caused by the negligence, recklessness, or intentional wrongful conduct on the part of the Contractor and other persons employed or utilized by the Contractor in the performance of this Agreement.

VIII. INSURANCE

Respondent's attention is directed to the insurance requirements below. Respondents should confer with their respective insurance carriers or brokers to determine in advance of bid submission the availability of insurance certificates and endorsements as prescribed and provided herein. If an apparent low bidder fails to strictly comply with the insurance requirements, that bidder may be disqualified from award of the contract, or otherwise found non-responsive.

Respondent procure and maintain for the duration of the contract, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Respondent, his agents, representatives, employees, or subcontractors. The cost of such insurance shall be included in the Respondent's pricing.

1. Minimum Limits of Insurance

Contractor shall maintain limits no less than:

- a. General Liability: \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
- b. Automobile Liability: One Million and 00/100 (\$1,000,000.00) Dollars combined single limit per accident for bodily injury and property damage. **(Non-owned, Hired Car).**

- c. Workers' Compensation Employers Liability: Insurance covering all employees meeting Statutory Requirements in compliance with the applicable state and federal laws and Employer's Liability with a limit of \$500,000 per accident, \$500,000 disease policy limit, \$500,000 disease each employee. **Waiver of Subrogation in lieu of Additional Insured is required.**
- d. Professional Liability Insurance, including errors and omissions: for all services provided under the terms of this agreement with minimum limits of One Million and 00/100 (\$1,000,000.00) Dollars per occurrence; or claims made form with "tail coverage" extending four (4) years beyond the term of the agreement. Proof of "tail coverage" must be submitted with the invoice for final payment. In lieu of "tail coverage", Contractor may submit annually to the County a current Certificate of Insurance proving claims made insurance remains in force throughout the same four (4)-year period.

2. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

3. Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

- a. General Liability and Automobile Liability Coverages (**County is to be named as Additional Insured**).
 1. The County, its officers, officials, employees and volunteers are to be covered as additional insureds as respects; liability arising out of activities performed by or on behalf of the Contractor, including the insured's general supervision of the Contractor; products and completed operations of the Contractor; premises owned, occupied or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protections afforded the County, its officers, officials, employees or volunteers.
 2. The Contractor's insurance coverage shall be primary insurance as respects the County, it officers, officials, employees and volunteers. Any insurance of self-insurance maintained by the County, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it. Contractor hereby waives subrogation rights for loss or damage against the county.
 3. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the county, its officers, officials, employees or volunteers.
 4. The Contractor's insurance shall apply separately to each insured against whom claims is made or suit is brought, except with respect to the limits of the insurer's liability.
 5. Companies issuing the insurance policy, or policies, shall have no recourse against the County for payment of premiums or assessments for any deductibles with are all at the sole responsibility and risk of Contractor.

b. All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the County.

4. Acceptability of Insurers

Insurance is to be placed with insurers with a Best's rating of no less than A:VII.

5. Verification of Coverage

Contractor shall furnish the County with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the County before work commences. The County reserves the right to require complete, certified copies of all required insurance policies at any time.

6. Subcontractors

Contractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

IX. TRAVEL EXPENSES

Consultant travel which is not covered within the scope of the consultant's contract and which is billed separately to the County on a cost reimbursement basis must receive prior approval and will be reimbursed in accordance with the Leon County Travel Policy. Travel expenses shall be limited to those expenses necessarily incurred in the performance of a public purpose authorized by law to be performed by the Leon County Board of County Commissioners and must be within limitations described herein and in Ch. 112.06, Florida Statutes. Consultants and contractors, traveling on a cost reimbursement basis, must have their travel authorized by the department head from whose budget the travel expenses will be paid and the County Administrator.

X. ETHICAL BUSINESS PRACTICES

A. Gratuities. It shall be unethical for any person to offer, give, or agree to give any County employee, or for any County employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or performing in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, subcontract, or to any solicitation or proposal therefor.

- B. Kickbacks. It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.
- C. The Board reserves the right to deny award or immediately suspend any contract resulting from this proposal pending final determination of charges of unethical business practices. At its sole discretion, the Board may deny award or cancel the contract if it determines that unethical business practices were involved.

XI. AGREEMENT

After the proposal award, the County will, at its option, prepare a purchase order or an agreement specifying the terms and conditions resulting from the award of this bid. Every procurement of contractual services shall be evidenced by a written agreement. The respondent will have five calendar days after receipt to acknowledge the purchase order or execute the agreement.

The performance of Leon County of any of its obligations under the purchase order or agreement shall be subject to and contingent upon the availability of funds lawfully expendable for the purposes of the purchase order or agreement for the current and any future periods provided for within the bid specifications.

XII. PURCHASES BY OTHER PUBLIC AGENCIES

With the consent and agreement of the successful vendor(s), purchases may be made under this solicitation by other governmental agencies or political subdivisions within the State of Florida. Such purchases shall be governed by the same pricing, terms and conditions stated herein with no deviations allowed. This agreement in no way restricts or interferes with the right of any public agency or political subdivision to bid any or all of the items or services independently.

PROPOSAL RESPONSE COVER SHEET

This page is to be completed and included as the cover sheet for your response to the Request for Proposals.

The Board of County Commissioners, Leon County, reserves the right to accept or reject any and/or all bids in the best interest of Leon County.

Shelly W. Kelley, Purchasing Director

Bill Proctor, Chairman
Leon County Board of County Commissioners

This solicitation response is submitted by the below named firm/individual by the undersigned authorized representative.

(Firm Name)

BY _____
(Authorized Representative)

(Printed or Typed Name)

ADDRESS _____

CITY, STATE, ZIP _____

E-MAIL ADDRESS _____

TELEPHONE _____

FAX _____

ADDENDA ACKNOWLEDGMENTS: (IF APPLICABLE)

Addendum #1 dated _____ Initials _____

Addendum #2 dated _____ Initials _____

Addendum #3 dated _____ Initials _____

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION STATEMENT

1. The contractors and all subcontractors hereby agree to a commitment to the principles and practices of equal opportunity in employment and to comply with the letter and spirit of federal, state, and local laws and regulations prohibiting discrimination based on race, color, religion, national region, sex, age, handicap, marital status, and political affiliation or belief.
2. The contractor agrees to comply with Executive Order 11246, as amended, and to comply with specific affirmative action obligations contained therein.

Signed: _____

Title: _____

Firm: _____

Address: _____

INSURANCE CERTIFICATION FORM

To indicate that Bidder/Respondent understands and is able to comply with the required insurance, as stated in the bid/RFP document, Bidder/Respondent shall submit this insurances sign-off form, signed by the company Risk Manager or authorized manager with risk authority.

- A. Is/are the insurer(s) to be used for all required insurance (except Workers' Compensation) listed by Best with a rating of no less than A:VII?

YES NO

Commercial General Liability: Indicate Best Rating:
Indicate Best Financial Classification:

Business Auto: Indicate Best Rating:
Indicate Best Financial Classification:

Professional Liability: Indicate Best Rating:
Indicate Best Financial Classification:

1. Is the insurer to be used for Workers' Compensation insurance listed by Best with a rating of no less than A:VII?

YES NO

Indicate Best Rating:
Indicate Best Financial Classification:

If answer is NO, provide name and address of insurer:

2. Is the Respondent able to obtain insurance in the following limits (next page) as required for the services agreement?

YES NO

Insurance will be placed with Florida admitted insurers unless otherwise accepted by Leon County. Insurers will have A.M. Best ratings of no less than A:VII unless otherwise accepted by Leon County.

Required Coverage and Limits

The required types and limits of coverage for this bid/request for proposals are contained within the solicitation package. Be sure to carefully review and ascertain that bidder/proposer either has coverage or will place coverage at these or higher levels.

Required Policy Endorsements and Documentation

Certificate of Insurance will be provided evidencing placement of each insurance policy responding to requirements of the contract.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by Leon County. At the option of Leon County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects Leon County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Endorsements to insurance policies will be provided as follows:

Additional insured (Leon County, Florida, its Officers, employees and volunteers) -
General Liability & Automobile Liability

Primary and not contributing coverage-
General Liability & Automobile Liability

Waiver of Subrogation (Leon County, Florida, its officers, employees and volunteers) - General Liability, Automobile Liability, Workers' Compensation and Employer's Liability

Thirty days advance written notice of cancellation to County - General Liability, Automobile Liability, Worker's Compensation & Employer's Liability.

Claims will be directed to _____(person/agency) at _____ (address/fax/e-,mail) for investigation and appropriate handling.

Please mark the appropriate box:

Coverage is in place Coverage will be placed, without exception

The undersigned declares under penalty of perjury that all of the above insurer information is true and correct.

Name _____ Signature _____
Typed or Printed

Date _____ Title _____
(Company Risk Manager or Manager with Risk Authority)

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
AND OTHER RESPONSIBILITY MATTERS
PRIMARY COVERED TRANSACTIONS**

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b) Have not within a three-year period preceding this been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of these offenses enumerated in paragraph (1)(b) of this certification; and
 - d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
3. No subcontract will be issued for this project to any party which is debarred or suspended from eligibility to receive federally funded contracts.

Signature

Title

Contractor/Firm

AFFIDAVIT CERTIFICATION
IMMIGRATION LAWS

Leon County will not intentionally award County contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324 A(e) {Section 274a(e) of the Immigration and Nationality Act ("INA").

Leon County may consider the employment by any Contractor of Unauthorized Aliens a violation of Section 274A(e) of the INA. **Such violation by the Recipient of the employment provision contained in Section 274A(e) of the INA shall be ground for unilateral cancellation of the contract by Leon County.**

BIDDER ATTESTS THAT THEY ARE FULLY COMPLIANT WITH ALL APPLICABLE IMMIGRATION LAWS (SPECIFICALLY TO THE 1986 IMMIGRATION ACT AND SUBSEQUENT AMENDMENTS).

Company Name: _____

Signature: _____ Title: _____

STATE OF _____
COUNTY OF _____

Sworn to and subscribed before me this ____ day of _____, 20__.

Personally known _____

NOTARY PUBLIC

OR Produced identification _____

Notary Public - State of _____

(Type of identification)

My commission expires: _____

Printed, typed, or stamped commissioned name of notary

The signee of this Affidavit guarantees, as evidenced by the sworn affidavit required herein, the truth and accuracy of this affidavit to interrogatories hereinafter made.

LEON COUNTY RESERVES THE RIGHT TO REQUEST SUPPORTING DOCUMENTATION, AS EVIDENCE OF SERVICES PROVIDED, AT ANY TIME.

LOCAL VENDOR CERTIFICATION

The undersigned, as a duly authorized representative of the vendor listed herein, certifies to the best of his/her knowledge and belief, that the vendor meets the definition of a "Local Business." For purposes of this section, "local business" shall mean a business which:

- a) Has had a fixed office or distribution point located in and having a street address within Leon, Gadsden, Wakulla, or Jefferson County for at least six (6) months immediately prior to the issuance of the request for competitive bids or request for proposals by the County; and
- b) Holds any business license required by Leon County (or one of the other local counties), and, if applicable, the City of Tallahassee; and
- c) Is the principal offeror who is a single offeror; a business which is the prime contractor and not a subcontractor; or a partner or joint venturer submitting an offer in conjunction with other businesses.

Please complete the following in support of the self-certification and submit copies of your County and City business licenses. Failure to provide the information requested will result in denial of certification as a local business.

Business Name:	
Current Local Address:	Phone:
	Fax:
If the above address has been for less than six months, please provide the prior address.	
Length of time at this address:	
Home Office Address:	Phone:
	Fax:

 Signature of Authorized Representative _____
Date

STATE OF _____
 COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____
 By _____ of _____,
(Name of officer or agent, title of officer or agent) (Name of corporation acknowledging)
 a _____ Corporation, on behalf of the corporation. He/she is personally known to me
(State or place of incorporation)
 or has produced _____ as identification.

Return Completed form with supporting documents to:

**Leon County Purchasing Division
 1800-3 N. Blair Stone Road
 Tallahassee, Florida 32308**

 Signature of Notary

 Print, Type or Stamp Name of Notary

 Title or Rank

 Serial Number, If Any

NON-COLLUSION AFFIDAVIT

I, _____ of the city of _____ according to law on my oath, and under penalty of perjury, depose and say that:

1. I am _____
of the firm of _____
in response to the Request for Proposals for:

Real Estate Services for Leon County, and that I executed the said proposal with full authority to do so.

2. This response has been arrived at independently without collusion, consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to qualifications or responses of any other responder or with any competitor; and, no attempt has been made or will be made by the responder to induce any other person, partnership or corporation to submit, or not to submit, a response for the purpose of restricting competition;

3. The statements contained in this affidavit are true and correct, and made with full knowledge that Leon County relies upon the truth of the statements contained in this affidavit in awarding contracts for said project.

(Signature of Responder)

(Date)

STATE OF FLORIDA
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority, _____ who, after first being sworn by me, (name of individual signing) affixed his/her signature in the space provided above on this ____ day of _____ 20____.

NOTARY PUBLIC

My Commission Expires: _____

DRUG-FREE WORKPLACE FORM

The undersigned vendor in accordance with Florida Statute 287.087 hereby certifies that:

(Name of Business)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under response/bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under response/bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 (Florida Statutes) or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, or any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

Responder's Signature

Date

ORIGINAL

RFP Title: Request for Proposals for Nonresidential Real Estate Services
Proposal Number: BC-02-09-16-13
Opening Date: Tuesday, February 9, 2016 @ 2:00 p.m.

PROPOSAL RESPONSE COVER SHEET

This page is to be completed and included as the cover sheet for your response to the Request for Proposals.

The Board of County Commissioners, Leon County, reserves the right to accept or reject any and/or all bids in the best interest of Leon County.

Shelly W. Kelley, Purchasing Director

Bill Proctor, Chairman
Leon County Board of County Commissioners

This solicitation response is submitted by the below named firm/individual by the undersigned authorized representative.

BY TALCOR Commercial Real Estate Services, Inc.
(Firm Name)
[Signature]
(Authorized Representative)
E. Edward Murray, Jr.
(Printed or Typed Name)

ADDRESS 1018 Thomasville Rd.
Suite 200A
CITY, STATE, ZIP Tallahassee, FL 32303
E-MAIL ADDRESS murray@talcor.com
TELEPHONE 850-224-2300
FAX 850-425-1114

ADDENDA ACKNOWLEDGMENTS: (IF APPLICABLE)

Addendum #1 dated 1/26/2016 Initials [Signature]

Addendum #2 dated _____ Initials _____

Addendum #3 dated _____ Initials _____



A. Business Information

1. TALCOR Commercial Real Estate Services, Inc.
1018 Thomasville Rd. Suite 200A
Tallahassee, FL 32303
850-224-2300
2. Primary Leon County Office:
1018 Thomasville Rd. Suite 200A
Tallahassee, FL 32303
Panama City Beach Office:
17216 Panama City Beach Pkwy.
Panama City Beach, FL 32413
Dothan, AL Office:
1276 Westgate Pkwy.
Dothan, AL 36303
Port St. Joe Office:
101 Good Morning St. Suite 103
Port St. Joe, FL 32456
228 Reid Avenue
Port St. Joe, FL 32456
3. Federal Identification Tax Number: 59-3040665
4. Organizational Overview:
 - a. Age of Firm: 25 years as TALCOR Commercial Real Estate Services, Inc.
 - b. Brief history and mission of firm: TALCOR was founded in 1990 as a real estate brokerage firm specializing exclusively in commercial properties in North Florida, South Georgia, and South Alabama. The company is staffed with the most experienced and competent professionals in the real estate business. We offer individual specialists in retail, office, agricultural, industrial and investment property sectors. We also have a large property management division. In 1990, NAI opened its Tallahassee office and is currently the largest locally owned commercial real estate firm in Tallahassee. Whether it be purchasing or selling land, managing properties, or offering our expert advice, NAI TALCOR is the company to turn to. NAI Network: All services are supported by the NAI Global Network, giving NAI TALCOR the ability to solve your commercial real estate needs around the corner or around the

world. NAI Global is the largest network provider of commercial real estate services in the world.

NAI TALCOR is a leader among the commercial real estate brokerage firms across the tri state region. As a result of the firm's strong marketing presence and volume of activity, we stay in tune with market trends

- c. Present Firm Size: 29 Agents and 32 support staff (in Leon County – 22 agents and 24 support staff)
- d. Areas of Market Focus:

Brokerage

- Leasing/Sales
- Investment Sales
- Tenant Representation
- Landlord Representation

Property Management

* 24 hours/7 days a week Staff and Maintenance

- Retail
- Office
- Industrial
- Business Parks
- Medical Centers
- Shopping Centers

Investment

- Multi-Family
- Land
- Retail
- Industrial
- Office
- Acreage & Commercial Land

Accounting Department

- Full-Service Accounting Department
- In-House Certified Public Accountant
- Yardi Voyager Software
- Budget Reports & Financials

Other Services

- Corporate Services
- Global Logistics
- Acquisition/Disposition
- Receivership

- Commercial RE Consulting
- e. Breakdown of Staff by Discipline
 - E. Edward Murray, Jr, SIOR, CCIM
President/Broker
Specialty: Investment, Property Management, Administration, Banks, Buyer Representation, Corporate Communications, Facilities Management, Land, Landlord Representation, Multifamily, Net Leased, Operations, REITs, Special / Distressed Assets, Tenant Representation
 - Frank L. Langston, CCIM
Principal/Qualifying Broker
Specialty: Investment, Property Management, Administration, Banks, Buyer Representation, Corporate Communications, Facilities Management, Land, Landlord Representation, Multifamily, Net Leased, Operations, REITs, Special / Distressed Assets, Tenant Representation
 - Rick Smith
CFO/COO/HR
 - Accounting Staff
Kristy Bennet
CPA/Accounting Director
Anna Carr
Property Management Accountant
Arthur Lewis
Property Management Accountant
Alashia Pryor
Accounting Assistant
 - Property Management
Lori Billberry, CPA, RPA, CCIM
Director of Property Management
 - Property Managers
Mark Frost
Debbie Weber
Beverly Hayes
 - Maintenance Techs
Terry Burns

Rick Cauley
John Driggers
Jeff Batt
Eric Boutwell
DeMaurio Moten
Austin Kelley

- Marketing Staff/Admin Staff

Whitney VanLandingham
Marketing Director
Janeen Piotrowski
Office Manager/Marketing Assistant
Jessica Nichols
*Executive Assistant to Ed Murray/Lease
Admin/Commercial Advisor*

- Receptionists

Gina Milone
Courtney Byrd
Katie Byers
Michaela Metcalfe

- Commercial Advisors

1. Dennis Ackerman – Property Management
2. Jennifer Beerli – SW Georgia, Retail, Office Buyer
Representation, Land, Landlord Representation,
Multifamily, Tenant Representation
3. Lori Billberry – Property Management
4. Gray Cartee – Office, Retail
5. Jep Dove – Investment, Industrial, Land,
Multifamily
6. Kee Elwell - Office, Industrial, Buyer
Representation, Development, Land, Multifamily,
Net Leased, Special / Distressed Assets, Tenant
Representation
7. Peter Gonzalez – Investment, Industrial,
Multifamily, Tenant Representation
8. Daniel Hautamaki – Investment, Acreage
9. Frank L. Langston – Investment, Property
Management, Administration, Banks, Buyer
Representation, Corporate Communications,

- Facilities Management, Land, Landlord Representation, Multifamily, Net Leased, Operations, REITs, Special / Distressed
10. TJ Lewis – Office Retail
 11. Les McLean – Office, Industrial, Tenant Representation
 12. John McNeill – Retail, Office, Appraisal / Valuation, Buyer Representation, Development, Financing, Hospitality, Landlord Representation, Net Leased, Special / Distressed Assets, Tenant Representation
 13. E. Edward Murray, Jr. – Investment, Property Management, Administration, Banks, Buyer Representation, Corporate Communications, Facilities Management, Land, Landlord Representation, Multifamily, Net Leased, Operations, REITs, Special / Distressed
 14. Jessica Nichols – Retail, Office
 15. Jimmy Nystrom - Office, Retail, Net Leased, Tenant Representation
 16. Caryl Pierce - Office, Investment, Appraisal / Valuation, Development, Health Care / Medical, Land, Landlord Representation, Lease Administration, Multifamily, Project Management, Special / Distressed Assets, Tenant Representation
 17. Brian Proctor – Investment, Industrial, Tenant Representation
 18. Alan Richardson – Industrial, Office
 19. Eric Stockstill - Investment, Retail, Data Centers, Development, Landlord Representation, Multifamily, Tenant Representation
 20. Jim Taube - Office, Industrial, Buyer Representation, Landlord Representation, Multifamily, Net Leased, Tenant Representation
 21. Whitney VanLandingham – Retail, Office
 22. David Williamson – Investment, Industrial, Development, Land

f. Organizational Chart – see attached

5. N/A – Not joint venture

B. Business Qualifications & Experience

1. Qualification of Firm in Meeting Areas of Expertise Needed

Detailed narrative of your organization’s experience and expertise in each category below. Also provide total annual dollar volume generated for past 5 years

a) Commercial and Industrial Properties

1) Acquisition

2012 \$2,700,000.00

2014 \$900,000.00

2) Sales/Marketing

2010 \$12,506,160.74

2011 \$16,033,539.41

2012 \$20,555,819.76

2013 \$26,353,615.08

2014 \$33,786,686.00

2015 \$66,077,967.92

3) Leasing

2010 \$17,832,752.31

2011 \$22,862,502.97

2012 \$29,310,901.24

2013 \$37,578,078.51

2014 \$48,177,023.73

2015 \$66,596,349.26

b) Agricultural and Large Acreage, Large Development Tracts and Timber Lands

1) Acquisition – NA

2) Sales/Marketing

2010 \$4,178,926.91

2011 \$5,357,598.60

2012 \$6,868,716.15

2013 \$8,806,046.34

2014 \$11,289,803.00

2015 \$15,897,995.38

3) Leasing – NA

2. Names and Descriptions of major projects for which the firm is presently under contract

- Magnolia Grove Pad 7 on Magnolia and Park – last few parcels are under contract – Village Inn, Mission BBQ and Comcast Xfinity
- Myer's Commercial Park at corner of Railroad and Famu Way – Under contract for proposed 700 bed student housing development
- Tomatoland – adjacent to Miracle Plaza
- Land Swap between FSU & CRA (\$11 MM deal) site for future Florida State University's College of Business
- Assisted Care Living Facilities – 2 under contract currently. 1st in NE Tallahassee 5-7 acres for memory care and assisted living. 2nd further east, senior housing, assisted living and memory care
- Future student housing development near Florida State Campus for 800 beds currently under contract
- The Onyx - LOI moving towards lease for 1,000 SF to sub concept

3. Successful Negotiation Experience

Describe in detail some of the successful negotiations of large and complex acquisitions sales and leases your company has conducted of the last 3 years.

- Leasing of Southwood 1 - 60,000 SF in last few years, including 30,000 SF to Kaye Scholer
- City Centre - 50,000 SF leased to Florida Housing Corp.
- Highpoint Center – 40,000 SF to Akerman Senterfitt
- Hermitage Centre – 43,000 SF lease to Division of Financial Services
- Capital Commerce Center - 30,000 SF leased in last 6 months
- Negotiating LOI's on Southgate at Florida State
- Urban Publix on Gaines Street
- Leasing of Northwood Centre

- Magnolia grove – Now completely leased, approximately 30,000 SF to Smash Burger, Starbucks, Mattress1One, Blaze Pizza, Oishii Bento, Which Wich, Taziki's, and Stanton Optical
- Land lease under Parkway Village and Center
- Land lease under Motel 6 on Apalachee Parkway
- Land lease renegotiation under Magnolia Park Shopping Center
- Collegetown Phase 1, retail portion – Madison Social, Cantina, Recess, Moda, Pomberry, Brooklyn Water Bagel, First Commerce Credit Union
- Miracle Plaza – Whole Foods, 4 Rivers BBQ, Zoe's Kitchen, Burger Fi, Barberitos, The Refinery, Southern Compass, Walter Green, Fab'rik, Capital City Runners, Francesca's, Fame Shop, Peterbrooke, Alumni Hall, Super Cuts, Millennium Day Spa, Cherry Blow Dry Bar

4. Marketing and Public Relations

Discuss your company's marketing and public relations program. Provide examples of creative and successful efforts or campaigns your company has conducted.

NAI TALCOR currently uses marketing and PR tactics in various ways to increase engagement, visibility, and lead generation.

Quarterly reports are created based on market data and distributed to clients. These reports are full of important content valuable to the local CRE market. In addition, PR tactics based around social media channels such as Facebook & Twitter are implemented to increase our reach when promoting news relevant to NAI TALCOR or real estate.

Successful efforts and campaigns are enclosed after organizational chart

C. Personnel Qualifications and Experience

Please provide the following information. The submitted information should illustrate how the organization meets the minimum qualifications/experience stated above.

1. Brief resume of key persons (resume also provided after Marketing materials)

- a) Name and title: E. Edward Murray, Jr., Principal, President, Broker
- b) How many years with firm: 25 years
- c) Years with other firm: 7 years at Investors Companies
- d) Experience
 - 1) Types of projects: The successful negotiation of many sales and leases, as outlined above (section V. – b.) and below (section V. – d.)
 - 2) Size of projects (dollar value and SF of project): project dollar values range from \$150,000 - \$25,000,000 and from 1,000 SF to 450,000 SF
 - 3) What was the specific project involvement: Primary broker, landlord and tenant representative, seller and buyer representative
- e) Education/training: Bachelor of Science in Real Estate and Finance from Florida State University. Florida, Georgia and Alabama Real Estate Brokers License, SIOR and CCIM designations, graduate of Leadership Florida and Leadership Tallahassee
- f) Active registration, professional designations and affiliations: SIOR and CCIM designations
- g) Other experience and qualifications relevant to project: Completed government deals with Florida State University, Florida State University Research Foundation, Leon County, State of Florida, Supervisor of Elections, Leon County Schools, Leon County Research and Development Authority and many others.

D. Describe your experience working for or with governmental entities

- Represented Florida State University Research Foundation in the acquisition of 3216 Sessions Rd., 3000 & 3200 Commonwealth Blvd.
- Represented Florida State University Research Foundation with the lease of 80,000 SF Elbit building in Innovation Park
- Represented Leon County Research and Development Authority in 18,000 SF lease with The National Park Service



- Broker in the sale of Huntington Oaks Shopping Center to Leon County and land swap with County's land at the north west corner of North Monroe and Perkins (12 acres)
- Broker in sale of 3420 Tharpe Street to Leon County Schools
- Represented Supervisor of Elections in 30,000 SF lease
- Represented Leon County in acquisition of 135,000 SF Bank of America Building

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Profit Corporation

TALCOR COMMERCIAL REAL ESTATE SERVICES, INC.

Filing Information

Document Number	S21626
FEI/EIN Number	59-3040665
Date Filed	12/28/1990
State	FL
Status	ACTIVE

Principal Address

1018 THOMASVILLE RD
SUITE #200A
TALLAHASSEE, FL 32303

Changed: 03/27/1996

Mailing Address

1018 THOMASVILLE RD
SUITE #200A
TALLAHASSEE, FL 32303

Changed: 03/27/1996

Registered Agent Name & Address

DYE, JIMMY
236 E. FIFTH AVENUE
TALLAHASSEE, FL 32303

Name Changed: 08/25/2010

Officer/Director Detail

Name & Address

Title D

MURRAY, E. EDWARD, JR.
2117 JENNETTE STREET
TALLAHASSEE, FL 32312

Title D

LANGSTON, FRANK L
818 N LAKESHORE DR
TALLAHASSEE, FL 32312

Annual Reports

Report Year	Filed Date
2013	04/25/2013
2014	03/29/2014
2015	04/30/2015

Document Images

04/30/2015 -- ANNUAL REPORT	View image in PDF format
03/29/2014 -- ANNUAL REPORT	View image in PDF format
04/25/2013 -- ANNUAL REPORT	View image in PDF format
04/09/2012 -- ANNUAL REPORT	View image in PDF format
04/26/2011 -- ANNUAL REPORT	View image in PDF format
08/25/2010 -- Reg. Agent Change	View image in PDF format
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06/07/1999 -- ANNUAL REPORT	View image in PDF format
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05/01/1995 -- ANNUAL REPORT	View image in PDF format



RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF REAL ESTATE

THE BROKER HEREIN IS LICENSED UNDER THE
PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

MURRAY, E EDWARD JR

2117 JENNETTE STREET
TALLAHASSEE FL 32312

LICENSE NUMBER: BK400119

EXPIRATION DATE: SEPTEMBER 30, 2016

Always verify licenses online at MyFloridaLicense.com



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Loopnet Account

Retail for sale ▼ Tallahassee, Florid 🔍

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E. Edward
PREMIUM ▼

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- [My Contacts](#)
- [My Reports & Marketing](#)
- [My Watch List](#)
- [Saved Sales Comps](#)
- [My Profile](#)
- [My Account](#)

My Account

My Login/Contact Information

Email Address	murray@talcor.com	Change
Login Password	*****	Change
Contact Information	E. Edward Murray, Jr., CCIM, SIOR (850) 224-2300 ext: 19 1018 Thomasville Road, Suite 200A, Tallahassee, FL 32303	Change
Company Information	NAI TALCOR 1018 Thomasville Road Suite 200A, Tallahassee, FL 32303	Change
Email Communication	Subscribed	Change
My Current Products/Billing Info		View
Transaction History		View



CCIM Institute
Commercial Real Estate's
Global Standard for Professional Achievement

February 5, 2016

E. Edward Murray Jr., CCIM
NAI Talcor
1018 Thomasville Road, Suite 200A
Tallahassee, FL 32303

Mr. Murray:

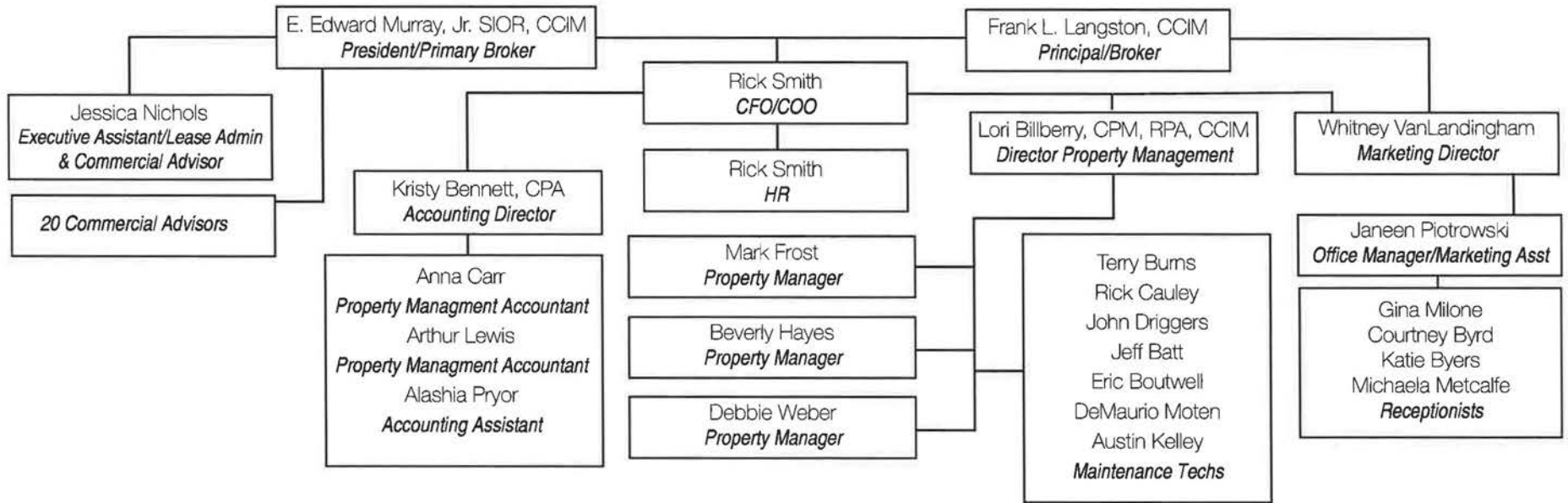
This letter is to serve as official notification of membership in good standing at The CCIM Institute. Our records indicate that you have been a member since 1987 and were awarded CCIM designation number 3097 on February 4, 1988.

You are also in good standing with the National Association of REALTORS® as a REALTOR. Your NRDS ID number is 284010057

Sincerely,

Gail Collins
Senior Vice President of Operations

TALLAHASSEE CORPORATE OFFICE ORGANIZATIONAL CHART



NAITALCOR

For Lease
9,796 SF Retail
on College Avenue



ONYX

444 College Avenue
Tallahassee, FL 32301

Property Details

- Upscale mixed use development featuring high end student housing and prime ground floor retail space.
- Within walking distance of Florida State University, Downtown Tallahassee, Tennessee Street Strip, CollegeTown and Cascades Park.
- 219 units (583 beds)

Lease Rate: \$26.00/SF NNN

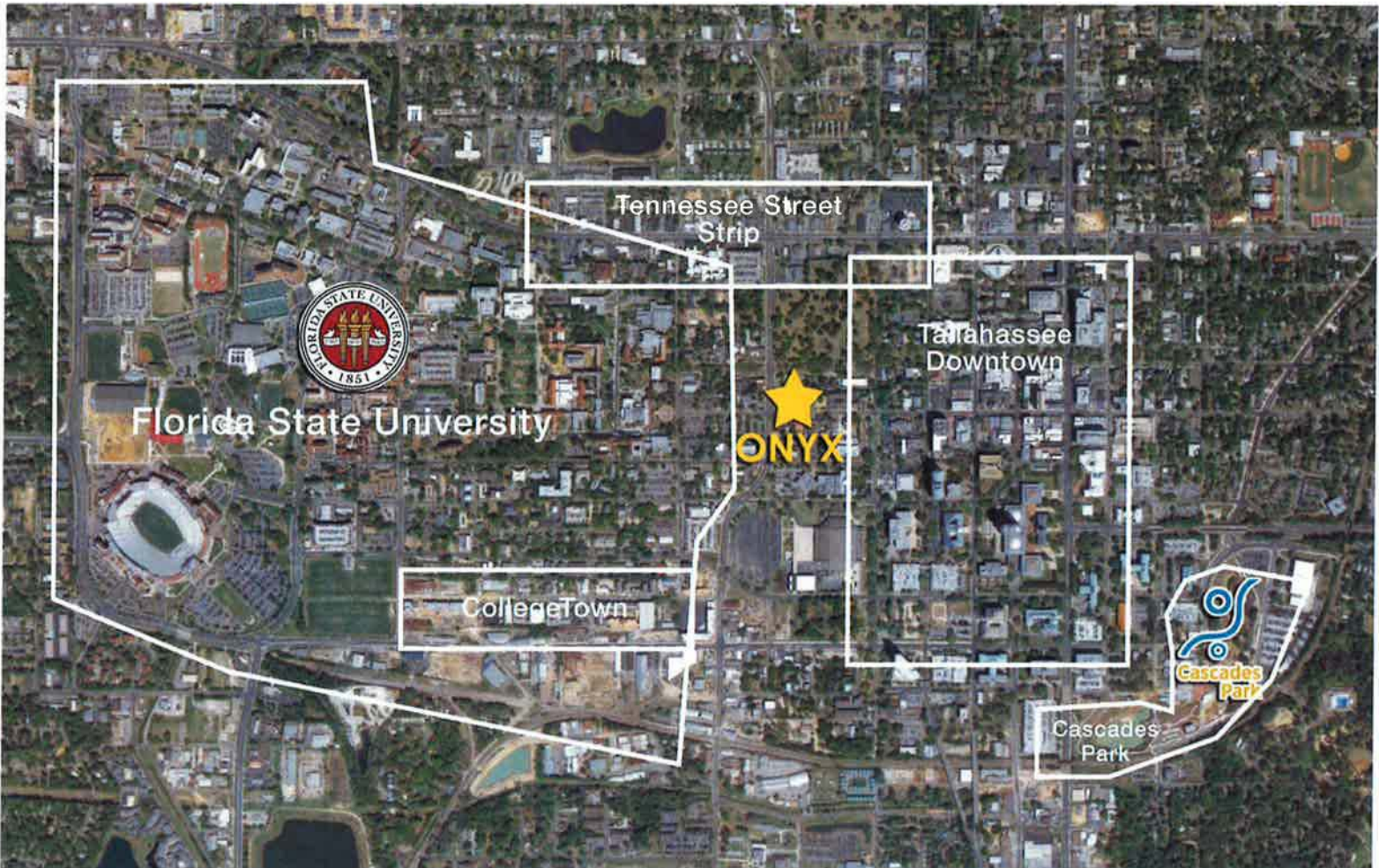
For more information:

E. Edward Murray, Jr., CCIM
+1 850 224 2300 • murray@talcor.com

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Area Information

Florida State University

- 450 acre campus
- 41,000 Students
- 15,000 Faculty and Staff

Downtown Tallahassee

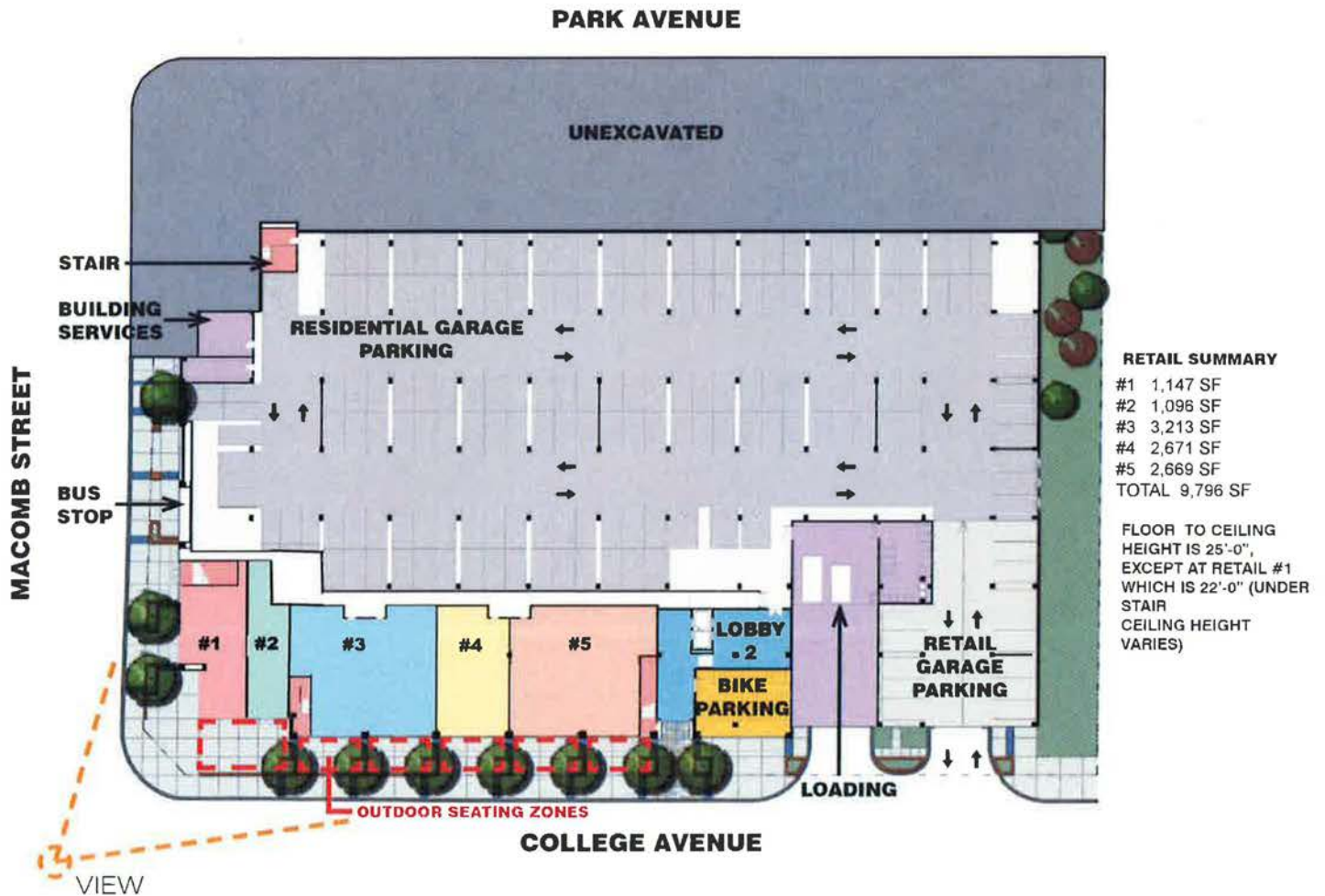
- Seat of state and local government
- Home to state capitol building, state and county courthouses and state office buildings
- 11,000+ employees within 1 mile radius

Location Information

- Centrally positioned for easy access to FSU, Downtown Tallahassee, Tennessee Street Strip and CollegeTown
- Located 2 blocks east of FSU
- Located 2 blocks west of Downtown Tallahassee
- Located 4 blocks south of Tennessee Street Strip
- 10,000+ beds within walking distance
- Just minutes from Doak Campbell Stadium and Cascades Park

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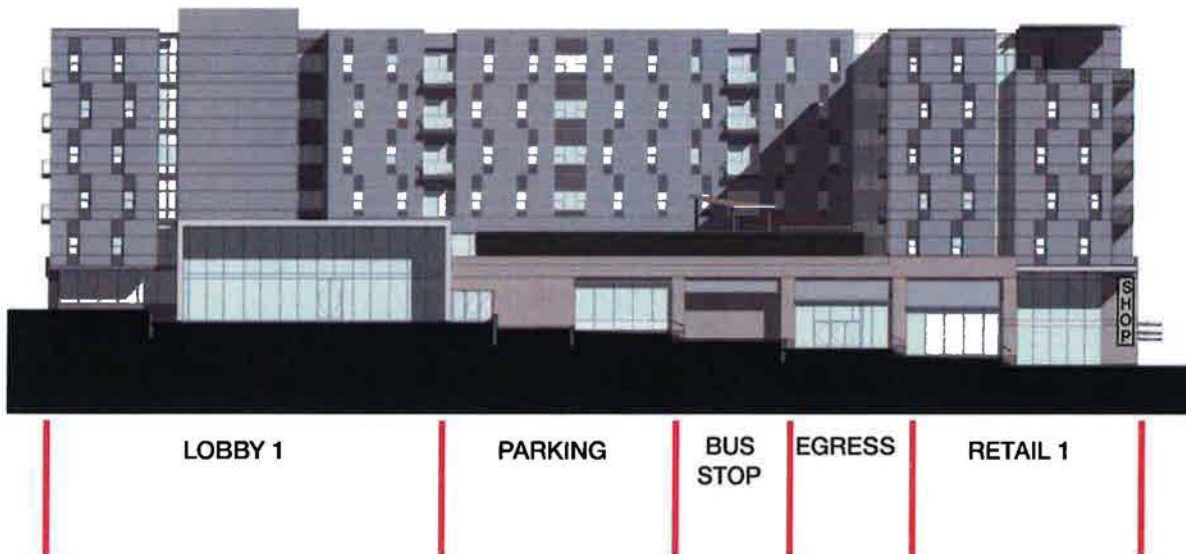


Space Details

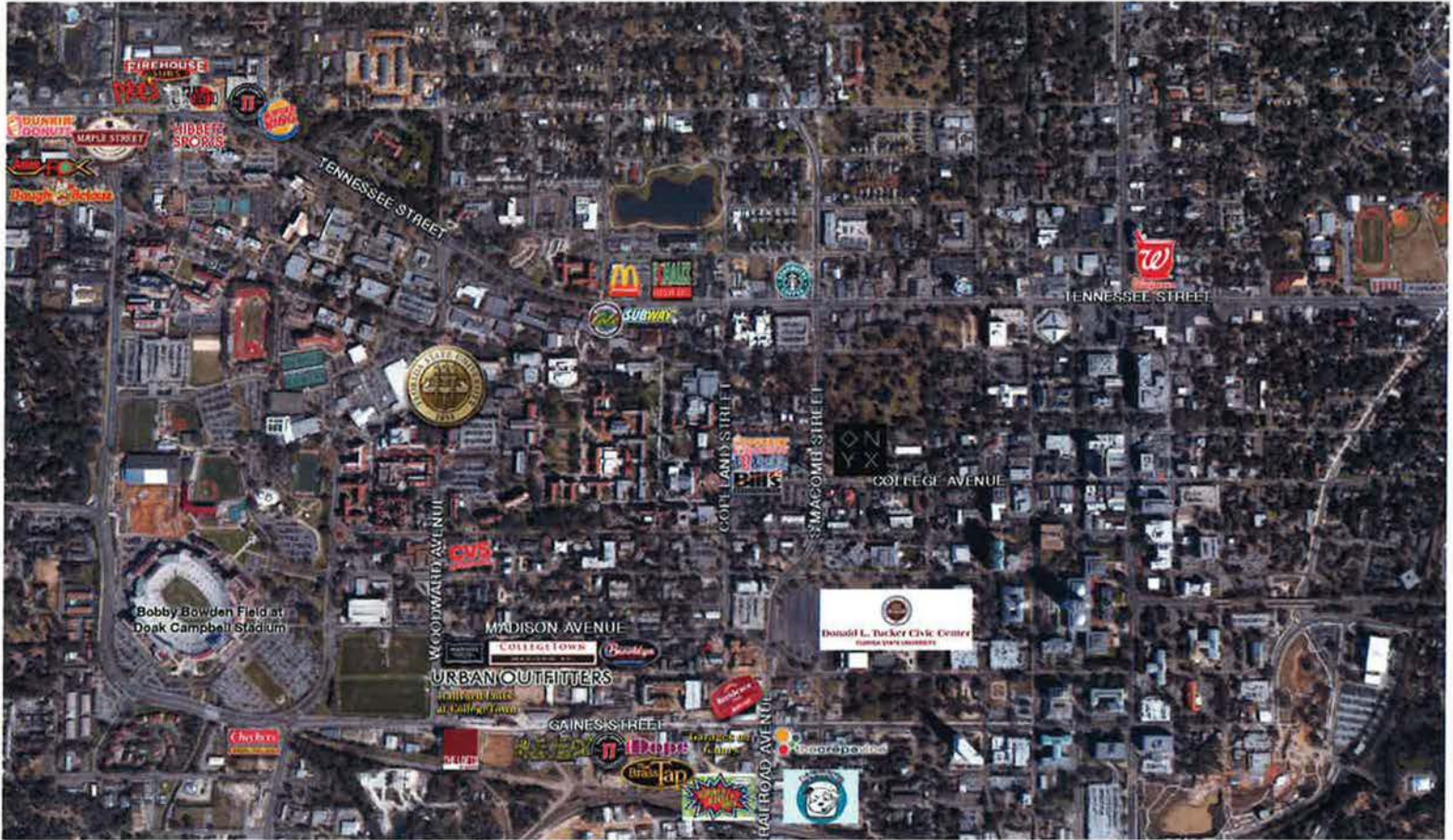
- Storefront: Metal storefront system with tempered glass
- Ceilings: Exposed concrete ceiling
- Electrical: 208/120v or 208/420v, (3) Phase, 4 Wire
- Natural Gas: Stubbed into tenant space with intent to provide 2 psi, 1,500 cfh valved natural gas by Utility company
- Sprinkler System: To code
- Floors: Concrete
- Shaft and Enclosures: Shaft provided for supplemental exhaust



SOUTH ELEVATION
View from College Avenue



WEST ELEVATION
View from Maccomb Street



OPENING NOW!

For Lease - Retail

Attachment #2
Page 23 of 44

Magnolia Grove New Retail Development



Magnolia Drive @ Park Avenue Tallahassee, Florida 32301

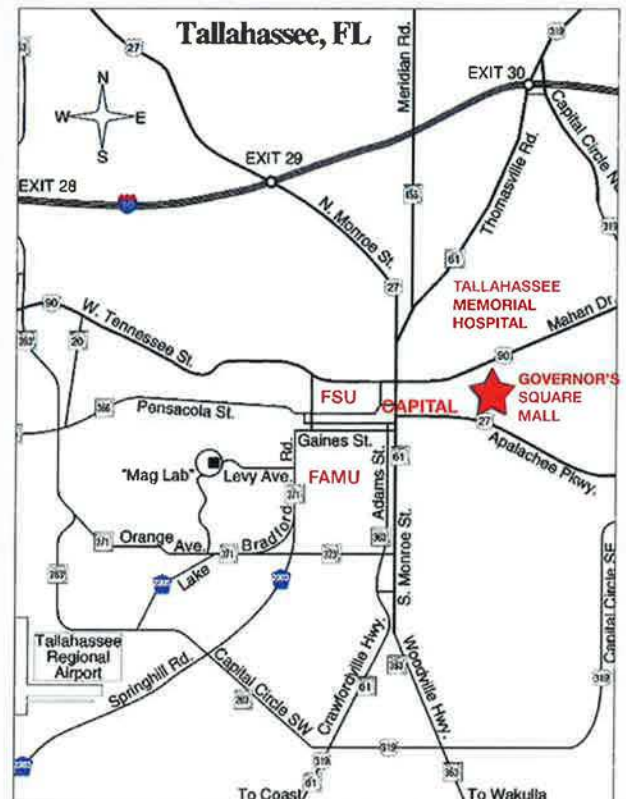
Property Features

- Best new retail development! 30,000 SF± in Tallahassee under construction now!
- Hilton's Home 2 Suites - 132 rooms - Opening November 2015
- 1 mile from Tallahassee Memorial, 1.5 miles to downtown business and government offices via Park Ave., Across the street from the Governor's Square Mall, 2 blocks from the Tallahassee Democrat
- **Remaining 1,400 SF available in pad 1A \$35.00 per square foot NNN**
- **Pad 7 \$640,000 - UNDER CONTRACT!**

For more information:

E. Edward Murray, Jr., SIOR, CCIM

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Surrounding Retail
Aerial

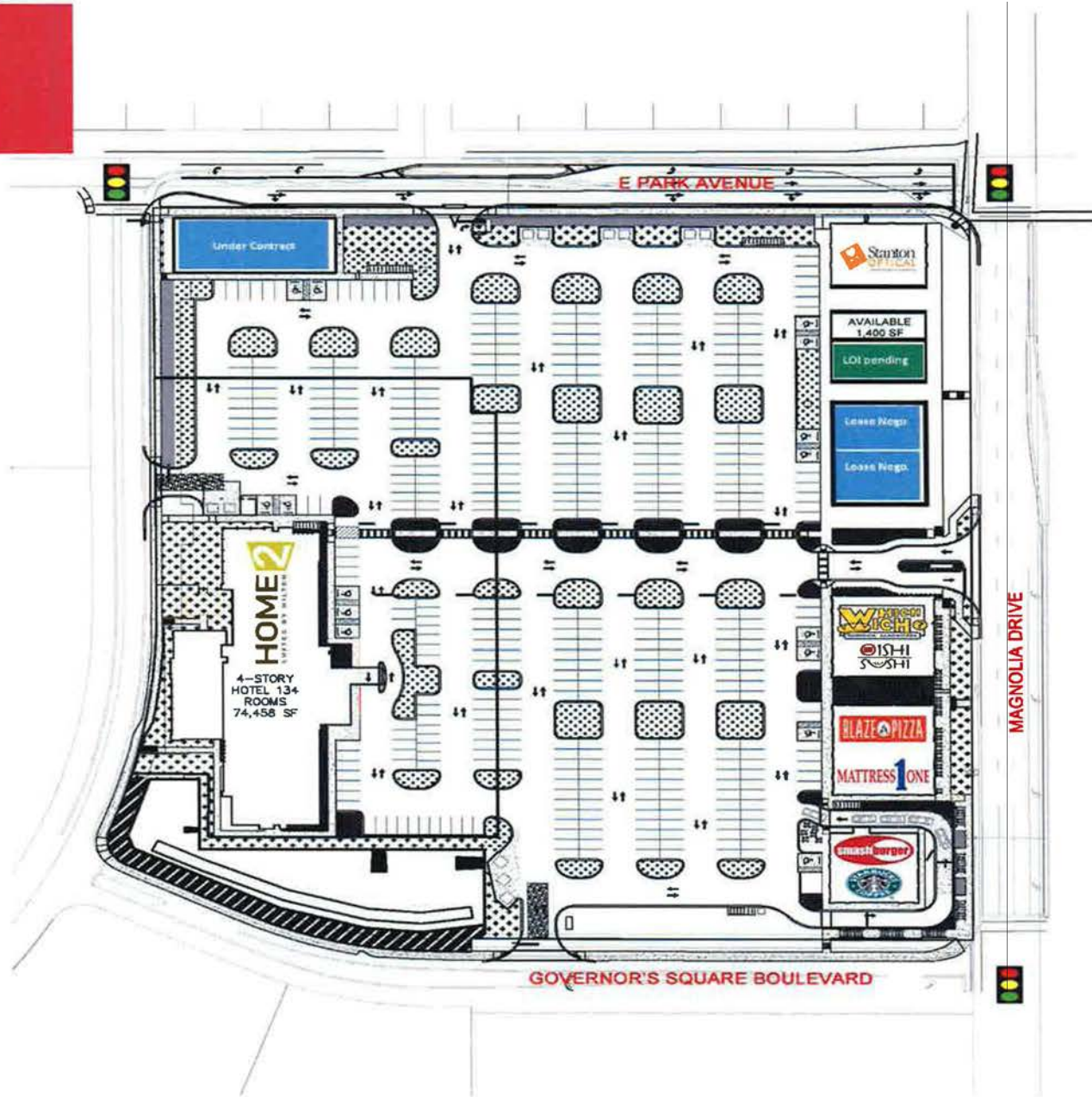


Demographics:	1 Mile	3 Miles	5 Miles
Med. Income:	\$38,569	\$33,054	\$33,292
Avg. Income:	\$57,152	\$50,609	\$51,857
Daytime Population:	12,606	78,198	115,321
Population:	7,601	83,416	167,060
Magnolia Drive Traffic Count: 29,500			
Apalachee Parkway Traffic Count: 33,000			



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Site Plan



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MARKET COMPARISONS			
Magnolia & Park to Thomasville & I-10	1 mi.	1.5 mi.	2 mi.
POPULATION			
Magnolia & Park	7,601	15,682	35,824
Thomasville & I-10	4,768	9,986	17,463
AVERAGE HOUSEHOLD INCOME			
Magnolia & Park	\$44,684	\$45,551	\$41,193
Thomasville & I-10	\$65,771	\$73,619	\$78,071
DAYTIME			
Magnolia & Park	12,606	33,517	53,590
Thomasville & I-10	7,193	12,504	16,551
RETAIL			
Magnolia & Park	2,534,203sf		
Thomasville & I-10	855,281sf		

PAD 1



PAD 3



Global reach, local commitment.
We know commercial real estate.

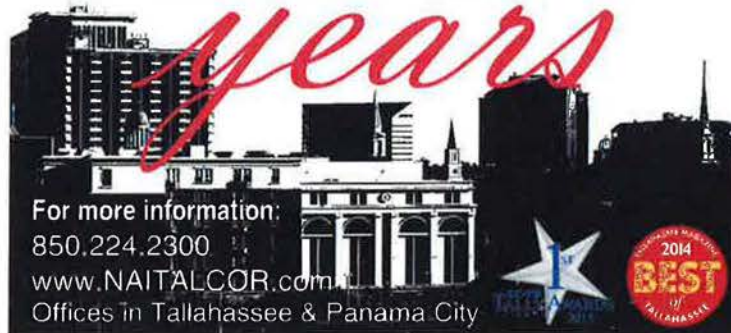
NAITALCOR

COMMERCIAL REAL ESTATE SERVICES, WORLDWIDE

Proudly serving North Florida for

25

years



For more information:
850.224.2300
www.NAITALCOR.com
Offices in Tallahassee & Panama City

Tallahassee, State Capital

FLORIDA



population
278K

16K
businesses



30 Fortune 1000
companies in FL

303 Fortune 5000
companies in FL

10th

Most Business-Friendly State

-ALEC



Named 2015 All-America City

- National Civic League

>60,000 students enrolled in

Florida State University, Florida A&M University, & Tallahassee Community College



47% of residents 25+ have Bachelor's degrees or higher

-Business Florida

One of the Best Florida ZIP Codes for Young Workers
-U.S. Census Bureau



Tallahassee designated for International Airport in 2015

One of the Top **25** Best Midsized Cities for Job Growth
-Newgeography



#19 Best state for business
-Forbes

**FSU's National High Magnetic Field Laboratory
World's Highest Powered Magnet**

-Popular Mechanics

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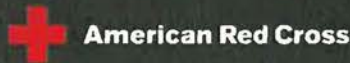
Recognized internationally for deeply rooted local market leaders with strong ties in our community. NAI TALCOR is active in philanthropic activity with a commitment to improving our community.

NAI Global.
Congratulates
NAI TALCOR
Pillar of the Community Award
2015

850.224.2300
www.NAITALCOR.com
Offices in Tallahassee, Panama City & Dothan



THANK YOU for supporting the
Capital Area American Red Cross



The Capital Chapter, Ed Murray and Frank Langston of NAI TALCOR would like to thank those that donated, local businesses who sponsored and attendees of the Cocktails and Camo fundraising event.

Your generous donations to the Red Cross stay in the Tallahassee community to help those in need.





COCKTAILS & CAMO

American Red Cross

APRIL 9, 2015
@ 6:00 PM
FLIGHTLINE HANGAR

BREAK OUT YOUR CAMO AND GRAB A COCKTAIL AS WE SALUTE ED MURRAY AND FRANK LANGSTON, HONORARY CHAIRS, FOR THIS YEAR'S COCKTAILS & CAMO!

MISSION CHECKLIST:

- + SAVE THE DATE
- + BUY YOUR TICKETS
- + BECOME A SPONSOR
- + PICK YOUR MILITARY-INSPIRED OUTFIT
- + GET READY FOR A GREAT EVENING AT THE FLIGHTLINE HANGAR

TO PURCHASE TICKETS:
WWW.COCKTAILSANDCAMO.COM
or call 850-402-5611

Proud sponsors:
NAITALCOR
TALLAHASSEE DEMOCRAT
Tallahassee.com
A GANNETT COMPANY



Professional Profile



**E. Edward
Murray, Jr.,
SIOR, CCIM**

NAI Director / President /
Broker
NAI TALCOR

o: 850.224.2300 x19
f: 850.425.1114
c: 850.566.9088

murray@talcor.com

Scope of Responsibilities

- Company Founder - As President and Designated Broker oversees all operations of NAI TALCOR and its 70+ employees.
- Real Estate Brokerage – Founder of NAI TALCOR in 1990 with multiple offices. Client representation for sales & leasing of investment, retail, office, industrial, multi-family & commercial land.
- Receivership – Court appointed receiver for lenders on distressed assets through foreclosure process. Full service property management and accounting company provides oversight, maintenance, tenant relations and collection services. Insured with Receiver Surety Bond.
- Consultation & Expert Witness: 32 Years' experience in real estate, providing advice to investors, business owners, local government and universities.
- Property & Asset Management – Full service property management and accounting company with oversight of over 5,000,000 square feet of retail, office and industrial properties.
- Landlord & Tenant Representation – Marketing, research, analysis and negotiation of lease transaction for both landlords and tenants.

Background & Experience

- Greater Tallahassee Chamber of Commerce - Past Chair
- Economic Development Council - past Chairman
- Tallahassee Memorial Healthcare Board Member
- Leon County Sales Tax Extension Committee
- FMB Banking Corp. - Bank Board Member
- Greater Tallahassee Chamber of Commerce - Executive Committee



Professional Profile

- Leadership Tallahassee 2012 Leader of the Year Nominee
- Urban Land Institute of North Florida Board Member
- Former Member of the Technical Advisory Committee - Tallahassee International Airport
- Knight Creative Communities Institute (KCCI) Advisory Board
- Knight Creative Communities Institute (KCCI) - 2011 Community Catalyst
- Capital Health Partnership - Past Board Member
- Former member of the Welaunee Community Advisory Group
- Council on Cultural Arts (COCA) - Former Member of Cultural Support Space Committee
- St. Peters Anglican Church - Senior Warden (5 years)
- Florida State University Real Estate Advisory - Board Member
- Tallahassee Community College Housing, Inc. Former Board Member
- Gaines Street Revitalization Committee - Past Chairman
- Habitat for Humanity - former Board Member
- Midtown Merchants Association - founding Member & past Board Member
- Past Member Tallahassee Downtown Improvement Authority (DIA) - Former Executive Committee
- Past Lecturer at FSU, College of Business, Real Estate Dept
- Exchange Club of Tallahassee
- Gamma Eta Mansion Corporation (Kappa Alpha)
- The Economic Club of Florida - Member

Professional Affiliations & Designations

- National Association of Realtors
- Florida Association of Realtors
- Tallahassee Board of Realtors
- Society of Industrial and Office Realtors (SIOR) designation
- Certified Commercial Investment (CCIM) designation
- International Council of Shopping Centers (ICSC)



Professional Profile

- Building Owners & Managers Association (BOMA)
- Commercial Council
- Urban Land Institute (ULI)

Educational Background

- Bachelor of Science in Real Estate & Finance-Florida State University
- Florida, Georgia, and Alabama Real Estate Brokers Licenses
- SIOR Designation (Society of Industrial and Office Realtors)
- CCIM Designation (Certified Commercial Investment Member)
- Graduate of Leadership Florida
- Graduate of Leadership Tallahassee

Significant Transactions

Recent Retail Transactions:

- Collegetown - Lease up of 38,000 SF of high end retail
 - Urban Outfitters - 14,000 SF as part of Collegetown
- Miracle Plaza - Broker and Lease up for 76,000 SF of high end tenants
 - Whole Foods Market
 - 4 Rivers Smokehouse
 - Zoe's Kitchen
 - Burger Fi
 - Francesca's
- Magnolia Grove - Broker and lease up for high end retail project
 - Starbucks, Blaze Pizza, Smash Burger, Which Wich
 - Home 2 Suites by Hilton
- Florida State University/City of Tallahassee (CRA) land swap (\$11,000,000 value) includes relocation of future College of Business

RFP Title: Request for Proposals for Nonresidential Real Estate Services
Proposal Number: BC-02-09-16-13
Opening Date: Tuesday, February 9, 2016 @ 2:00 p.m.

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION STATEMENT

1. The contractors and all subcontractors hereby agree to a commitment to the principles and practices of equal opportunity in employment and to comply with the letter and spirit of federal, state, and local laws and regulations prohibiting discrimination based on race, color, religion, national region, sex, age, handicap, marital status, and political affiliation or belief.
2. The contractor agrees to comply with Executive Order 11246, as amended, and to comply with specific affirmative action obligations contained therein.

Signed: _____

Title: President/Principal

Firm: TALCOR Commercial Real Estate Services, Inc.

Address: 1018 Thomasville Rd. Suite 200A Tallahassee, FL 32303

101 Nature of Employment

Effective Date: 1/1/2002

Employment with TALCOR is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, TALCOR may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between TALCOR and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or cancelled at any time, at TALCOR's sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the chief executive officer of TALCOR.

102 Employee Relations

Effective Date: 1/1/2002

TALCOR believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that TALCOR amply demonstrates its commitment to employees by responding effectively to employee concerns.

103 Equal Employment Opportunity

Effective Date: 6/1/2010

We are committed to providing equal opportunity in all of our employment practices, including selection, hiring, promotion, transfer, and compensation, to all qualified applicants and employees without regard to age, race, religion, color, sex, national origin, marital status, citizenship status, gender identity or expression, or sexual orientation, disability or any other protected status in accordance with the requirements of all federal, state and local laws.

104 Business Ethics and Conduct

Effective Date: 6/1/2010

The successful business operation and reputation of TALCOR is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of TALCOR is dependent upon our customers' trust and we are dedicated to preserving that trust. Employees owe a duty to TALCOR, its customers, and shareholders to act in a way that will merit the continued trust and confidence of the public.

TALCOR will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any

RFP Title: Request for Proposals for Nonresidential Real Estate Services
Proposal Number: BC-02-09-16-13
Opening Date: Tuesday, February 9, 2016 @ 2:00 p.m.

INSURANCE CERTIFICATION FORM

To indicate that Bidder/Respondent understands and is able to comply with the required insurance, as stated in the bid/RFP document, Bidder/Respondent shall submit this insurances sign-off form, signed by the company Risk Manager or authorized manager with risk authority.

- A. Is/are the insurer(s) to be used for all required insurance (except Workers' Compensation) listed by Best with a rating of no less than A:VII?

YES NO

Commercial General Indicate Best Rating: A
Liability: Indicate Best Financial Classification: VIII
United Specialty Insurance Co.

Business Auto: Indicate Best Rating: A+
 Indicate Best Financial Classification: XV
Depositors Insurance Co.

Professional Liability: Indicate Best Rating: A
 Indicate Best Financial Classification: XV
Continental Casualty Comapny

1. Is the insurer to be used for Workers' Compensation insurance listed by Best with a rating of no less than A:VII?

Bridgefield Employers Insurance Co.
 YES NO

Indicate Best Rating: A

Indicate Best Financial Classification: X

If answer is NO, provide name and address of insurer:

2. Is the Respondent able to obtain insurance in the following limits (next page) as required for the services agreement?

YES NO

Insurance will be placed with Florida admitted insurers unless otherwise accepted by Leon County. Insurers will have A.M. Best ratings of no less than A:VII unless otherwise accepted by Leon County.

RFP Title: Request for Proposals for Nonresidential Real Estate Services
Proposal Number: BC-02-09-16-13
Opening Date: Tuesday, February 9, 2016 @ 2:00 p.m.

Required Coverage and Limits

The required types and limits of coverage for this bid/request for proposals are contained within the solicitation package. Be sure to carefully review and ascertain that bidder/proposer either has coverage or will place coverage at these or higher levels.

Required Policy Endorsements and Documentation

Certificate of Insurance will be provided evidencing placement of each insurance policy responding to requirements of the contract.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by Leon County. At the option of Leon County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects Leon County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Endorsements to insurance policies will be provided as follows:

Additional insured (Leon County, Florida, its Officers, employees and volunteers) -
General Liability & Automobile Liability

Primary and not contributing coverage-
General Liability & Automobile Liability

Waiver of Subrogation (Leon County, Florida, its officers, employees and volunteers) - General Liability,
Automobile Liability, Workers' Compensation and Employer's Liability

Thirty days advance written notice of cancellation to County - General Liability, Automobile Liability,
Worker's Compensation & Employer's Liability.

Claims will be directed to Rick Smith (person/agency) at
1018 Thomasville Rd Ste 200A (address/fax/e-,mail) for investigation and appropriate handling.
850-425-1114 / rick@talcor.com

Please mark the appropriate box:

Coverage is in place Coverage will be placed, without exception

The undersigned declares under penalty of perjury that all of the above insurer information is true and correct.

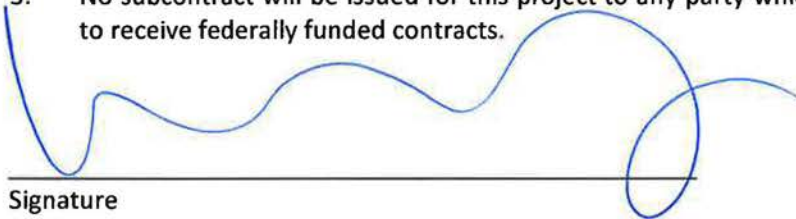
Name Rick Smith Signature 
Typed or Printed

Date 02/05/2016 Title CFO/COO/Manager with Risk Authority
(Company Risk Manager or Manager with Risk Authority)

RFP Title: Request for Proposals for Nonresidential Real Estate Services
Proposal Number: BC-02-09-16-13
Opening Date: Tuesday, February 9, 2016 @ 2:00 p.m.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
AND OTHER RESPONSIBILITY MATTERS
PRIMARY COVERED TRANSACTIONS**

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b) Have not within a three-year period preceding this been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of these offenses enumerated in paragraph (1)(b) of this certification; and
 - d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
3. No subcontract will be issued for this project to any party which is debarred or suspended from eligibility to receive federally funded contracts.



Signature

President/Principal

Title

TALCOR Commercial Real Estate Services, Inc.

Contractor/Firm

RFP Title: Request for Proposals for Nonresidential Real Estate Services
Proposal Number: BC-02-09-16-13
Opening Date: Tuesday, February 9, 2016 @ 2:00 p.m.

AFFIDAVIT CERTIFICATION
IMMIGRATION LAWS

Leon County will not intentionally award County contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324 A(e) {Section 274a(e) of the Immigration and Nationality Act ("INA").

Leon County may consider the employment by any Contractor of Unauthorized Aliens a violation of Section 274A(e) of the INA. **Such violation by the Recipient of the employment provision contained in Section 274A(e) of the INA shall be ground for unilateral cancellation of the contract by Leon County.**

BIDDER ATTESTS THAT THEY ARE FULLY COMPLIANT WITH ALL APPLICABLE IMMIGRATION LAWS (SPECIFICALLY TO THE 1986 IMMIGRATION ACT AND SUBSEQUENT AMENDMENTS).

Company Name: TALCOR Commercial Real Estate Services, Inc.

Signature: _____ Title: Principal/President

STATE OF Florida
COUNTY OF Leon

Sworn to and subscribed before me this 8th day of February, 2016.

Personally known x

Jessica Lauren Nichols
NOTARY PUBLIC

OR Produced identification _____

Notary Public - State of Florida

(Type of identification)



My commission expires: 8/13/18

Jessica Nichols
Printed, typed, or stamped commissioned name of notary

The signee of this Affidavit guarantees, as evidenced by the sworn affidavit required herein, the truth and accuracy of this affidavit to interrogatories hereinafter made.

LEON COUNTY RESERVES THE RIGHT TO REQUEST SUPPORTING DOCUMENTATION, AS EVIDENCE OF SERVICES PROVIDED, AT ANY TIME.

RFP Title: Request for Proposals for Nonresidential Real Estate Services

Proposal Number: BC-02-09-16-13

Opening Date: Tuesday, February 9, 2016 @ 2:00 p.m.

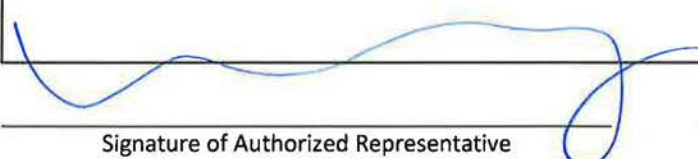
LOCAL VENDOR CERTIFICATION

The undersigned, as a duly authorized representative of the vendor listed herein, certifies to the best of his/her knowledge and belief, that the vendor meets the definition of a "Local Business." For purposes of this section, "local business" shall mean a business which:

- a) Has had a fixed office or distribution point located in and having a street address within Leon, Gadsden, Wakulla, or Jefferson County for at least six (6) months immediately prior to the issuance of the request for competitive bids or request for proposals by the County; and
- b) Holds any business license required by Leon County (or one of the other local counties), and, if applicable, the City of Tallahassee; and
- c) Is the principal offeror who is a single offeror; a business which is the prime contractor and not a subcontractor; or a partner or joint venturer submitting an offer in conjunction with other businesses.

Please complete the following in support of the self-certification and submit copies of your County and City business licenses. Failure to provide the information requested will result in denial of certification as a local business.

Business Name: TALCOR Commercial Real Estate Services, Inc.	
Current Local Address: 1018 Thomasville Rd. Suite 200A Tallahassee, FL 32303	Phone: 850-224-2300 Fax: 850-425-1114
If the above address has been for less than six months, please provide the prior address.	
Length of time at this address:	
Home Office Address:	Phone: Fax:


2/8/16


 Signature of Authorized Representative Date

STATE OF Florida
 COUNTY OF Leon

The foregoing instrument was acknowledged before me this 8 day of February, 2016
 By E. Edward Murray, Jr. of TALCOR Commercial Real Estate Services Inc
(Name of officer or agent, title of officer or agent) (Name of corporation acknowledging)
 a Florida Corporation, on behalf of the corporation. He/she is personally known to me
(State or place of incorporation)
 or has produced personally known as identification.

Return Completed form with supporting documents to:

Leon County Purchasing Division
 1800-3 N. Blair Stone Road
 Tallahassee, Florida 32308



 Signature of Notary
Jessica Lauren Nichols
 Print, Type or Stamp Name of Notary

 Title or Rank

 Serial Number, If Any



RFP Title: Request for Proposals for Nonresidential Real Estate Services
Proposal Number: BC-02-09-16-13
Opening Date: Tuesday, February 9, 2016 @ 2:00 p.m.

NON-COLLUSION AFFIDAVIT

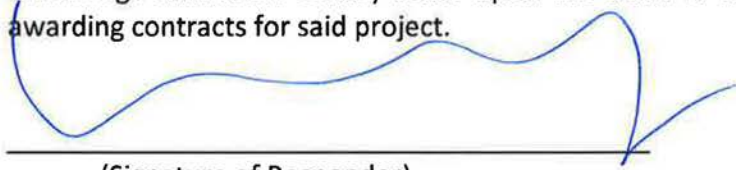
I, E. Edward Murray, Jr of the city of Tallahassee, FL according to law on my oath, and under penalty of perjury, depose and say that:

- I am the President/Principi and Primary Broker
of the firm of TALCOR Commercial Real Estate Services, Inc.
in response to the Request for Proposals for:

Real Estate Services for Leon County, and that I executed the said proposal with full authority to do so.

2. This response has been arrived at independently without collusion, consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to qualifications or responses of any other responder or with any competitor; and, no attempt has been made or will be made by the responder to induce any other person, partnership or corporation to submit, or not to submit, a response for the purpose of restricting competition;

3. The statements contained in this affidavit are true and correct, and made with full knowledge that Leon County relies upon the truth of the statements contained in this affidavit in awarding contracts for said project.



(Signature of Responder)

2/8/16
(Date)

STATE OF FLORIDA
COUNTY OF Leon

PERSONALLY APPEARED BEFORE ME, the undersigned authority, E. Edward Murray, Jr. who, after first being sworn by me, (name of individual signing) affixed his/her signature in the space provided above on this 8 day of February 2016.

Jessica Lauren Nichols
NOTARY PUBLIC

My Commission Expires: _____



RFP Title: Request for Proposals for Nonresidential Real Estate Services
Proposal Number: BC-02-09-16-13
Opening Date: Tuesday, February 9, 2016 @ 2:00 p.m.

DRUG-FREE WORKPLACE FORM

The undersigned vendor in accordance with Florida Statute 287.087 hereby certifies that:

TALCOR Commercial Real Estate Services, Inc.

(Name of Business)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under response/bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under response/bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 (Florida Statutes) or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, or any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

Responder's Signature

Date

2/8/16



Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-3302 www.leoncountyfl.gov

Commissioners

BILL PROCTOR
District 1
Chairman

JOHN DAILEY
District 3
Vice Chairman

JANE G. SAULS
District 2

BRYAN DESLOGE
District 4

KRISTIN DOZIER
District 5

MARY ANN LINDLEY
At-Large

NICK MADDOX
At-Large

VINCENT S. LONG
County Administrator

HERBERT W.A. THELE
County Attorney

January 26, 2016

RE: RFP Title: Request for Proposals for Nonresidential Real Estate Services
RFP No: BC-02-09-16-13
Opening Date: Tuesday, February 9, 2016 at 2:00 p.m. Eastern Time

ADDENDUM #1

Dear Vendor:

This letter serves as Addendum #1 for the above referenced project. Questions submitted by vendors are answered below.

Question #1:	<p>Section V. Required Submittals – question 4</p> <ul style="list-style-type: none"> c. present size of firm – does this include all employees or just all licensed agents? e. breakdown of staff by discipline – does this include all employees or just all licensed agents? What level of detail is needed? f. organizational chart – does this include all employees or just all licensed agents? What level of detail is needed?
Answer:	<ul style="list-style-type: none"> c. Please include all employees in this section. e. Please provide a high-level breakdown of all employees, including licensed agents. Further, provide a breakdown of staff that will be working on this project and include area(s) of expertise for all licensed agents. f. Please provide a thorough organizational chart that shows the hierarchy of your firm, including all licensed agents, marketing personnel, administrative assistants, etc. Additionally, identify the staff that will be assigned to this project.

Acknowledgment of this addendum is required as part of your bid submittal. Failure to acknowledge this addendum may result in rejection of your bid.

Should you have any questions, feel free to call me at (850) 606-1600.

Sincerely,


Shelly Kelley, PMP
Purchasing Director

SWK

People Focused. Performance Driven.


Leon County
Board of County Commissioners
Notes for Agenda Item #21

Leon County Board of County Commissioners

Cover Sheet for Agenda #21

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Adoption of Proposed Revisions to the Tallahassee-Leon County Planning Commission and Local Planning Agency Bylaws and Adoption of an Updated Tallahassee-Leon County Planning Department Fee Resolution

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Benjamin H. Pingree, Director, Planning, Land Management & Community Enhancement Cherie Bryant, Manager, Tallahassee-Leon County Planning Department
Lead Staff/ Project Team:	Russell Snyder, Land Use Planning Division Manager Susan Denny, Senior Planner, Land Use Division

Fiscal Impact:

This item has a fiscal impact. The proposed fee resolution will assess a \$200 new direct notice fee for quasi-judicial filings to cover postal and other costs of direct notices. This fee will off-set a portion of the direct notice costs, currently paid for by the County.

Staff Recommendation:

Option #1: Adopt the amended Tallahassee-Leon County Planning Commission and Local Planning Agency Bylaws (Attachment #1) and the updated fee resolution (Attachment #2), based on the recommendation of the Tallahassee-Leon County Planning Commission and the staff report.

Report and Discussion

Background

The Tallahassee-Leon County Planning Commission was established by interlocal agreement on September 26, 1967, between Leon County and the City of Tallahassee. This agreement designated the Planning Commission as the entity responsible for comprehensive area wide planning within the City of Tallahassee and Leon County. The Planning Commission is also the designated Local Planning Agency (LPA) that reviews amendments to the Comprehensive Plan. Duties and responsibilities of the Planning Commission and the LPA are set forth in the Planning Commission Bylaws as well as the interlocal agreement and local land development codes for the City and County.

Amendments to the Tallahassee-Leon County Planning Commission Bylaws (“Bylaws”) have been proposed by the Planning Commission and Local Planning Agency (LPA) attorney, in conjunction with the County Attorney’s Office and the City Attorney’s Office, to improve clarity and make the Bylaws consistent with statutory and code changes that occurred since they were last revised (Attachment #1).

On February 2, 2016, the Tallahassee-Leon County Planning Commission and LPA adopted the Bylaws amendments after holding a public hearing. If approved, the revised Bylaws will become effective upon adoption by the City Commission and the Board of County Commissioners. The Planning Commission and LPA also recommended adoption of an updated Fee Resolution by the Board of County Commissioners that includes quasi-judicial filing fees (Attachment #2). A comprehensive history of changes to the bylaws is also included (Attachment #3).

Analysis:

Bylaws

The proposed Bylaws amendments were written by the Planning Commission attorney, in conjunction with the County Attorney’s Office and the City Attorney’s Office, to make the Bylaws consistent with statutory and code changes that have occurred since they were last revised. In addition, the amendments include minor changes to make it easier to find and understand topics by adding definitions, subsection headings, consistent formatting and consistent references.

The substantive changes to the Bylaws are briefly summarized below:

- Part I, Article I, Section 1(j), adds a definition of “Duly noticed” stipulating the requirements for public notice in newspapers for Planning Commission regular meetings, public hearings and quasi-judicial proceedings.
- Part I, Article III, Section 1, allows the Clerk of the Planning Commission to poll Planning Commission members to determine if there will be a quorum for a Planning Commission meeting. In addition, this section allows the Clerk of the Planning Commission to cancel a Planning Commission meeting that does not meet quorum requirements and reschedule its agenda items to a later date.

- Part I, Article IX, Section 1(j), removes the formal quasi-judicial filing fee of \$150 for one individual plus \$25 for additional individuals and transfers the responsibility for setting this fee to City of Tallahassee and Leon County fee resolutions. Changes to the City and County fee resolutions, which include the fee for formal quasi-judicial proceedings as well as other fee changes, will be taken up by the City Commission and Board of County Commissioners concurrent with the Planning Commission Bylaw changes (see below).
- Part I, Article IX, Section 2 (a) and (b), clarifies the procedures for the filing of documents with the Clerk of the Planning Commission in formal quasi-judicial proceedings.
- Part I, Article IX, Section 10 (a) provides a definition of the “record” for formal quasi-judicial hearing and (b) sets forth responsibility parties for ordering and paying for the transcripts of quasi-judicial proceedings.
- Part I, Article XIII, Section 2 establishes the duties of the Clerk of the Local Planning Agency Clerk.
- Part I, Article XVI, Section 3(c) requires members of the Planning Commission to abide by the City of Tallahassee Code of Ethics adopted in the Tallahassee Code of General Ordinances.

Fee Resolution

One of the proposed changes to the Bylaws removes a reference to specific monetary values for filing fees for formal quasi-judicial proceedings, and transfers the responsibility for setting the quasi-judicial filing fees to respective City of Tallahassee and Leon County fee resolutions. In addition, a new \$200 direct notice fee has been included to off-set postage and other costs associated with direct notice for quasi-judicial proceedings and to be consistent with the City of Tallahassee.

The format of the proposed fee resolution also removes extraneous information from the existing Resolution (No. R11-65), and reformats it for clarity. When Resolution No. 11-65 was adopted, it included a gradual increase in fees for Planning Department services based on the number of building permits issued each fiscal year. The maximum numbers of building permits associated with the highest fees were issued in Fiscal Year 2015. Therefore, the language related to the incremental increase in fees is no longer needed in the fee resolution.

Options:

1. Adopt the amended Tallahassee-Leon County Planning Commission and Local Planning Agency Bylaws (Attachment #1) and the updated fee resolution (Attachment #2), based on the recommendation of the Tallahassee-Leon County Planning Commission and the staff report.
2. Do not adopt the amended Tallahassee-Leon County Planning Commission and Local Planning Agency Bylaws and the updated fee resolution, based on the findings of the Board of County Commissioners.
3. Board Action.

Title: Adoption of Proposed Revisions to the Tallahassee-Leon County Planning Commission and Local Planning Agency Bylaws and Adoption of an updated Tallahassee-Leon County Planning Department Fee Resolution

March 8, 2016

Page 4

Recommendation:

Option #1

Attachment:

1. Proposed revised Tallahassee-Leon County Planning Commission and LPA Bylaws
2. Proposed Leon County updated Fee Resolution
3. Bylaw Changes since 1996

BYLAWS

OF THE

TALLAHASSEE-LEON

COUNTY PLANNING COMMISSION

These Bylaws govern the actions of the Tallahassee-Leon County Planning Commission in its capacity as the Planning Commission, the Local Planning Agency, and the Land Development Regulation Commission.

Adopted by the Planning Commission on 6/26/96, amended: 11/3/97, 1/10/00, 5/16/01, 12/3/01, 11/3/03, 5/01/07, 06/05/12, 02/02/16

Approved by the City Commission on 7/10/96, 11/25/97, 3/8/00, 10/24/01, 4/24/02, 12/10/03, 5/01/07, 06/27/12

Approved by the County Commission on 7/17/96, 11/18/97, 2/22/00, 10/30/01, 4/9/02, 12/9/03, 06/26/12

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STATEMENT OF PURPOSE; HOW TO USE THESE BYLAWS

Statement of Purpose. *The Tallahassee-Leon County Planning Commission (hereinafter called "Planning Commission") was duly established by virtue of an interlocal agreement dated September 26, 1967, between the County of Leon and the City of Tallahassee. This agreement, as amended, designates the Planning Commission as the entity responsible for comprehensive areawide planning within the City of Tallahassee and Leon County. The Planning Commission is also the duly designated Local Planning Agency and Land Development Regulation Commission pursuant to Chapter 163, Florida Statutes. Duties and responsibilities of the Planning Commission are set forth in the interlocal agreement, these Bylaws, and the codes of the City of Tallahassee and Leon County.*

How To Use These Bylaws. *These Bylaws set forth the procedure to be followed and adhered to by the Planning Commission in discharging its assigned duties and responsibilities and by all persons bringing matters before the Planning Commission. The provisions of Part I govern the activities of the Planning Commission when it sits as the Planning Commission and as the Land Development Regulation Commission. The provisions of Part II govern the activities of the Planning Commission when it sits as the Local Planning Agency. To the extent applicable, the provisions of Part I shall also govern the activities of the Local Planning Agency. In the event that specific provisions in Part II are in direct conflict with the provisions in Part I, the provisions of Part II shall control as to the activities of the Local Planning Agency.*

**PART I
TALLAHASSEE-LEON COUNTY PLANNING
COMMISSION**

ARTICLE I - DEFINITIONS

Section 1. Definitions. As used in these Bylaws:

- (a) "Appeal" means a de novo formal quasi-judicial proceeding to review the decision of a City or County official or committee. In such a review no presumption of correctness is afforded to the decision under review.
- (b) "Applicant" means the person filing an application for approval of a site plan, plat, rezoning or other action to be taken by the City, County or Planning Commission.
- (c) "City" means the City of Tallahassee.
- (d) "Commission" means the Tallahassee-Leon County Planning Commission unless the context of the sentence implies that the reference is to the Tallahassee City Commission or the Leon County Commission.
- (e) "County" means Leon County.
- (f) "Days" means working days, unless otherwise stated.
- (g) "De novo proceeding" means a formal quasi-judicial proceeding wherein the parties submit testimony and evidence in support of their position and the reviewing body evaluates the issues raised in a petition as if they were being reviewed for the first time.
- (h) "Documentary evidence" means any document, memorandum, letter, expert or lay report, resume, data, chart, diagram, survey, drawing or other writing whether printed or on computer disk or external storage drive, any video or audio tape, film, slide, overhead projection or photograph.
- (i) "Development Review Committee" or "DRC" means the Development Review Committee of the City of Tallahassee or of Leon County, as applicable.
- (j) "Duly noticed" means notice published in a newspaper of regular and general circulation in the City and County: i) for matters in the City – at least 15 days in advance of the Planning Commission public hearing on a Type C site plan, 21 days in advance of the Planning Commission public hearing or regular meeting for all other matters coming before the Planning Commission, and 15 days in advance of the commencement of the evidentiary hearing in the case of a formal quasi-judicial proceeding before an administrative law judge; ii) for matters in the County – at least 15 days in advance of the Planning Commission public hearing for a rezoning, 21 days in advance of a Planning Commission public hearing or regular meeting for all other matters coming before the

Planning Commission and 30 days in advance of the commencement of the evidentiary hearing in the case of a formal quasi-judicial proceeding; and iii) for meetings of the Local Planning Agency – at least 10 days in advance of such meeting or public hearing.

(k) "Filing" means received in hand by the Clerk of the Planning Commission. Mere placing in the U.S. Mail or via electronic mail does not constitute filing.

(l) "Greater impacts" means an increase in the effects of a project upon infrastructure or natural resources. An example of a "greater impact" is a change in a residential plat that increases the number of units, lots, or impervious area.

(m) "Local Planning Agency" or "LPA" means the entity responsible for preparation of the Comprehensive Plan and amendments for approval by the City of Tallahassee and Leon County and performance of other duties of a local planning agency as provided in Chapter 163, Florida Statutes, the codes of the City of Tallahassee and Leon County, and these Bylaws.

(n) "Party" means the applicant, the local government with jurisdiction, or any person who will suffer an adverse effect to an interest protected or furthered by the comprehensive plan, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, or environmental or natural resources. The alleged adverse effects may be shared in common with other members of the community at large, but shall exceed in degree the general interest in community good shared by all persons.

(o) "Person" means a person, corporation, partnership, association, unit of government or organization.

(p) "Petitioner" means a person who files a petition for formal quasi-judicial proceedings and who qualifies as a party.

(q) "Planning Commission" means the Tallahassee-Leon County Planning Commission.

(r) "Quasi-judicial proceeding or proceedings" means a proceeding that results in a decision having an impact on a limited number of persons or property owners, or identifiable parties and interests, where the decision is contingent on a fact or facts arrived at from distinct alternatives presented at a hearing, and where the decision can be viewed as policy application rather than policy setting.

(s) "Rendered" means when a decision is reduced to writing and formally delivered or filed. In the case of an order of the Planning Commission, the order shall be rendered when it is date stamped by the Clerk of the Planning Commission and filed in the records of the Tallahassee-Leon County Planning Department during the regular business hours of the Department.

(t) "Respondent" means a party who is opposing the position taken by the petitioner.

(u) "Service" or "date of service" or "date listed on the Certificate of Service" means the date the document is placed in the U.S. Mail, hand delivered or faxed to the parties.

(v) "Substantially different impacts" means effects from a development that cannot be reasonably anticipated to occur based on the public notice given. An example of a "substantially different impact" is a change in a mixed-use project that eliminates a commercial use and substitutes it with an office use. Although the effect may not be greater, it will be substantially different from what was anticipated by the public notice. A reduction within zoning categories to a lesser-included use will not be considered a different impact.

ARTICLE II - MEMBERSHIP, TERMS, MEETINGS, PLACE OF MEETINGS AND DUTIES

Section 1. Membership; Termination; Attendance Report by the Clerk

(a) **Membership.** The Planning Commission is composed of three members appointed by the Board of County Commissioners of Leon County, three members appointed by the City Commission of the City of Tallahassee and one member selected by the School Board of Leon County and appointed by the City and County Commissions. A member who wishes to resign prior to the completion of his or her term shall submit a letter of resignation to the appointing body stating the effective date of the resignation.

(b) **Termination.** Members serve at the pleasure of the governing body that appointed them. Reasons for termination of a member include the following: 1) (a) for City appointees, the member no longer resides or owns property within the City limits, or is no longer a City Utility customer; (b) for County and School Board-selected appointees, the member no longer resides in Leon County; 2) the member is absent for two of three successive regularly scheduled meetings; or 3) the member has frequent conflicts of interest.

(c) **Attendance Report by the Clerk.** The Clerk of the Planning Commission shall provide a report to the City Commission, County Commission and School Board by the fifteenth of each month, setting forth the attendance of each Planning Commissioner for the prior month.

Section 2. Terms. Planning Commissioners shall serve for a term of three years, unless terminated as provided in Section 1 of this Article II of Part I, and may be reappointed.

Section 3. Regular Meetings. The Planning Commission shall hold duly noticed regular meetings in accordance with a schedule to be approved by the Planning Commission in November of each year. An approved schedule may be altered within the calendar year upon vote of the Planning Commission. All meetings shall be open to the public and shall be subject to Sections 286.011 and 286.0114, Florida Statutes. The Planning Commission will usually vote

on applications at the duly noticed public hearing where the matter is heard but may continue an item in accordance with applicable codes and provisions of these Bylaws.

Section 4. Special Meetings. The Chair can call a special meeting of the Planning Commission by actual notice to each member at least twenty-four hours in advance of the meeting. No action shall be taken at a special meeting on an application pending before the Planning Commission unless the public interest clearly requires action before the next regular meeting. If it is intended that action be taken at such a meeting on an application pending before the Planning Commission, the most effective and appropriate notice under the circumstances shall be given to applicants and the public. However, no action on an application shall be taken at any special meeting unless all notice requirements of applicable codes as to the public hearing have been satisfied. As used in this section an "application" means an application pending before the Commission but does not include action on motions that do not dispose of the application.

Section 5. Place of Meetings. The public hearings and meetings of the Planning Commission shall be held in the conference room on the 2nd floor of the Renaissance Building on Macomb Street, in the City Commission Chambers, City Hall, the County Commission Chambers, Leon County Courthouse, or such other appropriate room in City Hall or the County Courthouse. Except in instances governed by Section 4 above, the Planning Commission may alter or modify the place of any of its meetings by directing written notice of such meeting place change to the parties with matters agendaed for such meeting and by publishing notice in the newspaper at least three days before the scheduled meeting. Nothing herein shall preclude changes resulting from unanticipated need to change the meeting locale. If a meeting locale must be changed, a sign will be posted at the noticed location directing the public to the new meeting location. Meetings shall be held in facilities that are readily accessible to the public.

Section 6. Offices. The offices of the Planning Commission shall be those of the Tallahassee-Leon County Planning Department. The person in charge of said offices shall be the Director of the Planning Department, or the Director's designated agent.

Section 7. Duties. The Planning Commission shall be responsible for comprehensive area-wide planning, which shall include, but shall not be limited to, all of the following:

(a) Preparing, as a guide for long range development, general physical plans with respect to the pattern and intensity of land use and the provisions of public facilities, including transportation facilities, utility systems and facilities, recreation and open space areas, libraries and other cultural facilities, and such other facilities as are generally related to comprehensive development planning, including the provisions of the Intergovernmental Coordination element of the comprehensive plan.

(b) Recommending or reviewing proposed regulatory and administrative measures that will aid in achieving coordination of all related plans of the departments or subdivisions of the governments concerned with and subject to intergovernmental coordination requirements. To the extent applicable in each study, preparation of the foregoing shall be related to metropolitan and area-wide needs, but additional studies related primarily to one unit of general local government may be undertaken when requested and when, in the

view of the Planning Commission, such studies have a relationship to the harmonious development of the county as a whole.

(c) Studying zoning regulatory and administrative measures needed to achieve coordination and development in accordance with the comprehensive plan. All general and major revisions to the zoning regulations and the zoning maps shall be accomplished only after review by the Planning Commission for conformance with the comprehensive plan. All applications for rezoning or text amendments shall be filed with the governmental unit having jurisdiction, which applications shall be forwarded to the Planning Commission for investigation and hearing. The Planning Commission shall submit its report and recommendation to the appropriate governing body, and, where a formal quasi-judicial proceeding has been requested on a zoning map amendment pursuant to the applicable local regulations, render a recommendation on a recommended order from the administrative law judge. The Planning Commission may initiate applications for rezoning or text amendments for the purpose of evaluating comprehensive changes in the zoning map and may initiate proposals for revision to the zoning codes of the county and city.

(d) Rendering recommendations to the City Commission and Board of County Commissioners on Type D site plan proposals, and, where a formal quasi-judicial proceeding has been requested pursuant to the applicable local regulations, rendering a recommendation on a recommended order from the administrative law judge.

(e) Rendering final decisions on recommended orders from the administrative law judge on appeals of decision on a certificate of exemption in connection with governmental right-of-way takings, Type A and B site plan review decisions, limited partitions, and preliminary plat decisions (City only).

(f) Reviewing proposed development codes and regulations and amendments and making recommendations to the governing bodies as to the consistency of the proposals with the adopted comprehensive plan.

(g) Enforcing amortization schedules for nonconformities as may be approved by the City Commission (City only).

(h) Studying and proposing regulatory and administrative measures that aid in the coordination of planning and development by all agencies of local government and by agencies of state government concerned with planning in the Tallahassee Metropolitan Area.

(i) Reviewing and commenting on plans for joint development projects that relate to the Comprehensive Plan or other physical plans as described herein or that affect the programming of capital improvements by the local governmental units.

(j) Rendering final decisions on Type C site plan proposals, and, where a formal quasi-judicial proceeding has been requested pursuant to the applicable local regulations,

rendering a final decision on a recommended order from the administrative law judge (City only).

(k) Performing such other reviews and approvals as may be authorized by local land development regulations.

(l) Reviewing and commenting on proposed goals and policies for the transportation planning process.

(m) Reviewing and commenting on the development of the Long Range Transportation Plan, and the goals and policies in existence and proposed for the transportation planning process.

(n) Reviewing and commenting on short-range transportation planning including transit planning, bikeway planning, sidewalk planning, and other specific transportation planning as requested by the Capital Region Transportation Planning Agency (CRTPA).

(o) Reviewing and commenting on project programming, program documents, and grant-related matters as required by the Capital Region Transportation Planning Agency (CRTPA).

(p) Serving as ex-officio members of the community advisory committees for ongoing roadway projects.

(q) Forwarding recommendations to the Capital Region Transportation Planning Agency (CRTPA) on the prioritization of federal transportation planning mandates.

(r) Carrying out other tasks as requested by the Capital Region Transportation Planning Agency (CRTPA).

(s) Rendering a recommendation on developments of regional impact and state quality developments, and, where a formal quasi-judicial proceeding has been requested pursuant to the applicable local regulations, rendering a recommendation on a recommended order from the administrative law judge (City only).

ARTICLE III – QUORUM

Section 1. Quorum. No acts or recommendations of the Planning Commission shall be made unless a quorum is present. A quorum shall consist of four voting members. The presence at a meeting of a Commissioner who has a voting conflict on a matter cannot be counted toward satisfying the quorum requirement on the item in which that conflict exists. Proxy votes and absentee votes shall not be allowed. The Clerk of the Planning Commission or the Local Planning Agency, as appropriate, shall poll the members individually before each scheduled public hearing to confirm the existence of a quorum. If it is determined that a quorum will not be present, the meeting shall be canceled by the Clerk of the Planning Commission and the agenda shall be automatically continued to the next regularly scheduled public hearing. Notice of the

cancellation of the meeting and continuance of all items to the next regularly scheduled public hearing shall be posted on the Planning Commission website and the meeting room door.

Section 2. Specific Provision for Leon County Appointees. For Leon County appointees, for the purposes of maintaining a quorum throughout a meeting, any commissioner not present for fifty percent (50%) or more of a Planning Commission meeting shall be deemed absent.

ARTICLE IV - OFFICERS

Section 1. Officers. The Planning Commission shall elect one of its members as Chair for a term of one year. The Planning Commission shall also elect one of its members as Vice-Chair for a term of one year. The Chair shall preside at all meetings and shall sign official correspondence and orders. The Vice-Chair shall serve as Chair in the absence of the elected Chair. The most senior member present will serve as Chair in the absence of the elected Chair and Vice-Chair. Elections shall be held at the first meeting of July of each year.

ARTICLE V - PASSAGE OF MOTIONS OR MATTERS

Section 1. Motions or Matters for Regular Business. No motion or matter pertaining to the regular business of the Planning Commission shall be passed unless a majority of the members in attendance for the motion or matter under consideration is recorded as voting in favor of the motion or matter. In those cases where a majority vote in favor of a motion or matter is not recorded, the motion or matter shall be recorded as being defeated. In case of a tie vote, the vote will be treated as: 1) a denial; or 2) a recommendation for denial where, by code requirement, the Commission's action is to be in the form of a recommendation to the City or County Commission.

Section 2. Motions or Matters Amending Bylaws. These Bylaws may be amended at a regular or special meeting of the Planning Commission by affirmative vote of two-thirds of the members appointed to the Commission. Proposed amendments may be approved by the Commission after a duly noticed public hearing. Amendments to these Bylaws shall become effective only upon approval by the City and County Commissions.

ARTICLE VI - RECONSIDERATION

Section 1. Decisions Involving Applications Coming Before the Commission. Upon adjournment of a meeting at which a vote is taken on an application, the Planning Commission ceases to have jurisdiction over an application. However, any vote on an application may be reconsidered at any time prior to adjournment of the meeting at which the vote was taken, upon a motion made by a member recorded as voting upon the prevailing side when the motion was considered by the Planning Commission. Reconsideration of an application may also be had upon remand of a matter by the City or County Commission. In case of remand for reconsideration, the applicant may be required to pay the cost of any new public notice required by the action.

Section 2. Reconsideration of Other Decisions. Reconsideration of any other motions shall be governed by Robert's Rules of Order, Revised.

ARTICLE VII – CONTINUANCES; COMPUTATION OF TIME

Section 1. Continuances. The Planning Commission, by motion and affirmative vote, may elect to continue any matter placed on the agenda for its consideration until a time certain within the time provided by governing codes. With the applicant's consent, the Planning Commission, by affirmative vote, may continue any matter placed on the agenda for its consideration to a time certain beyond the requirements of the governing codes. If a quorum as defined in Article III of this Part I is not present at a Planning Commission meeting, the Clerk of the Planning Commission or (designated staff in case of matters pertaining to the Local Planning Agency) shall announce the continuance or rescheduling of the matters on the agenda until a time certain. Any time requirements in the governing codes shall be taken into consideration in rescheduling.

Section 2. Computation of Time. Whenever an action of any party, the Planning Department or the Planning Commission requires computation of time, such computation shall be governed by Section 9 (b) of Article IX of this Part I.

ARTICLE VIII - AMENDMENTS TO APPLICATIONS; CONDITIONS GIVING RISE TO RE-NOTICE AND ADDITIONAL PUBLIC HEARINGS ON AMENDMENTS

Section 1. Amendments to Applications; Consideration of Amendments; Review by Staff

(a) **Amendments to Applications.** An applicant may request to amend an application before the Planning Commission only prior to close of its required public hearing. Any such amendment may be made only in writing by the applicant or its representative, and the written amendment must be received by the Planning Commission or its delegated agent, the Tallahassee-Leon County Planning Department, prior to the close of the required public hearing.

(b) **Consideration of Amendments.** The Planning Commission may consider an amendment at the same duly noticed public hearing it is made, provided the amendment does not result in substantially different or greater impacts than the original request. If an amendment creates substantially different or greater impacts, the Planning Commission will not consider the amendment unless the applicant is willing to grant a continuance sufficient to allow consideration by the City of Tallahassee or Leon County Development Review Committee ("DRC"), if applicable, and the holding of another duly noticed public hearing on the application as noted in Section 2 of this Article VIII of Part I. In instances where a change does not result in substantially different or greater impacts, if an applicant or its representative amends its application that was not filed in time for substantial consideration by the DRC, as applicable, the Planning Commission will not consider such amendment unless the applicant is willing to request a continuance until after the amended application has been reviewed by the DRC, as applicable.

(c) **Review by Staff.** Where there has been an amendment at the Planning Commission public hearing, the Planning Department's staff will check the written amendments filed by an applicant to see that the revision conforms to the amended application actually considered and voted upon favorably by the Planning Commission. If any irregularities in this respect are discovered by staff, and are not immediately corrected by the applicant: 1) in case of zoning amendment, the irregularities will be reported to the City or County Commission, as appropriate; 2) in other cases, the Planning Department will notify the applicant in writing that the document submitted does not conform to the action by the Planning Commission.

Section 2. Conditions Giving Rise to Re-Notice and Additional Public Hearing. The Planning Commission shall require the public notice of each application coming before the Commission as required by the codes of the City of Tallahassee and Leon County, Florida. Re-notice and another public hearing also shall be required: 1) whenever an applicant requests an extension (or extensions) of time causing the item to appear before the Commission more than 60 calendar days after the original public hearing; or 2) whenever there has been a change to an application resulting in substantially different or greater impacts and the original notice is no longer reasonably sufficient to inform the public of the essence and scope of the application under consideration. Upon re-notice, the matter shall be placed upon the agenda of a scheduled Commission public hearing. The method of re-notice shall be the same as the original notice. In instances where re-notice is required by these Bylaws, such costs as may be incurred shall be borne by the applicant. The Commission will act on the application at the duly noticed public hearing or continuation thereof. However, nothing in these Bylaws shall permit a zoning application to be amended that results in a substantially different or greater impact than that which was originally submitted without additional review and public notice. Such a change will be treated as a new application and will be subject to adherence to any waiting period required by the applicable codes of Tallahassee and Leon County. The Commission will not require re-notice and a new public hearing when the applicant has been diligently working with staff to resolve issues raised unless the revisions to the application result in substantially different or greater impacts of which the public is not aware.

ARTICLE IX - PROCEDURES FOR FORMAL QUASI-JUDICIAL PROCEEDINGS

Section 1. Scope; Effect of Filing Petition for Formal Quasi-judicial Proceedings on Decisions (Subject to Review Under this Article) of the City of Tallahassee Land Use Administrator, City of Tallahassee Director of Growth Management or Designee, City Development Review Committee and Leon County Administrator or Designee; Formal Quasi-Judicial Proceedings; Applicability of Article IX; Who May Initiate Formal Quasi-judicial Proceedings; Representation; Filing Deadlines; De Novo Review; Status of Other Parties; Where to File; Filing Deadlines Jurisdictional; Copies; Required Contents of Petition for Formal Quasi-judicial Proceedings; Filing Fees; Notice of Filing Requirements; Determination of Standing; Motion to Dismiss; Dismissal by Clerk of the Planning Commission; Intervention.

(a) **Scope.** Except where waived as provided in Article XIV or exempted or modified by Article XV of this Part I, this Article sets forth the procedures that govern formal quasi-judicial proceedings of the Planning Commission. Determinations of the City of Tallahassee and Leon County to which this Article applies are as follows:

1) **City of Tallahassee** – appeals of decisions on Type A and Type B Site Plans, certificates of exemption in connection with a governmental right-of-way taking, preliminary plats, and limited partitions; and action by the Planning Commission on Developments of Regional Impact, Florida Quality Developments, rezonings (official zoning map amendments) and Type C and D Site Plans.

2) **Leon County** – appeals of decisions on certificates of exemption in connection with a governmental right-of-way taking or an interpretation of district boundaries with respect to the official zoning map; and action by the Planning Commission on Type D Reviews, Developments of Regional Impact or Florida Quality Developments and rezonings (official zoning map amendments).

(b) **Effect of Filing Petition for Formal Quasi-judicial Proceedings on Decisions (Subject to Review Under this Article) of the City of Tallahassee Land Use Administrator, City of Tallahassee Director of Growth Management or Designee, City Development Review Committee, and Leon County Administrator or Designee.** Decisions of the City of Tallahassee Land Use Administrator, the City of Tallahassee Director of Growth Management or Designee, the City Development Review Committee, and the Leon County Administrator or Designee, which are set forth above, are subject to formal quasi-judicial proceedings by the Planning Commission under this Article IX of Part I. Such decisions shall be final fifteen calendar days (thirty calendar days if the project is located within the City) after they are rendered unless a party timely files a petition for formal quasi-judicial proceedings together with the appropriate filing fee. Should a party petition for formal quasi-judicial proceedings, the decision under review will become proposed action until the final decision is made, after conducting a de novo, formal quasi-judicial proceeding.

(c) **Formal Quasi-Judicial Proceedings.** Pursuant to authority granted by the codes of the City of Tallahassee and Leon County, the Planning Commission acts on recommended orders entered by administrative law judges who have conducted formal quasi-judicial hearings on certain matters coming before the Commission that involve the application of a general rule or policy, as set out below:

1) **City of Tallahassee**

a. Renders a final decision on a recommended order from the administrative law judge on a determination of the Director of Growth Management or Designee on a Type A site plan.

- b. Renders a final decision on a recommended order from the administrative law judge on a determination of the Development Review Committee on a Type B site plan.
- c. Renders a recommendation on a recommended order from the administrative law judge on a Development of Regional Impact or a Florida Quality Development.
- d. Renders a recommendation on a recommended order from the administrative law judge on a rezoning (official zoning map amendment).
- e. Renders a final decision on a recommended order from the administrative law judge on a determination of the Land Use Administrator on a certificate of exemption in connection with a governmental right-of-way taking.
- f. Renders a final decision on a recommended order from the administrative law judge on a determination of the Development Review Committee on a preliminary plat.
- g. Renders a final decision on a recommended order from the administrative law judge on a determination of the Director of Growth Management on a limited partition.
- h. Renders a final decision on a recommended order from the administrative law judge on a Type C site plan.
- i. Renders a recommendation on a recommended order from the administrative law judge on a Type D site plan.

2) **Leon County**

- a. Renders a final decision on a recommended order from the administrative law judge on an appeal of a determination of the County Administrator or designee on a certificate of exemption in connection with a governmental right-of-way taking or an interpretation of district boundaries with respect to the official zoning map.
- b. Renders a recommendation on a recommended order from the administrative law judge on a Type D Review, Development of Regional Impact or Florida Quality Development.
- c. Renders a recommendation on a recommended order from the administrative law judge on a rezoning (official zoning map amendment).

(d) **Applicability of Article IX.** Article IX of this Part I will be invoked automatically whenever a petition for formal quasi-judicial proceedings has been timely filed and the fee timely paid unless the parties to the proceeding choose to waive any aspect of the right to formal quasi-judicial proceedings.

(e) **Who May Initiate Formal Quasi-judicial Proceedings; Representation.** Formal quasi-judicial proceedings may be initiated by the applicant, the local government with jurisdiction or persons who will suffer an adverse effect to an interest protected or furthered by the comprehensive plan, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, or environmental or natural resources. The alleged adverse effect to an interest may be shared in common with other members of the community at large, but shall exceed in degree the general interest in community good shared by all persons. A party may appear in any quasi-judicial proceeding without being represented by an attorney but an attorney may represent a party in any proceeding.

(f) **Filing Deadline for Appeals of Decisions of the City of Tallahassee Land Use Administrator, City of Tallahassee Director of Growth Management, City Development Review Committee, and Leon County Administrator or Designee; De Novo Review.** To initiate a formal quasi-judicial proceeding (see (c)1)a, b, e, f, g, and 2)a above), a petition for formal quasi-judicial proceedings must be filed and the corresponding filing fee must be paid within fifteen calendar days (thirty calendar days if the project is located within the City) after the decision sought to be appealed is rendered. All appeals will be conducted as de novo proceedings.

(g) **Filing Deadline for Planning Commission Decisions or Recommendations; De Novo Review.**

1) **County.** For decisions on projects located in the County, to initiate formal quasi-judicial proceedings where the Planning Commission will make the original decision or recommendation (see (c) 2)b, and c above), a petition for formal quasi-judicial proceedings together with the appropriate filing fee must be filed within fifteen calendar days of publication of notice of the Planning Commission public hearing on the application in a newspaper of general circulation. All such reviews will be conducted as de novo proceedings.

2) **City.** For decisions on projects located in the City, to initiate formal quasi-judicial proceedings where the Planning Commission will make the original decision (see (c)1.h above), a petition for formal quasi-judicial proceedings together with the appropriate filing fee must be filed within thirty calendar days after the preliminary decision of the Planning Commission is rendered. To initiate formal quasi-judicial proceedings where the Planning Commission will make a recommendation (see (c)1.c,d, and i above), a petition for formal quasi-judicial proceedings together with the appropriate filing fee must be filed within fifteen calendar days after the preliminary decision of the Planning Commission is

rendered. All such formal quasi-judicial proceedings will be conducted as de novo proceedings.

(h) Status of Other Parties. A local government with jurisdiction and an applicant who is not contesting a recommendation or decision need not file a notice of intent or petition for quasi-judicial proceedings to appear as a party. They are automatically granted party status. However, an applicant seeking to appeal a decision must file a petition for formal quasi-judicial proceedings.

(i) Filing of Original Documents; Where to File; Filing Deadlines Jurisdictional; Copies. The petition must be filed (stamped received) in the office of the Clerk of the Planning Commission within the time periods referenced above and a copy must be filed with the Planning Commission Attorney the same day. Failure to file the petition (together with the filing fee for filing the petition described in (j) below) with the Clerk of the Planning Commission within the time period specified in these Bylaws will result in waiver of the right to a formal quasi-judicial proceeding and dismissal of the petition. A copy of the petition must be mailed or delivered to the applicant as provided in Section 2 of this Article IX of Part I.

(j) Required Contents of the Petition for Formal Quasi-judicial Proceedings; Filing Fees; Notice of Filing Requirements. All petitions for formal quasi-judicial proceedings must be in writing. A petition must be filed on the form that appears in Appendix I. The form must be accompanied by a non-refundable filing fee in an amount set by resolution of the City Commission or Board of County Commissioners, as applicable, and shall have attached to it a copy of the decision that is sought to be reviewed in a formal quasi-judicial proceeding. If a petition will be filed by more than one person, each additional person may join in the petition for an additional filing fee in an amount set by resolution of the City Commission or Board of County Commissioners, as applicable. (In such case, a joint petition shall be filed). However, nothing herein precludes the filing of separate petitions by persons who wish to pay the full filing fee. The petition must include:

- 1) The title or name of the person or entity making the determination being appealed or the recommendation being proposed, the date the determination or recommendation was rendered, or public notice given in case of review and the entity's file or identification number, if known;
- 2) The name, address, and telephone and facsimile number of the petitioner and the applicant, if different from the petitioner; the name, address, and telephone and facsimile number of the petitioner's representative, if any, which shall be the address of the petitioner for mailing purposes during the course of the proceeding;
- 3) An explanation of how each petitioner's substantial interests will be adversely affected by the determination or proposed recommendation. (To be entitled to formal quasi-judicial proceedings, the petitioner must be a person who will suffer an adverse effect to an interest protected or furthered by the comprehensive plan,

including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services or environmental or natural resources. The alleged adverse effect may be shared in common with other members of the community at large, but must exceed in degree the general interest in community good shared by all persons);

4) A statement of when and how the petitioner received notice of the determination or proposed recommendation;

5) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

6) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the determination or proposed recommendation;

7) A statement of the specific code provisions the petitioner contends require reversal or modification of the determination or proposed recommendation;

8) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Commission to take with respect to the determination or proposed recommendation;

9) The signature of each petitioner or his or her attorney and the date of filing of the petition; and

10) A certificate of service as provided in Section 2 below.

Notice of the filing requirements of this provision shall be provided to the applicant and to persons who have made a request to receive a copy of the staff report for the application. A copy of a petition must be served on the applicant, if applicable, and on the attorney for the local government. The Clerk of the Planning Commission shall provide a copy of a petition to parties who are not identified as having received a copy.

(k) **Determination of Standing.** A Determination of Standing is a finding that the petitioner has alleged sufficient facts to establish entitlement to formal quasi-judicial proceedings. Notwithstanding the issuance of a Determination of Standing, a petitioner will still be required to prove standing in the formal quasi-judicial evidentiary hearing to be conducted in the matter. The Planning Commission Attorney shall, within five days of the date a petition for formal quasi-judicial proceedings is filed, determine whether the person or entity filing the petition has alleged sufficient facts (to be proved at final hearing) to establish entitlement to formal quasi-judicial proceedings (“Standing”). A Determination of Standing will be provided to the person who filed the petition and to the applicant. If a petition is deficient, it shall be rejected. For projects located in the City of Tallahassee only, the person whose petition is rejected shall be given one opportunity to

amend the petition, which amended petition must be filed within seven days of the date of service of the Determination of Standing. A second Determination of Standing shall be issued within five days of filing of an amended petition in the same manner as the original petition. A party seeking to appeal a second unfavorable Determination of Standing (City only) may do so by filing a motion for reconsideration with the Planning Commission within 5 days of the date of service of the Determination of Standing. The Planning Commission will act on the motion at its next scheduled meeting following the filing of the motion for reconsideration so long as there is sufficient time for the Clerk of the Planning Commission to provide notice to all parties. As used herein, “sufficient time” shall mean at least three days.

(l) **Motion to Dismiss.** A motion to dismiss a petition may be filed within five calendar days after the petition is served. Motions to dismiss will be heard by the administrative law judge assigned to preside over the formal quasi-judicial proceedings.

(m) **Dismissal by Clerk of the Planning Commission.** The Clerk of the Planning Commission will dismiss any petition for formal quasi-judicial proceedings which is not filed within the deadlines set forth in these Bylaws or is not accompanied by the appropriate filing fee.

(n) **Intervention.** Intervention is permitted prior to the evidentiary hearing by any person who would qualify as a party. A party who seeks to intervene must file a petition for intervention that provides the same information as a petition for formal quasi-judicial proceedings. The intervenor must also file the filing fee required of persons filing a petition for formal proceedings. Intervention is not permitted after discovery has been completed. The administrative law judge shall, within five days of the date a petition for intervention is filed, determine whether the person or entity filing the petition has alleged sufficient facts (to be proved at final hearing) to establish entitlement to intervention (“Standing”). A Determination of Standing will be issued to the person who filed the petition, and a copy provided the parties. If a petition is deficient, it shall be rejected. For projects located in the City of Tallahassee only, the person whose petition is rejected shall be given one opportunity to amend the petition, which amended petition must be filed within seven days of the date of service of the Determination of Standing. A second Determination of Standing shall be issued within five days of filing of an amended petition in the same manner as the original petition. A party seeking to appeal a second unfavorable Determination of Standing (City only) may do so by filing a motion for reconsideration with the Planning Commission within 5 days of the date of service of the Determination of Standing. The Planning Commission will act on the motion at its next scheduled meeting following the filing of the motion for reconsideration so long as there is sufficient time for the Clerk of the Planning Commission to provide notice to all parties. As used herein, “sufficient time” shall mean at least three days.

Section 2. Filing of Original Documents with the Clerk of the Planning Commission; Service of Copies to Parties; Certificate of Service Required; Effect of Signature.

(a) **Filing of Original Documents with the Clerk of the Planning Commission.** The original of all documents required or provided for under these proceedings must be filed with the Clerk of the Planning Commission. Filing with the Clerk of the Planning Commission must be accomplished by hand-delivery, facsimile or U.S. Mail. Filing by e-mail is prohibited and no documents attempted to be filed by e-mail will be accepted by the Clerk of the Planning Commission.

(b) **Service of Copies to Parties.** Whenever any document is required to be filed with the Clerk of the Planning Commission as part of any formal quasi-judicial proceeding governed by this Article IX of Part I, a copy of the document must be served on (i.e., provided to) all parties by hand-delivery, facsimile, or U.S. Mail. For convenience, service may be accomplished via e-mail but will not be valid unless the document is also provided to all parties by hand-delivery, facsimile or U.S. Mail. Attachments served by email must be 5MB or less. Any document that is larger than 5MB must be divided up into separate e-mails and labeled as such.

(c) **Certificate of Service Required.** The person who files the document must include a certificate of service at the end of the document specifying the type of service in substantially the following form:

I certify that a copy of this document has been furnished to (here insert names of all parties) at (list addresses) by e-mail (if so used) and (specify: hand-delivery, U.S. Mail or facsimile) this ____ day of _____, 20__.

(Name of person filing document)

(d) **Effect of Signature.** The signature of an attorney or party on any document filed in these proceedings constitutes a certificate that he or she has read the pleading, motion or other paper and that, to the best of his or her knowledge, information, and belief formed after reasonable inquiry, it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or for economic advantage, competitive reasons or frivolous purposes or needless increase in the cost of litigation.

Section 3. Prehearing Procedures.

(a) **Transmittal of Petition to the Division of Administrative Hearings; Administrative Law Judges; Verbatim Record Required.**

1) **Transmittal of Petition.** Within two days of filing of a Determination of Standing favorable to petitioner, the Clerk of the Planning Commission shall transmit the petition for formal quasi-judicial proceedings to the Division of Administrative Hearings for assignment of an administrative law judge.

2) **Administrative Law Judges.** The administrative law judge assigned by the Division of Administrative Hearings shall be an attorney who has at least five years' experience as a practicing attorney and who shall have the power to swear witnesses and take their testimony under oath, to issue subpoenas and other orders regarding the conduct of the proceedings and to compel entry upon land. The administrative law judge will conduct the formal quasi-judicial evidentiary hearing, rule on any pending motions and render a recommended order with findings of fact, conclusions of law and a recommended action.

3) **Verbatim Record Required.** If a person decides to appeal any decision made by the Planning Commission with respect to any matter considered at a meeting or hearing, such person will need a record of the proceedings, and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based. The Planning Commission does not provide or prepare such a record (Section 286.0105, Florida Statutes). The Clerk of the Planning Commission will retain all official exhibits and make copies available, at the cost of reproduction, upon request.

(b) Procedural Orders and Discovery.

1) **Procedural Orders.** At the request of any party, or upon his or her own motion, the administrative law judge shall consider the entry of a procedural order requiring all parties to:

- a. confer and discuss the possibility of settlement;
- b. establish a discovery schedule, including the opportunity to take depositions;
- c. exchange witness lists, identifying the subject area of the witnesses' expertise, where applicable, and a written summary of the expert's testimony;
- d. exchange lists of exhibits to be submitted into evidence and view said exhibits;
- e. stipulate to as many facts as possible; and
- f. file with the administrative law judge, no later than ten days before the formal quasi-judicial evidentiary hearing a signed joint prehearing statement setting forth those facts that are agreed to by the parties and those facts that remain in dispute and attaching a copy of the witness and exhibit list of each party.

If the parties are unable to cooperate on a joint prehearing statement, then the parties must file individual statements providing the same information. A copy of the prehearing statement must be provided to all other parties by the party filing the document at the time of filing. Prehearing statements may be amended only with permission of the administrative law judge.

2) **Discovery.** Discovery is a process that allows the parties to obtain information about the other parties' argument, witnesses and exhibits. Discovery is permitted in the same manner as provided in the Florida Rules of Civil Procedure for matters pending in court proceedings, except that the times for completing discovery under those rules may be altered by the administrative law judge as required to meet the timeframes for completing the proceedings as provided in these Bylaws.

(c) **Time for Requesting Procedural Orders.** If a procedural order is desired by any party who has filed a petition for formal quasi-judicial proceedings, the request for entry of a procedural order must be included in the petition. Parties defending against the petition who desire entry of a procedural order must file a request by motion for entry of same within ten days of the filing of the petition. The administrative law judge will rule on requests for procedural orders.

(d) **Mediation.** Upon issuance of a Determination of Standing favorable to the petitioner, in addition to submitting the petition to the Division of Administrative Proceedings for assignment of an administrative law judge, the Clerk of the Planning Commission will submit the petition to a mediator as provided in Appendix IV to these Bylaws unless the petitioner has expressly indicated in the petition that mediation is not desired. If the petition does not indicate that mediation is not desired, mediation shall be conducted unless declined by any other party within 5 days of filing of the petition. The mediator shall contact the parties to schedule mediation. Mediation shall be completed within 45 calendar days of filing of a petition. Mediation costs will be borne by the parties. If mediation is successful, a mediation stipulation signed by the parties and the mediator shall be submitted to the Planning Commission for review and a notice of voluntary dismissal of the request for formal quasi-judicial proceedings shall be filed by the petitioner with the administrative law judge. The mediation stipulation shall include findings of fact, conclusions of law and a recommendation. The Planning Commission shall treat the mediation stipulation as if it were a recommended order from an administrative law judge, except that no exceptions may be filed by the parties.

(e) **Notice of Formal Quasi-judicial Evidentiary Hearing.** Notice of the formal quasi-judicial evidentiary hearing before an administrative law judge shall be published by the Clerk of the Planning Commission in a newspaper of general circulation at least fifteen calendar days (thirty calendar days for an application in the County) before the formal quasi-judicial evidentiary hearing. Notice to the parties shall be provided by the administrative law judge. If the hearing is continued or rescheduled, notice shall be provided to the parties of the new date of hearing by the administrative law judge but notice shall not again be published in the newspaper. Interested persons are encouraged

to contact the Clerk of the Planning Commission for information regarding rescheduling. Unless consented to by all parties, the formal quasi-judicial evidentiary hearing shall be held within 60 calendar days of transmittal of the petition to the Division of Administrative Hearings.

Section 4. Public Testimony. Members of the general public shall be permitted up to three minutes per person to submit testimony at the formal quasi-judicial evidentiary hearing. However, the administrative law judge may enlarge the time if, in his or her discretion, the circumstances warrant such enlargement. Those members of the public wishing to speak must sign a speaker slip and must submit testimony under oath or affirmation.

Section 5. Evidence; Burden of Proof.

(a) **Evidence.** All recommended orders shall be based upon competent, substantial evidence. Pursuant to F.S. Section 163.3215(4)(f), the standard of review applied by the administrative law judge in determining whether a proposed development order is consistent with the comprehensive plan shall be strict scrutiny in accordance with Florida law. The administrative law judge shall not be bound by strict rules of evidence, nor limited to consideration of such evidence as would be admissible in a court of law, but may exclude irrelevant, immaterial, incompetent, or unduly repetitious testimony or evidence. Hearsay evidence will be accepted. However, the administrative law judge shall not make a finding that is based solely on hearsay, unless the hearsay would be admissible in a judicial proceeding under the Florida Evidence Code. The administrative law judge shall rule on any objections made at the evidentiary hearing.

(b) **Burden of Proof.** In de novo, formal quasi-judicial proceedings, the initial burden of proof shall be on the applicant. Once the applicant establishes his or her entitlement to approval by submittal of competent, substantial evidence supporting the approval (referred to by the courts of this state as a "prima facie case"), the burden of proof will shift to the petitioner(s) to rebut the evidence submitted by the applicant. The decision under appeal will be treated as a staff report.

Section 6. Rules Incorporated by Reference. Where not in conflict with these Bylaws, the following rules adopted pursuant to Chapter 120, Florida Statutes, for conducting hearings before the Division of Administrative Hearings also apply (although Chapter 120 does not apply to these proceedings): Florida Administrative Code Rules 28-106.104 (except subsection (8) thereof), 28-106.108, 28-106.110, 28-106.203, 28-106.211, 28-106.213, and 28-106.215. A copy of these rules appears in Appendix II. The right to cross examine witnesses shall be available only to parties.

Section 7. Order for Presenting Evidence. Unless otherwise provided by the administrative law judge, or by agreement of the parties, the applicant shall present its case first. Opposing parties shall then present their case(s). A designated representative shall then make the presentation on behalf of the government with jurisdiction. The City or County, as applicable, shall be treated as a party in all formal quasi-judicial proceedings and will be expected to present argument, just like any other party. Provisions will also be made for public comment at a time

convenient to the orderly presentation of evidence by the parties. The parties shall have the opportunity to respond to any comments made by the public and shall also have the opportunity to rebut other parties' presentations.

Section 8. Supplementing the Record; Ex Parte Communications Prohibited.

(a) **Supplementing the Record.** Supplementing the record after the formal quasi-judicial evidentiary hearing is prohibited.

(b) **Ex Parte Communications Prohibited.** No ex parte communications will be permitted during the pendency of quasi-judicial proceedings before the Planning Commission or an administrative law judge. An ex parte communication is an oral or written communication outside of a Planning Commission meeting or administrative hearing and without notice to the parties made to a member of the Planning Commission or administrative law judge by, or on behalf of, a party, or otherwise, about the merits of a matter before the Planning Commission, or foreseeably anticipated to come before the Commission. In the event of any ex parte communication to a Planning Commissioner or administrative law judge, the substance of the communication and the identity of the person, group, or entity with whom the communication took place shall be disclosed and made a part of the record before final action on the matter. Nothing herein shall preclude any member of the Planning Commission from individually visiting any site that is the subject of a quasi-judicial proceeding. Disclosures made pursuant to this section must be made before or during the public meeting or hearing at which action is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication.

Section 9. Continuances; Computation of Time.

(a) **Continuances.** A party may seek a continuance of a hearing or time for filing any document except the petition for formal quasi-judicial proceedings by filing a request for continuance in writing with the administrative law judge, or Planning Commission if the continuance is sought after the recommended order is issued. The request must explain the reasons for such a request. A party may serve a response within three days of the date listed on the certificate of service of the request for continuance.

(b) **Computation of Time.** Unless otherwise stated in these Bylaws, "days" means "working days". In computing any period of working days prescribed or allowed by these Bylaws, by order of the Planning Commission, or by any applicable code, the day of the act, event, or action from which the designated period of time begins to run and any Saturdays, Sundays and legal holidays shall not be counted. In computing any period of time prescribed or allowed by these Bylaws, by order of the Planning Commission, or any applicable code, which is to be counted by calendar days, the following shall apply: 1) The day of the act, event, or action from which the designated period of time begins to run shall not be included. 2) Saturdays, Sundays and legal holidays shall be included. However, the last day of the period so computed shall be included unless it is a Saturday,

Sunday or legal holiday. If the last day of the period so computed is a Saturday, Sunday or legal holiday, the period shall run until the end of the next day that is not a Saturday, Sunday or legal holiday. 3) When the period of time prescribed or allowed is less than seven calendar days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.

Section 10. Action on Recommended Order; Transcript; Exceptions; Response to Exceptions; Scheduling; Consideration of the Recommended Order; Action on the Recommended Order.

(a) **Recommended Order and Record.** The administrative law judge shall serve copies of the recommended order on the parties and transmit the original together with the record to the Clerk of the Planning Commission. The record shall include: those documents and media forwarded to the Clerk by the administrative law judge, including the recommended order, all pleadings, motions and responses, and all hearing exhibits; and the transcript of hearing, which must be filed in support of exceptions to findings of fact as provided in Section 10(c) of this Article IX of Part I.

(b) **Transcript.** Responsibility for ordering a transcript lies with the party seeking to challenge a finding of fact of the recommended order. If a transcript is ordered, the parties shall pay their pro-rata share of the cost of transcription.

(c) **Exceptions.** The parties shall have ten calendar days from the date the recommended order is served by U.S. Mail to file specific, written objections ("exceptions") to the recommended order with the Clerk of the Planning Commission. Exceptions shall include appropriate references to the record before the administrative law judge. Exceptions to findings of fact must be filed together with nine copies of the entire record. Only one copy of the record need be filed if there are no exceptions to findings of fact. A party may file a motion with the Planning Commission seeking to reduce the number of copies that need to be filed if the circumstances of the case (such as the size of the record) warrant a reduction in the number of copies filed. If more than one party is filing exceptions, the parties are encouraged to coordinate the filing of the copies of the record among themselves to avoid filing more than nine copies.

(d) **Response to Exceptions.** A response to exceptions may be filed by a party within ten calendar days following the date shown on the certificate of service of the exceptions. The party defending challenged findings of fact is encouraged to include in the response to exceptions the record citation supporting the challenged finding.

(e) **Scheduling.** After receipt of the recommended order from the administrative law judge, and expiration of the time for filing of exceptions (and responses to exceptions, if exceptions are filed), the Clerk of the Planning Commission shall schedule the recommended order for consideration by the Planning Commission at the next available regularly scheduled Planning Commission Meeting and notify all parties of the date of such Planning Commission meeting. Continuances may be granted by the Clerk of the

Planning Commission at the request of the parties, the Planning Commission or staff for good cause.

(f) Consideration of the Recommended Order. During its consideration of the recommended order at a duly noticed public hearing, the Planning Commission will take comment from the parties and the public. The general public will be afforded three minutes per person. The parties will be afforded fifteen minutes each to present oral argument on the exceptions. The Planning Commission Chair may enlarge the time afforded under this provision if, in his or her judgment, the circumstances warrant such enlargement. The Planning Commission may address questions to the parties, members of the public, or staff, or to anyone else related to the recommended order at its discretion. No party, including staff, may submit new evidence to the Planning Commission; presentations must be confined to evidence made part of the record before the administrative law judge.

(g) Action on the Recommended Order. The Planning Commission shall adopt the recommended order, adopt the recommended order with changes, or direct staff to prepare a revised order. The Planning Commission may also remand the recommended order to the administrative law judge if additional findings are necessary. The Planning Commission shall not change any findings of fact reached by the administrative law judge unless after review of the entire record, the Planning Commission finds there is no competent substantial evidence to support the administrative law judge's findings. The Planning Commission may change conclusions of law if it is found that the administrative law judge did not apply the correct law. If the Planning Commission directs staff to prepare a revised order consistent with its vote, the revised order shall be submitted to the Planning Commission at its next regularly scheduled meeting for final action.

Section 11. Rendition of Decisions of the Planning Commission. Every decision of the Planning Commission shall be promptly rendered, as defined in these Bylaws, and shall be open to public inspection. A copy shall be sent by e-mail and U.S. Mail, facsimile, or hand-delivery to the parties. The Planning Commission decision shall not be deemed final until it is rendered.

Section 12. Order Closing File; Settlement Agreements. An applicant may withdraw its application, a petitioner may withdraw its petition for formal quasi-judicial proceedings or notice of intent to file same, or the parties may settle their dispute any time before the Planning Commission takes final action. Upon filing of a notice of withdrawal of the application (by the applicant) or the filing of the withdrawal of the petition for formal quasi-judicial proceedings (by the petitioner), or filing of a settlement agreement (by the parties) or a notice of a settlement agreement, the Clerk of the Planning Commission will enter an Order Closing File, unless the Planning Commission is required to take further action on a matter. The entry of this order will terminate the formal quasi-judicial proceedings. A notice of voluntary dismissal must be forwarded to the administrative law judge if the matter is pending before the administrative law judge. The Planning Commission will not take further action on the matter, except in those cases where the application has not been withdrawn and the Planning Commission is required by code

to hold a duly noticed public hearing in order to render a decision or make a recommendation to the City or County Commission.

ARTICLE X - AGENDAS

The Planning Commission will normally follow its printed or typed agenda for the order of business at each meeting. The Chair, without objection from the members, may alter, including temporarily passing, the order of business on the agenda. If an objection is noted by a member, a motion duly made and passed is required to rearrange the order of business noted on the agenda.

ARTICLE XI - CONFLICT OF INTEREST

The Commission will be governed by the applicable requirements of Section 112.3143, Florida Statutes, as may be amended from time to time. A copy of Section 112.3143 is attached hereto as Appendix III. References to "days" in said statutory provision shall mean calendar days.

ARTICLE XII - OTHER RULES OF PROCEDURE

Except where in conflict with these Bylaws or pertinent codes, the Planning Commission shall adhere to "Robert's Rules of Order, Revised" in conducting its business and meetings.

ARTICLE XIII - CLERK OF THE PLANNING COMMISSION; CLERK OF THE LOCAL PLANNING AGENCY

Section 1. Clerk of the Planning Commission. The Clerk of the Planning Commission shall be appointed by the Director of the Tallahassee-Leon County Planning Department and shall serve as secretary of the Commission, a non-voting staff position. The Clerk shall have the responsibility for preserving recorded tapes and keeping minutes of each regular and special meeting of the Planning Commission as required by Section 286.011, Florida Statutes. The minutes thus prepared become the official minutes of the Planning Commission once they have been presented to and approved by motion of the Planning Commission. The Clerk of the Planning Commission shall also be responsible for providing notices of all meetings, arranging meeting location, and preparing and distributing appropriate information relating to the agenda and performing other duties as set forth elsewhere in these Bylaws.

Section 2. Clerk of the Local Planning Agency. The Clerk of the Local Planning Agency shall be appointed by the Director of the Tallahassee-Leon County Planning Department and shall serve as secretary of the Local Planning Agency, a non-voting staff position. The Clerk shall have the responsibility for preserving recorded tapes and keeping minutes of each regular and special meeting of the Local Planning Agency as required by Section 286.011, Florida Statutes. The minutes thus prepared become the official minutes of the Local Planning Agency once they have been presented to and approved by motion of the Local Planning Agency. The Clerk of the Local Planning Agency shall also be responsible for providing notices of all meetings, arranging meeting location, and preparing and distributing appropriate information relating to the agenda and performing other duties as set forth elsewhere in these Bylaws.

**ARTICLE XIV - INFORMAL PROCEDURES FOR
QUASI-JUDICIAL PROCEEDINGS;
WAIVER OF FORMAL QUASI-JUDICIAL PROCEDURES**

Section 1. Waiver of Formal Quasi-judicial Procedures. In any case where a petition for formal quasi-judicial proceedings has been filed, the parties may agree to waive any formal quasi-judicial procedures by written stipulation to be filed with the administrative law judge. In the event that the formal evidentiary hearing provisions for quasi-judicial proceedings of Article IX are waived by the parties to the proceedings, the Planning Commission will proceed under the informal procedures set forth in Section 2 of this Article XIV of Part I.

Section 2. Informal Procedures. The Planning Commission shall hear all applications coming before it using the informal procedures set forth herein unless a petition for formal quasi-judicial proceedings has been filed. Under its informal procedures, the Planning Commission will hear a report from staff followed by a presentation from the applicant. Public comment will be allowed thereafter. Each speaker shall be limited to three minutes unless additional time is permitted by the Chair. The Planning Commission's record will consist of the staff report and attachments, the testimony received and any additional exhibits submitted at the public hearing. The provisions of Section 3(a)3) of Article IX of this Part I pertaining to verbatim record requirements apply to informal procedures of the Planning Commission. The record may not be supplemented without the express approval of the Planning Commission upon a majority vote. Ex parte communications shall be prohibited. Planning Commissioners who receive ex parte communications shall report them on the record and the Commission shall afford affected parties the right to respond. Findings of the Commission will be reduced to writing by staff after the vote.

**ARTICLE XV – PROCEDURES FOR PROJECTS GOVERNED BY
SECTION 403.973, FLORIDA STATUTES
(CITY OF TALLAHASSEE ONLY)**

Section 1. Section 403.973, Florida Statutes, Projects. Projects addressed by Section 403.973, Florida Statutes, will be subject to the provisions of said section and governed by any codes of the City of Tallahassee applicable to such projects to the extent any such provisions are in conflict with these Bylaws.

ARTICLE XVI. COMPLIANCE WITH FLORIDA LAWS AND CODES

Section 1. Public Records Law and E-Mails. Each member of the Planning Commission shall comply with the Florida's Public Records Law, Chapter 119, Florida Statutes, and Board of County Commissioners Policy 96-4, "Policy on Public Records Law and E-Mail," as may be amended from time to time, and each member of the Planning Commission shall be provided a copy of BCC Policy 96-4.

Section 2. Government in the Sunshine Law. Each member of the Planning Commission shall comply with the Florida Government in the Sunshine Law, Chapter 286, Florida Statutes, as may be amended from time to time.

Section 3. Code of Ethics. The Planning Commission shall comply with the following state laws and Board of County Commission Policies with regard to the Florida Code of Ethics for Public Officers and Employees:

(a) Each member of the Planning Commission shall comply with Section 112.3143, Florida Statutes, "Voting Conflicts," as may be amended from time to time, and shall be provided a copy of Section 112.3143. A copy appears in Appendix III to these Bylaws.

(b) Each member of the Planning Commission shall abide by the Standards of Conduct set forth in Section 112.313, Florida Statutes, as may be amended from time to time, and shall be provided a copy of Section 112.313, Florida Statutes.

(c) When acting on City matters, each member of the Planning Commission shall abide by the Code of Ethics of the City of Tallahassee found in Division 3, Chapter 2 of the Tallahassee Code of General Ordinances.

PART II TALLAHASSEE-LEON COUNTY LOCAL PLANNING AGENCY

ARTICLE I NAME AND AUTHORIZATION

Section 1. Name. Pursuant to Objective 1.1 of the Intergovernmental Coordination Element of the Comprehensive Plan, the Tallahassee-Leon County Planning Commission shall act as the "Tallahassee-Leon County Local Planning Agency" herein referred to as the "Local Planning Agency" when performing those duties of the Local Planning Agency required by Florida Statutes and local codes.

Section 2. Authorization. The Local Planning Agency exists by authority of the "Tallahassee-Leon 2030 Comprehensive Plan as amended," initially adopted on July 16, 1990, by City of Tallahassee Ordinance 90-O-0076, and by Leon County Ordinance 90-30; by City of Tallahassee Ordinance 92-O-0029, and by Leon County Ordinance 92-15. Termination or restructuring of the Local Planning Agency shall be through the comprehensive plan amendment process and through the statutory requirements for local planning agencies, consistent with Chapter 163, Florida Statutes.

ARTICLE II - DUTIES AND RESPONSIBILITIES

Section 1. Monitor and Recommend. The Local Planning Agency shall monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the City and County commissions such changes in the comprehensive plan as may be required from time to time, including preparation of such notification to the state land planning agency as is required by Section 163.3191, Florida Statutes.

Section 2. Coordination with Governmental Entities. The Local Planning Agency shall coordinate the comprehensive plan of the City of Tallahassee and Leon County with the plans of

other governmental entities, to include the School Board, other units of government providing service but not having regulatory authority over the use of land, and adjacent counties.

Section 3. Level of Service Standards. The Local Planning Agency shall ensure coordination in establishing level of service standards for public facilities with any other entities having operational and maintenance responsibilities for such facilities.

Section 4. Planning Coordination. The Local Planning Agency shall provide regular opportunities for other entities to present their plans to the agency, and for the agency to communicate its plans to the other entities for the purpose of planning coordination.

Section 5. Resolving Conflict. The Local Planning Agency shall serve as a recommending body to the City and County commissions in resolving conflicts between the plans of the other entities with those of the City and the County.

Section 6. Mediation. The Local Planning Agency shall periodically coordinate with adjacent Local Planning Agencies on issues of mutual interest, and serve as a mediating body where conflicts exist.

Section 7. Target Issues. The Local Planning Agency shall serve as a means to monitor and evaluate plan implementation, utilize a target issues process to track dates and actions as shown in the plan.

Section 8. Permitting Process. The Local Planning Agency shall serve as the coordination and monitoring mechanism to ensure the coordination of the permitting process in order to protect natural resource features through the appropriate location and intensity of development.

Section 9. General Duties. The Local Planning Agency shall perform any other function, duties, and responsibilities assigned to it by the City Commission, County Commission, or general or special law.

ARTICLE III – OFFICERS AND DUTIES

Section 1. Designation of Officers. The Chair of the Local Planning Agency shall be the Chair of the Tallahassee-Leon County Planning Commission. The Vice-Chair of the Local Planning Agency shall be the Vice-Chair of the Tallahassee-Leon County Planning Commission.

Section 2. Duties. The Chair shall: preside at all meetings of the Local Planning Agency; sign all official correspondence for the Local Planning Agency; and serve as the official representative of the Local Planning Agency. In the absence of the Chair, the Vice-Chair shall perform these functions. The most senior member present will serve as Chair in the absence of the elected Chair and Vice-Chair.

ARTICLE IV – MEETINGS AND LOCATIONS

Section 1. Meetings. The Local Planning Agency shall meet as necessary in order to accomplish the purposes assigned to it by the City of Tallahassee and Leon County. All meetings shall be duly noticed public meetings, and all records shall be public records. The Local Planning Agency shall encourage diversified public participation. The public shall be afforded the opportunity to comment at all meetings, within the constraints of time and relevancy as determined by the Chair.

Section 2. Meeting Locations. Meetings shall be held in facilities that are readily accessible to the public.

ARTICLE V - GENERAL PROVISIONS

Section 1. Voting Rights. Each member shall be entitled to one vote. Proxy votes and absentee ballots shall not be allowed.

Section 2. Parliamentary Procedure. Robert's Rules of Order, Revised, shall be the authority on parliamentary procedure at all meetings, unless in conflict with these Bylaws, in which case these Bylaws shall govern.

ARTICLE VI - THE GOAL OF PUBLIC PARTICIPATION PROCEDURES

Section 1. The Goal of Public Participation. By definition, a goal is a statement of purpose intended to define an ultimate or end state. The goal for the public participation process in planning for Tallahassee-Leon County is as follows:

To provide timely two-way communications between the residents of Tallahassee-Leon County and those responsible for preparation of amendments to and evaluation of the Comprehensive Plan. These plan processes should be accomplished in such a way so as to foster a sense of partnership between the government and the public; to create a sense of ownership and informed consent on the part of the public regarding the plan and the planning process; and to create a sense of trust between government and the public.

ARTICLE VII - OBJECTIVES OF PUBLIC PARTICIPATION PROCEDURES

Section 1. Objectives. Objectives are specific accomplishments, or series of accomplishments, necessary to the satisfactory pursuit of a goal. Objectives measure the success being realized in reaching a desired goal. Objectives for public participation in Tallahassee-Leon County planning efforts are:

- (a) The community understands the needs and the associated costs related to the comprehensive plan.
- (b) Opportunities are provided for the public to be involved in the planning process and to be informed of planning actions.
- (c) Procedures assure that property owners are notified of official actions that will affect the use of their property.
- (d) Procedures assure that the public has opportunities to provide written comments.
- (e) Procedures require consideration and response to public comments.
- (f) Procedures meet all state and local legal requirements for public notice and conduct of public meetings.

ARTICLE VIII - PUBLIC PARTICIPATION PROCEDURES

Section 1. Public Participation Procedures; Newspaper Advertising; Mailing List; Free Publicity; Meetings; Information Depositories; Written Comments; Public Hearings; Workshop Sessions; Modification to Proposed Amendments.

- (a) **Public Participation Procedures.** In order to meet the -public participation goal and objectives as outlined above for Tallahassee-Leon County, the procedures set forth below will be utilized by the Local Planning Agency in fulfilling its planning responsibilities:
- (b) **Newspaper Advertising.** All regular meetings and workshops of the Local Planning Agency shall be duly noticed. The notice will be of sufficient size and design (within reasonable budgetary limitations) so as to be readily noticeable by interested persons. The ad shall: include the purpose (including the title of proposed amendments), date, time, and location of the meetings; advise interested persons of their right to appear and be heard; and offer the opportunity to obtain additional information, inspect copies of the agenda and staff reports.
- (c) **Mailing List.** All interested persons will be afforded the opportunity (through advertising and other techniques) to have their name placed on an e-mail subscription service to receive e-mailed notice of meetings, workshops, seminars, and public hearings related to development of the comprehensive plan.
- (d) **Free Publicity.** Advantage will be taken of any free publicity opportunities that may be available. Notices of meetings will be submitted to the respective City and County community liaison offices for inclusion in periodic community service listings or announcements of meetings. Other low cost techniques such as media releases, public service announcements, and presentations to community groups will also be utilized when appropriate in order to provide information to the public and to receive their comments.

(e) **Meetings.** All Local Planning Agency meetings will be duly noticed public meetings. Members of the public will be afforded the opportunity to comment at all meetings, within the constraints of time and relevancy as determined by the Chair.

(f) **Information Depositories.** Relevant planning information, reports, and documents will be provided to public libraries, including via internet access, and other suitable information depositories in the community in order to make the information readily available to interested persons. Groups that request complete Local Planning Agency agenda packages will be encouraged to serve as information depositories.

(g) **Written Comments.** Written comments can be addressed to the Local Planning Agency through the Planning Department. Depending upon the nature or extent of written comments received, such comments will be summarized, or provided in their entirety to the Local Planning Agency members for consideration.

(h) **Public Hearings.** Public hearings will be conducted in accordance with the requirements of Sections 286.011 and 286.0114 and Chapter 163, Florida Statutes. Additional hearings can be held at local option. All hearings will meet legal requirements relating to advertising, and will be held at a time and location convenient to the general public. Beyond the legal requirements, other public notification techniques as outlined, and as appropriate, will be utilized.

(i) **Workshop Sessions.** Workshop sessions constitute public meetings and will be duly noticed. Workshops shall be held at a time and location that is accessible to the public. Workshop sessions will be generally less formal than regularly scheduled meetings and public hearings in order to encourage a more spontaneous flow of discussion among the participants. Workshops do not require a quorum. However, no formal action shall be taken at a workshop where there is no quorum. Such workshops can be geographically based or issue based, depending on the need.

(j) **Modification to Proposed Amendments.** The Local Planning Agency may recommend modifications to amendments after hearing public comment. These modifications may include changes to text or changes increasing or reducing the area of coverage of a map amendment.

**APPENDIX I
FORM FOR
PETITION FOR FORMAL QUASI-JUDICIAL PROCEEDINGS**

PETITION FOR FORMAL QUASI-JUDICIAL PROCEEDINGS

**Before the Tallahassee-Leon County
Planning Commission**

NOTICE: TO BE ENTITLED TO FORMAL QUASI-JUDICIAL PROCEEDINGS, THE PETITIONER MUST BE A PERSON WHO WILL SUFFER AN ADVERSE EFFECT TO AN INTEREST PROTECTED OR FURTHERED BY THE COMPREHENSIVE PLAN, INCLUDING INTERESTS RELEATED TO HEALTH AND SAFETY, POLICE AND FIRE PROTECTION SERVICE SYSTEMS, DENSITIES OR INTENSITIES OF DEVELOPMENT, TRANSPORTATION FACILITIES, HEALTH CARE FACILITIES, EQUIPMENT OR SERVICES OR ENVIRONMENTAL OR NATURAL RESOURCES. THE ALLEGED ADVERSE EFFECT MAY BE SHARED IN COMMON WITH OTHER MEMBERS OF THE COMMUNITY AT LARGE, BUT MUST EXCEED IN DEGREE THE GENERAL INTEREST IN COMMUNITY GOOD SHARED BY ALL PERSONS.

FILING FEE MUST BE PAID WHEN THE PETITION IS FILED.

1. This is a petition to initiate formal quasi-judicial proceedings to review a:
_____ decision
_____ recommendation
of _____ to
_____ approve
_____ deny
the following _____ (action/project)

Project Identification Number: _____

Date decision rendered (if applicable): _____

Project Location:

_____ City of Tallahassee

_____ Leon County

The petition will be forwarded to a mediator unless mediation is not requested. Costs of mediation shall be borne by the parties.

Check here if _____ mediation is not requested.

2. Name of Petitioner: _____

Address of Petitioner: _____

Telephone Number of Petitioner: _____ Facsimile: _____

e-mail address of Petitioner (listing of e-mail address indicates willingness to receive documents via email): _____

Name of Petitioner's Representative (where applicable): _____

Address of Petitioner's Representative: _____

Telephone Number of Petitioner's Representative: _____ Facsimile: _____
e-mail address of Petitioner's Representative (listing of e-mail address indicates
willingness to receive documents via email): _____

Name of Project Applicant (if different from Petitioner): _____

Address of Project Applicant: _____

Telephone Number of Project Applicant: _____ Facsimile: _____
e-mail address of Project Applicant (listing of e-mail address indicates willingness to
accept service via email): _____

3. Right to formal quasi-judicial proceedings [See notice above. Failure to list sufficient facts to show entitlement to formal quasi-judicial proceedings will result in denial of petition]: Provide an explanation of how Petitioner's substantial interests will be adversely affected by the determination or recommendation being challenged by Petitioner: _____

4. Petitioner received notice of the determination/proposed action dated _____ on _____, 20____ by:

- _____ U.S. Mail.
- _____ Publication in the newspaper.
- _____ City/County or Planning Commission Website
- _____ Other: Explanation

Note: A copy of the determination/proposed action must be attached to this petition.

5. A statement of all facts that are disputed by Petitioner: _____

6. A statement of the specific facts the Petitioner contends warrant reversal or modification of the determination or proposed recommendation: _____

7. A statement of the specific code provisions the Petitioner contends require reversal or modification of the determination or proposed recommendation. [Note: Failure to list specific provisions will result in denial of petition.] _____

8. A statement of the relief sought by Petitioner, stating precisely the action Petitioner wishes the Commission to take with respect to the determination or proposed recommendation. _____

9. _____ I hereby request entry of a procedural order.

SIGNATURE

DATE

Check one:

_____ Petitioner

_____ Petitioner's Representative

CERTIFICATE OF SERVICE

I certify that a copy of this document has been furnished to:

The project applicant: _____

at the following address: _____ to

legal counsel for the local government: _____

at the following address _____

by: _____ e-mail (if used) and _____ U.S. Mail _____ Facsimile _____ Hand-delivery, this _____

_____ day of _____, 20____.

Signature

APPENDIX II

Adopted Division of Administrative Hearings Rules

28-106.104 Filing.

- (1) In construing these rules or any order of a presiding officer, filing shall mean received by the office of the agency clerk during normal business hours or by the presiding officer during the course of a hearing.
- (2) All pleadings filed with the agency shall contain the following:
 - (a) The style of the proceeding involved;
 - (b) The docket, case or file number, if any;
 - (c) The name of the party on whose behalf the pleading is filed;
 - (d) The name, address, any e-mail address, and telephone number of the person filing the pleading;
 - (e) The signature of the person filing the pleading; and
 - (f) A certificate of service that copies have been furnished to all other parties as required by subsection (4) of this rule.
- (3) Any document received by the office of the agency clerk before 5:00 p.m. shall be filed as of that day but any document received after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day.
- (4) Whenever a party files a pleading or other document with the agency, that party shall serve copies of the pleading or other document upon all other parties to the proceeding. A certificate of service shall accompany each pleading or other document filed with the agency.
- (5) All parties, if they are not represented, or their attorneys or qualified representatives shall promptly notify all other parties and the presiding officer of any changes to their contact information by filing a notice of the change.
- (6) All papers filed shall be titled to indicate clearly the subject matter of the paper and the party requesting relief.
- (7) All original pleadings shall be on white paper measuring 8½ by 11 inches, with margins of no less than one inch. Originals shall be printed or typewritten.

28-106.108 Consolidation.

If there are separate matters which involve similar issues of law or fact, or identical parties, the matters may be consolidated if it appears that consolidation would promote the just, speedy, and inexpensive resolution of the proceedings, and would not unduly prejudice the rights of a party.

28-106.110 Service of Papers.

Unless the presiding officer otherwise orders, every pleading and every other paper filed in a proceeding, except applications for witness subpoenas, shall be served on each party or the party's representative at the last address of record.

28-106.203 Answer.

A respondent may file an answer to the petition.

28-106.211 Conduct of Proceedings.

The presiding officer before whom a case is pending may issue any orders necessary to effectuate discovery, to prevent delay, and to promote the just, speedy, and inexpensive determination of all aspects of the case, including bifurcating the proceeding.

28-106.213 Evidence.

- (1) Oral evidence shall be taken only on oath or affirmation.
- (2) Each party shall have the right to impeach any witness regardless of which party called the witness to testify.
- (3) Hearsay evidence, whether received in evidence over objection or not, may be used to supplement or explain other evidence, but shall not be sufficient in itself to support a finding unless the evidence falls within an exception to the hearsay rule as found in Sections 90.801-.805, F. S.
- (4) The rules of privilege apply to the same extent as in civil actions under Florida law.
- (5) If requested and if the necessary equipment is reasonably available, testimony may be taken by means of video teleconference or by telephone.
 - (a) If a party cross-examining the witness desires to have the witness review documents or other items not reasonably available for the witness to review at that time, then the party shall be given a reasonable opportunity to complete the cross-examination at a later time or date for the purpose of making those documents or other items available to the witness.
 - (b) For any testimony taken by telephone, a notary public must be physically present with the witness to administer the oath. The notary public shall provide a written certification to be filed with the presiding officer confirming the identity of the witness, and confirming the affirmation or oath by the witness. It shall be the responsibility of the party calling the witness to secure the services of a notary public.
- (6) When official recognition is requested, the parties shall be notified and given an opportunity to examine and contest the material. Requests for official recognition shall be by motion and shall be considered in accordance with the provisions governing judicial notice in Sections 90.201 - .203, F.S.

28-106.215 Post-Hearing Submittals.

All parties may submit proposed findings of fact, conclusions of law, orders, and memoranda on the issues within a time designated by the presiding officer. Unless authorized by the presiding officer, proposed orders shall be limited to 40 pages.

APPENDIX III

Section 112.3143, Florida Statutes - Voting conflicts

(1) As used in this section:

(a) "Principal by whom retained" means an individual or entity, other than an agency as defined in s. 112.312(2), that for compensation, salary, pay, consideration, or similar thing of value, has permitted or directed another to act for the individual or entity, and includes, but is not limited to, one's client, employer, or the parent, subsidiary, or sibling organization of one's client or employer.

(b) "Public officer" includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.

(c) "Relative" means any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

(d) "Special private gain or loss" means an economic benefit or harm that would inure to the officer, his or her relative, business associate, or principal, unless the measure affects a class that includes the officer, his or her relative, business associate, or principal, in which case, at least the following factors must be considered when determining whether a special private gain or loss exists:

1. The size of the class affected by the vote.
2. The nature of the interests involved.
3. The degree to which the interests of all members of the class are affected by the vote.
4. The degree to which the officer, his or her relative, business associate, or principal receives a greater benefit or harm when compared to other members of the class.

The degree to which there is uncertainty at the time of the vote as to whether there would be any economic benefit or harm to the public officer, his or her relative, business associate, or principal and, if so, the nature or degree of the economic benefit or harm must also be considered.

(2)(a) A state public officer may not vote on any matter that the officer knows would inure to his or her special private gain or loss. Any state public officer who abstains from voting in an official capacity upon any measure that the officer knows would inure to the officer's special private gain or loss, or who votes in an official capacity on a measure that he or she knows would inure to the special private gain or loss of any principal by whom the officer is retained or to the parent organization or subsidiary of a corporate principal by which the officer is retained other than an agency as defined in s. [112.312\(2\)](#); or which the officer knows would inure to the special private gain or loss of a relative or business associate of the public officer, shall make every reasonable effort to disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for the state public officer to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

(b) A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection.

(3)(a) No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312(2); or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer. Such public officer shall, prior to the vote being taken, publicly state to the assembly the nature of the officer's interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.

(b) However, a commissioner of a community redevelopment agency created or designated pursuant to s. 163.356 or s. 163.357, or an officer of an independent special tax district elected on a one-acre, one-vote basis, is not prohibited from voting, when voting in said capacity.

(4) No appointed public officer shall participate in any matter which would inure to the officer's special private gain or loss; which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained; or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer, without first disclosing the nature of his or her interest in the matter.

(a) Such disclosure, indicating the nature of the conflict, shall be made in a written memorandum filed with the person responsible for recording the minutes of the meeting, prior to the meeting in which consideration of the matter will take place, and shall be incorporated into the minutes. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

(b) In the event that disclosure has not been made prior to the meeting or that any conflict is unknown prior to the meeting, the disclosure shall be made orally at the meeting when it becomes known that a conflict exists. A written memorandum disclosing the nature of the conflict shall then be filed within 15 days after the oral disclosure with the person responsible for recording the minutes of the meeting and shall be incorporated into the minutes of the meeting at which the oral disclosure was made. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

(c) For purposes of this subsection, the term "participate" means any attempt to influence the decision by oral or written communication, whether made by the officer or at the officer's direction.

(5) If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

(6) Whenever a public officer or former public officer is being considered for appointment or reappointment to public office, the appointing body shall consider the number and nature of the memoranda of conflict previously filed under this section by said officer.

APPENDIX IV

TALLAHASSEE-LEON COUNTY PLANNING COMMISSION Procedure for Selection of Planning Commission Mediator

The Planning Department, on behalf of the City of Tallahassee and Leon County, will publish an advertisement at least once every 3 years in the Florida Bar News or other appropriate publications, requesting applications to serve as Planning Commission mediators. To qualify as a Planning Commission mediator, an applicant must:

- a) Be certified by the Florida Supreme Court as a circuit court mediator;
- b) Have served as a certified mediator for at least 3 years; and
- c) Have been a member of the Florida Bar at least 5 years

No mediator shall qualify to serve if he or she is an employee of the same law firm that employs a Planning Commissioner or Planning Commission counsel, nor shall such mediator's firm represent any party in the proceedings in question.

Applications may be obtained from the Planning Department and must be submitted to the Clerk of the Planning Commission. Mediators meeting the criteria (as determined by the Clerk of the Planning Commission upon consultation with the Planning Commission Attorney) will be placed on a list in the order in which the Planning Department received the applications. The total cost of mediation will be shared by the parties, who shall be the applicant, the local government and the petitioner, if different from the applicant. The mediator is responsible for billing and collecting his/her fee.

To satisfy the requirements listed above, the applicants must submit:

- a) Evidence of certification by the Florida Supreme Court as a mediator at the circuit court level;
- b) A list of mediations conducted over the past 3 years (minimum of 3); and
- c) Evidence of Florida Bar membership.

Once it is determined that the parties will select mediation under the Planning Commission Bylaws, the Clerk of the Planning Commission will ask the parties to select a mediator within a specified time from the list of approved mediators. If the parties fail to select a mediator within the time set, the Clerk will select a mediator from the list. The mediator selected by the Clerk shall be the next one on the list that has not yet been called to serve as mediator and does not have a conflict.

The Clerk of the Planning Commission shall send a copy of the petition for hearing to the selected mediator together with contact information about the parties. A copy of the transmittal letter shall be forwarded to the parties. The mediator will contact the parties with respect to mediation.

RESOLUTION NO. R16-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ADJUSTING THOSE FEES CHARGED FOR SERVICES AND DISTRIBUTING NOTICE TO THE PUBLIC IN ASSOCIATION WITH REZONING APPLICATIONS, COMPREHENSIVE PLAN AMENDMENT APPLICATIONS, AND DEVELOPMENT OF REGIONAL IMPACT APPLICATION REVIEWS, INCLUDING NOTICES OF PROPOSED CHANGE AND DEVELOPMENT ORDERS, AND ADJUSTING THE FILING FEE REQUIRED WHEN FILING A PETITION FOR FORMAL QUASI-JUDICIAL PROCEEDINGS BEFORE THE TALLAHASSEE-LEON COUNTY PLANNING COMMISSION WITHIN THE ATTACHED PLANNING DEPARTMENT FEE SCHEDULE ; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Leon County, Florida, has in effect Planning Department Services Fees, which are used to offset operating costs related to the review and processing of rezoning applications, Comprehensive Plan amendment applications, Development of Regional Impact applications, and quasi-judicial proceedings and,

WHEREAS, through user fees, the Board has committed to recovering the cost of fee-related services provided by the Planning Department to the extent practicable and,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

Section 1. Under **Planning Department Fees, Fee Category, Rezonings**, a fee of \$1,600.00 is hereby established. In addition, a \$250.00 direct notice and advertising fee is hereby established and re-assessed as needed when delays are attributable to the applicant.

Section 2. Under **Planning Department Fees, Fee Category, Comprehensive Plan Amendments, Small Scale**, a fee of \$1,400.00 is hereby established.

Section 3. Under **Planning Department Fees, Fee Category, Comprehensive Plan Amendments, Large Scale**, a fee of \$2,800.00 is hereby established.

Section 4. Under **Planning Department Fees, Fee Category, Comprehensive Plan Amendments, Text**, a fee of \$500.00 is hereby established.

Section 5. Under **Planning Department Fees, Fee Category, Petition for Quasi-Judicial Proceedings**, a fee of \$150.00 is hereby established. If a petition for quasi-judicial proceedings is filed by more than one person, each additional person may join in the petition for an

additional filing fee of \$25.00. In addition, a \$200.00 direct notice and advertising fee is hereby established and re-assessed as needed when delays are attributable to the petitioner.

Section 6. This Resolution shall be effective upon adoption by the Board.

DONE AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this the _____ day of _____, 2016.

LEON COUNTY, FLORIDA

By: _____
Bill Proctor, Chairman
Board of County Commissioners

ATTEST:

Bob Inzer, Clerk of the Circuit Court
& Comptroller

By: _____

Approved as to Form:

County Attorney's Office
Leon County, Florida

By: _____
Herbert W. A. Thiele
County Attorney

Action	Acting Body	Date of Action	Description
Major Update to Bylaws	Planning Commission	06/26/96	Adoption of changes to recognize recent case law, in particular to clarify quasi-judicial proceedings and to prohibit ex-parte communication.
	City Commission	07/10/96	
	County Commission	07/17/96	
First Amendment	Planning Commission	11/03/97	Revised to consolidate the Transportation Planning Advisory Committee [TPAC], Planning Commission and Local Planning Agency into one body, and revised hearing officer appeals
	City Commission	11/25/97	
	County Commission	11/18/97	
Second Amendment	Planning Commission	01/10/00	Revised to address certain identified "gaps" including a second change to "quasi-judicial" proceedings, including definitions, and recognizing DOAH rules; clarifying a filing fee, DeNovo proceedings, standing, dismissal motions, burden of proof, public comment, tolling of time, file copies, and file closings.
	City Commission	03/08/00	
	County Commission	02/22/00	
Third Amendment	Planning Commission	05/16/01	Revised reference to "administrative law judge", further defining duties and review functions, identifying formal and quasi-judicial functions, formal proceedings, standing, and decision bases.
	City Commission	10/24/01	
	County Commission	10/30/01	
Fourth Amendment	Planning Commission	12/03/01	Revised to indicate Planning Commission will meet according to a schedule adopted in November of each year [subject to amendment by the commission]
	City Commission	04/24/02	
	County Commission	04/09/02	
Fifth Amendment	Planning Commission	11/03/03	Amendments eliminating reference to the TPAC MPO committee, fixing "quasi-judicial references", requiring attendance reports, allowing an intervenor in proceedings, allowing self-representation, correcting timing for filing appeals so it is consistent with ordinance requirements, and various updates to submittal/petition requirements.
	City Commission	12/10/03	
	County Commission	12/09/03	
Sixth Amendment	Planning Commission	05/01/07	Amendments reflected recent legislative changes for proceedings and burden of proof; other incidentals related to submittals were also revised [specific to the City].
	City Commission	05/09/07	
	County Commission	None	
Seventh Amendment	Planning Commission	06/05/12	Amendments revised duties of planning commissioners, provided for changes in information sharing due to technology and better recognized quasi-judicial legal proceedings and recommended orders.
	City Commission	06/27/12	
	County Commission	06/26/12	

**Leon County
Board of County Commissioners**

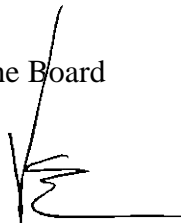
Notes for Agenda Item #22

Leon County Board of County Commissioners

Cover Sheet for Agenda #22

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of the Miccosukee Sense of Place Update

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Benjamin H. Pingree, Director, Planning, Land Management & Community Enhancement
Lead Staff/ Project Team:	Cherie Bryant, Planning Manager

Fiscal Impact:

This item has no current fiscal impact; however, the Miccosukee sense of place planning process may generate ideas that the Board may wish to consider as part of future budget deliberations.

Staff Recommendation:

Option # 1 Accept the Miccosukee sense of place update.

Report and Discussion

Background:

At the December 2015 Board Retreat, a new Strategic Initiative was proposed to perform a Sense of Place study for the Miccosukee community. This item provides an update on the work plan to address this initiative.

This update is tied to the following revised FY2012-FY2016 Strategic Initiative that the Board approved at the January 26, 2016 meeting:

- Perform a Sense of Place study for the Miccosukee community (Q5, EC1).

This particular Strategic Initiative aligns with the Board's Strategic Priorities Quality of Life and Economy:

Maintain and enhance our recreational offerings associated with parks and greenway system for our families, visitors and residents (Q1).

Integrate infrastructure, transportation, redevelopment opportunities and community planning to create the sense of place which attracts talent (EC1).

Analysis:

The Miccosukee community is located in northeastern unincorporated Leon County at the intersections of Moccasin Gap Road, Miccosukee Road, and Veterans Memorial Drive. The community has a long history including the Florida Central Railroad, the Concord School, and several remaining historic structures. The Miccosukee community sense of place study will seek to identify goals and opportunities to help strengthen the connection between people and this place.

The Tallahassee-Leon County Planning Department's DesignWorks studio will lead the study and utilize a charrette process to engage community members and other stakeholders. A charrette is an intensive planning session where citizens, designers and others collaborate on a vision for the project over the course of several days. The process will include information gathering about the community, design and review with community members, and presentation of the designs and findings.

To focus this effort and better engage community members, the DesignWorks team is planning to work from the County owned Miccosukee Community Center for a full week in spring 2016. Stakeholders are invited to visit and discuss their goals and ideas with the team at any time in the charrette process. The concept is to create an open, iterative process throughout the week of developing goals and design concepts with review and input by community members. This work will culminate with a presentation at the Community Center that will be the foundation for a report to Board.

Funding is currently not allocated for implementation of project ideas developed during this process. The report to the Board on this initiative may involve future budget considerations.

The Livable Infrastructure for Everyone (LIFE) program of the Blueprint 2020 sales tax extension may also be a future source of funding for identified infrastructure improvements. The LIFE program dedicates two percent of the penny sales tax proceeds to address small-scale infrastructure needs. A formal framework for the selection and prioritization of potential projects that could be funded through the LIFE program is being developed for consideration during the FY2017 budget process.

Options:

1. Accept the Miccosukee sense of place update
2. Board direction

Recommendation:

Option # 1

**Leon County
Board of County Commissioners**

Notes for Agenda Item #23

Leon County Board of County Commissioners

Cover Sheet for Agenda #23

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Adoption of Lake Jackson Blueway Plan

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Benjamin H. Pingree, Director, Planning, Land Management & Community Enhancement Cherie Bryant, Manager, Tallahassee-Leon County Planning Department
Lead Staff/ Project Team:	Stephen Hodges, Senior Planner

Fiscal Impact:

This item has no immediate fiscal impact.

Staff Recommendation:

Option #1: Adopt the Lake Jackson Blueway Plan (Attachment #1) and direct staff to coordinate with the Florida Office of Greenways and Trails to designate this water trail as a unit of the State's Paddling Trail Network.

Report and Discussion

Background:

A “blueway” is a paddling trail established within a navigable waterway having the physical capacity (based on length, width, and depth) for kayaking and canoeing.

At its regular meeting on January 29, 2013, the Leon County Board of County Commissioners (Board) ratified actions taken at the December 10, 2012 Annual Retreat to create a new strategic initiative within the Board’s Strategic Plan intended to “develop solutions to promote sustainable growth inside the Lake Protection Zone.” As part of this project, staff proposed the development and implementation of a plan for the Lake Jackson Blueway as expressed by the Greenways Master Plan. The development of this plan is intended to provide an increased awareness and recreational use of the lake and its surrounding parks and greenways following the recovery of the lake from the most recent drought.

The proposed Lake Jackson Blueway Plan is consistent with the following revised FY 2012 – FY 2016 Strategic Initiatives that the Board approved at the January 26, 2016 meeting:

- Develop and maintain County transportation systems, including roads, bike lanes, sidewalks, trails, and rights-of-way. (EC1, Q2)
- Promote region as a year round destination through the Fall Frenzy Campaign, and by identifying niche markets. (EC4)
- Educate citizens and partner with community organizations to promote sustainable practices. (EN3)
- Develop solutions to promote sustainable growth inside the Lake Protection Zone. (EN1, EN2, G2)
- Expand, connect and promote “Trailhassee” and the regional trail system. (Q1, Q5, EC1, EC4)

These particular Strategic Initiatives align with the Board’s Strategic Priorities: Economy, Environment, and Quality of Life,

- Integrate infrastructure, transportation, redevelopment opportunities, and community planning to create the sense of place which attracts talent. (EC1)
- Grow our tourism economy, its economic impact and the jobs it supports, including: being a regional hub for sports and cultural activities. (EC4)
- Educate citizens and partner with community organizations to promote sustainable practices. (EN3)
- Maintain and enhance our recreational offerings associated with parks and greenway system for our families, visitors and residents. (Q1)

Analysis:

There are already several paddling trails established within Leon County. Trailhassee.com, an Internet webpage that is a one-stop resource for residents and visitors seeking outdoor experiences, lists several local paddling trails, including the Ochlockonee River Paddling Trail, the Wakulla River Paddling Trail, the Wacissa River Paddling Trail, and the Aucilla River Paddling Trail. The City of Tallahassee's Parks, Recreation, and Neighborhood Affairs' website also includes the Lafayette Passage Paddling Trail located on Lower Lake Lafayette.

Lake Jackson is the State of Florida's only freshwater body that is designated as an Aquatic Preserve (see Attachment#2). Kayaking, fishing and other water-based recreational activities normally occur in many areas of Lake Jackson. The proposed Lake Jackson Blueway will help bring additional public awareness of the lake as a recreational resource, bring additional recreational use to the lake, and help link together the many established County boat landings, parks, and other greenways around Lake Jackson. These facilities and parks include:

1. Crowder Landing
2. Fuller Landing
3. Meginnis Arm Landing
4. Rhoden Cove Landing
5. Miller Landing
6. Sunset Landing
7. U.S. Highway 27 North Landing
8. Fuller Landing
9. J. Lee Vause County Park
10. Jackson View County Park
11. Lake Jackson Mounds Archaeological State Park
12. Elinor-Klapp Phipps City Park
13. Okeehoopkee Prairie County Park

At present, there is no paddlecraft access at J. Lee Vause County Park, Jackson View County Park, Lake Jackson Mounds Archaeological State Park, Elinor-Klapp Phipps City Park, or Okeehoopkee Prairie County Park. However, the latter is adjacent to the Fuller Road Landing, and the Blueway Plan proposes paddlecraft access at J. Lee Vause County Park.

Benefits to Leon County

The Lake Jackson Blueway Plan proposes State designation of this trail as a unit of the State's Paddling Trail Network (Attachment #1). The Network includes more than 3,500 miles of paddling trails statewide that are designated and mapped by the Florida Department of Environmental Protection's Office of Greenways and Trails (see Attachment #3). The benefits to Leon County from designating the Lake Jackson Blueway a unit of the Paddling Trail Network include:

1. Paddlers, including residents and visitors, will be able to learn about this trail and its features by accessing websites such as Trailahassee.com, Visit Florida, and OGT's trails and greenways website;
2. These websites can also help residents and visitors to Leon County identify overnight accommodations and other points of interest such as parks, public facilities, and other goods and services;
3. Designation will increase awareness of Lake Jackson, including its recreational and environmental features;
4. Designation will clearly identify the managing entities for the trail; and
5. Designation can help grant applications for recreational facilities on Lake Jackson be more competitive.

Designation and Management

If the Lake Jackson Blueway Plan is adopted by the Board, staff will, upon direction of the Board, coordinate with the Florida Office of Greenways and Trails (OGT) to designate this water trail as a unit of the State's Paddling Trail Network. As part of the designation process, the County will negotiate a management agreement with OGT on behalf of the Board of Trustees of the Internal Improvement Trust Fund (Governor and Cabinet).

The management of a paddling trail in Lake Jackson includes maintaining access to and from the water through various boat landings, and maintaining clear water channels by removing floating or fixed vegetation. Leon County's Division of Parks and Recreation currently maintains the existing County boat landings. The Florida Fish and Wildlife Conservation Commission through its aquatic vegetation management plan for Lake Jackson will keep the existing waterway channels navigable. It is anticipated by staff that this existing division of management responsibilities will be incorporated into the management agreement.

Options:

1. Adopt the Lake Jackson Blueway Plan and direct staff to coordinate with the Florida Office of Greenways and Trails to designate this water trail as a unit of the State's Paddling Trail Network.
2. Do not adopt the Lake Jackson Blueway Plan.
3. Board direction.

Recommendation:

Option #1.

Attachment:

1. Lake Jackson Blueway Plan
2. Lake Jackson, Carr Lake, and Mallard Pond Aquatic Preserve Map
3. Florida's Designated Paddling Trails

Lake Jackson Blueway Plan

Tallahassee-Leon County Planning Department

August 2015



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¹ All figures and images by TLCPD unless otherwise stated.

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Section 1.0 Introduction

1.1 Lake Jackson Overview

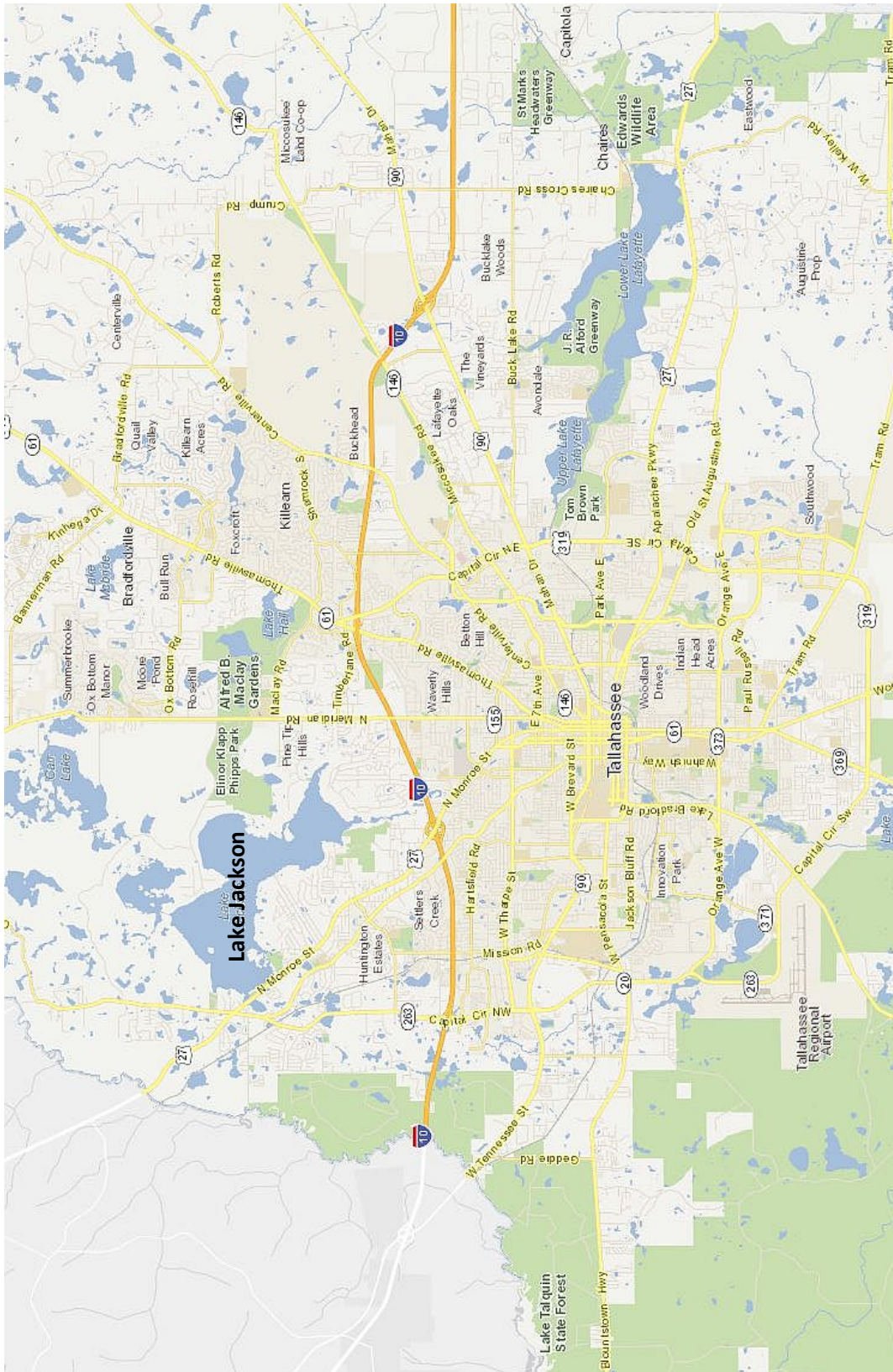
Located just north of Tallahassee, Lake Jackson is a clastic upland prairie lake² that occasionally drains primarily due to evaporation and transpiration, and partially through several sinkholes located in the lake bed, a naturally occurring phenomenon known as a dry-down. The lake's most recent dry-down occurred in 2005, but water levels have now risen to approximately 85 feet above sea level. This level allows kayaking, fishing, and other water-based recreational activities in many areas of the lake. Lake Jackson also has a variety of aquatic and avian (bird) native wildlife that can be viewed from the shoreline and on the water, and there are a number of parks and boat landings along its shores.

1.2 Lake Jackson Location

Lake Jackson is located in the Red Hills Region of Northwest Florida, also known as Florida's Panhandle. It is located in the unincorporated area of Leon County and within the Tallahassee metropolitan area. Other Florida municipalities located in proximity to Lake Jackson are Quincy and Havana. The major arterial roads that access Lake Jackson are Monroe Street/U.S. Highway 27/State Road 63, Meridian Road, Old Bainbridge Road/State Road 157, and Lakeshore Drive. As seen in Figure 1.1, U.S. Highway 27 runs along the west side of the lake, separating it from Little Lake Jackson. Interstate 10, built in 1972, also runs south of the lake.

² Florida Natural Areas Inventory

Figure 1.1 Tallahassee Urban Area



1.3 Lake Jackson History

Lake Jackson and its surrounding lands have a rich history dating back to 1,000 A.D. During this time, the area was occupied by the relatively advanced Apalachee people, and was the center of the Fort Walton Culture. Believed to be the site of regional chiefdom, this area was governed by a well-organized political system ruled by tribal leaders. At this time, the lake is believed to have been a dry prairie used for hunting by the Native Americans. The Apalachee people were specialized in ceramic making and maize cultivation. The visible remains of this advanced culture can still be seen today at the Lake Jackson Mounds Archaeological State Park, located on the southwest shore of Lake Jackson. This park is an 81-acre site managed by the Florida Park Service, and contains four earthen mounds that were built by the Apalachee people.

Remnants of Florida's colonial period can also be found surrounding Lake Jackson. In the 16th century, Hernando de Soto and his men on an expedition of Florida reported Lake Jackson as a savannah. Later in the 18th century, William Bartram embarked on his survey of the south, and also recorded Lake Jackson to be a grassland. In addition to this, some of Florida's most important historical figures have lived on the shores of Lake Jackson, including Governor Richard Keith Call, Colonel Robert Butler, Sid Cooper, and Governor Thomas Brown.



Image 1.1: Sailing on Lake Jackson. Source: FloridaMemory.com

In the past, Lake Jackson has been used for a number of activities including fishing, boating, water sports, sunbathing, paddling, swimming, picnicking, and hunting. In the late 1950s, Lake Jackson became famous for its bass fishing and was held in high esteem until the 1970s, when runoff from nearby urban development began to negatively affect the water quality. In response, the lake was designated as an Aquatic Preserve by the State of Florida in 1974.



Image 1.2: Woman fishing on Lake Jackson, 1960s. Source: FloridaMemory.com



Image 1.3: Locals fishing at Lime Sink, 1956. Source: FloridaMemory.com

1.4 Lake Jackson Dry-downs

During the past century, the recorded water levels of Lake Jackson have fluctuated through periods of being completely dry to its maximum historic level of 96 feet. This cycle of dry-downs occurs naturally in this and other local lakes that have not been modified to prevent such events. Dry-downs allow organic muck from stormwater runoff to dry out and oxidize and terrestrial plants to grow on the former lake bottom. When



Image 1.4: Lake Jackson sinkhole, 1932. Source: FloridaMemory.com

the lake refills from natural precipitation, the quality of lake water is improved, and there is good natural habitat for native fish, birds, and other wildlife.

During times of drought, water evaporates and transpires from Lake Jackson faster than precipitation can refill the lake. Once the water table has been sufficiently lowered from drought, the remaining water in Lake Jackson historically drained into the Floridan aquifer through two major sinkholes: Porter Sink and Lime Sink. Some experts have estimated that there are well over twenty sinkholes located in the lake bed.

Lake Jackson has drained at least eleven times in recorded history, including 1837, 1886, 1907, 1909, 1932, 1957, and 1982. More recently, the lake has drained on September 16, 1999, June 12, 2006, May 10, 2007, and June 20, 2012. Although it is estimated that the lake dries out approximately every 25 years, it has not dried out completely during all of these events. Several dry-downs have lasted no more than a few months; however, the 1957 dry-down lasted 40 months. Locals and property owners became frustrated with the lake's unpredictable water levels, and proceeded to plug Lime Sink with cement, concrete blocks, soil, and automobile parts. After the 1957 dry-down, Lake Jackson recovered to reach its highest known elevation of 96 feet in 1966. As a result, the lake was a large, open body of water in the 1970s and 1980s, and was used for fishing, skiing, and sailing.



Image 1.5: Porter Sink, 1999. Source: FDEP

The next major dry-down occurred in 1982 when a dry period lowered lake levels through evapotranspiration and the remaining water drained through Porter Sink. At that time there were discussions at various government levels of conducting a lake restoration project, but this did not occur.

When the lake dried again in 1999, Leon County, in coordination with the Florida Fish and Wildlife Conservation Commission, FDEP, and the Northwest Florida Water Management District, decided to take action, and the resulting Lake Jackson Restoration Project was completed in early 2001. This project consisted of the removal of aquatic plants, muck, and debris in the southern portion of the lake near Megginis and Ford arms. Due to an increase in urban development south of Lake Jackson, the southern portion of the lake was more severely polluted, and therefore considered to be of the highest priority.

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Section 2.0 Existing Conditions

2.1 Lake Jackson General Conditions

Lake Jackson is a clastic upland lake, meaning that it empties naturally during dry periods. This allows vegetation to grow on the lake bed which causes it to sometimes appear as a prairie. Lake Jackson is approximately 7.5 miles long and has an area of 4,004 acres. The larger Lake Jackson watershed encompasses 43 square miles. The lake receives water from rainfall and some small streams, but has no outflow from streams or runoff. As of early 2015, Lake Jackson is currently at its highest water level since the 1970s, approximately 84 feet above sea level.



*Image 1.6: Geologist descending into Porter Sink, 1999.
Source: FDEP*

Water enters the lake from rainfall and from streams that flow into the lake. Water leaves the lake through evaporation and through sinkholes located in the lake bed. Most of the water loss however is from evaporation. During rainy periods enough water drains into the lake to replace what is evaporating; however, periods of drought often result in dry-downs, which are naturally occurring.

Lake Jackson is surrounded by many privately owned properties and residential neighborhoods. The lake can be accessed by the public through eight county-owned boat landings. These landings are Crowder, Fuller, Meginnis Arm, Rhoden Cove, Miller, Sunset, U.S. Highway 27 North³, and Faulk Landing. In addition, Red and Sam's Fish Camp is a private boat landing, and many privately owned docks provide access for property owners. There are also three county-owned parks on the lake: J. Lee Vause Park, Jackson View Park, and Okeeheepkee Prairie Park. The Elinor Klapp-Phipps Park to the east of Lake Jackson is owned by the Northwest Florida Water Management District and managed by the City of Tallahassee. Although all four of these parks provide views of Lake Jackson, none currently offer boat or paddler access to the water.



³ As of late 2015, the U. S. Highway 27 Landing will soon be undergoing renovations and will be named Jackson View Boat Landing.

2.2 Lake Jackson Ecosystem

On January 1, 1974 the Lake Jackson, Carr Lake, and Mallard Pond ecosystem was designated as the Lake Jackson Aquatic Preserve by the Florida Legislature. Lake Jackson is also designated as a Surface Water Improvement Waterbody (SWIM) and an Outstanding Florida Waterbody (OFW). The Lake Jackson ecosystem is comprised of freshwater marshes and native and non-native submerged vegetation. Several species of non-native plants, such as hydrilla and water hyacinth have begun to out-compete native vegetation. Due to recent dry events, heavy vegetation has grown on the lake bottom and throughout most of the lake, as of 2015, this vegetation is still visible above water. It is also home to many animal species, such as the wood stork, little blue heron, bald eagle, and round-tailed muskrat (see species list, technical appendix). In addition, one non-native animal species, the island apple snail, has become prominent throughout the southern portion of the lake.



Image 2.1: Lake Jackson, 2014.

2.3 Lake Jackson Water Quality

In the 1970s, the water quality of Lake Jackson began to decline due to an excess of nutrients in urban runoff. Today, the water quality continues to be affected by stormwater runoff from increased development in the south and from properties surrounding the lake. The greatest degradation is occurring in the southern section of Lake Jackson, at Meginnis and Ford arms, while the northern and middle sections of the lake fare much better due to less urban development in the watershed, which contributes surface water to the lake. Over use of fertilizer along with other sources of stormwater runoff cause the lake to be polluted with an excess of phosphorous and other nutrients. In addition, poorly maintained septic tanks in the Lake Jackson watershed continue to decrease the lake's water quality.



Image 2.2: Prairie-like vegetation in north Lake Jackson

It is recognized that the periodic dry-downs of Lake Jackson greatly contribute to the overall water quality of the lake, and also to the abundance of fish and trophy largemouth bass. Over time, large build-ups of organic sediments or muck form at the bottom of the lake. When the lake dries down, the muck is exposed to oxygen, which breaks down the mucky sediments. This natural lake rejuvenation improves water and habitat quality. If these dry-downs are prevented from occurring, muck builds up and the lake begins to eutrophicate, decreasing water quality.

Section 3.0 Lake Jackson Blueway

3.1 Water-based Trails (Blueways)

A blueway or water trail is a water path or trail that is usually developed with launch points, camping locations, and points of interest for canoeists, paddle boarders, and kayakers. Blueways are typically developed and designated by state, county, or local municipalities to encourage recreation, ecological education, and preservation of wildlife resources. The Florida Paddling Trail Association also offers an opportunity for a municipality or county to earn designation as a Florida Paddling Trails Blueway Community. The blueway designation maximizes safety, scenery, and access to water resources.



Image 3.1: Man kayaking. Source: Trails.com

Locally, blueways are trail designations applied to waterway segments or water bodies that can accommodate canoeing, kayaking and boating, and that provide access points and related destinations such as parks, greenways, and other points of interest.

3.2 Lake Jackson Blueway

Since July 2014, the water level in Lake Jackson has been approximately 86 feet above sea level. This makes possible many water-based recreational activities such as paddling. Lake Jackson provides a great recreational resource for canoeists and paddlers. There are seven existing landings and four parks/greenways that are located near or on the lake. Existing powerboats are few, and there are many wildlife viewing opportunities and natural vistas that are unique to the Tallahassee urban area.



Image 3.2: Lake Jackson at Sunset Landing

Designating Lake Jackson as a blueway would bring additional public attention to this resource, and it could provide an economic boost for local businesses, as well as attract funding opportunities additional for maintenance, improvements, and amenities.

3.3 Lake Jackson Blueway Access Points (Figure A-1)

3.3.1 Crowder Landing

Crowder Landing is located in the southern portion of Lake Jackson. This is a frequently used landing that contains one concrete boat launch and approximately four paved parking spots. Additional, parallel parking can be found along Crowder Road leading to the boat landing. There is a trash can, but no restrooms. Vegetation is well maintained at this landing; however, the water contains algae and swimming is prohibited in this area. The landing also contains wooden fencing around the parking area that can make it difficult to maneuver large vehicles towing watercraft, particularly if there are other vehicles parked in this area.



Image 3.3: Boat ramp at Crowder Landing



Image 3.4: Parking at Crowder Landing

3.3.2 Fuller Landing

Fuller Landing is located on the west shore of Meginnis Arm. The landing has one recently-improved, concrete boat ramp, a trash can, and approximately 5-6 unpaved parking spots, but minimal boat trailer parking. Heavy vegetation at this landing makes it difficult to launch and maneuver watercraft.



Image 3.5: Parking area at Fuller Landing



Image 3.6: Boat ramp at Fuller Landing

3.3.3 Meginnis Arm Landing

Meginnis Arm landing is located in the southern section of Lake Jackson at the south end of Meginnis Arm. This is a very small public access area that receives little use. The landing provides a put-in for canoes and kayaks, but no boat ramp. It also provides a shady picnic area with one trash can, and approximately five paved parking spots. This landing does not have restrooms. The put-in is characterized by heavy, unmaintained aquatic and terrestrial vegetation.



Image 3.7: Meginnis Arm put-in



Image 3.8: Meginnis Arm signage

3.3.4 Rhoden Cove Landing

Rhoden Cove Landing is located in the southeast portion of Lake Jackson, near Fords Arm. It provides one concrete boat launch; however, the launch has heavy vegetation that blocks the view of the lake from the park located there. The park contains two picnic shelters with five tables, grills, recycling bins, trash cans, and approximately 10-12 unpaved parking spots. The landing does not have restrooms and contains old signage that needs to be updated. The park also has a small open space area next to the picnic shelters. This landing has potential to be a good destination along the Lake Jackson Blueway.



Image 3.9: Picnic area at Rhoden Cove Landing



Image 3.10: Boat launch at Rhoden Cove Landing

3.3.5 Miller Landing

Miller Landing is located in the northeast section of Lake Jackson. This landing contains one boat launch, and a natural sandy beach area. It provides plenty of space to maneuver boats and trailers, and provides approximately 6-7 paved parking spots. The area also has a few large trees that provide shading. The landing provides one trash can, but no other amenities. Duck hunters often use this landing in the fall and winter seasons.



Image 3.11: Boat launch at Miller Landing



Image 3.12: Shade at Miller Landing

3.3.6. Lee Vause Park

J. Lee Vause Park is located on the northwest shore of Lake Jackson. This park currently provides a place for Leon County residents and visitors to recreate, and provides many amenities including a boardwalk that runs along the shore of Lake Jackson. The view of Lake Jackson is completely obstructed by trees and heavy vegetation, and although the boardwalk is next to the lake, there is no water access from the park. Other amenities found in the park are restrooms, water fountains, picnic shelters and tables, an abundance of paved parking spaces, a walking trail, benches, grills, recycling bins, trash cans, and volleyball court. The park's hours of operation are sunrise to sunset.



Image 3.13: Picnic shelter at J. Lee Vause Park
Source: tlcgis6.co.leon.fl.us



Image 3.14: Boardwalk at J. Lee Vause Park. Source: FloridaBirdingTrail.com

3.3.7 Sunset Landing

Sunset Landing is located just south of J. Lee Vause Park, on the western shore of Lake Jackson. This landing provides one concrete boat launch. Other amenities found at this landing are several unpaved parking spots, trash cans, restrooms, recycling bins, two picnic shelters, and four picnic tables. It also provides a grassy open space for visitors to enjoy the lake. Unique to this landing is Shucker's Half-Shell Oyster Bar. In addition to food, the restaurant also provides canoe rentals and a bait shop. This landing is the most complete public access area on Lake Jackson and would serve as a great destination along the Lake Jackson Blueway.



Image 3.15: Boat launch at Sunset Landing. Source: BioBendFishing.net



Image 3.16: Canoe rental and bait shop at Sunset Landing. Source: TallyDailyPhoto.Blogspot.com

3.3.8 U.S. Highway 27 Landing

The U.S. Highway 27 Landing is located on the west shore of Lake Jackson, on U.S. Highway 27/Monroe Street. It is currently used for fishing, picnicking, and boat launching. This landing will begin renovations/construction in the fall of 2015. The renovations will include improved parking with six designated spaces for trailer parking, improvements to the concrete boat ramp, the addition of two docks (one on either side of the ramp), a new one-stall vaulted family restroom, a large deck area, adjacent to the picnic area, with an observation pier extension into the lake, new replacement picnic tables and grills, and new signage and landscaping. The renovations are expected to be completed by summer of 2016.



Image 3.17: Boat launch at U.S. Highway 27 Landing



Image 3.18: Picnic area at U.S. Highway 27 Landing

3.3.9 Jackson View Park

Jackson View Park is located just east of U.S. Highway 27 Landing, on the west shore of Lake Jackson. This park is located inside of a residential neighborhood and has a boardwalk which provides a view of Lake Jackson. Although Jackson View Park provides a scenic view of Lake Jackson, there is not public access to the water at this location, and much of the view is obstructed by heavy vegetation. The park does provide many amenities including approximately 15-17 paved parking spots, trash cans, picnic tables/shelters, benches, a playground, open grassy areas, and a walking trail.

3.3.10 Faulk Landing

Faulk Landing is located south of Jackson View Park and north of Crowder Landing, on the west shore of Lake Jackson. This landing has one boat launch, which appears to be largely unused. A narrow road, heavy vegetation, and no trailer parking make it difficult to launch a boat from this location. There are two unpaved and informal parking spots located on the side of Faulk Drive, leading to Faulk Landing; however, these spots are only suitable for small cars. This landing is a good bird watching area, but not ideal for boating or viewing Lake Jackson. The landing provides one trash can, but no other amenities.



Image 3.19: Faulk Drive



Image 3.20: Boat launch at Faulk Landing

Section 4.0 Recommendations

The following recommendations were made by staff from TLCPD, the Florida Fish and Wildlife Conservation Commission, and FDEP. Local government will coordinate with responsible agencies to address recommendations for trimming vegetation at selected landings which will allow for easier paddle launching. In the case that non-native/invasive vegetation is located at the selected landings, local government will coordinate with state agencies to address the removal of the vegetation.

4.1 J. Lee Vause Park Paddling Launch

J. Lee Vause Park is potentially a desirable destination along the Lake Jackson Blueway, based on its size, facilities, and accessibility from both the water and the Tallahassee urban area. Currently, the view of Lake Jackson from this park is obstructed by trees and heavy vegetation and there is no water access from the park. It is recommended that the vegetation be cleared where appropriate and permittable with regular maintenance, and that a paddling access area be provided at the lake shore, integrated into the existing boardwalk, and with appropriate signage.

4.2 U.S. Highway 27 Landing

U.S. Highway 27 Landing is a heavily used landing. Currently, heavy vegetation blocks large portions of the view of Lake Jackson from U.S. Highway 27. Management of this vegetation is recommended in coordination with the Florida Fish and Wildlife Conservation Commission Invasive Plant Management Section.

At present, the landing contains limited parking, and is sandy and prone to washouts. Renovations as described above in Section 3.3.8 will provide additional parking, an observation pier, renovations to the existing boat ramp and access area, and the installation of portable restroom facilities.

4.3 Faulk Landing

Boat and paddle launching is difficult at Faulk Landing due to a narrow road, limited parking, and heavy vegetation. It is recommended that additional parking be provided at this landing adequate for vehicles and boat trailers. Clearance and maintenance of the heavy vegetation surrounding the boat launch is also necessary to make boat and kayak maneuvering easier.

4.4 Crowder Landing

Crowder Landing is a frequently used public access point on Lake Jackson. This area could be improved by expanding the parking area to accommodate more vehicles. Also, the heavy wooden rails surrounding the paved area should be evaluated and adjusted as necessary to allow for easier boat and vehicle maneuvering. In addition, since this landing is heavily used, installing fixed or portable restroom facilities is recommended.

4.5 Meginnis Arm

Meginnis Arm Landing provides a small public access area for kayaks and canoes, as well as a small public park. To improve this landing, it is recommended that the heavy vegetation around the launch be cleared and maintained. It is also recommended that the signage at the park be updated, and one or two additional picnic tables provided.

4.6 Rhoden Cove Landing

Rhoden Cove Landing is a frequently used landing that provides one boat ramp and has a small park. Providing bank fishing opportunities or a fishing pier at this landing is recommended. Also, improved boater amenities, such as a courtesy dock lining the boat canal, are encouraged. Due to its frequent use, the park could benefit from fixed or portable restroom facilities. In addition, heavy vegetation blocks a large portion of the views of the lake. Managing this vegetation is recommended to improve the overall experience at this landing.

4.7 Miller Landing

Miller Landing is not used as frequently by boaters or paddlers, but is used by duck hunters in the fall and winter seasons. The landing has a few large trees which provide shade. To encourage usage at this landing, putting one or two picnic tables in the shady portion of the landing is recommended. It is also recommended that fixed or portable restroom facilities be provided.

4.8 Additional Implementation Measures

TLCPD has created a blueway map (see Appendix A), a trail trip plan (see Appendix B), and other relevant information. This map and other information will be provided to the public via local and state websites including Leon County Parks and Recreation, Trailahassee.com, and the FDEP website. Links to other resources, such as Elinor Klapp-Phipps Park, Jackson Mounds Archeological State Park, paddling outfitters, and more will also be included as appropriate on these websites.

TLCPD will coordinate with FDEP to secure state designation as a paddling blueway trail through FDEP's Office of Greenways and Trails. Public and private partnerships with businesses such as canoe liveries, tour guide businesses, bait shops, and other businesses and organizations will also be encouraged as warranted and appropriate.

Section 5.0 Conclusion

Lake Jackson is a significant natural and recreational resource within Leon County. Although its cyclic dry-downs are natural and necessary phenomena critical to the management of the lake, these dry-downs have discouraged the usage of the lake as a public recreational resource. The county provides eight boat landings on Lake Jackson. Most of these landings are lightly used mostly by local hunters and fishermen.

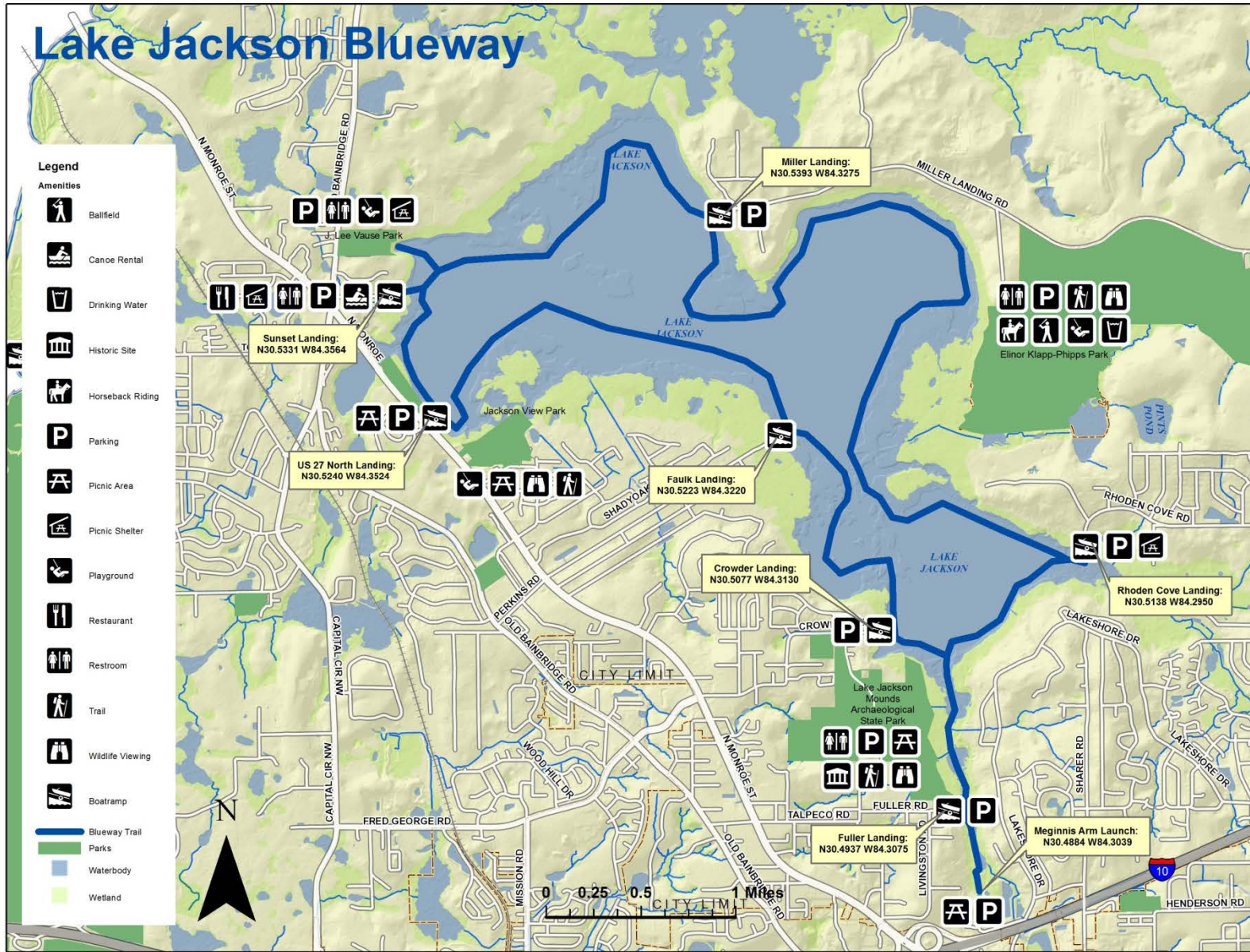
The use of non-motorized watercraft is expanding nationally and within the Big Bend region of Florida. A Lake Jackson blueway or paddling trail can increase awareness of this significant water resource and the recreational opportunities it has to offer by offering expanded low-impact usage by paddlers, birdwatchers, kayak fishermen, and others who utilize non-motorized watercraft. It would also encourage ecological education and preservation of the lake and its water and other environmental qualities. This designation may also provide funding opportunities for the recommended improvements, additional access points, and maintenance of existing landings.

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Appendices



Appendix A: Lake Jackson Blueway Maps



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Appendix B: Trip Planning

Overview

Located just north of the urban area of Tallahassee, Lake Jackson is a clastic upland lake that occasionally drains due to several sinkholes located in the lake bed, a naturally occurring phenomenon known as a dry-down. (The lake also loses water due to evaporation and transpiration, but this is a slow process.) The lake's most recent dry-down occurred in 2012, but water levels have now risen to approximately 86 feet above sea level. This level of water makes possible kayaking, fishing, and other water-based recreational activities. The lake is a great place to view wildlife, and several parks are located along the blueway providing places for rest stops.

County:	Leon
Nearest Town:	Tallahassee, FL
Total Trip Distance:	15.6 miles
Estimated Time:	7.5 hours (paddling at two miles/ hour)
User Groups:	Kayakers, canoeists, skiers, small motor boats, airboats, fishing boats
Mileage:	Mile 0: Crowder Landing Mile 2: Meginnis Landing Mile 3: Rhoden Cove Landing Mile 7: Miller Landing Mile 9: J. Lee Vause Park Mile 9.5: Sunset Landing Mile 10: U.S. Highway 27 North Landing Mile 10.5: Jackson View Park Mile 13: Faulk Landing Mile 14.5: Back at Crowder Landing
Difficulty:	Easy to intermediate, depending on weather, presence of floating vegetation, and other natural features
Skill Level:	Beginner to intermediate
Details:	The entire 15.6 miles paddling trail is great for a full day trip (approx. 7.5 hours). There are plenty of opportunities for spotting wildlife and many places to stop for a snack or to take a break from paddling. Shucker's Half Shell Oyster Bar located at Sunset Landing is a good midway point to have lunch. The northern section of Lake Jackson contains less difficult segments and provides several stopping points. Less experienced paddlers looking for a shorter trip should consider the segment from Miller Landing to Crowder Landing.

Access Points

Access Point 1: Crowder Landing

Directions: From downtown Tallahassee head north on U.S. Highway 27 N/ Monroe Street for 5.8 miles. Turn right onto Crowder Road and proceed 0.5 miles. Crowder Road dead-ends into Crowder Landing.

Access Point 2: Faulk Landing

Directions: From downtown Tallahassee head north on U.S. Highway 27 N/ Monroe Street for 6.8 miles. Turn right onto Faulk Drive and proceed for 0.7 miles. Faulk Drive dead-ends into Faulk Landing.

Access Point 3: U.S. Highway 27 North Landing

Directions: From downtown Tallahassee head north on U.S. Highway 27 N/ Monroe Street for 7.9 miles. Turn right onto Cool View Drive and you will arrive at U.S. Highway 27 North Landing.

Access Point 4: Sunset Landing

Directions: From downtown Tallahassee head north on U.S. Highway 27 N/ Monroe Street for 8.7 miles. Turn right onto Old Bainbridge Road, then take the first right on Jackson Cove Road and proceed to the end of this road.

Access Point 5: Miller Landing

Directions: From downtown Tallahassee head north on U.S. Highway 27 N/ Monroe Street for 1.8 miles. Turn right onto east Tharpe Street. Turn left onto north Meridian Road and proceed for 5 miles. Turn left onto Miller Landing Road and proceed to the end of the road.

Access Point 6: Rhoden Cove Landing

Directions: From downtown Tallahassee head north on U.S. Highway 27 N/ Monroe Street for 1.8 miles. Turn right onto east Tharpe Street. Turn left onto north Meridian Road and proceed for 3.6 miles. Turn left on Rhoden Cove Road and proceed to the end of the road.

Access Point 7: Meginnis Arm Landing

Directions: From downtown Tallahassee head north on U.S. Highway 27 N/ Monroe Street for 3.4 miles. Turn right onto Lake Shore Drive and proceed for 0.4 miles. Turn left onto Meginnis Arm Road and then take the first left onto Meginnis Lane and continue to Meginnis Arm Landing.

Access Point 8: Fuller Landing

Directions: From downtown Tallahassee head north on U.S. Highway 27 N/ Monroe Street for 4.2 miles. Turn right on Okeeheepkee Road then take the first right on Livingston Road and proceed for 0.8 miles. Turn left onto Fuller Road and proceed to Fuller Landing.

What to Expect on Lake Jackson

Low Branches:	No
Heavy Vegetation:	Yes, but there are existing boat paths and intermittent open water
Narrow Water:	Yes, at Meginnis Arm
Rocks:	No
Wildlife:	Birds, turtles, snails, alligators, freshwater fish
Houses:	Yes, surrounding majority of lakeshore
Potable Water:	Yes
Swimming:	Allowed, but no designated swimming areas
Motorboats:	Few
Shallow Water:	Yes
Open Water:	Yes

Be prepared and bring along the following:

Map and compass, GPS with extra batteries, plenty of water, sunscreen, hat, sunglasses, snacks, personal flotation device (life jacket) with whistle attached, closed-toed shoes, sponge (optional), dry bag.

Know Before You Go:

- Share a float plan - let someone trustworthy know where and when you are going and when you plan to return.
- During duck hunting season in the winter months, be aware of hunting activity on the lake between 7:00 AM to 10:00 AM or 5:00PM to 7:00 PM. Check this calendar for hunt dates: <http://myfwc.com/hunting/by-species/waterfowl>
- The blueway is for day use only and there are no campsites available.
- Much of the lake is covered with heavy vegetation and paddlers will want to stay in open water and boat channels.
- Alligators are a natural part of Florida's waterways and are present in Lake Jackson. Keep your distance from all wild animals and avoid feeding them at any time. Alligators fed by humans lose their fear and can become dangerous. Avoid bringing dogs near the water and do not allow small children to swim in the presence of alligators.
- Snakes may be present in the vegetation around the shoreline. Most species are harmless, but avoid physical contact with all wildlife if possible.
- Be prepared for insects in warm weather. Fall, winter and spring are the most pleasant times to paddle when insects are few and wildflowers are abundant

Other Important Information

- Local Outfitters:** Oyster Island Canoe Rental
4806 Jackson Cove Road, Tallahassee, FL
(850) 562-0944
No Website
- Water Levels:** <http://www.nfwater.com/data-publications/hydrologic-data/rainfall/leon-county/lake-jackson-miller-landing/>
- Break/Lunch Areas:** Sunset Landing, U.S. Highway 27 North Landing, Meginnis Arm Landing, Rhoden Cove Landing
- Restrictions:** Drinking of intoxicating beverages within any county park is prohibited (Sec. 13-58, Leon County Ordinance).

Appendix C: Existing Parks, Landings, and Amenities

Crowder Landing

Parking spaces:	Four paved spots. Additional parking on side of road.
Parking fee:	None
Restrooms:	None
Hours of operation:	Dawn to dusk
Boat ramp:	Concrete
Potable water:	None
Heavy vegetation:	None
Trash cans:	Yes
Wildlife Viewing:	Yes
Swimming:	Prohibited
Picnic Shelter/Tables:	No
Bench:	No
Playground:	No
Restaurant/Food:	No
Trails:	This landing is part of the Great Florida Birding and Wildlife Trail ⁴
Canoe Rental:	No
Major Needs:	Vegetation cleared and maintained Install restroom
Other Notes:	Fencing somewhat restricts boat and vehicle maneuvering.

⁴ <http://floridabirdingtrail.com/>

Faulk Landing

Parking spaces:	Two unpaved spots.
Parking fee:	None
Restrooms:	None
Hours of operation:	None
Boat ramp:	Natural surface
Potable water:	None
Trash cans:	None
Heavy Vegetation:	Minimal
Trash cans:	Yes
Wildlife Viewing:	No
Swimming:	Prohibited
Picnic Shelter/Tables:	No
Bench:	No
Playground:	No
Restaurant/Food:	No
Trails:	No
Canoe Rental:	No
Major Needs:	Additional parking. Vegetation cleared and maintained.
Other Notes:	This landing is not heavily used. Heavy vegetation to the water's edge can make launching a boat difficult. The road leading to this landing is narrow with no additional space to turn a vehicle around, especially if it is towing a boat.

Jackson View Park

Parking spaces:	Approximately 17 paved spots
Parking fee:	None
Restrooms:	None
Hours of operation:	Dawn to dusk
Boat ramp:	None. No access to the lake from this park
Potable water:	Yes
Trash cans:	Yes
Grill:	Yes
Heavy vegetation:	None
Wildlife Viewing:	Yes
Swimming:	No
Picnic Shelter/Tables:	Yes, several tables and shelters
Bench:	Yes, several
Playground:	Yes
Restaurant/Food:	No
Trails:	Yes, walking only
Canoe Rental:	No
Major Needs:	Boat/canoe launch Clearance of vegetation blocking views and access to the lake
Other Notes:	Walkable from nearby neighborhood Pets are allowed on leash Contains signage No parking after dusk Fairly new boardwalk provides view of the lake but view could be improved by clearing vegetation

U.S. Highway 27 North Landing

Parking spaces:	Limited, unpaved
Parking fee:	None
Restrooms:	None
Hours of operation:	None
Boat ramp:	Yes, not concrete
Potable water:	None
Trash cans:	Yes
Grill:	Yes
Heavy vegetation:	None
Wildlife Viewing:	Yes
Swimming:	Prohibited
Picnic Shelter/Tables:	Yes, 2 tables
Bench:	No
Playground:	No
Restaurant/Food:	No
Trails:	No
Canoe Rental:	No
Major Needs:	Fixed or portable restroom Vegetation cleared to allow better views of the lake from U.S. Highway 27 and the park itself Additional parking
Other Notes:	Water at this launch is very shallow. The park also has a grill.

Sunset Landing

Parking spaces:	Yes, paved at Shucker's Oyster Bar, unpaved for boat launch
Parking fees:	None
Restrooms:	Yes
Hours of operation:	None
Boat Ramp:	Concrete boat launch
Potable water:	Yes
Trash cans:	Yes
Recycling:	Yes
Heavy vegetation:	None
Canoe Rental:	Yes
Wildlife Viewing:	Yes
Swimming:	Prohibited
Picnic Shelter/Tables:	Yes, 2 shelters and 4 tables
Bench:	No
Playground:	No
Restaurant/Food:	Yes
Trails:	No
Canoe Rental:	Yes
Major Needs:	None
Other Notes:	This is a good place to market as a destination along the blueway. The landing also has recycling facilities.

J. Lee Vause Park

Parking spaces:	Many
Parking fees:	None
Restrooms:	Yes
Hours of operation:	Dawn to dusk
Boat Ramp:	None. No access to the lake at this park.
Potable water:	Yes
Trash cans:	Yes
Recycling:	Yes
Picnic Tables:	Yes
Heavy vegetation:	Yes
Canoe Rental:	No
Wildlife Viewing:	Yes
Swimming:	No
Picnic Shelter/Tables:	Yes, several tables and shelters
Bench:	Yes, several
Playground:	Yes
Restaurant/Food:	No
Trails:	Yes, walking and biking trail (Great Florida Birding Trail)
Canoe Rental:	No
Major Needs:	Clearing vegetation blocking views and access to lake. Boat/canoe launch.
Other Notes:	This area could be marketed as a destination along the blueway if there was adequate access to the water. Primitive camping possibility No fishing or swimming allowed Pets allowed under leash laws Volleyball court Grills Recycling

Miller Landing

Parking spaces:	Yes, approximately 6-7 paved spots
Parking fee:	None
Restrooms:	None
Hours of Operation:	None
Boat Ramp:	Natural surface
Potable water:	None
Trash can:	Yes
Picnic Tables:	None
Heavy vegetation:	None; a large tree located at the site can provide shade for a paddling break or picnic
Wildlife Viewing:	Yes
Swimming:	Prohibited
Picnic Shelter/Tables:	No
Bench:	No
Playground:	No
Restaurant/Food:	No
Trail:	No
Canoe Rental:	No
Major Needs:	Bench or picnic table Fixed or portable restroom
Other Notes:	A few large trees provide shady spots for picnics, but no other amenities.

Rhoden Cove Landing

Parking spaces:	Yes, approximately 10-12 unpaved spots
Parking fee:	None
Park:	Yes
Restrooms:	None
Hours of Operation:	None
Boat Ramp:	Concrete boat/canoe launch
Potable water:	No
Trash cans:	Yes
Picnic tables:	Yes, picnic shelter
Heavy vegetation:	Yes
Wildlife Viewing:	Yes
Swimming:	Prohibited
Picnic Shelter/Tables:	Yes, two shelters and five tables
Bench:	No
Playground:	No
Restaurant/Food:	No
Trail:	No
Canoe Rental:	No
Major Needs:	Clearance of vegetation to allow for a better view of the lake and easier boat launching Fixed or portable restroom Updated signage
Other Notes:	Recycling bins Two grills Signage needs to be repaired and updated

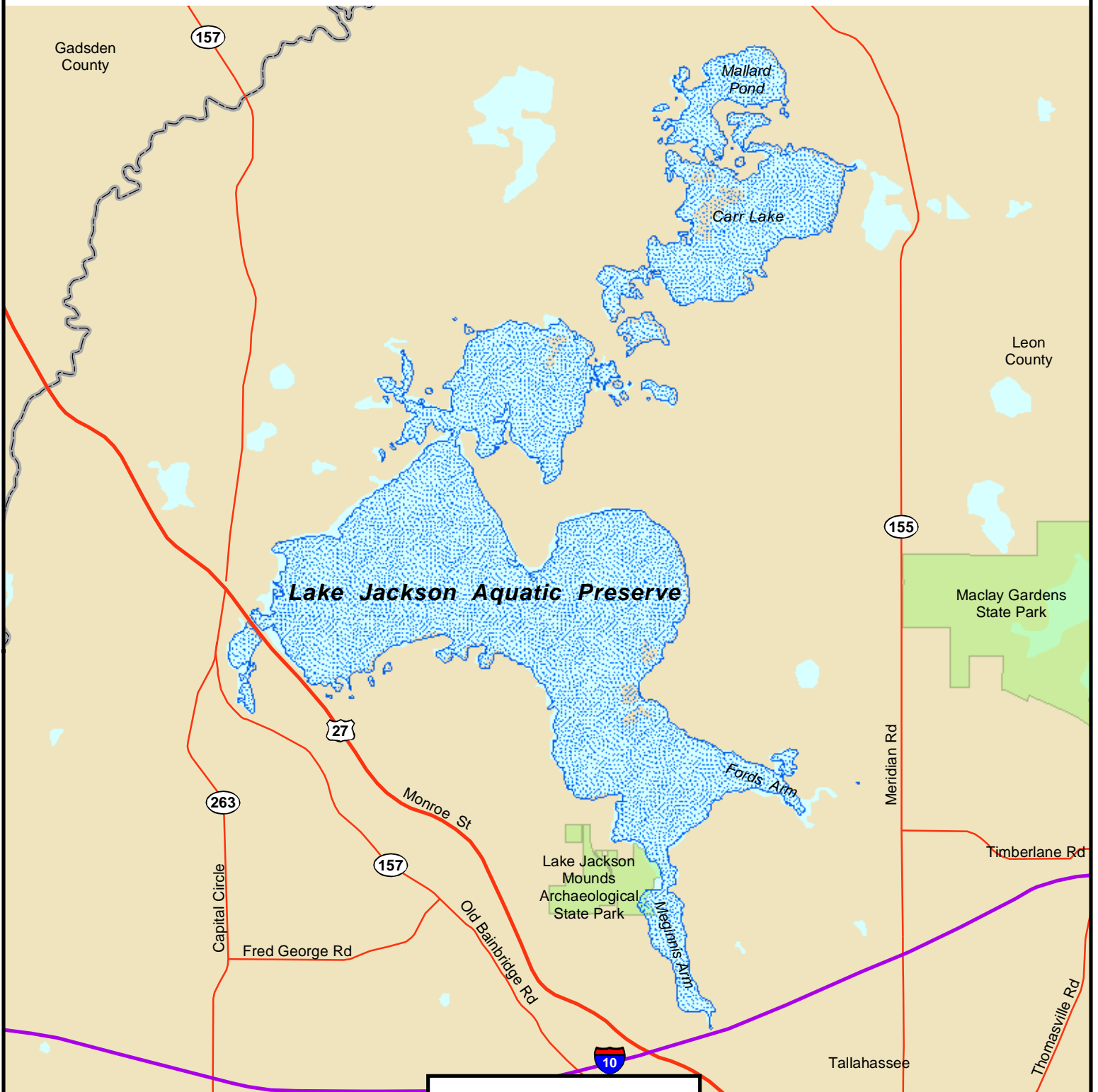
Meginnis Arm Landing



Parking spaces:	Yes, approximately five paved spots
Parking fee:	None
Restrooms:	None
Hours of Operation:	None
Boat Ramp:	None
Canoe Ramp:	Yes
Potable water:	None
Trash cans:	Yes
Picnic tables:	Yes
Heavy vegetation:	Yes
Type of Ramp:	Canoe/kayak only. No motorized boats can launch from here.
Wildlife Viewing:	Yes
Swimming:	Prohibited
Picnic Shelter/Tables:	Yes, one table
Bench:	No
Playground:	No
Restaurant/Food:	No
Trail:	No
Canoe Rental:	No
Major Needs:	Fixed or portable restroom Updated signage Maintenance of debris in picnic area Vegetation at launch cleared and maintained
Other Notes:	Has a place for signage but is unkempt and nothing is displayed Heavy vegetation Park closed to all uses from dusk till dawn except for launching

Fuller Landing

Parking spaces:	Yes, approximately six unpaved spots
Parking fee:	None
Park:	None
Restrooms:	None
Hours of Operation:	None
Boat ramp:	Yes, concrete
Potable water:	None
Trash cans:	Yes
Picnic Tables:	None
Heavy vegetation:	None
Wildlife Viewing:	No
Swimming:	Prohibited
Picnic Shelter/Tables:	No
Bench:	No
Playground:	No
Restaurant/Food:	No
Trail:	No
Canoe Rental:	No
Major Needs:	Fixed or portable restroom Clearance and maintenance of vegetation
Other Notes:	Heavy vegetation makes boat launching difficult at this landing.

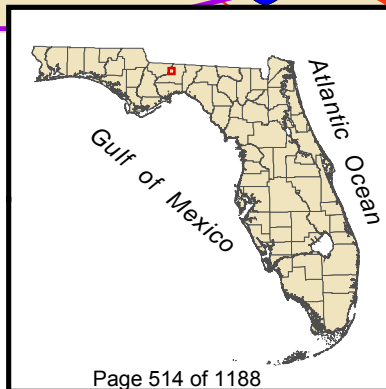
Lake Jackson Aquatic Preserve



-  Aquatic Preserves
-  State Parks



0 0.5 1 2 Miles



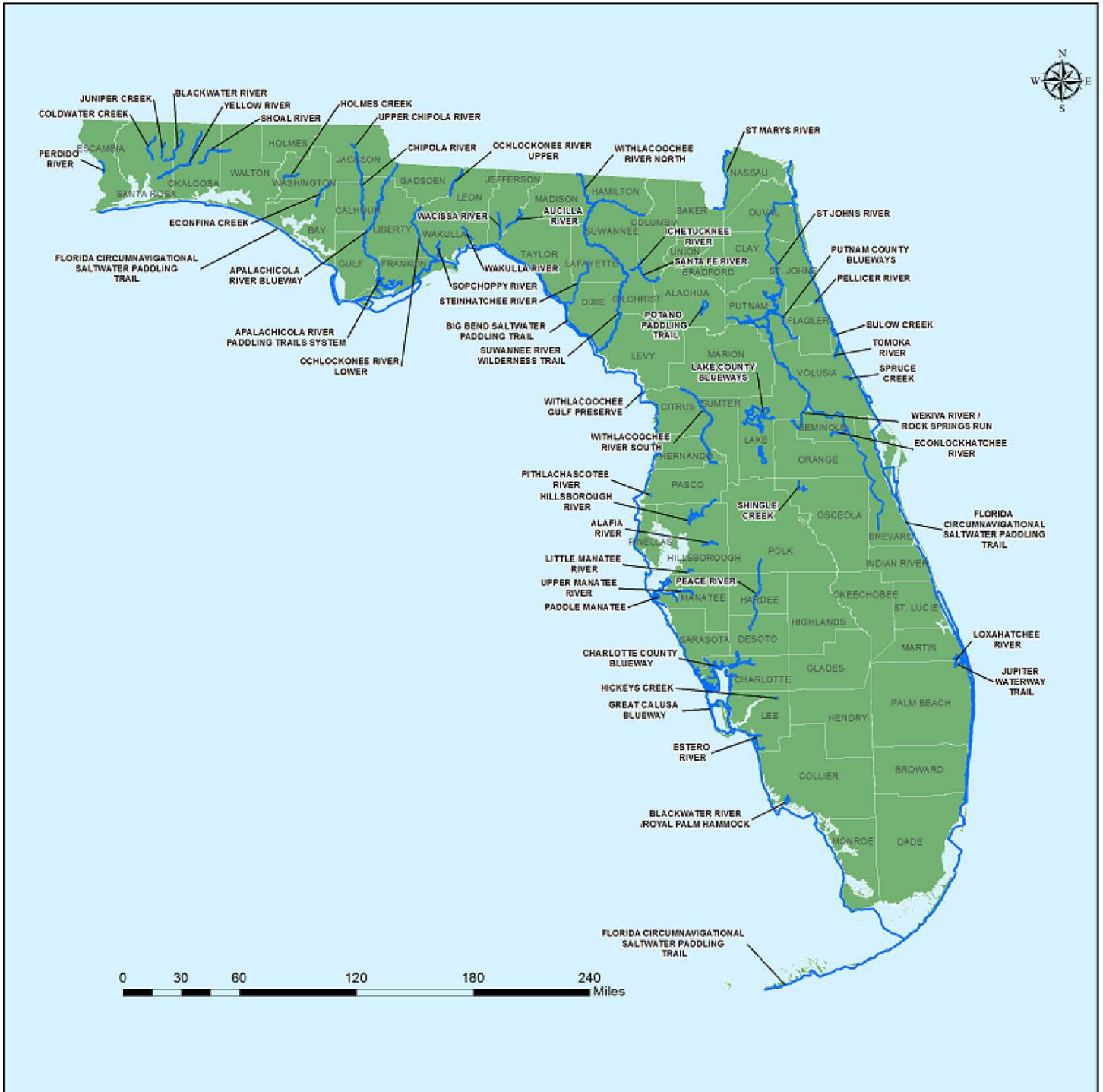
CAMA Map
Created April, 2005

Aquatic Preserves layer maintained by:
Office of Coastal and Aquatic Managed Areas
3900 Commonwealth Blvd, MS 235
Tallahassee, FL 32399-3000
850-245-2094

Aquatic Preserves include all the state-owned submerged lands within their boundaries. This map is not intended for use for determination of wetlands or land ownership.



Florida's Designated Paddling Trails



**Leon County
Board of County Commissioners**


Notes for Agenda Item #24

Leon County Board of County Commissioners

Cover Sheet for Agenda #24

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Authorization for Staff to Prepare a FY 2016-2017 Budget Request to Hire a Mobility Fee Consultant in Coordination with the City of Tallahassee

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Benjamin H. Pingree, Director, Planning Land Management and Community Enhancement Cherie Bryant, Planning Manager
Lead Staff/ Project Team:	Russell Snyder, Land Use Division Manager, Planning Department Susan Poplin, Senior Planner, Planning Department

Fiscal Impact:

This item has the potential to have up to a \$162,500 fiscal impact to the County to jointly fund a Mobility Fee study in FY 2017 with the City of Tallahassee; the total study is estimated not to exceed \$325,000.

Staff Recommendation:

Option #1: Direct staff, in coordination with the City of Tallahassee, to submit a FY 2016-17 budget request for the purpose of procuring a consultant to develop a countywide mobility fee framework and ordinance.

Report and Discussion

Background:

Since 2006, changes in state and local regulations have necessitated a reexamination of how the City and County implement transportation mitigation paid by new development. Impact and mobility fees were discussed at several points over this period, but definite action was postponed due to the recession, which slowed development significantly across all sectors.

This item reviews the major actions undertaken at local and state levels, and then discusses the key elements and timeframe for developing a countywide mobility fee.

- 2007 – City and County Commissions initiated an impact fee study
 - This was a staff recommendation made after evaluating the fiscal impacts of 2006 growth management legislation (SB360), which forced stricter financial feasibility requirements.
 - Tindale Oliver worked on the project through November, 2008. The report was due in early 2009 from the consultant, but was put on hold by the City and County in response to a worsening economy.

- 2008 – The Multimodal District study was completed and the Multimodal Transportation District (MMTD) was adopted into the Comprehensive Plan
 - A founding principle was to virtually eliminate roadway concurrency mitigation inside the District to support higher density redevelopment.
 - Much of the analysis for a mobility fee was completed at that time, but City Administration directed staff to delay implementation due to the economic downturn.
 - Few developments within the MMTD have paid transportation mitigation since implementation of the MMTD Level of Service Standards in 2010, including most of the development along Gaines Street (FSU did, however, pay \$6.3 million in 2009 for its Master Plan traffic impacts).
 - Parcels on the edges are now triggering roadway level of service issues and are starting to be required to pay the regular roadway concurrency fees, which can discourage high density infill.

- 2009-2010 – Mobility Fee report released to guide local governments, as mandated by the Florida Legislature
 - In 2010, a joint report was released from the Florida Departments of Transportation and Community Affairs outlining a mobility fee approach based on vehicle miles traveled (VMT). This approach would be compatible with the Activity Center goals established in the Tallahassee-Leon County Comprehensive Plan.
 - State efforts were undertaken in response to a number of negative externalities experienced during the implementation of traditional concurrency systems including, among others, urban sprawl, high costs for mitigation, and lack of focus on transportation modes other than the automobile.

- 2011 – Significant changes were made to the Comprehensive Plan and to Growth Management Statutes
 - Mobility Element Adoption: The Comprehensive Plan was amended to replace the Transportation Element with a Mobility Element with a focus on Complete Streets.
 - MMTD Land Development Code: The City’s Land Development Code was revised to add Sections 10-280 through 10-285 that address development including automobile, pedestrian, bicycle and transit facilities within the MMTD.
 - House Bill 7207: House Bill 7207 was adopted making transportation concurrency optional.
 - On October 25, 2011 both Commissions directed staff to continue to implement concurrency consistent with Section 163.3180, F.S., while over the next year developing and reviewing a possible mobility fee approach. The potential mobility fee system, including a plan for adoption and implementation, would be presented as a separate agenda item to the Commissions for review and approval to proceed.
 - Discussion indicated that moving to a mobility fee system instead of a traditional concurrency system would provide a more equitable and balanced approach to addressing transportation impacts from development.

- 2012 – The Board adopted a strategic initiative directing the Planning Department to coordinate a City/County impact fee
 - Strategic Initiative: “Consider mobility fee to replace the concurrency management system.” (EN1) and (EN2)
 - A joint meeting with staff and Chamber representatives was held to discuss the best way to move forward. The Chamber suggested holding meetings with stakeholders early in the process and to analyze more than just the mobility fee (though they did not necessarily object to the mobility fee).
 - Based on stakeholder feedback, proceed with recommending to engage a consultant estimated in the \$300,000 range.

- 2013-2014: Follow-up meetings and monitoring of existing systems
 - Several follow-up coordination meetings between County and City staff were scheduled in response to the County Strategic Initiative; at this time there were concerns it could have negative impacts to a gradually recovering economy.
 - During this time, the Chamber’s Business Advocate Committee still listed the mobility fee as a priority.
 - Planning staff continued to monitor other mobility fee systems in the state to see their progression.

- 2015 – Meeting to advance mobility fee
 - In July, a meeting of the County and City staff resulted in the recommendation to take an update to the County Commission and the City’s Long-Range Target Issues Committee (LRTI) with a recommendation to submit a budget proposal in 2016. (Note: For the City, the LRTI was cancelled twice, and then the Target Issue format was abandoned in early 2016.)

- 2016 – City administration approves moving forward with a 2016-17 budget request for consideration by the City Commission.

The mobility fee is essential to the following revised FY 2012 – FY 2016 Strategic Initiatives that the Board approved at the January 26, 2016 meeting:

- Consider mobility fee to replace the concurrency management system (EN1 and EN2)
- Implement strategies that preserve neighborhoods and create connectedness and livability (Q2 and Q7)

These particular Strategic Initiatives aligns with the following Board Strategic Priorities: Economy, Environment, and Quality of Life:

- Provide essential public safety infrastructure and service which ensure the safety of the entire community (Q2)
- Further create connectedness and livability through supporting human scale infrastructure and development, including: enhancing our multimodal districts. (Q7)
- Protect our water supply, conserve environmentally sensitive lands, safeguard the health of our natural ecosystems, and protect our water quality, including the Floridan Aquifer, from local and upstream pollution (EN1)
- Promote orderly growth which protects our environment, preserves our charm, maximizes public investment, and stimulates better and more sustainable economic returns (EN2)
- Integrate infrastructure, transportation, redevelopment opportunities and community planning to create the sense of place which attracts talent (EC1)

Analysis:

Based upon the actions taken prior to this point, an opportunity exists now to develop and implement a mobility fee system. There is adequate guidance in existing statutes and through successful mobility fee systems that are being operated in other Florida communities. Additionally, an upward trending economic market provides a favorable climate for its development and implementation.

Anticipated Cost and Scope for Developing and Adopting a Mobility Fee

Based on similar studies in other Florida communities, staff estimates the project will cost between \$250,000 and \$325,000 and should include, at a minimum, the following:

- Provide Additional Background and Literature Review
 - Definition and summary of mobility fee
 - Examples of other Florida communities and the current status of each
 - Summary of initial City/County preliminary transportation analysis

- Identify Available Mobility Fee Approaches
 - Coordinate on feasibility study, analysis and findings with City and County Staff
 - Conduct feasibility analysis and identify best potential approach
 - Model best potential approach
- Identify Approach for Outreach and Coordination
 - Surveys as appropriate
 - Meetings (both external and internal to the City and County)
 - Minimum of two public workshops
 - Presentation of recommendations to the Commissions
- Provide the Mobility Fee Ordinances and Fee Structure
 - Develop and provide a draft fee ordinance
 - Identify the mobility fee calculation tables/format/formula
 - Identify items that require change in the Comprehensive Plan and the Land Development Code
- Technical and Expert Support
 - Identify extent of professional expertise and experience with transportation and mobility fee development
 - Identify capacity as a transportation and land use expert witness to support analyses provided
 - Identify any and all work that would be required to implement and maintain the recommended mobility fee system
 - Identify what legal resources would be used in the development of the mobility fee

Proposed Activities and Schedule Moving Forward

Now-October 2016:	continue work on the land use element update, which will set the framework for the mobility fee study
Now-spring 2016:	reach out to the business community to alert them that work has officially been reinitiated, and to discuss needs from a study
Spring 2016:	include a funding request for a mobility fee consultant in the 2017 budget request (shared with the city)
Summer 2016:	begin the advertising/procurement process to hire a consultant
Oct/Nov 2016:	consultant hired; work on the fee begins
Nov 2016-2018:	mobility fee development

Options:

1. Direct staff, in coordination with the City of Tallahassee, to submit a FY 2016-17 budget request for the purpose of procuring a consultant to develop a countywide mobility fee framework and ordinance.
2. Do not direct staff to submit a FY 2016-17 budget request for the purpose of procuring a consultant to develop a countywide mobility fee framework and ordinance.
3. Board Direction.

Recommendation:

Option #1.

**Leon County
Board of County Commissioners**

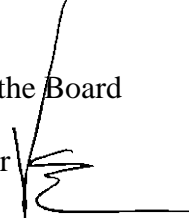
Notes for Agenda Item #25

Leon County Board of County Commissioners

Cover Sheet for Agenda #25

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Subject: Acceptance of the Leon County Water Resources Committee 2015 Annual Report

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Benjamin H. Pingree, Director, Planning, Land Management & Community Enhancement Cherie Bryant, Manager, Tallahassee-Leon County Planning Department
Lead Staff/ Project Team:	Stephen Hodges, Senior Planner

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Accept the Leon County Water Resources Committee Annual Report (Attachment #1).

Report and Discussion

Background:

The bylaws of the Leon County Water Resources Committee (WRC) require the Committee Chair or his/her designee to provide an annual report of the actions of the committee to the Board of County Commissioners. This agenda item requests Board acceptance of the 2015 Water Resources Committee Annual Report (Attachment #1).

Analysis:

The WRC was established by the Board in 1995. The committee was charged by the Board to "...consider the values provided to the public by the various lakes and related water resources of Leon County, including groundwater, and to recommend to the Board policies, regulations, management activities and long-term funding strategies that protect or enhance these values."

As part of its charter, the WRC continues to review policies and regulations addressing surface and ground water management and other related issues. The WRC's recommendations to the Board have been recognized and incorporated into many Board discussions. The WRC Annual Report summarizes the WRC's activities and actions for the Board's consideration.

Options:

1. Accept the Leon County Water Resources Committee 2015 Annual Report (Attachment #1).
2. Do not accept the Leon County Water Resources Committee 2015 Annual Report.
3. Board direction.

Recommendation

Option #1

Attachments:

1. Leon County Water Resources Committee 2015 Annual Report

**Leon County
Water Resources Committee
2015 Annual Report**



2015 Annual Report of the Leon County Water Resources Committee

Topics for Review and Recommendations:

Review of Comprehensive Plan Amendments

The Committee reviewed several proposed Comprehensive Plan amendments and made the following recommendations for Board consideration:

1. Sustainable Development in Lake Protection (Cycle 2015-1, PCT150104) – The Committee voted to recommend with conditions that the Board support the staff recommendation to adopt the proposed policy amendment.
2. Commercial Uses in the Rural Future Land Use Category (Cycle 2015-1, PCT150105) – The Committee voted to recommend that the Board support the staff recommendation to adopt the proposed policy amendment.

Presentations

1. Laura Youmans from the Leon County Attorney's Office discussed the Basin Management Action Plan process for the Upper Wakulla River and Wakulla Springs, and the process used by the Board for privately submitted text amendments.
2. Kris Barrios of the Northwest Florida Water Management District (NFWFMD) made a presentation on the District's Minimum Flows and Levels (MFL) Program.
3. Jess Van Dyke, a retired aquatic biologist with the Florida Department of Environmental Protection, presented a draft resolution to protect Porter Sink in Lake Jackson from being surrounded with a physical control structure in order to stabilize the pool levels of the lake.
4. John Kraynak of the County's Department of Development Support and Environmental Management presented information regarding techniques for nutrient removal from stormwater facilities.
5. Ryan Culpepper of the County's Development Support and Environmental Management department updated the Committee on proposed land development regulations implementing the recently adopted Comprehensive Plan Amendment PCT150104 (Sustainable Development in Lake Protection).
6. Johnny Richardson from the County's Public Works Department presented the County's Annual Water Quality Report for 2015.

Other Actions

1. The Committee reviewed a memo issued by the County Attorney's Office intended to provide guidance for the application of the new stormwater treatment standard in Policy 2.2.18 of the Land Use Element of the Comprehensive Plan. This treatment standard is intended to be implemented within the Lake Protection land use category and the Lake Jackson Basin. In response to several concerns expressed by the Committee, including the clarity of the memo and its applicability, Jessica Icerman of the County Attorney's

Office offered to discuss the memo with the County Attorney to see if it could be modified to address these concerns, and to bring back to the Committee a modified draft of the memo at their regular September meeting. The Committee reviewed this modified draft at this meeting, and concurred with the changes as presented.

2. The Committee discussed potential changes to the Committee's bylaws as suggested by the County Attorney's Office. These changes are intended to modernize and clarify portions of the bylaws, potentially change the meeting time of the Committee, and to address the issue of several Committee members' terms expiring at the same time. These proposed changes were accepted by the Committee at its regular meeting in February 2016.

Recommendations to the Board

1. Based on a request to the Committee from Leon County Public Works staff for additional guidance concerning a recommendation to the Board to update the existing Lake Iamonia Management Plan, the Committee voted to resubmit their original letter to the Board with the requested guidance. This additional clarification requested that an addendum to the existing management plan be developed by staff to reflect the accomplishments in meeting the Plan's objectives and all current physical changes to Lake Iamonia and its control structures.
2. In response to a presentation on Porter Sink in Lake Jackson, the Committee voted to send a letter to the Board of County Commissioners with an attached resolution stating the Committee's objections to a proposed control structure around Porter Sink, and to recommend that the Board consider adopting a similar resolution.

**Leon County
Board of County Commissioners**

Notes for Agenda Item #26

Leon County Board of County Commissioners

Cover Sheet for Agenda #26

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Bob Inzer, Clerk of the Circuit Court and Comptroller

Title: Acceptance of the FY 2014/2015 Annual Audit and Financial Report

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Betsy Coxen, Finance Director

Fiscal Impact:

This item has no current fiscal impact; however, an annual audit is required by state statute, and if it were not completed, it would jeopardize federal, state, and local revenues.

Staff Recommendation:

Option #1: Accept the FY 2014/15 Annual Audit and Financial Report (Attachment #1), and authorize the Chairman to sign letter transmitting the report to the Auditor General (Attachment #3).

Report and Discussion

Background:

Florida Statutes, Section 11.45, requires the Board to obtain an independent audit of the County's financial statements on an annual basis. The Board contracted for an independent audit with Thomas Howell Ferguson P.A., and Law, Redd, Crona, & Munroe P.A., Certified Public Accountants. The audit is complete and the audit and financial report are provided to the Board for review under the Clerk's transmittal memorandum (Attachment #1).

Analysis:

The internal control compliance and management letter from the Board's auditors are attached (Attachment #2). There were no findings or recommendations. The letter transmitting the Management Letter (Attachment #3) and will be forwarded to the Auditor General.

Options:

1. Accept the FY 2014/2015 Annual Audit and Financial Report (Attachment #1), and authorize the Chairman to sign the letter transmitting the report to the Auditor General (Attachment #3).
2. Do not accept the FY 2014/2015 Annual Audit and Financial Report.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Transmittal Memorandum from the Clerk of the Circuit Court & Comptroller and the Annual Audit and Financial Report for FY 2014/2015
2. Board's Management Letter from external auditors
3. Draft Response transmitting the report to the Auditor General



Bob Inzer

Clerk of the Circuit Court and Comptroller

Clerk of Courts ▪ Clerk of County Commission ▪ Auditor ▪ Treasurer ▪ Recorder ▪ Custodian of County Funds

To: Board of County Commissioners

From: Bob Inzer, Clerk of Circuit Court

Subject: Audit Report for Fiscal Year 2014-2015

Date: February 25, 2016

I am pleased to forward to you the County's annual audit report, financial statements and management letter for the fiscal year ended September 30, 2015. This report reflects an unqualified auditor's opinion on our financial statements. Leon County has received an unqualified audit opinion for 34 consecutive years.

The auditors' report on internal control structure and their management letter in that regard are found on pages 54 through 56 in the Board's financial report. This document basically covers areas relating to financial procedures. There was no finding related to internal control and only one recommendation to improve financial management.

The Director of Financial Stewardship, Clerk of Court, Audit Manager, and the Finance Director met with the external auditors. After reviewing the statements with staff, the recommendation to accept the report and response to the State Auditor General is being made to the County.

Your acceptance of the report and approval of the letter transmitting the report will be placed on the March 8th agenda. As mentioned, Florida law requires that a letter of response be made to the State Auditor General on the auditor's comments. There were no findings by the auditors although there is one recommendation. I believe this is reflective of the hard work of the Board's staff, the Clerk's staff, and a reflection of their team effort in this process.

Audit reports such as this one, along with the Comprehensive Annual Financial Report (CAFR), having won the Certificate of Achievement for Excellence in Financial Reporting, are providing greater accountability to you and our citizens. Should you have questions or comments on the audit, please let me know.

cc: Mr. Vince Long, County Administrator
Mr. Alan Rosenzweig, Deputy County Administrator
Mrs. Betsy Coxen, Director, Finance Department

Special-Purpose Financial Statements

Board of County Commissioners
Leon County, Florida

*Year Ended September 30, 2015
with Independent Auditors' Report*

Thomas Howell Ferguson P.A.
and
Law, Redd, Crona & Munroe, P.A.

Board of County Commissioners
Leon County, Florida
Special-Purpose Financial Statements
Year ended September 30, 2015

Board of County Commissioners

William Proctor, Chairman.....	District 1
John Dailey, Vice Chairman.....	District 3
Jane G. Sauls.....	District 2
Bryan Desloge.....	District 4
Kristin Dozier.....	District 5
Mary Ann Lindley.....	At-Large
Nick Maddox.....	At-Large

COUNTY ADMINISTRATOR

Vincent S. Long

CLERK OF THE CIRCUIT COURT

AND

COMPTROLLER

Bob Inzer

Board of County Commissioners
Leon County, Florida

Special-Purpose Financial Statements

Year Ended September 30, 2015

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Independent Auditors' Report

The Honorable Board of County Commissioners
Leon County, Florida

Report on the Financial Statements

We have audited the accompanying special-purpose financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the Board of County Commissioners of Leon County, Florida (the Board), as of and for the fiscal year ended September 30, 2015, and the related notes to the financial statements, which collectively comprise the Board's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these special-purpose financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of special-purpose financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these special-purpose financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the special-purpose financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the special-purpose financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the special-purpose financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the special-purpose financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

The Honorable Board of County Commissioners
Leon County, Florida
Page Two

Opinion

In our opinion, the special-purpose financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the Board of County Commissioners of Leon County, Florida as of September 30, 2015, the results of each of the major funds' changes in financial position, where applicable, the cash flows thereof, and the respective budgetary comparison statements of the major funds for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 1 to the special-purpose financial statements, the accompanying special-purpose financial statements referred to above were prepared solely for the purpose of complying with the Rules of the Auditor General of the State of Florida. In conformity with the Rules, the accompanying special-purpose financial statements are intended to present the financial position and changes in financial position of the major funds, the proprietary fund and the agency funds of the Board, and only that portion that is attributable to the transactions of the Board. They do not purport to, and do not, present fairly the financial position of Leon County, Florida, as of September 30, 2015, and the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to these matters.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Board's basic financial statements. The Schedule of Receipts and Expenditures of Funds Related to the Deepwater Horizon Spill (the Schedule) is presented for purposes of additional analysis and are not a required part of the basic financial statements.

The Schedule is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with the auditing standards generally accepted in the United States of America. In our opinion, the Schedule of Receipts and Expenditures of Funds Related to the Deepwater Horizon Spill is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The Honorable Board of County Commissioners
Leon County, Florida
Page Three

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued a report, on our consideration of the Board's internal control over financial reporting and our tests of its compliance with certain provisions of laws, rules, regulations, contracts, grant agreements and other matters under the heading *Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Special-Purpose Financial Statements Performed in Accordance with Government Auditing Standards*. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Board's internal control over financial reporting and compliance.



Thomas Howell Ferguson P.A.
Tallahassee, Florida
February 22, 2016



Law, Redd, Crona & Munroe P.A.
Tallahassee, Florida

Board of County Commissioners
Leon County, Florida
Balance Sheet - Governmental Funds
September 30, 2015

	<u>General Fund</u>	<u>Fine & Forfeiture Fund</u>	<u>Grants Fund</u>	<u>Fire Rescue Services Fund</u>
Assets				
Cash	\$ 13,352,273	\$ 0	\$ 116,585	\$ 0
Investments	30,056,256	1,394,012	4,776,030	2,757,968
Receivables (net of allowances for uncollectibles):				
Accounts	194,774	6,402	1,352	4,392
Special assessments	0	0	0	0
Due from other governments	1,421,700	0	1,034,115	0
Due from other funds	97,063	0	0	0
Due from other county units	370,426	742,569	11,831	640
Inventories	256,576	0	0	0
Other assets	11,750	0	0	0
Total assets	<u>\$ 45,760,818</u>	<u>\$ 2,142,983</u>	<u>\$ 5,939,913</u>	<u>\$ 2,763,000</u>
Liabilities and fund balances				
Liabilities:				
Accounts payable	\$ 1,901,679	\$ 15,943	\$ 31,239	\$ 0
Accrued liabilities	314,666	0	2,112	0
Due to other governments	5,441	0	0	1,634,276
Due to other funds	0	0	0	0
Due to other county units	81,045	0	37,929	0
Deposits	45,010	286,439	0	0
Revenue received in advance	0	0	4,349,143	0
Total liabilities	<u>2,347,841</u>	<u>302,382</u>	<u>4,420,423</u>	<u>1,634,276</u>
Fund balances:				
Nonspendable	268,326	0	0	0
Restricted	0	0	1,519,490	0
Committed	6,511,947	276,090	0	1,128,724
Assigned	7,271,200	1,564,511	0	0
Unassigned	29,361,504	0	0	0
Total fund balances	<u>43,412,977</u>	<u>1,840,601</u>	<u>1,519,490</u>	<u>1,128,724</u>
Total liabilities and fund balances	<u>\$ 45,760,818</u>	<u>\$ 2,142,983</u>	<u>\$ 5,939,913</u>	<u>\$ 2,763,000</u>

The accompanying notes are an integral part of these special-purpose financial statements.

<u>Special Assessment Paving Fund</u>	<u>Capital Improvement Fund</u>	<u>Nonmajor Governmental Funds</u>	<u>Component Unit - Housing Finance Authority of Leon County</u>	<u>Total Governmental Funds</u>
\$ 231,658	\$ 5,295,933	\$ 2,065,588	\$ 671,550	\$ 21,733,587
0	14,949,091	52,504,316	0	106,437,673
32,398	126,826	4,535,958	0	4,902,102
1,702,459	0	10	10	1,702,479
0	0	1,866,149	0	4,321,964
0	0	0	0	97,063
0	0	390,529	0	1,515,995
0	0	0	0	256,576
0	0	10,200	0	21,950
<u>\$ 1,966,515</u>	<u>\$ 20,371,850</u>	<u>\$ 61,372,750</u>	<u>\$ 671,560</u>	<u>\$ 140,989,389</u>
\$ 0	\$ 281,898	\$ 1,915,898	\$ 105	\$ 4,146,762
0	0	500,952	0	817,730
0	0	75,064	0	1,714,781
0	0	24,841	0	24,841
0	0	0	0	118,974
0	149,925	122,039	0	603,413
1,702,459	0	425,580	0	6,477,182
<u>1,702,459</u>	<u>431,823</u>	<u>3,064,374</u>	<u>105</u>	<u>13,903,683</u>
0	0	10,200	0	278,526
0	19,940,027	40,957,310	671,455	63,088,282
264,056	0	17,152,822	0	25,333,639
0	0	188,044	0	9,023,755
0	0	0	0	29,361,504
<u>264,056</u>	<u>19,940,027</u>	<u>58,308,376</u>	<u>671,455</u>	<u>127,085,706</u>
<u>\$ 1,966,515</u>	<u>\$ 20,371,850</u>	<u>\$ 61,372,750</u>	<u>\$ 671,560</u>	<u>\$ 140,989,389</u>

Board of County Commissioners
Leon County, FloridaStatement of Revenues, Expenditures, and Changes in Fund Balances -
Governmental Funds

Year Ended September 30, 2015

	General Fund	Fine & Forfeiture Fund	Grants Fund	Fire Rescue Services Fund	Special Assessment Paving Fund
Revenues					
Taxes	\$ 47,330,896	\$ 67,860,491	\$ 0	\$ 0	\$ 0
Licenses and permits	0	0	0	0	0
Intergovernmental	20,230,914	19,191	3,467,825	0	0
Charges for services	1,798,542	896,344	119,228	7,161,671	0
Fines and forfeitures	0	189,456	0	0	0
Interest	572,228	186,573	3,877	26,020	45,311
Net (decrease) increase in fair value of investments	48,405	1,995	7,390	4,899	0
Miscellaneous	967,479	0	382,728	0	272,225
Total revenues	<u>70,948,464</u>	<u>69,154,050</u>	<u>3,981,048</u>	<u>7,192,590</u>	<u>317,536</u>
Expenditures					
Current:					
General government	11,698,591	0	0	0	0
Public safety	2,286,740	0	442,655	6,891,326	0
Physical environment	2,299,570	0	1,244,103	0	0
Transportation	0	0	2,008,744	0	0
Economic environment	1,868,353	0	44,355	0	0
Human services	7,928,448	100,330	137,188	0	0
Culture and recreation	6,344,382	0	142,436	0	0
Judicial	6,452,333	1,602,992	24,694	0	0
Debt Service:					
Principal retirement	0	0	0	0	0
Interest and fiscal charges	0	0	0	0	0
Total expenditures	<u>38,878,417</u>	<u>1,703,322</u>	<u>4,044,175</u>	<u>6,891,326</u>	<u>0</u>
Excess (deficiency) of revenues over (under) expenditures	<u>32,070,047</u>	<u>67,450,728</u>	<u>(63,127)</u>	<u>301,264</u>	<u>317,536</u>
Other financing sources (uses):					
Transfers in	3,579,301	539,817	145,859	0	0
Refunding bonds issued	0	0	0	0	0
Payment to refunding bond escrow agent	0	0	0	0	0
Transfers out	<u>(32,000,168)</u>	<u>(69,333,263)</u>	<u>(121,155)</u>	<u>(33,793)</u>	<u>(313,907)</u>
Total other financing (uses) sources	<u>(28,420,867)</u>	<u>(68,793,446)</u>	<u>24,704</u>	<u>(33,793)</u>	<u>(313,907)</u>
Net change in fund balances	3,649,180	(1,342,718)	(38,423)	267,471	3,629
Fund balances at beginning of year	<u>39,763,797</u>	<u>3,183,319</u>	<u>1,557,913</u>	<u>861,253</u>	<u>260,427</u>
Fund balances at end of year	<u>\$ 43,412,977</u>	<u>\$ 1,840,601</u>	<u>\$ 1,519,490</u>	<u>\$ 1,128,724</u>	<u>\$ 264,056</u>

The accompanying notes are an integral part of these special-purpose financial statements.

<u>Capital Improvement Fund</u>	<u>Nonmajor Governmental Funds</u>	<u>Component Unit - Housing Finance Authority of Leon County</u>	<u>Total Governmental Funds</u>
\$ 0	\$ 32,964,303	\$ 0	\$ 148,155,690
0	2,217,507	0	2,217,507
0	5,580,468	8,674	29,307,072
0	12,145,854	83,961	22,205,600
0	270,160	0	459,616
219,540	619,389	6,691	1,679,629
25,415	90,858	0	178,962
0	2,572,952	0	4,195,384
<u>244,955</u>	<u>56,461,491</u>	<u>99,326</u>	<u>208,399,460</u>
3,005,715	2,777,990	0	17,482,296
113,528	24,712,168	0	34,446,417
1,415,349	8,754,840	0	13,713,862
848,504	19,167,290	0	22,024,538
10,883	3,525,740	78,288	5,527,619
0	1,511,932	0	9,677,898
1,667,493	7,481,463	0	15,635,774
255,426	251,846	0	8,587,291
0	706,605	0	706,605
0	1,376,864	0	1,376,864
<u>7,316,898</u>	<u>70,266,738</u>	<u>78,288</u>	<u>129,179,164</u>
<u>(7,071,943)</u>	<u>(13,805,247)</u>	<u>21,038</u>	<u>79,220,296</u>
1,107,834	21,777,520	0	27,150,331
0	13,692,000	0	13,692,000
0	(20,468,276)	0	(20,468,276)
<u>(21,830)</u>	<u>(7,021,926)</u>	<u>0</u>	<u>(108,846,042)</u>
<u>1,086,004</u>	<u>7,979,318</u>	<u>0</u>	<u>(88,471,987)</u>
(5,985,939)	(5,825,929)	21,038	(9,251,691)
<u>25,925,966</u>	<u>64,134,305</u>	<u>650,417</u>	<u>136,337,397</u>
<u>\$ 19,940,027</u>	<u>\$ 58,308,376</u>	<u>\$ 671,455</u>	<u>\$ 127,085,706</u>

Board of County Commissioners
Leon County, Florida
Statement of Net Position - Proprietary Funds
September 30, 2015

	Business-type Activities - Landfill Fund	Governmental Activities - Internal Service Funds
Assets		
Current assets:		
Cash	\$ 1,162	\$ 172,952
Cash with fiscal agent	0	67,006
Investments	8,270,604	5,295,257
Accounts	790,688	184,604
Due from other governments	0	20,153
Due from other county units	546	4,797
Inventories	3,762	44,336
Total current assets	9,066,762	5,789,105
Noncurrent assets:		
Restricted cash and investments	7,669,889	0
Capital assets:		
Land nondepreciable	1,809,844	0
Depreciable (net)	10,970,098	0
Total noncurrent assets	20,449,831	0
Total assets	\$ 29,516,593	\$ 5,789,105
Liabilities		
Current liabilities:		
Accounts payable	\$ 136,572	\$ 164,990
Accrued liabilities	301,507	165,064
Due to other funds	0	72,222
Other current liabilities	0	3,679,762
Revenue received in advance	589	0
Total current liabilities	438,668	4,082,038
Noncurrent liabilities:		
Liability for closure costs/maintenance	10,977,531	0
Total noncurrent liabilities	10,977,531	0
Total liabilities	11,416,199	4,082,038
Net position		
Net investment in capital assets	12,779,942	0
Unrestricted	5,320,452	1,707,067
Total net position	18,100,394	1,707,067
Total liabilities and net position	\$ 29,516,593	\$ 5,789,105

The accompanying notes are an integral part of these special-purpose financial statements.

Board of County Commissioners
Leon County, Florida
Statement of Revenues, Expenses, and Changes in
Fund Net Position - Proprietary Funds
Year Ended September 30, 2015

	Business-type Activities - Landfill Fund	Governmental Activities - Internal Service Funds
Operating revenues		
Charges for services	\$ 7,122,426	\$ 6,745,030
Total operating revenues	7,122,426	6,745,030
Operating expenses		
Personnel services	1,950,521	784,774
Contractual services	5,252,183	87,255
Supplies	261,654	1,092,956
Communications services	25,738	458,134
Insurance	55,096	3,735,226
Utility services	205,683	22,829
Depreciation	922,507	0
Other services and charges	163,250	867,212
Total operating expenses	8,836,632	7,048,386
Operating (loss) gain	(1,714,206)	(303,356)
Nonoperating revenues:		
Taxes	1,717,447	0
Interest	204,109	51,977
Net increase (decrease) in fair value of investments	(19,347)	9,523
Miscellaneous	85,006	2
Total nonoperating revenues	1,987,215	61,502
Income (loss) before contributions and transfers	273,009	(241,854)
Transfers in	466,822	0
Transfers out	(57,678)	0
Change in net position	682,153	(241,854)
Net position at beginning of year	17,418,241	1,948,921
Net position at end of year	\$ 18,100,394	\$ 1,707,067

The accompanying notes are an integral part of these special-purpose financial statements.

Board of County Commissioners
Leon County, Florida
Statement of Cash Flows - Proprietary Funds
Year Ended September 30, 2015

	Business-type Activities - Landfill Fund	Governmental Activities - Internal Service Funds
Cash flows from operating activities		
Receipts from customers	\$ 6,664,004	\$ 301,320
Payments to suppliers	(6,128,859)	(3,208,247)
Payments to employees	(1,951,763)	(664,299)
Internal activity - payments to other funds	(55,096)	0
Internal activity - cash received from other funds	0	6,482,949
Claims paid	0	(2,069,910)
Net cash (used) provided by operating activities	<u>(1,471,714)</u>	<u>841,813</u>
Cash flows from noncapital financing activities		
Tax proceeds	1,717,447	0
Repayments on interfund loans	(146)	0
Transfers from other funds	466,822	0
Transfers to other funds	(57,678)	0
Net cash provided by noncapital financing activities	<u>2,126,445</u>	<u>0</u>
Cash flows from capital and related financing activities		
Sale of property	312,883	0
Acquisition and/or construction of capital assets	(1,186,146)	0
Net cash used in capital and related financing activities	<u>(873,263)</u>	<u>0</u>
Cash flows from investing activities		
Proceeds from sales and maturities of investments	4,252,516	2,082,356
Purchases of investments	(4,195,317)	(2,848,245)
Interest and dividends received	198,870	48,053
Decrease in fair value of investments	(37,540)	(2,113)
Net cash provided (used) in investing activities	<u>218,529</u>	<u>(719,949)</u>
Net (decrease) increase in cash	(3)	121,864
Cash at beginning of year	1,165	118,094
Cash at end of year	<u>\$ 1,162</u>	<u>\$ 239,958</u>

The accompanying notes are an integral part of these special-purpose financial statements.

Board of County Commissioners
Leon County, Florida
Statement of Cash Flows - Proprietary Funds (continued)
Year Ended September 30, 2015

	Business-type Activities - Landfill Fund	Governmental Activities - Internal Service Funds
Reconciliation of operating loss income to net cash (used) provided by operating activities		
Operating loss:	\$ (1,714,206)	\$ (303,356)
Adjustment to reconcile operating (loss) gain to net cash used in operating activities:		
Depreciation expense	922,507	0
Change in assets and liabilities:		
Accounts and intergovernmental receivables	323,036	39,238
Inventories	2,748	40,779
Accounts payable and other liabilities	(223,099)	939,997
Accrued expenses	(1,242)	125,155
Revenues received in advance	294	0
Estimated liability for closure costs/maintenance	(781,752)	0
Net cash used in operating activities	\$ (1,471,714)	\$ 841,813

The accompanying notes are an integral part of these special-purpose financial statements.

Board of County Commissioners
Leon County, Florida

Statement of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual - General Fund
Year Ended September 30, 2015

	Budgeted Amounts		Actual	Variance with Final Budget Positive (Negative)
	Original	Final		
Revenues				
Taxes	\$ 45,246,987	\$ 45,246,987	\$ 47,330,896	\$ 2,083,909
Intergovernmental	19,417,806	19,417,806	20,230,914	813,108
Charges for services	2,482,595	2,482,595	1,798,542	(684,053)
Interest	317,799	317,799	572,228	254,429
Net decrease in fair value of investments	0	0	48,405	48,405
Miscellaneous	240,303	240,303	967,479	727,176
Total revenues	<u>67,705,490</u>	<u>67,705,490</u>	<u>70,948,464</u>	<u>3,242,974</u>
Expenditures				
General government	18,308,673	21,687,742	11,698,591	9,989,151
Public safety	2,513,726	2,545,759	2,286,740	259,019
Physical environment	2,503,867	2,503,867	2,299,570	204,297
Economic environment	2,098,670	2,108,670	1,868,353	240,317
Human services	7,800,850	8,317,127	7,928,448	388,679
Culture and recreation	6,725,412	6,725,412	6,344,382	381,030
Judicial	461,702	2,717,536	6,452,333	(3,734,797)
Total expenditures	<u>40,412,900</u>	<u>46,606,113</u>	<u>38,878,417</u>	<u>7,727,696</u>
Excess of revenues over expenditures	27,292,590	21,099,377	32,070,047	10,970,670
Other financing sources (uses):				
Transfers in	7,944,490	10,373,130	3,579,301	(6,793,829)
Transfers out	<u>(39,237,080)</u>	<u>(39,343,625)</u>	<u>(32,000,168)</u>	<u>7,343,457</u>
Total other financing sources (uses)	<u>(31,292,590)</u>	<u>(28,970,495)</u>	<u>(28,420,867)</u>	<u>549,628</u>
Net change in fund balance	(4,000,000)	(7,871,118)	3,649,180	11,520,298
Fund balance at beginning of year	<u>39,763,797</u>	<u>39,763,797</u>	<u>39,763,797</u>	<u>0</u>
Fund balance at end of year	<u>\$ 35,763,797</u>	<u>\$ 31,892,679</u>	<u>\$ 43,412,977</u>	<u>\$ 11,520,298</u>

The accompanying notes are an integral part of these special-purpose financial statements.

Board of County Commissioners
Leon County, Florida

Statement of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual - Fine & Forfeiture Fund
Year Ended September 30, 2015

	Budgeted Amounts		Actual	Variance with Final Budget Positive (Negative)
	Original	Final		
Revenues				
Taxes	\$ 67,533,125	\$ 67,533,125	\$ 67,860,491	\$ 327,366
Intergovernmental	21,945	21,945	19,191	(2,754)
Charges for services	907,900	907,900	896,344	(11,556)
Fines and forfeitures	117,249	117,249	189,456	72,207
Interest	76,000	76,000	186,573	110,573
Net increase in fair value of investments	0	0	1,995	1,995
Total revenues	<u>68,656,219</u>	<u>68,656,219</u>	<u>69,154,050</u>	<u>497,831</u>
Expenditures				
Human services	100,000	110,641	100,330	10,311
Judicial	<u>1,793,769</u>	<u>2,144,956</u>	<u>1,602,992</u>	<u>541,964</u>
Total expenditures	<u>1,893,769</u>	<u>2,255,597</u>	<u>1,703,322</u>	<u>552,275</u>
Excess of revenues over expenditures	<u>66,762,450</u>	<u>66,400,622</u>	<u>67,450,728</u>	<u>1,050,106</u>
Other financing sources (uses):				
Transfers in	0	0	539,817	539,817
Transfers out	<u>(66,762,450)</u>	<u>(69,383,263)</u>	<u>(69,333,263)</u>	<u>50,000</u>
Total other financing sources (uses)	<u>(66,762,450)</u>	<u>(69,383,263)</u>	<u>(68,793,446)</u>	<u>589,817</u>
Net change in fund balance	0	(2,982,641)	(1,342,718)	1,639,923
Fund balance at beginning of year	<u>3,183,319</u>	<u>3,183,319</u>	<u>3,183,319</u>	<u>0</u>
Fund balance at end of year	<u>\$ 3,183,319</u>	<u>\$ 200,678</u>	<u>\$ 1,840,601</u>	<u>\$ 1,639,923</u>

The accompanying notes are an integral part of these special-purpose financial statements.

Board of County Commissioners
Leon County, Florida

Statement of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual - Grants Fund
Year Ended September 30, 2015

	Budgeted Amounts		Actual	Variance with Final Budget Positive (Negative)
	Original	Final		
Revenues				
Intergovernmental	\$ 343,000	\$ 17,374,418	\$ 3,467,825	\$(13,906,593)
Charges for services	104,500	382,948	119,228	(263,720)
Interest	0	11,076	3,877	(7,199)
Net increase in fair value of investments	0	0	7,390	7,390
Miscellaneous	0	1,350,771	382,728	(968,043)
Total revenues	447,500	19,119,213	3,981,048	(15,138,165)
Expenditures				
General government	0	750	0	750
Public safety	445,098	1,646,849	442,655	1,204,194
Physical environment	0	2,311,160	1,244,103	1,067,057
Transportation	0	12,782,643	2,008,744	10,773,899
Economic environment	0	967,730	44,355	923,375
Human services	30,000	201,403	137,188	64,215
Culture and recreation	15,000	2,413,119	142,436	2,270,683
Judicial	91,834	259,926	24,694	235,232
Total expenditures	581,932	20,583,580	4,044,175	16,539,405
(Deficiency) excess of revenue (under) over expenditures	(134,432)	(1,464,367)	(63,127)	1,401,240
Other financing sources (uses):				
Transfers in	255,587	280,291	145,859	(134,432)
Transfers out	(121,155)	(121,155)	(121,155)	0
Total other financing sources (uses)	134,432	159,136	24,704	(134,432)
Net change in fund balance	0	(1,305,231)	(38,423)	1,266,808
Fund balance at beginning of year	1,557,913	1,557,913	1,557,913	0
Fund balance at end of year	\$ 1,557,913	\$ 252,682	\$ 1,519,490	\$ 1,266,808

The accompanying notes are an integral part of these special-purpose financial statements.

Board of County Commissioners
Leon County, Florida

Statement of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual - Fire Rescue Services Fund

Year Ended September 30, 2015

	Budgeted Amounts		Actual	Variance with
	Original	Final		Final Budget Positive (Negative)
Revenues				
Charges for services	\$ 6,878,610	\$ 7,451,328	\$ 7,161,671	\$ (289,657)
Interest	0	0	26,020	26,020
Net decrease in fair value of investments	0	0	4,899	4,899
Total revenues	<u>6,878,610</u>	<u>7,451,328</u>	<u>7,192,590</u>	<u>(258,738)</u>
Expenditures				
Public safety	<u>6,845,249</u>	<u>7,417,535</u>	<u>6,891,326</u>	<u>526,209</u>
Total expenditures	<u>6,845,249</u>	<u>7,417,535</u>	<u>6,891,326</u>	<u>526,209</u>
Excess of revenues over expenditures	<u>33,361</u>	<u>33,793</u>	<u>301,264</u>	<u>267,471</u>
Other financing uses:				
Transfers out	<u>(33,361)</u>	<u>(33,793)</u>	<u>(33,793)</u>	<u>0</u>
Total other financing uses	<u>(33,361)</u>	<u>(33,793)</u>	<u>(33,793)</u>	<u>0</u>
Net change in fund balance	0	0	267,471	267,471
Fund balance at beginning of year	<u>861,253</u>	<u>861,253</u>	<u>861,253</u>	<u>0</u>
Fund balance at end of year	<u>\$ 861,253</u>	<u>\$ 861,253</u>	<u>\$ 1,128,724</u>	<u>\$ 267,471</u>

The accompanying notes are an integral part of these special-purpose financial statements.

Board of County Commissioners
Leon County, Florida

Statement of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual - Special Assessment Paving Fund

Year Ended September 30, 2015

	Budgeted Amounts		Actual	Variance with Final Budget Positive (Negative)
	Original	Final		
Revenues				
Interest	\$ 76,917	\$ 76,917	\$ 45,311	\$ (31,606)
Miscellaneous	236,990	236,990	272,225	35,235
Total revenues	<u>313,907</u>	<u>313,907</u>	<u>317,536</u>	<u>3,629</u>
Expenditures				
Public safety	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Excess of revenues over expenditures	<u>313,907</u>	<u>313,907</u>	<u>317,536</u>	<u>3,629</u>
Other financing uses:				
Transfers out	<u>(313,907)</u>	<u>(313,907)</u>	<u>(313,907)</u>	<u>0</u>
Total other uses	<u>(313,907)</u>	<u>(313,907)</u>	<u>(313,907)</u>	<u>0</u>
Net change in fund balance	0	0	3,629	3,629
Fund balance at beginning of year	<u>260,427</u>	<u>260,427</u>	<u>260,427</u>	<u>0</u>
Fund balance at end of year	<u>\$ 260,427</u>	<u>\$ 260,427</u>	<u>\$ 264,056</u>	<u>\$ 3,629</u>

The accompanying notes are an integral part of these special-purpose financial statements.

Board of County Commissioners
Leon County, Florida
Statement of Fiduciary Assets and Liabilities - Agency Fund
September 30, 2015

	Total Agency Funds
Assets	
Cash	\$ 610,370
Accounts receivable	1,037,784
Total assets	<u>\$ 1,648,154</u>
Liabilities	
Accounts payable	\$ 808,573
Accrued liabilities	839,581
Total liabilities	<u>\$ 1,648,154</u>

The accompanying notes are an integral part of these special-purpose financial statements.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 1. Accounting Policies

Reporting Entity

Leon County is a political subdivision of the state of Florida and provides services to its residents in many areas, including public safety, transportation, recreation, and human services. It is governed by an elected Board of County Commissioners (seven members). In addition to the members of the Board of County Commissioners, there are five elected Constitutional Officers: Clerk of the Circuit Court, Sheriff, Tax Collector, Property Appraiser, and Supervisor of Elections. The Constitutional Officers maintain separate accounting records and budgets. Effective for the 2003 fiscal year, the citizens of Leon County passed a voter referendum to make Leon County a charter county. The charter is a simple charter which allows for the same powers and duties as provided in the Constitution of the State of Florida and *Florida Statutes*. However, in certain instances, the charter either alters or expands the powers of the elected officials via voter referendum. The accounting policies of Leon County, Florida conform to generally accepted accounting principles as applicable to governments. The more significant accounting policies of Leon County Board of County Commissioners (the Board) are described below.

Component Units

The component unit discussed below is included in the Board's reporting entity either because of the significance of the operational relationship or the Board is financially accountable for the component unit. The Board is financially accountable for an organization when the Board appoints a voting majority of the organization's governing body and is able to impose its will on the organization; there is a potential for the organization to provide a financial benefit or impose a financial burden on the Board; or the organization is fiscally dependent on the Board.

Specific criteria used to determine financial accountability are:

- Selection of a voting majority of the governing body.
- Imposition of Will: Ability to remove appointed members at will; ability to approve or modify rate charges affecting revenue; ability to appoint, hire or dismiss management.
- Financial Benefit or Burden Relationship: The Board is legally entitled to or can otherwise access the organization's resources; the Board is legally obligated or has otherwise assumed the obligation to finance the deficits of or provide support to the organization; or the Board is obligated in some manner for the debt of the organization.
- Fiscal Dependency: Ability to approve or modify the organization's budget or rate charges; ability to approve debt issuances and/or tax levies.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 1. Accounting Policies (continued)

Component Units (continued)

Financial statements of component units are included in the financial reporting entity either as a blended component unit or as a discretely presented component unit in accordance with governmental accounting standards. At September 30, 2015, the only component unit of the Board is The Housing Finance Authority of Leon County (the Authority) which is discretely presented in a separate column on the Board's financial statements.

The Authority was created as a Florida public corporation in accordance with the Florida Housing Finance Authority Law, Part IV of Chapter 159, *Florida Statutes* (1979), following the adoption of an approving ordinance (#80-39) by the Board of County Commissioners of Leon County, Florida. The Authority is a Dependent Special District as defined in Section 189.4041, *Florida Statutes*.

The Authority's governing board is appointed by the Board; the budget is approved by the Board; all bonds issued and contracts entered into must be approved by the Board; the Board may, at its sole discretion, and at anytime, alter or change the structure, organization, programs or activities of the Authority, including the power to terminate the Authority; and the Board maintains the books and records of the Authority. This component unit is reported in a separate column to emphasize that it is legally separate from the Board. Separate financial information for the Housing Finance Authority is available at 918 Railroad Avenue, Tallahassee, Florida 32310 (Note 12).

Excluded from the Reporting Entity:

The Leon County Health Facilities Authority, Leon County Research and Development Authority, Leon County Education Facilities Authority, Leon County Energy Improvement District, and Community Redevelopment Agency have been established under *Florida Statutes*, Chapter 159, Part V, Chapter 154, Part III, Chapter 243, Chapter 189, Part II and Chapter 163, Part III, respectively. Operations of the above authorities are not included in this report because they do not meet the criteria for inclusion in the reporting entity as set forth in GASB Statement No. 39.

Other public entities located within Leon County and not included in the financial statements of the Board include municipalities and the following independent taxing districts authorized and established by the Laws of Florida:

Leon County School Board District
Leon County Health Department
Fallschase Special Taxing District
Northwest Florida Water Management District

These potential component units have been excluded because they do not meet the criteria for inclusion in the reporting entity.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 1. Accounting Policies (continued)

Consolidated Dispatch Agency

In May 2012, the City of Tallahassee, Leon County, Florida, and the Leon County Sheriff's Office entered into an inter-local agreement authorized by Section 163.01, *Florida Statutes*. This agreement created a Consolidated Dispatch Agency (CDA) for the purpose of dispatching law enforcement, fire and emergency medical services personnel. The term of this agreement is for a period of 10 years, commencing April 1, 2013, and will renew automatically thereafter. The CDA will govern and manage the provision of public safety consolidated dispatch services on a county-wide basis.

The governing body of the CDA consists of the City of Tallahassee City Manager, the Leon County Administrator and the Leon County Sheriff, hereinafter called the Council. The City and Sheriff shall fund the CDA budget proportionately based upon the per capita population within the corporate limits of the City of Tallahassee for the city, and the per capita population within the unincorporated area of Leon County for the Sheriff, and a service cost allocation shall be included in the CDA's annual budget. Current audited financial statements may be obtained from the Consolidated Dispatch Agency, 300 S. Adams Street, Box A-19, Tallahassee, Florida 32301.

Capital Regional Transportation Planning Agency

In December 2004, the Capital Regional Transportation Planning Agency (CRTPA) was created through an inter-local agreement between the Florida Department of Transportation; the Counties of Leon, Gadsden, Jefferson and Wakulla; the Cities of Tallahassee, Chattahoochee, Gretna, Midway, Monticello, Quincy, St. Marks and Sopchoppy; the towns of Greensboro, Havana and the Leon County School Board as authorized by Section 163.01 *Florida Statutes*. It was established in order for the members to participate cooperatively in the development of transportation related plans and programs. The governing board consists of voting representatives from the Counties of Leon, Gadsden, Jefferson, and Wakulla; the Cities of Midway, Quincy, Tallahassee, Chattahoochee and Gretna; the Towns of Greensboro and Havana, the Leon County School Board, and three nonvoting representatives from the Florida Department of Transportation, the Federal Highway Administration, and StarMetro.

The CRTPA receives federal and state transportation funds for the performance of its transportation planning and programming activities. If operating expenses exceed the external funding obtained, the deficit is funded by the members of the CRTPA in proportion of their weighted votes. As a participating member of CRTPA, Leon County has a limited share of financial responsibility for any such deficits. Current audited financial statements may be obtained from the Capital Regional Transportation Planning Agency, 300 S. Adams Street, Box A-19, Tallahassee, Florida 32301.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 1. Accounting Policies (continued)

Leon County-City of Tallahassee Blueprint 2000 Intergovernmental Agency

In October 2000, Leon County entered into an interlocal agreement with the City of Tallahassee as authorized by Section 163.01(7) *Florida Statutes*. This agreement created the Blueprint 2000 Intergovernmental Agency to govern the project management for the project planning and construction of a list of projects known as the Blueprint 2000 projects. The Board of County Commissioners and the City Commission constitute the Blueprint 2000 Intergovernmental Agency. The revenues to fund the projects under this agreement are the collections of the local government infrastructure sales surtax, which began December 1, 2004. This tax was extended pursuant to the provisions in Section 212.055, *Florida Statutes*, until December 31, 2019.

Periodically, the Agency provides construction management services to the County. For these services the Agency and the County entered into Joint Participation Agreements whereby the County agrees to pay an administrative fee to the Agency.

Current audited financial statements may be obtained from Blueprint 2000, 315 S. Calhoun Street, Suite 450, Tallahassee, Florida 32301.

Basis of Presentation

The special-purpose fund financial statements are fund financial statements that have been prepared in conformity with the accounting principles and reporting guidelines established by the Governmental Accounting Standards Board (GASB) and accounting practices prescribed by the State of Florida, Office of the Auditor General.

Description of Funds

Governmental Major Funds:

The Board reports the following major funds in the governmental fund financial statements:

General Fund – The General Fund is the general operating fund of the Board. This fund is used to account for all financial transactions not required to be accounted for in another fund.

Fine & Forfeiture Fund – This fund was established to account for revenues collected pursuant to the provisions of Section 142.01, *Florida Statutes*. It also accounts for expenditures related to the costs of criminal prosecutions and for the proceeds of certain court fines and costs as well as accounting for ad valorem tax revenues collected and used to support the Sheriff's Department.

Grants Fund – This fund is used to account for the revenues and expenses of federal, state, and local grants awarded to the county. This fund also includes the corresponding county matching funds for the various grants.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 1. Accounting Policies (continued)

Description of Funds (continued)

Governmental Major Funds: (continued)

Fire Rescue Services Fund – This fund was established to fund enhanced fire protection services in the unincorporated area of Leon County. The revenue source is derived from a fire service fee levied on single-family, commercial, and governmental properties in the unincorporated area of the county. It also assists with funding for volunteer fire departments. By interlocal agreement, the fire rescue and emergency management services are functionally consolidated under the city and county.

Special Assessment Paving – This fund accounts for the repayment of special assessments associated with the county's paving program. Repayments are collected as a non-ad valorem special assessment on the annual tax bill. The revenues are repaying the county for the costs to construct the paving projects.

Capital Improvement Fund – This fund is used to account for the acquisition or construction of major non-transportation related capital facilities and/or projects other than those financed by proprietary funds.

Proprietary Major Fund:

Landfill Fund – The Landfill Fund accounts for the revenues, expenses, assets and liabilities associated with the County landfill and transfer station.

Other Fund Types:

Internal Service Funds – These funds account for goods or services provided by various departments to other departments of the Board on a cost-reimbursement basis.

Agency Funds – These funds account for assets held by the Board as an agent for individuals, private organizations, and/or other governmental units. These are custodial in nature (assets equal liabilities) and do not involve measurement of results of operations.

Basis of Accounting

Basis of accounting refers to when revenues and expenditures or expenses are recognized in the accounts and reported in the fund financial statements and relates to the timing of the measurements made.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 1. Accounting Policies (continued)

Basis of Accounting (continued)

The accompanying special-purpose financial statements have been prepared using the current financial resources measurement focus and the modified accrual basis of accounting for all Governmental Funds. Accordingly, revenues are recognized when measurable and available to pay liabilities of the current period and expenditures are generally recorded when the liability is incurred and/or will be paid from expendable available financial resources.

The Board considers receivables collected within 60 days after year-end to be available and susceptible to accrual as revenues of the current year. The following revenues are considered to be susceptible to accrual: taxes, charges for services, interest, state revenue sharing, federal forestry revenue, insurance agents' revenue, various other gas taxes, gas tax pour-over trust, federal and state grants, planning and zoning revenue, municipal service franchise fees, and special assessments.

Expenditures are generally recorded when the related fund liability is incurred. An exception to this general rule is principal and interest on general long-term debt which is recorded when due.

The financial statements of the Proprietary Funds and Fiduciary Funds (Agency Funds) are prepared on the economic resources measurement focus and the accrual basis of accounting. Their revenues are recognized when earned and their expenses are recognized when incurred. Proprietary fund operating revenues, such as charges for services, result from exchange transactions associated with the principal activity of the fund.

Exchange transactions are those in which each party receives and gives up essentially equal values. Nonoperating revenues, such as subsidies, taxes, and investment earnings, result from nonexchange transactions or ancillary activities.

Budgets and Budgetary Accounting

Florida Statutes, Section 129.01 (2) (b), requires that "...the receipts division of the budget shall include ninety-five percent of all receipts reasonably expected to be anticipated from all sources, including taxes to be levied, and one hundred percent of the amount of the balances, both of cash and liquid securities, estimated to be brought forward at the beginning of the fiscal year." The Board has complied with the provisions of the above *Florida Statutes*.

Annual budgets for the governmental fund types and the Housing Finance Authority of Leon County are adopted on a basis consistent with accounting principles generally accepted in the United States of America. Budgets are not adopted for the fiduciary funds. The legal level of budgetary control is at the fund level; however, budgets are monitored at varying levels of detail.

All annual appropriations lapse at fiscal year end, although the Board expects to honor purchase orders and contracts in process, subject to authority provided in the subsequent year's budget.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 1. Accounting Policies (continued)

Budgets and Budgetary Accounting (continued)

The budget information, as amended, presented in the financial statements was prepared on the modified accrual basis of accounting. All Board authorized amendments to the applicable budget originally approved have been incorporated into the data reflected in the special-purpose financial statements. The Board made several supplemental budgetary appropriations throughout the year.

The Board uses the following procedures in establishing the budgetary data reflected in the financial statements:

1. On or before May 1 of each year, the designated budget officer submits to the Board a tentative budget for the ensuing fiscal year. The tentative budget includes proposed expenditures and funding sources.
2. The Board requires such changes to be made as it shall deem necessary, provided the budget remains in balance and subject to the notice and hearing requirements of Section 200.065, *Florida Statutes* and the budget preparation and adoption procedures, as defined in Section 129.03, *Florida Statutes*. The legal level of budgetary control is at the fund level.
3. Public hearings are held pursuant to Section 200.065, *Florida Statutes* in order for the Board to adopt the tentative and final budgets.
4. Prior to October 1, the budget is legally enacted through passage of a resolution.
5. All changes to the final budget must be approved by the Board in accordance with Section 129.06, *Florida Statutes*.
6. Formal budgetary integration is used as a management control device during the year for all governmental funds of the Board.
7. Budgets for the governmental fund types are adopted on a basis consistent with accounting principles generally accepted in the United States of America.

Applicable budgets of Constitutional Officers are controlled by appropriations in accordance with budgetary requirements set forth in the *Florida Statutes*.

Cash and Investments

Cash includes amounts in demand deposits. The Board's investments consist of U.S. Government obligations, money market funds, municipal bonds, and commercial paper of prime quality and are reported at fair value.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 1. Accounting Policies (continued)

Cash and Investments (continued)

In accordance with the provisions of GASB Statement No. 31, *Accounting and Financial Reporting for Certain Investments and for External Investment Pools*, investments of the Board are reported at amortized cost, which approximates fair value.

During the 2014-2015 fiscal year, the Board invested in four different investment pools: the Special Purpose Investment Account (SPIA) within the Florida Treasury Investment Pool (the Pool) administered by the Florida Department of Financial Services, as authorized by Section 17.61(1), *Florida Statutes*; The Florida Local Government Investment Trust (FLGIT), a local government investment pool developed through the joint efforts of the Florida Association of Court Clerks (FACC) and the Florida Association of Counties (FAC); The Florida Municipal Investment Trust (FMIVT), administered by the Florida League of Cities, Inc. The FMIVT is an Authorized Investment under Section 163.01, *Florida Statutes*; and the Local Government Surplus Funds Trust Fund (LGSF), administered by the Florida State Board of Administration (SBA) as authorized by Section 218.415 (17), *Florida Statutes*; and Florida PRIME, administered by the Florida State Board of Administration (SBA). Florida PRIME is not a registrant with the SEC; however, the SBA has adopted operating procedures consistent with the requirements for the SEC Rule 2a-7 fund.

The Board liquidates and reallocates investments throughout the year depending on whether the external pools authorized by *Florida Statutes* or the interest bearing accounts with approved public depositories provide the most favorable interest rates.

Receivables

Receivables are shown net of an allowance for uncollectibles. As the receivables age, the allowance increases. The emergency medical services allowance used for 2015 is equal to 67% of current year billings.

Short-Term Interfund Receivables/Payables

During the course of operations, numerous transactions occur between individual funds for services rendered or goods provided resulting in receivables and payables that are classified as “due from other funds” or “due to other funds” on the balance sheet.

Inventories

Inventories in the General Fund and Internal Service Funds consist of expendable office supplies. The office supplies are valued at the average unit cost and are accounted for under the consumption method whereby the cost is recorded as an expenditure at the time of issuance to the user department.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 1. Accounting Policies (continued)

Restricted Assets

Investments that are held in escrow in accordance with the Florida Administrative Code requirement for landfill closure and post-closure costs are shown as restricted in the Enterprise Fund.

Capital Assets

Capital assets purchased in the governmental fund types are recorded as expenditures (capital outlay) at the time of purchase. Such assets are reported as capital assets in the Statement of Net Position as part of the county-wide basic financial statements. The Board does not record depreciation of these assets on its governmental fund financial statements, although depreciation is recorded for such assets in the county-wide financial statements. Donated assets are recorded at fair market value at the date of donation. Accounting policies for capitalization and depreciation of infrastructure assets including roads, bridges, curbs, gutters, and sidewalks are described in the county-wide financial statements. A summary of capital assets purchased by the Board's governmental funds is provided in Note 4.

Fixed Assets

Fixed assets acquired in the Proprietary Funds are capitalized at cost. Gifts or contributions are recorded at fair market value at the time received. Depreciation on property and equipment in the Proprietary Funds is computed using the straight-line method over the estimated useful lives. The Board follows the policy of capitalizing interest as a component of the cost of proprietary fund type fixed assets constructed for its own use.

The general fixed assets used in the operations of the Board, Property Appraiser, Tax Collector, Clerk of the Circuit Court, and Supervisor of Elections, and the real property used by the Sheriff are accounted for by the Board, as the Board holds legal title and is accountable for them under Florida law.

Liability for Compensated Absences

The Board accrues a liability for employees' rights to receive compensation for future absences when certain conditions are met. The Board does not, nor is it legally required to accumulate expendable available financial resources to liquidate this obligation. Accordingly, the liability for the compensated absences is not reported in the governmental funds. However, the current and long-term portion of the liability for compensated absences is reported on the county-wide Statement of Net Position for Leon County, Florida.

Other Postemployment Benefits

The Board, through Leon County, offers retiree medical and life insurance benefits for qualifying Board employees that have retired from a Florida Retirement System (FRS) pension plan.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 1. Accounting Policies (continued)

Executive Service Plan

Executive service and senior management employees of the Board are entitled to severance pay if terminated from employment. If there is a contract or employment agreement, severance pay may not exceed an amount greater than twenty weeks of compensation. If there is no contract, severance pay is limited to six weeks.

Net Position and Fund Balances

Net Position is the difference between fund assets and liabilities on the government-wide, proprietary, and fiduciary fund statements. Fund Balance is the difference between assets and liabilities on the governmental fund statement.

For financial reporting purposes, County policy defines the five fund balance classifications for governmental funds and the order that the resources are used.

Nonspendable Fund Balance - Balances are comprised of funds that cannot be spent because they are either not in spendable form or are legally or contractually required to be maintained intact.

Restricted Fund Balance - Balances are comprised of funds that have legally enforceable constraints placed on their use or those funds that have externally-imposed restrictions by resource providers or creditors, grantors, contributors, voters, or interlocal agreement, or enabling legislation.

Committed Fund Balance - Balances are comprised of unrestricted funds used for specific purposes pursuant to constraints imposed by formal action such as ordinances, resolutions, or legislation of Leon County and that remain binding unless removed by a majority vote of the Board of County Commissioners.

Assigned Fund Balance - Balances are comprised of unrestricted funds informally constrained by a majority vote of the Board of County Commissioners, or by a designated county officer, in a manner that reflects the County's use of those resources such as appropriations of fund balance at year end or at the beginning of the new fiscal year.

Unassigned Fund Balance - Balances are comprised of the residual of the unrestricted funds in the General Fund and are not nonspendable, restricted, committed, or assigned. Other fund types can only report a negative unassigned residual amount.

The County's policy is that available resources will be spent in the following order: restricted, committed, assigned, and unassigned.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 1. Accounting Policies (continued)

Common Expenses

Certain expenses that are common to the Board and all Constitutional Officers are reported as expenditures of the Board and, therefore, are not budgeted by or allocated to the other Constitutional Officers. These are:

- Occupancy costs
- Property insurance
- Utilities (except telephone), and
- Janitorial service

Operating Transfers

The Board funds a portion or, in certain instances, all of the operating budgets of the County's Constitutional Officers. The payments by the Board to fund the operations of the Constitutional Officers are recorded as operating transfers out on the financial statements of the Board and as operating transfers in on the financial statements of the Constitutional Officers. Repayments to the Board are recorded as operating transfers out on the financial statements of the Constitutional Officers and as operating transfers in on the financial statements of the Board.

Use of Estimates

The preparation of the special-purpose financial statements is in conformity with accounting practices prescribed by the State of Florida, Office of the Auditor General, and requires management to make use of estimates that affect the reported amounts in the special-purpose financial statements. Actual results could differ from estimates.

Note 2. Property Taxes

Under Florida Law, the assessment of all properties and the collection of all county, municipal, special taxing districts, and school board property taxes are consolidated in the offices of the County Property Appraiser and County Tax Collector. The laws of Florida regulating tax assessments are also designed to assure a consistent property valuation method statewide. State statutes permit counties to levy property taxes at a rate of up to 10 mills. The tax levy of Leon County is established by the Board prior to October 1 of each year. The millage rate collected by the Board during the current fiscal year was 8.314 mills. County citizens were also assessed for emergency medical services through a Municipal Services Taxing Unit at a millage rate of 0.5000 mills. For County citizens charged a special assessment, the required annual payment is included on their tax bill.

All property is reassessed according to its fair market value as of January 1 of each year. Each assessment roll is submitted to the Executive Director of the State Department of Revenue for review to determine if the rolls meet all of the appropriate requirements of *Florida Statutes*.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 2. Property Taxes (continued)

All taxes are due and payable on November 1 of each year, or as soon thereafter as the assessment roll is certified and delivered to the Tax Collector. All unpaid taxes become delinquent on April 1 following the year in which they are assessed. Discounts are allowed for early payment at the rate of 4% in the month of November, 3% in the month of December, 2% in the month of January, and 1% in the month of February. The taxes paid in March are without discount. No accrual for the property tax levy becoming due in September 30, 2015 is included in the accompanying financial statements, since such taxes are collected to finance expenditures of the subsequent period.

On or prior to June 1, following the tax year, tax certificates are sold for all delinquent taxes on real property in accordance with the laws of Florida. After sale, tax certificates bear interest of 18% per year or at any lower rate bid by the buyer. Application for a tax deed on any unredeemed tax certificates may be made by the certificate holder after a period of two years.

Delinquent taxes on personal property bear interest at 18% per year until the tax is satisfied either by seizure and sale of the property or by the seven-year statute of limitations. Since tax certificates were sold for substantially all current year delinquent property taxes, there were no material property taxes receivable at September 30, 2015.

Note 3. Cash and Investments

As of September 30, 2015, the value of the Board's deposits and investments, with their respective credit ratings, was as follows:

	<u>Fair Value</u>	<u>Credit Rating</u>	<u>Duration</u>
Deposits in Qualified Public Depositories	\$ 21,880,830	NA	NA
External Investment in Government Pools:			
Florida State Treasury Special Purpose Investment Account (SPIA)	39,013,024	A+f	2.51
Florida Local Government Investment Trust Government Fund (FLGIT)	10,021,740	AAAf	1.42
Florida Municipal Investment Trust (FMivT) 1-3 Year High Quality Bond Fund	55,706	AAA/V2	1.34
Florida PRIME Investment Pool	502,372	AAAm	0.08
Externally Managed Portfolio:			
Money Market	143,824	AAA	NA
U.S. Treasuries	29,202,207	AA+	1.76
Government Sponsored Agencies:			
Federal Home Loan Mortgage Corp	4,315,996	AA+	1.29
Other Government Sponsored Agencies	7,706,610	AA+	2.06
Collateralized Mortgage Obligations	3,576,618	AA+	1.63
MBS	5,534,130	AA+	1.68

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 3. Cash and Investments (continued)

	<u>Fair Value</u>	<u>Credit Rating</u>	<u>Duration</u>
Corporate Bonds	10,749,034	A	1.49
Corporate Bonds	4,646,886	A-	1.14
Corporate Bonds	3,983,981	AA	0.61
Municipal Bonds	1,918,213	AA	1.67
Asset-backed Securities	6,528,643	AAA	1.11
Total Cash and Investments	<u>\$ 149,779,814</u>		

The amounts above exclude cash on hand and amounts held by third parties in trust for the Board, but includes accrued interest of \$233,687.

Credit Risk

The Board Investment Policy provides a structure for the portfolio that is designed to minimize credit risk. The majority of the securities held will be those of the highest available credit quality ratings. Staff will notify the Investment Oversight Committee (IOC) at any time holdings drop below the minimum credit ratings specified in the policy. The IOC will consider the market environment and make recommendations to hold and continue to monitor the investments or liquidate the investments. To further limit the Board's risk against possible credit losses, a maximum of 3% of the total portfolio managed by the Board's external manager may be held at any one time in all securities of any corporate entity, inclusive of commercial paper, medium term notes, or corporate notes and bonds. The Policy provides that 45% of the external portfolio may be invested in Federal instrumentalities, with a limit of 15% of the portfolio in any one issuer.

Section 218.415(16), *Florida Statutes*, stipulates the state-approved investment policy for all governmental entities and includes the following investments:

1. The Local Government Surplus Funds Trust Fund or any authorized intergovernmental investment pool.
2. Securities and Exchange Commission (SEC) registered money market funds with the highest credit quality rating from a nationally recognized rating agency.
3. Interest-bearing time deposits or savings accounts in qualified public depositories.
4. Direct obligations of the U.S. Treasury.
5. Federal agencies and instrumentalities.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 3. Cash and Investments (continued)

Credit Risk (continued)

6. Securities of, or other interests in, any management type investment company or trust registered under the Investment Company Act of 1940, where the investment portfolio is limited to United States Government Obligations.
7. Other investments authorized by law or by ordinance for a county or a municipality.

In addition, Section 17.61(1), *Florida Statutes* permits organizations created by the Florida Constitution to participate in the existing State Treasury Investment Pool “Special Purpose Investment Account (SPIA).”

The Board’s Investment Policy limits credit risk by restricting authorized investments to the following: Local Government Surplus Funds Trust Fund, State of Florida Special Purpose Investment Account, direct obligations of the United States or its agencies and instrumentalities, direct obligations of states and municipalities, repurchase agreements, commercial paper, bankers’ acceptances, money market mutual funds, the Florida Local Government Investment Trust (FLGIT), and the Florida Municipal Investment Trust (FMIvT).

The Chief Financial Officer for the State of Florida (formerly the State Treasurer) has been investing state revenues, excess revenues of state universities and community colleges and certain other public agencies in a commingled investment portfolio for several years. This program is authorized under Section 17.61(1), *Florida Statutes* and is called the Treasury Special Purpose Investment Account (SPIA).

Historically, SPIA participants have received higher earnings reflecting the higher risk associated with the longer maturities and lower credit quality. The financial details and disclosures for the Treasury Investment Pool are made in Note 2 to the State of Florida Comprehensive Annual Financial Report (CAFR). The Florida Treasury Investment Pool is rated by Standard and Poor's. The rating as of September 30, 2015 was A+f. Investments in this pool are limited to a maximum of 50% of the portfolio. A copy of SPIA's most recent financial statements can be found at http://www.fltreasury.org/fs_01.html.

The FLGIT is a local government investment pool created by the Florida Association of Court Clerks and Controllers, and the Florida Association of Counties for the purpose of providing public entities with an investment program that focuses on longer term securities with the highest credit ratings. The effective maturity of the underlying investments is five years or less. At year end, the FLGIT was invested in treasury notes, corporates, asset-backed securities, and Federal agency obligations. This investment type is subject to some market risk due to fluctuating prices and liquidity risk due to advance redemption notification requirements. However, it has a professional investment advisor and an investment advisory board, and provides diversity in the Fund’s portfolio. The FLGIT maintains a credit rating of AA Af by Standard & Poor’s. Investments in this pool are limited to a maximum of 15% of the portfolio. A copy of FLGIT's most recent financial statements can be found at <http://www.floridatrusionline.com/about>.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 3. Cash and Investments (continued)

Credit Risk (continued)

The FMIvT is a similar investment pool operated by the Florida League of Cities. Its rating, investment parameters, and liquidity generally mirror those of the FLGIT. The 1 to 3 Year High Quality Bond Fund is designed to provide an investment pool alternative to those Members that have excess funds and that have an investment horizon greater than that of money market instruments. The investment objective is: 1) to preserve capital; 2) achieve a total rate of return that exceeds the return of T-Bills by 1% per year over rolling three-year periods; and 3) exceed the return of the Merrill Lynch One-to-Three-year Government Index over three-year periods. The Portfolio will generally invest in securities with greater potential returns and risk than those offered by money market type instruments. Due to the fact that the Portfolio will be investing in securities with an average maturity of approximately two years, increases in interest rates will cause declines in the net asset value of the Portfolio. Therefore, the Portfolio may be an inappropriate investment for funds required to meet short-term needs. The portfolio is managed by Atlanta Capital Management and maintains a AAA/V2 rating from Fitch. Investments in this pool are limited to a maximum of 15% of the portfolio.

The Florida PRIME is an external investment pool that is administered by the Florida State Board of Administration (SBA). Florida PRIME is not a registrant with the SEC; however, the SBA has adopted operating procedures consistent with the requirements for the SEC Rule 2a-7 fund. Florida PRIME is governed by Chapter 19-7 of the Florida Administrative Code, which identifies the Rules of the SBA. These rules provide guidance and establish the general operating procedures for the administration of Florida PRIME. Additionally, the State of Florida, Office of the Auditor General performs the operational audit of the activities and investments of the SBA. Throughout the year and as of September 30, 2015, Florida PRIME contained certain floating rate and adjustable rate securities that were indexed based on the prime rate and/or one and three-month LIBOR rates. These floating rate and adjustable rate securities are used to hedge against interest risk and provide diversification to the portfolio. Investments in this pool are limited to a maximum of 50% of the portfolio. The current rating for the Florida PRIME is AAAM by Standard and Poors. A copy of Florida PRIME's most recent financial statements can be found at <http://www.sbafla.com/prime/Audits/tabid/582/Default.aspx>.

Custodial Credit Risk

Custodial credit risk is the risk that, in the event of a bank failure or the failure of the counterparty, the government's deposits may not be returned to it, or may not be able to recover the value of its investments that are in the possession of an outside party.

Qualified public depositories of public funds are required to provide collateral each month pursuant to Section 280.04, *Florida Statutes*. The collateral is held by the Florida Division of Treasury or other custodian with full legal rights maintained by the Florida Division of Treasury to transfer ownership. Any loss not covered by the pledged securities and deposit insurance would be assessed by the Florida Division of Treasury and paid by the other public depositories. The County's deposits are therefore considered fully insured or collateralized. Bank balances at September 30, 2015, were \$24,004,314.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 3. Cash and Investments (continued)

Custodial Credit Risk (continued)

Due to the nature of the County's cash and investments, management believes there is no exposure to custodial credit risk and concentration of credit risk.

Interest Rate Risk

Interest rate risk is the risk that changes in interest rates will adversely affect the fair market value of investments. The County's actual portfolio will have a duration range of 0.5 years to 2.5 years. Unusual market or economic conditions may mandate moving the portfolio outside of this range. The Investment Oversight Committee will be convened and will approve any portfolio duration outside of the range specified above. The effective duration of investments is listed in the preceding table.

The externally managed portfolio totaled \$78,306,142 at September 30, 2015, and was invested for a weighted average term of approximately 1,210 days, as compared to a weighted average term of 1,405 days in fiscal year 2014. The County requires a minimum balance of short term investments. The portfolio shall maintain in liquid investments (defined as repurchase agreements purchased under the terms of the County's depository contract, open repurchase agreements, negotiable certificates of deposit, banker's acceptance, commercial paper, U.S. Treasury direct and agency obligations, money market funds, all having a maturity of 90 days or less, and SPIA) a minimum balance equal to one-twelfth of the current fiscal year's budgeted operating expenditures. The Board was in compliance with this requirement.

Foreign Currency Risk

The County contributes to the Florida Retirement System (FRS), the investments of which are administered by the State Board of Administration. The FRS's investment policy and exposure to foreign currency risk is disclosed in Note 3 of the State of Florida Comprehensive Annual Financial Report. A copy of this report is available at http://www.myfloridacfo.com/aadir/statewide_financial_reporting/index.htm.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 4. Fixed Assets

A summary of changes in fixed assets and depreciation for the year ended September 30, 2015, follows:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>(Reductions)</u>	<u>Ending Balance</u>
Governmental activities:				
Land	\$ 20,891,310	\$ 0	\$ 0	\$ 20,891,310
Improvements other than buildings	21,510,494	1,892,179	(649,902)	22,752,771
Buildings and improvements	216,727,163	419,956	0	217,147,119
Equipment	57,595,529	6,468,115	(5,232,292)	58,831,352
Construction in progress	9,647,204	8,209,480	(2,236,987)	15,619,697
Totals at historical cost	<u>\$ 326,371,700</u>	<u>\$ 16,989,730</u>	<u>\$ (8,119,181)</u>	<u>\$ 335,242,249</u>

Depreciation on capital assets used in governmental activities is recorded in the county-wide financial statements of Leon County.

	<u>Beginning Balance</u>	<u>Additions</u>	<u>(Reductions)</u>	<u>Ending Balance</u>
Business type activities:				
Land	\$ 1,809,844	\$ 0	\$ 0	\$ 1,809,844
Buildings, improvements, and construction in progress	20,534,898	694,942	0	21,229,840
Equipment	5,491,521	491,204	(512,208)	5,470,517
Totals at historical cost	<u>27,836,263</u>	<u>1,186,146</u>	<u>(512,208)</u>	<u>28,510,201</u>
Less accumulated depreciation for:				
Buildings and improvements	(12,078,603)	(609,537)	0	(12,688,140)
Equipment	(3,097,088)	(358,897)	413,866	(3,042,119)
Total accumulated depreciation	<u>(15,175,691)</u>	<u>(968,434)</u>	<u>413,866</u>	<u>(15,730,259)</u>
	<u>\$ 12,660,572</u>	<u>\$ 217,712</u>	<u>\$ (98,342)</u>	<u>\$ 12,779,942</u>

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 5. Long-Term Debt

A. A summary of changes in the long-term debt of the Board follows:

	<u>Balance October 1, 2014</u>	<u>Additions</u>	<u>(Reductions)</u>	<u>Balance September 30, 2015</u>	<u>Due Within One Year</u>
Long-Term Debt					
Special revenue debt:					
Capital Improvement Revenue					
Refunding Bonds, Series 2005	\$ 20,040,000	\$ 0	\$(20,040,000)	\$ 0	\$ 0
Capital Improvement Revenue					
Bonds, Series 2012A	8,267,000	0	0	8,267,000	0
Taxable Capital Improvement					
Revenue Bonds, Series 2012B	12,679,000	0	(162,000)	12,517,000	166,000
Capital Improvement Revenue					
Refunding Bonds, Series 2014	16,200,000	0	(123,000)	16,077,000	126,000
Capital Improvement Revenue					
Refunding Bonds, Series 2015	0	13,692,000	0	13,692,000	6,806,000
Total special revenue debt	<u>57,186,000</u>	<u>13,692,000</u>	<u>(20,325,000)</u>	<u>50,553,000</u>	<u>7,098,000</u>
Note payable	1,695,793	0	(421,604)	1,274,189	437,540
Liability for compensated					
absences	5,374,508	1,868,046	(2,480,234)	4,762,320	1,441,394
Other postemployment benefits	2,759,355	525,927	(92,659)	3,192,623	0
Arbitrage rebate liability	<u>25,000</u>	<u>0</u>	<u>0</u>	<u>25,000</u>	<u>0</u>
	<u>\$ 67,040,656</u>	<u>\$16,085,973</u>	<u>\$(23,319,497)</u>	<u>\$ 59,807,132</u>	<u>\$ 8,976,934</u>

Total interest costs incurred for general long-term debt by the Board, including bond issuance costs, for the year ended September 30, 2015, was \$1,773,117.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 5. Long-Term Debt (continued)

B. A summary of each special revenue debt obligation outstanding at September 30, 2015 is as follows:

	Outstanding at September 30, 2015
	2015
<p>\$8,267,000, Capital Improvement Revenue Bonds, Series 2012A, (i) to refund the County's Capital Improvement Revenue Bonds, Series 2003A of which \$7,965,000 was outstanding and maturing in the years 2018 through 2020, and (ii) to pay a portion of the costs of the acquisition of the Bank of America Building, and (iii) the construction of improvements to the Bank of America Building, and (iv) to finance improvements to the County's courthouse and parking garage. The economic gain resulting from the refunding was \$1,279,488. The bonds dated December 20, 2012, bear interest of 1.65% per annum. The interest on the bonds is payable on April 1 and October 1, beginning April 1, 2013. The bond principal matures serially on October 1 of each year for two years beginning October 1, 2019.</p>	\$ 8,267,000
<p>\$12,956,000, Taxable Capital Improvement Revenue Bonds, Series 2012B, to, (i) refund the Capital Improvement Revenue Bonds, Series 2003B of which \$12,465,000 was currently outstanding and maturing in the years 2018 through 2019, and (ii) pay a portion of the costs of the acquisition of the Bank of America Building, and (iii) pay capitalized interest and issuance costs on the Series 2012B bonds, and (iii) pay bond issuance costs. The economic gain resulting from the refunding was \$1,405,034. The bonds dated December 20, 2012 and bear interest of 2.22% per annum. The interest on the bonds is payable on April 1 and October 1, beginning April 1, 2013. The bond principal matures serially on October 1 of each year through the final maturity of October 1, 2019.</p>	12,517,000
<p>\$13,692,000 Capital Improvement Revenue Refunding Bonds, Series 2015, (i) refund the remaining portion of the Capital Improvement Revenue Bonds, Series 2005 of which \$20,040,000 was currently outstanding and maturing in the years 2021 through 2025, and (ii) pay issuance costs on the Series 2015 bonds. The economic gain resulting from the refunding was \$585,711. The bonds dated July 31, 2015 and bear interest of 0.83% per annum. The interest on the bonds is payable on April 1 and October 1, beginning April 1, 2016. The bond principal matures serially on October 1 of each year through the final maturity of October 1, 2017.</p>	13,692,000
<p>\$16,200,000 Capital Improvement Revenue Refunding Bonds, Series 2014, (i) refund a portion of the Capital Improvement Revenue Bonds, Series 2005 of which \$41,415,000 was currently outstanding and maturing in the years 2021 through 2025, and (ii) pay issuance costs on the Series 2014 bonds. The economic gain resulting from the refunding was \$1,695,208. The bonds dated July 23, 2014 and bear interest of 2.69% per annum. The interest on the bonds is payable on April 1 and October 1, beginning October 1, 2014. The bond principal matures serially on October 1 of each year through the final maturity of October 1, 2025.</p>	16,077,000

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 5. Long-Term Debt (continued)

**Outstanding at
September 30,
2015**

The Capital Improvement Revenue Bonds, Series 2012A, the Capital Improvement Refunding Revenue Bonds, Series 2005, and Taxable Capital Improvement Revenue Bonds, Series 2012B are parity bonds payable from and secured by a lien upon certain non-ad valorem revenue. The pledged revenues include the Local Government Half-Cent Sales Tax, Guaranteed Entitlement, Second Guaranteed Entitlement, and additional State Revenue Sharing Funds (less the Guaranteed Entitlement and the Second Guaranteed Entitlement).

Total Special Revenue Bond Obligations

\$ 50,553,000

Note Payable:

SunTrust Equipment Finance & Leasing Corp

On November 18, 2005, the Board borrowed \$4,466,238, (including \$3,986,522 tax exempt, and \$479,686 taxable), under provision of Section 489.145 Florida Statutes. Interest rates are 3.74% and 5.85% for the tax exempt and taxable portion, respectively. The proceeds were used to purchase energy savings equipment. The taxable portion matured on May 18, 2008, and the tax-exempt portion matures on May 18, 2018.

\$ 1,274,189

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 5. Long-Term Debt (continued)

C. A Schedule of Debt Service Requirements, including principal and interest, is as follows:

	Year ending September 30,				
	2016	2017	2018	2019	2020
Capital Improvement Revenue Refunding Bonds, Series 2015	\$ 6,938,900	\$ 6,943,154	\$ 0	\$ 0	\$ 0
Capital Improvement Revenue Bonds, Series 2012A	136,406	136,406	136,406	1,441,406	7,076,871
Taxable Capital Improvement Revenue Bonds, Series 2012B	443,877	443,192	6,938,441	5,636,411	0
Capital Improvement Revenue Refunding Bonds, Series 2014	558,471	559,082	558,585	559,007	558,322
Note payable	484,514	484,514	484,514	0	0
Total Debt Service	<u>\$ 8,562,168</u>	<u>\$ 8,566,348</u>	<u>\$ 8,117,946</u>	<u>\$ 7,636,824</u>	<u>\$ 7,635,193</u>

	2021-2025	2026-2028	Total Payments	Less Interest	Principal
Capital Improvement Revenue Refunding Bonds, Series 2015	\$ 0	\$ 0	\$13,882,054	\$ 190,054	\$13,692,000
Capital Improvement Revenue Bonds, Series 2012A	0	0	8,927,495	660,495	8,267,000
Taxable Capital Improvement Revenue Bonds, Series 2012B	0	0	13,461,921	944,921	12,517,000
Capital Improvement Revenue Refunding Bonds, Series 2014	16,676,780	0	19,470,247	3,393,247	16,077,000
Note payable	0	0	1,453,542	179,353	1,274,189
Total Debt Service	<u>\$16,676,780</u>	<u>\$ 0</u>	<u>\$57,195,259</u>	<u>\$ 5,368,070</u>	<u>\$51,827,189</u>

D. Refunded Obligations

The Board has refunded certain obligations by placing amounts into an escrow account which will be invested so that the accumulated investment and interest earnings will be sufficient to pay the remaining principal and interest on the refunding obligations as they become due. The refunded obligations are not shown as liabilities of the Board; however, the escrow agreement states that in the unlikely event that the accumulated funds in the escrow accounts are insufficient to meet the required debt service payments, the Board would be required to fund any deficiency.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 5. Long-Term Debt (continued)

At September 30, 2015, \$35,325,000 of outstanding general long-term debt special revenue bonds is considered defeased as follows:

Capital Improvement Revenue Refunding	
Bonds, Series 2005	<u>\$ 35,325,000</u>
	<u><u>\$ 35,325,000</u></u>

Note 6. Employees' Retirement Plan

GASB Statement No. 68, *Accounting and Financial Reporting for Pensions*, is effective for all fiscal years beginning after June 15, 2014. This Statement establishes standards for measuring and recognizing liabilities, deferred outflows of resources, and deferred inflows of resources, and expense/expenditures. For defined benefit pensions, this Statement identifies the methods and assumptions that should be used to project benefit payments, discount projected benefit payments to their actuarial present value, and attribute that present value to periods of employee service. As described in Note 1, the financial statements of the Board are fund statements considered to be special-purpose financial statements consistent with accounting practices by the Auditor General, State of Florida. Accordingly, the net pension liability is included at county-wide financial statement level rather than in these Special-Purpose Financial Statements

All full-time employees of the Board are eligible to participate in the Florida Retirement System (FRS). The FRS includes various plans and programs, including a defined benefit pension plan (Pension Plan), which is primarily a cost-sharing, multiple-employer defined benefit public-employee pension plan. Information as to benefits, contribution rates, and vesting requirements by membership category is provided in the county-wide financial statements of Leon County, Florida. Contributions and benefits are established in Section 121.71, *Florida Statutes*.

Participating employer contributions are based upon actuarially determined blended rates established by the State Legislature that are expressed as percentages of annual covered payroll and are adequate to accumulate sufficient assets to pay benefits when due. Prior to July 1, 2011, the FRS was employee noncontributory. Beginning July 1, 2011, employees who are not participating in the Deferred Retirement Option Plan are required to contribute 3% of their salary to the FRS.

The Board also participates in the Retiree Health Insurance Subsidy (HIS) Program, a cost-sharing, multiple-employer defined benefit pension plan established under Section 112.363, *Florida Statutes*. The benefit is a monthly cash payment to assist retirees of state-administered retirement systems in paying their health insurance costs. Additional information regarding benefits is provided in the county-wide financial statements of Leon County, Florida.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 6. Employees' Retirement Plan (continued)

The HIS Program is funded by required contributions from FRS participating employers as set by the State Legislature. Employer contributions are a percentage of gross compensation for all active FRS employees and are reported by employers with monthly payroll reports and included with the amount submitted for retirement contributions. For the fiscal year ended September 30, 2015, the contribution rate was 1.66% of payroll pursuant to Section 112.363, *Florida Statutes*.

The total employer retirement contributions for the fiscal years ended September 30, 2015, 2014, and 2013 were \$3,895,120, \$3,527,043, and \$2,540,719, respectively, which is equal to the required contribution for each year.

The Pension Plan and the HIS Program are administered by the State of Florida Department of Management Services, Division of Retirement. The Division of Retirement issues a publicly available FRS Annual Report that includes financial statements and required supplementary information for the Pension Plan and HIS Program. That report may be obtained by writing to the Division of Retirement, P.O. Box 9000, Tallahassee, Florida 32315-9000, or by calling 850-488-5706.

Note 7. Other Postemployment Benefits

Plan Description

The Board participates in an agent multiple-employer plan administered by Leon County, Florida (the County) under which qualified retired employees are permitted to participate in the health and life insurance benefits program (the Program). The health insurance benefits portion of the Program is considered by the County's insurance provider to be community-rated and, therefore, no Other Postemployment Benefit (OPEB) obligation is calculated for healthcare. The Program may be amended by the Board. A stand alone financial report is not issued for the Program.

Funding Policy

Retired employees and their spouses for their lifetime are eligible for continuation of the benefits offered to active employees and are responsible for paying the required premium contributions.

Annual OPEB Cost and Net OPEB Obligation

As described in Note 1, the Board consists of elected Constitutional Officers of the County. The annual OPEB obligation of Constitutional Officers is recognized in the county-wide financial statements of the County and the obligation associated with each Constitutional Officer is disclosed within the notes of their respective financial statements. The County's OPEB obligation is calculated based on the annual required contribution (ARC) of the employer, an amount actuarially determined in accordance with the guidance provided by Governmental Accounting Standards Number 45, "Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions."

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 7. Other Postemployment Benefits (continued)

The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and to amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed 30 years. The following table shows the Board's share of the County's annual OPEB cost, its actual contributions and changes in the Board's share of the County's net OPEB obligation:

Normal cost (service cost for one year)	\$ 199,114
Amortization of unfunded actuarial accrued liability	306,585
Interest on normal cost and amortization	<u>20,228</u>
Annual required contribution	525,927
Interest on net OPEB obligation	110,374
Adjustment to annual required contribution	<u>(153,436)</u>
Annual OPEB cost	482,865
Contributions made	<u>(49,597)</u>
Increase in net OPEB obligation	433,268
Net OPEB obligation at beginning of year	<u>2,759,355</u>
Net OPEB obligation at end of year	<u><u>\$ 3,192,623</u></u>

The Board's share of the County's OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for fiscal year 2015 and the preceding two years is as follows:

<u>Fiscal Year Ended</u>	<u>Annual OPEB Cost</u>	<u>Amount Contributed</u>	<u>Percentage of Annual OPEB Cost Contribution</u>	<u>Net OPEB Obligation</u>
September 30, 2015	\$ 482,865	\$ 49,597	10%	\$ 3,192,623
September 30, 2014	\$ 510,666	\$ 58,372	11%	\$ 2,759,355
September 30, 2013	\$ 517,892	\$ 54,901	11%	\$ 2,307,061

Funded Status and Funding Progress

As of September 30, 2015, the Board's share of the actuarial accrued liability for benefits recognized in the County's financial statements was \$5,513,540, all of which was unfunded. The Board's covered payroll (annual payroll of active employees covered by the plan) was \$34,848,028. The ratio of the Board's actuarial accrued liability to the Board's covered payroll was 16% at September 30, 2015.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 7. Other Postemployment Benefits (continued)

The projection of future benefit payments for an ongoing plan involves estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future.

Actuarial Methods and Assumptions

Projection of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and plan members) and include the types of benefits provided at the time of the valuation. The actuarial calculations reflect a long-term perspective and the actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets.

For the October 1, 2014 actuarial valuation, the projected unit credit method of funding was used. The objective under that method is to fund each participant's benefits under the plan as they would accrue, taking into consideration the plan's benefit allocation formula. Thus, the total benefit value each participant is expected to become entitled to is broken down into units, each associated with a year of past or future credited service.

The actuarial assumptions included a 4% rate of return based on the estimated long-term investments that are expected to be used to finance the payment of the benefits. In addition, the actuarial assumptions included a 3% salary growth rate. The unfunded actuarial liability is being amortized as a level of percentage of projected payroll on an open basis. The remaining amortization period at September 30, 2015, was 30 years.

Note 8. Risk Management

The County is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; error and omissions; injuries to employees; and natural disasters. The following is a summary of the County's coverage and exposure relating to the various risks of loss retained as of September 30, 2015.

General Liability

Effective December 15, 2012 the Board purchased commercial insurance for general liabilities from OneBeacon. The Board maintains a \$10,000 deductible with the insurance carrier.

The actuarially determined liability determined below reflects open claims associated with these carriers.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 8. Risk Management (continued)

General Liability (continued)

Changes in the Board's claim liability amount were as follows:

	<u>Beginning of Fiscal Year Liability</u>	<u>Current Year Claims and Changes in Estimates</u>	<u>Claims Payments</u>	<u>Balance at Fiscal Year End</u>
September 30, 2015	\$ 10,281	\$ (586)	\$ 0	\$ 9,695
September 30, 2014	\$ 15,965	\$ (5,684)	\$ 0	\$ 10,281

The claims liability of \$9,695 includes an actuarial valuation for incurred but not reported claims of \$10,000.

Workers' Compensation

The Board maintains a self-insurance Internal Service Fund (the Fund) to account for insurance activities relating to workers' compensation, which is administered by a third-party administrator, Preferred Governmental Claims Solutions. Under this program, the Board absorbs losses up to a maximum of \$500,000 for each claim. At September 30, 2015, the Board had \$67,298 deposited with the third-party administrator for use against future claims. The Board purchases commercial insurance for claims in excess of coverage provided by the Fund. Settled claims have not exceeded the retention level for this commercial coverage in the current year and any of the past five years.

All funds of the Board participate in this program and make payments to the Insurance Service Fund based on payroll exposure in the amounts needed to pay prior and current year claims and to establish a reserve for catastrophic losses. Net position of the Self Insurance Fund is reserved for anticipated future catastrophic losses pursuant to County policy and GASB Statement No. 10.

The actuarially-determined claims liability for workers' compensation of \$3,665,220, which includes incurred but not reported claims of \$2,352,595, reported in the Fund at September 30, 2015 is based on the requirements of Governmental Accounting Standards Board Statement No. 10, which requires that a liability for claims be reported if information prior to the issuance of the financial statements indicates that it is probable that a liability has been incurred as of the date of the financial statements and the amount of the loss can be reasonably estimated.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 8. Risk Management (continued)

Workers' Compensation (continued)

Changes in the Fund's claims liability amount were as follows:

	<u>Beginning of Fiscal Year Liability</u>	<u>Current Year Claims and Changes in Estimates</u>	<u>Claims Payments</u>	<u>Balance at Fiscal Year End</u>
September 30, 2015	\$ 2,781,151	\$ 1,847,069	\$ (963,000)	\$ 3,665,220
September 30, 2014	\$ 2,714,523	\$ 902,628	\$ (836,000)	\$ 2,781,151

Automobile Liability

The Board purchases commercial coverage for automobile liability insurance through the same provider of its general liability insurance. All vehicles are covered for physical damage with a \$1,000 deductible and for liability with a \$10,000 deductible.

All funds of the Board participate in this program and pay premiums to the Insurance Service Fund based on the vehicles used by their personnel. Changes in the Fund's claims liability were as follows:

	<u>Beginning of Fiscal Year Liability</u>	<u>Current Year Claims and Changes in Estimates</u>	<u>Claims Payments</u>	<u>Balance at Fiscal Year End</u>
September 30, 2015	\$ 5,140	\$ (293)	\$ 0	\$ 4,847
September 30, 2014	\$ 36,238	\$ (31,098)	\$ 0	\$ 5,140

The claims liability of \$4,847 includes an actuarial valuation for incurred but not reported claims of \$5,000.

Note 9. Leases

In June 2003, the Board purchased the Bank of America building. There are several noncancellable operating lease agreements for the rental of its building. The lease agreements provide for monthly rentals, which escalate over the lease terms and expire on various dates.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 9. Leases (continued)

Minimum future rentals to be collected under the terms of the lease agreements as of September 30, 2015, are as follows:

<u>Year ending September 30,</u>	<u>Amount</u>
2016	\$ 1,335,720
2017	844,203
2018	471,691
2019	465,601
2020	445,177
2021-2023	<u>149,410</u>
	<u>\$ 3,711,802</u>

In October 2009, the Board purchased the Lake Jackson Oaks Huntington Property. There are several noncancellable operating lease agreements for the rental of its building. The lease agreements provide for monthly rentals, which escalate over the lease terms and expire on various dates. Minimum future rentals to be collected under the terms of the lease agreements as of September 30, 2015, are as follows:

<u>Year ending September 30,</u>	<u>Amount</u>
2016	\$ 253,660
2017	55,735
2018	<u>23,912</u>
	<u>\$ 333,307</u>

Note 10. Other Required Individual Fund Disclosures

Interfund balances in the Governmental Funds primarily represent repayments due from other funds responsible for particular expenditures to the funds that initially paid for them. Interfund balances are due and payable within one year.

Interfund receivable and payable balances at September 30, 2015, are as follows:

<u>Fund</u>	<u>Interfund Receivable</u>	<u>Interfund Payable</u>
General Fund	\$ 97,063	\$ 0
Nonmajor Governmental Funds	0	24,841
Internal Service Funds	0	72,222
	<u>\$ 97,063</u>	<u>\$ 97,063</u>

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 10. Other Required Individual Fund Disclosures (continued)

Each fund has a discrete purpose. However, often, there is a need for one fund to support a portion of another fund's activities. To accomplish this, monies are moved between funds through a process called interfund transfers. Interfund Transfers for the year ended September 30, 2015, consisted of the following:

Transfers to the General Fund from:	
Fine & Forfeiture Fund	\$ 2,400,000
Special Assessment Paving Fund	308,407
Enterprise Fund	<u>28,640</u>
Total Transfers to the General Fund	<u>2,737,047</u>
Transfers to the Grants Fund from:	
General Fund	121,155
Nonmajor Governmental Funds	<u>24,704</u>
Total Transfers to the Grants Fund	<u>145,859</u>
Transfers to the Capital Improvement Fund from:	
General Fund	1,033,500
Nonmajor Governmental Funds	<u>74,334</u>
Total Transfers to the Capital Improvement Fund	<u>1,107,834</u>
Transfers to the Nonmajor Governmental Funds:	
General Fund	15,732,460
Fine & Forfeiture Fund	220,813
Capital Projects Fund	21,830
Other Nonmajor Funds	<u>5,467,366</u>
Total Transfers to the Nonmajor Governmental Funds	<u>21,442,469</u>
Total Transfers to Governmental Funds	<u>25,433,209</u>
Transfers to the Enterprise Fund from:	
General Fund	<u>466,822</u>
Total Transfers to Enterprise Funds	<u>466,822</u>
Total Interfund Transfers	<u><u>\$ 25,900,031</u></u>

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 11. Closure and Post-closure Care Cost

State and federal laws and regulations require the Board to place a final cover on each of its landfill cells when it stops accepting waste and to perform certain maintenance and monitoring functions on each cell for thirty years after closure. Although closure and post-closure care costs will be paid only near or after the date that the landfill stops accepting waste, the Board reports a portion of these costs as an operating expense in each period based on landfill capacity used as of each balance sheet date. The \$10,977,531 reported as landfill closure and post-closure care liability at September 30, 2015, represents the cumulative amount reported to date based on the use of 100% of the estimated capacity of the landfill cells placed in use. These amounts are based on what it would cost to perform closure and post-closure care in 2015 on those cells placed in use. Actual costs may be higher due to inflation, changes in technology, or changes in regulations. The landfill is no longer accepting Class I waste, however it is still accepting residuals from a Class III materials recovery facility and recovered screened materials. Since the landfill is permitted as a single permit, until the entire landfill is closed the Board cannot begin to perform closure and post-closure care.

The Board is required by state and federal laws to make annual contributions to an escrow account to finance a minimum of all closure costs. The Board is in compliance with those minimum requirements, and at September 30, 2015, held investments in the amount of \$7,669,889 for these purposes that are reported as restricted assets on the balance sheet. The Board expects that future inflation costs will be paid from interest earnings on these annual contributions. However, if interest earnings are inadequate or additional post-closure care requirements are determined; these costs may need to be covered by charges to future landfill users or from future tax revenue.

Net income of the landfill fund is accumulated in a reserve for rate stabilization. The fund reported a reserve balance of \$5,320,452 at September 30, 2015. The intent of this reserve is to allow for consistent usage fee charges, construction or acquisition of landfill assets and accumulation of closure and post-closure costs. Because funding for closure and post-closure costs associated with unused capacity of landfill cells is to be derived from future usage fees, the rate stabilization reserve does not represent liquid assets available for that purpose.

Note 12. Component Unit - Housing Finance Authority of Leon County

The Authority had the following bonds outstanding at September 30, 2015, pursuant to its authorization:

	<u>Amount Outstanding</u>
Single Family Mortgage Revenue and Refunding Bonds:	
Series 1995 A	\$ 65,000
	<u>\$ 65,000</u>

The principal and interest thereon is payable solely from revenues and other amounts derived from the mortgage loans purchased with bond proceeds and certain reserve funds, all of which are administered by trustees. The Authority is not directly or indirectly liable for the collection of the mortgage loans. The principal and interest on the bonds do not constitute an indebtedness, liability, general obligation or pledge of the faith or credit of the Authority, Leon County, the state of Florida, or any municipality or political subdivision thereof.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 13. Commitments and Contingencies

A. Contract commitments:

Grants

The Board is currently receiving, and has received in the past, grants which are subject to special compliance audits by the grantor agency that may result in disallowed expense amounts. Such amounts, if any, constitute a contingent liability of the Board. Accordingly, such liabilities are not reflected within the financial statements.

Long-Term Construction Projects

The Board is committed to various material long-term construction projects at September 30, 2015. These commitments have been included in the 2014-2015 fiscal year budget and the five-year Capital Improvement Program and certain amounts have been reserved in the capital projects fund. Current contracts outstanding as of the report date approximate \$4.1 million.

B. Potential liabilities resulting from litigation:

The Board is a defendant in various lawsuits arising from the normal course of operations. The outcome of these lawsuits is not presently determinable.

On October 1, 2012, the CDA was formed as a separate legal entity by virtue of an Interlocal Agreement between Leon County, Florida, the City of Tallahassee, and the Leon County Sheriff's Office. Subsequent to the CDA's formation and during the course of the CDA providing dispatch services, there have been occasions which have given rise to certain claims and litigation against the CDA itself. At no time has Leon County or the City of Tallahassee been named as a Party Defendant to any of the litigation. To the extent that any Plaintiff or Claimant in this litigation is able to prevail in their claims against the CDA, obtain a Final Judgment against the CDA, it could be covered by the CDA's general liability insurance and would be subject to the statutory mandates of sovereign immunity contained in Florida Statutes, Section 768.28. Thus, should a money judgment be obtained against the CDA, and to the extent it exceeds or is not covered by the CDA's insurance, and to the extent it exceeds the sovereign immunity caps under Section 768.28, and to the extent that the successful Plaintiff seeks a further waiver of the sovereign immunity cap by virtue of filing a Claims Bill in the Florida Legislature, and to the extent that in some year in the future the Florida Legislature actually approves such a Claims Bill, and to the extent that such a Claims Bill requires payment from the CDA which exceeds its existing budgeted funds, then the CDA may seek financial contribution from Leon County and the City of Tallahassee, which the City and the County are not legally obligated to appropriate. Then, to the extent that Leon County and/or the City of Tallahassee chooses to budget and appropriate funds to the CDA to cover the costs set forth in any Claims Bill which is directed to the CDA, then, and only then, would there be a potential financial impact to Leon County and/or the City of Tallahassee.

Board of County Commissioners
Leon County, Florida
Notes to Special-Purpose Financial Statements
Year Ended September 30, 2015

Note 13. Commitments and Contingencies (continued)

C. Encumbrances:

Encumbrances represent commitments related to unperformed contracts for goods or services. They do not constitute expenditures or liabilities. The commitments will be honored in the subsequent year. The Board had \$0 reserved for encumbrances as of September 30, 2015.

Note 14. Subsequent Event

The County has evaluated subsequent events through February 22, 2016, the date the financial statements were available to be issued.

Other Schedules

**Board of County Commissioners
Leon County, Florida**

**Schedule of Receipts and Expenditures of
Funds Related to the Deepwater Horizon Oil Spill**

Year Ended September 30, 2015

<u>Source</u>	<u>Amount Received during the 2014-15 Fiscal Year</u>	<u>Amount Expended during the 2014-15 Fiscal Year</u>
British Petroleum:		
Agreement No. 134036	\$ 746,693	\$0

Note: This schedule does not include funds related to the Deepwater Horizon Oil Spill that are considered Federal awards or State financial assistance. Leon County, Florida did not receive or expend any Federal awards or State financial assistance related to the Deepwater Horizon Oil Spill.

See independent auditors' report.

Internal Control and Compliance Section

Independent Auditors' Report on Internal Control Over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Special-Purpose Financial
Statements Performed in Accordance with *Government Auditing Standards*

September 30, 2015

Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Special-Purpose Financial Statements Performed in Accordance with *Government Auditing Standards*

The Honorable Board of County Commissioners
Leon County, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the Board of County Commissioners of Leon County, Florida (the Board), which comprise the statement of financial position as of September 30, 2015, and the related notes to the financial statements, which collectively comprise the Board's basic financial statements, and have issued our report thereon dated February 22, 2016.

Internal Control Over Financial Reporting

In planning and performing our audit of the special-purpose final statements, we considered the Board's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the special-purpose financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal control. Accordingly, we do not express an opinion on the effectiveness of the Board's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's special-purpose financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency or combination of deficiencies in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The Honorable Board of County Commissioners
Leon County, Florida
Page Two

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Board's special-purpose financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Board's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Board's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

We have issued a management letter to the Board of County Commissioners of Leon County, Florida dated February 22, 2016, presenting certain required disclosures and comments pursuant to the *Rules of the Auditor General*, Chapter 10.550.



Thomas Howell Ferguson P.A.
Tallahassee, Florida
February 22, 2016



Law, Redd, Crona & Munroe P.A.
Tallahassee, Florida

Independent Accountants' Report on Compliance with Section 218.415,
Florida Statutes, Local Government Investment Policies
September 30, 2015

Independent Accountants' Report on Compliance with
Section 218.415, *Florida Statutes*, Local Government Investment Policies

The Honorable Board of County Commissioners
Leon County, Florida

We have examined the Board of County Commissioners of Leon County, Florida's (Board) compliance with local government investment policies provided in Chapter 218.415, *Florida Statutes*, during the year ended September 30, 2015. Management is responsible for the Board's compliance with those requirements. Our responsibility is to express an opinion on the Board's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about the Board's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the Board's compliance with specified requirements.

In our opinion, the Board complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2015.

This report is intended solely for the information and use of the Board of County Commissioners of Leon County, Florida and the Florida Auditor General and is not intended to be and should not be used by anyone other than these specified parties.



Thomas Howell Ferguson P.A.
Tallahassee, Florida
February 22, 2016

Law, Redd, Crona & Munroe P.A.
Tallahassee, Florida

Management Letter
September 30, 2015

Management Letter

The Honorable Board of County Commissioners
Leon County, Florida

Report on the Financial Statements

We have audited the special-purpose financial statements of the Board of County Commissioners of Leon County, Florida (Board), as of and for the fiscal year ended September 30, 2015, and have issued our report thereon dated February 22, 2016.

Auditors' Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and Chapter 10.550, Rules of the Auditor General.

Other Reports and Schedules

We have issued our Independent Auditors' Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of the Special-Purpose Financial Statements Performed in Accordance with *Government Auditing Standards* and Independent Accountant's Report on an examination conducted in accordance with AICPA Professional Standards, Section 601, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports and schedule, which are dated February 22, 2016, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were no findings or recommendations reported in the prior year management letter.

The Honorable Board of County Commissioners
Leon County, Florida
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Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The name or official title and legal authority for the primary government and each component unit of the reporting entity are disclosed in Note 1 of the Notes to the Special-Purpose Financial Statements. The Leon County Housing Finance Authority, a component unit of Leon County, was authorized pursuant to Chapter 159, Part IV, of the *Florida Statutes* and was created by Leon County Ordinance 80-39.

Other Matters

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we address in the management letter any recommendations to improve financial management. The following recommendation was made.

15-01 Systematic process for back-ups

Our assessment of information technology controls identified that the MIS division does not currently have a formal and comprehensive process for periodically testing the integrity and viability of server and database back-ups. Restores of back-ups were performed to a degree but not in a systematic manner. We recommend that procedures be implemented to systematically restore and test back-ups of IT data, software, and configurations to ensure back-ups are functioning as intended. The plan should be developed using a risk-based approach to guide decisions with regard to selecting which back-ups are to be restored on a test basis and the frequency in which the back-ups are tested. The plan should also provide for assessing the integrity of all back-ups within a defined time period, perhaps annually.

Management's response: We agree with your comment that a systematic and regular test of the backup for the financial system needs to be in a written policy and tested at least annually. We are in the process of developing our policy.

Section 10.554(1)(i)3., Rules of the Auditor General, requires that we address noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

The Honorable Board of County Commissioners
Leon County, Florida
Page Three

Purpose of this Letter

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, the Board of County Commissioners of Leon County, Florida and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.



Thomas Howell Ferguson P.A.
Tallahassee, Florida
February 22, 2016



Law, Redd, Crona & Munroe, P.A.
Tallahassee, Florida

Management Letter

The Honorable Board of County Commissioners
Leon County, Florida

Report on the Financial Statements

We have audited the special-purpose financial statements of the Board of County Commissioners of Leon County, Florida (Board), as of and for the fiscal year ended September 30, 2015, and have issued our report thereon dated February 22, 2016.

Auditors' Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and Chapter 10.550, Rules of the Auditor General.

Other Reports and Schedules

We have issued our Independent Auditors' Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of the Special-Purpose Financial Statements Performed in Accordance with *Government Auditing Standards* and Independent Accountant's Report on an examination conducted in accordance with AICPA Professional Standards, Section 601, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports and schedule, which are dated February 22, 2016, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were no findings or recommendations reported in the prior year management letter.

The Honorable Board of County Commissioners
Leon County, Florida
Page Two

Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The name or official title and legal authority for the primary government and each component unit of the reporting entity are disclosed in Note 1 of the Notes to the Special-Purpose Financial Statements. The Leon County Housing Finance Authority, a component unit of Leon County, was authorized pursuant to Chapter 159, Part IV, of the *Florida Statutes* and was created by Leon County Ordinance 80-39.

Other Matters

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we address in the management letter any recommendations to improve financial management. The following recommendation was made.

15-01 Systematic process for back-ups

Our assessment of information technology controls identified that the MIS division does not currently have a formal and comprehensive process for periodically testing the integrity and viability of server and database back-ups. Restores of back-ups were performed to a degree but not in a systematic manner. We recommend that procedures be implemented to systematically restore and test back-ups of IT data, software, and configurations to ensure back-ups are functioning as intended. The plan should be developed using a risk-based approach to guide decisions with regard to selecting which back-ups are to be restored on a test basis and the frequency in which the back-ups are tested. The plan should also provide for assessing the integrity of all back-ups within a defined time period, perhaps annually.

Management's response: We agree with your comment that a systematic and regular test of the backup for the financial system needs to be in a written policy and tested at least annually. We are in the process of developing our policy.

Section 10.554(1)(i)3., Rules of the Auditor General, requires that we address noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

The Honorable Board of County Commissioners
Leon County, Florida
Page Three

Purpose of this Letter

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, the Board of County Commissioners of Leon County, Florida and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.



Thomas Howell Ferguson P.A.
Tallahassee, Florida
February 22, 2016



Law, Redd, Crona & Munroe, P.A.
Tallahassee, Florida

DRAFT

March 9, 2016

Mr. David W. Martin, CPA
Auditor General
Claude Pepper Building
111 West Madison Street
Room G74
Tallahassee, Florida 32399-1450

Dear Mr. Martin:

On March 8, 2016, the County received its audited financial statements for the year ended September 30, 2015. Along with the report, the County received the Management letter. There were no findings and only one recommendation by the auditors in the Management Letter.

Pursuant to Florida Statutes, Section 11.45, the County's Management Letter is enclosed from the external auditors.

Leon County continues to focus on efforts to improve the efficiency of the County and the financial management of the County.

Sincerely,

Bill Proctor
Chairman

Enclosure


**Leon County
Board of County Commissioners**

Notes for Agenda Item #27

Leon County Board of County Commissioners

Cover Sheet for Agenda #27 March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of the First Quarter FY 2015-2016 County Grant Program Leveraging Status Report

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Scott Ross, Director, Office of Financial Stewardship

Fiscal Impact:

This item does not have a fiscal impact; however, it details the County's ability to leverage available grant funds. At the start of the 2015-2016 Fiscal Year, Leon County had more than \$9.4 million in grant funding, consisting of \$683,418 in County matching funds and \$8,743,660 in grant funds, for a leveraging ratio of 13:1.

Staff Recommendation:

Option #1: Accept the First Quarter FY 2015-2016 County Grant Program Leveraging Status Report.

Report and Discussion

Background:

Traditionally, the County has aggressively sought state and federal grant funding to support County projects and initiatives and has achieved considerable success in leveraging County dollars. The Office of Management and Budget coordinates with Department liaisons and actively seeks grant funding opportunities throughout the fiscal year.

This report represents a summary of grant activities during the first quarter of FY 2015-2016.

Analysis:

The Office of Financial Stewardship has continued to pursue and manage grants, and coordinate grant related items as necessary to meet the requirements of Leon County.

In the first quarter of FY 2015-2016, Leon County received two new grants. The first grant, for \$2.45 million, will be used for the septic to sewer conversion project in the Woodside Heights subdivision. This amount consists of an initial \$500,000 received in July 2015 for the first phase of the project as well as an additional \$1.95 million that the Board approved in December 2015. The additional funding will be used to expand the availability of sanitary sewer to more of the neighborhood. The second grant, in the amount of \$10,000 from the Knight Foundation through The Community Foundation of North Florida, is to be used to create a task force to research other communities for best practices with regards to affordable housing by conducting site visits to targeted cities.

Last year, the County completed the following 13 projects pertaining to Disaster Recovery (DR) and Disaster Recovery Enhancement Fund (DREF) grants. These grants were first awarded in 2010 and totaled more than \$13.5 million:

1. Affordable Rental Housing - (County, original DR grant)
2. Affordable Rental Housing - (City, original DR grant)
3. HOPE Community Re-Roofing - (County, revised DR grant)
4. Timber Lake – Flood Control - (County, original DR grant)
5. Lakeside - Flood Control - (County, revised DR/DREF grant)
6. Franklin Blvd. - Flood Control - (City, original DR grant)
7. Fairbanks Ferry - Emergency Access - (County, original DR grant)
8. Selena Road - Flood Control - (County, original DR grant)
9. Oakridge Flooded Property Acquisition - (County, original DREF grant)
10. Capital Cascade Trail, Segment 3 - (City, original DREF grant)
11. Autumn Woods Flood Mitigation - (County, revised DREF grant)
12. Re-Roofing - Hazard Mitigation - DR (County, revised DR grant)
13. Re-Roofing – Hazard Mitigation – DREF (County, revised DREF grant)

The final projects completed in August 2015 were the Autumn Woods Flood Mitigation project and the Hazardous Mitigation Reroofing Projects. These grants expired in August 2015, and staff has gone through the grant closeout process with the Department of Economic Opportunity.

To keep the Board fully apprised of the success of the County's efforts relating to grants, the following reports are submitted to the Commission covering the first quarter of the FY 2015-2016:

- Grants Leveraging Report (Attachment #1). This report shows a cumulative total for FY 2015-2016 and displays the project name, the County dollars required to match the grant, the grant dollars allocated to the project, and comments relating to the grant, such as funding source.
- Grants Received Report (Attachment #2). This report shows the grants that have been received during the fiscal year, the name of the project and the amount of the grant.

Options:

1. Accept the First Quarter FY 2015-2016 County Grant Program Leveraging Status Report.
2. Do not accept the FY 2015-2016 County Grant Program Leveraging Status Report.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Grants Leveraging Report
2. Grants Received Report

TABLE 1: LEON COUNTY GRANTS PROGRAM				
GRANTS LEVERAGING SUMMARY - First Quarter, FY2015/2016				
PROJECT	Co. Match	Grant	Total	Comments
Development Support & Env. Management Storage Tank Program subtotal	0 0	116,800 116,800	116,800 116,800	FL Dept. of Environmental Protection
Facilities Management Community Foundation of North Florida Energy Efficient Retrofits for Public Facilities subtotal	0 0	750 68,374 69,124	750 68,374 69,124	Annual wreath at the WWII Memorial Florida Department of Ag. & Consumer Serv.
Human Service & Comm. Partnerships - Housing SHIP 2014-2017 (Fund 124) Florida Hardest Hit Program CDBG Housing Rehabilitation Housing Task Force (Knight Grant) subtotal	0 0 0 0	424,155 25,000 750,000 10,000 1,209,155	424,155 25,000 750,000 10,000 1,209,155	FL Housing Finance Corp. FL Housing Finance Corp. FL Department of Economic Opportunity FL Department of Economic Opportunity
Intervention and Detention Alternatives Byrne Grant - Enhanced Pretrial Slosberg Driver Education Act Law Enforcement Block Grant subtotal	0 0 0	120,000 179,563 24,055 323,618	120,000 179,563 24,055 323,618	FL Dept. of Law Enforcement - JAG \$3 civil traffic penalty for Drivers' Ed. FL Dept. of Law Enforcement - JAG
Judicial Drug Court Veterans Court subtotal	0 0	50,273 125,000 175,273	50,273 125,000 175,273	DCF - managed by Court Administration Court Administration

TABLE 1: LEON COUNTY GRANTS PROGRAM				
GRANTS LEVERAGING SUMMARY - First Quarter, FY2015/2016				
PROJECT	Co. Match	Grant	Total	Comments
Public Services - Emergency Medical				
Matching gt M3101	19,245	57,735	76,980	FL Dept. of Health
County gt C2037	0	101,262	101,262	FL Dept. of Health
Matching gt M4080	12,875	38,625	51,500	FL Dept. of Health
Matching gt M4081	11,829	35,486	47,315	FL Dept. of Health
subtotal	43,949	233,108	277,057	
Public Services - Library				
Library E-Rate Program	0	50,190	50,190	FCC funding
Patron Donation - Library	0	128,079	128,079	Individual patron donations
Capelouto Donation	0	4,635	4,635	Holocaust educational material
Friends Literacy Contract	0	40,439	40,439	501 (C)(3) donation
Friends Endowment - 2005	0	117,483	117,483	501 (C)(3) donation
Van Brunt Library	0	125,811	125,811	Proceeds from Caroline Van Brunt estate
subtotal	0	466,637	466,637	
Public Works				
Miccosukee Greenway.	0	271,988	271,988	FL Dept. of Environmental Protection
SR 20/ Geddie Road	0	225,000	225,000	FL Department of Transportation
Mosquito Control	0	80,736	80,736	Mosquito control activities
Robinson Road Flood Relief (legislative appropriation)	0	289,632	289,632	FL Dept. of Environmental Protection
Woodville Hgts Sewer (legislative appropriation)	0	48,410	48,410	FL Dept. of Environmental Protection
Southwood Payment - Woodville Highway	0	50,178	50,178	Proportionate Share Payment
Big Bend Scenic Byway - Phase 2	18,314	765,817	784,131	FL DOT & Community/County Matches
Magnolia Drive Phase 1 Multi-use Trail	0	861,802	861,802	FL Dept. of Transportation
Septic to Sewer (Woodside Heights)	500,000	2,450,000	2,950,000	Northwest FL Water Management District
Natural Bridge Road Bridge Replacement	0	985,227	985,227	FL DOT funds to replace bridge
subtotal	518,314	6,028,790	6,547,104	
Sheriff				
Emergency Management Base Grant	121,155	121,155	242,310	Transfer to LCSO for EM activities
subtotal	121,155	121,155	242,310	
TOTALS	683,418	8,743,660	9,427,078	

TABLE 2: NEW GRANTS RECEIVED REPORT				
First Quarter, FY2015/2016				
PROJECT	BUDGET			COMMENTS
	Grant	Match	Total	
Housing Task Force (Knight Grant)	\$10,000	\$0	\$10,000	Community Foundation of North FL Knight Grant
Septic to Sewer (Woodside Heights)	\$1,950,000	\$500,000	\$2,450,000	Northwest FL Water Management District
Total	\$1,960,000	\$500,000	\$2,460,000	

**Leon County
Board of County Commissioners**


Notes for Agenda Item #28

Leon County Board of County Commissioners

Cover Sheet for Agenda #28

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of the Status Report on the Competitive Provider Reimbursements for the FY 2016 Primary Healthcare Program

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator
Lead Staff/ Project Team:	Eryn D. Calabro, Director, Office of Human Services and Community Partnerships Tiffany Y. Harris, Healthcare Services Coordinator

Fiscal Impact:

This item has no fiscal impact to the County. Adequate funds are currently budgeted for these services in the FY 2016 budget

Staff Recommendation:

Option #1: Accept the Status Report on the Competitive Provider Reimbursements for the FY 2016 Primary Healthcare Program.

Report and Discussion

Background:

Access to healthcare remains a priority for Leon County. The County's Primary Healthcare Program was established in 2001 to help increase the provision of health services for uninsured and low income residents. The Primary Healthcare Program is administered through the Office of Human Services and Community Partnerships with the goal of improving the health of citizens by providing quality and cost effective health services through collaborative community partnerships. During the FY 2016 budget cycle, the Board approved transitioning the contracts for primary care (approximately \$1.32 million) to a competitive provider reimbursement pool model. As requested by the Board during the development of the FY2016 Budget, this item provides a status report on the new model based on the patient reimbursements for the first quarter of FY 2016.

Analysis:

The current FY 2016 budget allocates \$1,939,582 for healthcare services (Table #1). With the collaboration of strategic partners and providers, the County's funding helps support and expand access to healthcare services such as primary care, dental, mental health treatment, specialty care, pharmaceutical needs, and trauma care. This item provides a status report on the primary healthcare providers that compete for patients under the new competitive provider reimbursement model with a total FY 2016 budget of \$1,323,768 (highlighted in blue).

Table #1: FY 2016 Leon County Healthcare Funding Levels

Program	FY 16 Funding	
Competitive Provider Pool Reimbursements (Bond, NMC, and Apalachee Center)	Primary Care Patient Visits	\$959,015
	Dental Care Patient Visits	\$100,000
	Mental Health Patient Visits	\$264,753
	Competitive Reimbursement Total	\$1,323,768
Capital Medical Society Foundation/We Care Network	\$168,826	
FAMU Pharmacy Pharmaceutical Services	\$177,500	
FAMU Pharmacy Diabetes Partnership	\$67,000	
Florida Healthy Kids Health Insurance Program	\$2,488	
Tallahassee Memorial HealthCare Trauma Center	\$200,000	
Total	\$1,939,582	

The competitive provider model created a single pool of money for reimbursement for Bond, NMC, and Apalachee, on a per patient visit rate, inclusive of primary care, dental, and mental health visits. The reimbursement rates remained the same; \$125 per primary care or dental visit, and \$80 per mental health visit. Of the \$1,323,768 available to Bond, NMC, and Apalachee to compete for through patient reimbursements, \$264,753 (20%) is set aside for mental health services and \$100,000 (7.6%) is allocated for dental services. The remaining \$959,015 is available for reimbursements for primary care services. Should the primary care funding be exhausted at the end of the year while dental care goes underutilized, staff can reimburse providers for primary care visits with the remaining dental funds.

This reimbursement model gives each agency the opportunity to receive as many patient reimbursements as they have in past years, while also encouraging a level playing field for the agencies providing primary care and mental health services. Constant communication between staff and providers is cultivated by reminder emails and technical assistance as needed for providers to complete monthly reimbursement invoices. There is a slight delay in receiving reimbursement requests and reporting data due to the 30-day grace period. Providers generally submit their reimbursement invoices 30 days after the end of each month which allows them the necessary time to input all required patient information into Leon County's HSCP Management System. The first quarter of FY 2016 was from October 1, 2015 to December 31, 2015. Reimbursements and reporting data were due on or before January 30, 2016, which is the reason the 1st quarter data is now being provided for the March 8th Commission meeting.

Table #2 illustrates the first quarter reimbursements in FY 2016 under the new competitive reimbursement model by the type of healthcare treatments and services provided to uninsured residents. Total provider reimbursements for the quarter accounted for 19.9% of the available annual funding. Although total patient reimbursements slightly lag behind the quarter mark of the fiscal year, the utilization of 19.9% of the available funds is perfectly within reason in a given quarter. Looking ahead, staff anticipates a modest variation from quarter to quarter based on the healthcare needs of uninsured residents. From a macro perspective, this indicates that the amount budgeted annually for these healthcare services is in line with patient demand.

Table #2: FY 2016 1st Quarter Reimbursements for Healthcare Services

Service Area	Total FY 16 Available Funds	1 st Qtr Patient Visits	1 st Qtr Reimbursements	1 st Qtr Utilization of FY 16 Funding
Primary Care	\$959,015	1,616	\$210,470	21.9%
Dental Care	100,000*	12	\$21,375	21.4%
Mental Health Care	\$264,753	398	\$32,000	12.1%
Totals	\$1,323,768	2,026	\$263,845	19.9%

**Reimbursements for dental care are capped at \$100,000 for FY 16. Should the primary care funding be exhausted at the end of the year while dental care goes underutilized, staff can reimburse providers for primary care visits with the remaining dental funds.*

In reviewing the patient reimbursements by the specific service provided, it is clear that the amount reimbursed for mental health treatments is less than anticipated for the first quarter of the fiscal year at 12.1%. Staff was initially concerned by this finding given the inherent flexibility of the competitive reimbursement model which allows for all three service providers to bill the County for mental health services rendered. Upon further review, staff learned that the psychiatrist positions at both Bond and NMC were vacated at the end of last fiscal year which led to a temporary reduction in patient services during the first quarter of FY 2016.

Table #3 details the first quarter reimbursements in FY 2016 to each provider and by the type of healthcare services rendered to uninsured residents. The results of the table are expected to vary from quarter to quarter as the new competitive reimbursement model is designed for these providers to compete for patients rather than fulfill a predetermined and contractually required patient visits. It is important to note that Table #3 does not include the state-mandated funding provided to the Apalachee Center for substance abuse and mental health stabilization under the Marchman and Baker Acts.

Table #3: FY 2016 1st Quarter Reimbursements by Provider and Type of Healthcare Service

Providers	Primary	Mental Health	Dental	1 st Qtr Total Reimbursements
Apalachee Ctr.	\$5,625	\$15,920	\$0	\$21,545
Bond	\$100,595	\$6,160	\$750	\$107,505
NMC	\$104,250	\$9,920	\$20,625	\$134,795
Totals	\$210,470	\$32,000	\$21,375	\$263,845

This status report illustrates the utilization of healthcare services by uninsured residents and the inherent flexibility of the competitive provider reimbursement model to serve patients at any location by optimizing limited County resources. Staff anticipates that with this new reimbursement model and the proactive technical assistance offered, providers will be able to utilize the funding based on their service provision by the end of the fiscal year. Based on this status report, staff finds that the amount budgeted annually for these healthcare services is in line with patient demand and should be maintained for FY 2017. A status report on the second quarter of FY 2016 will be presented to the Board in May 2016.

Options:

1. Accept the Status Report on the Competitive Provider Reimbursements for the FY 2016 Primary Healthcare Program.
2. Do not accept the Status Report on the Competitive Provider Reimbursements for the FY 2016 Primary Healthcare Program.
3. Board direction.

Recommendation:

Option #1.

**Leon County
Board of County Commissioners**


Notes for Agenda Item #29

Leon County Board of County Commissioners

Cover Sheet for Agenda #29

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of Supervised Pretrial Release Division's Annual Report

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Wanda Hunter, Director of the Office of Intervention and Detention Alternatives
Lead Staff/ Project Team:	Teresa Broxton, IDA Coordinator James Crum, Drug Screening Coordinator

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Accept the Supervised Pretrial Release Division's Annual Report (Attachment #1), and authorize staff to submit to the Clerk of the Circuit Court.

Report and Discussion

Background:

Section 907.43, Florida Statutes, cited as the "Citizens Right to Know Act," requires Pretrial Release Programs to provide the Clerk of the Circuit Court a weekly registry of all defendants who were released into the Program without a monetary bond (non-secured release). The registry must contain information such as prior criminal convictions, the current charges against each defendant and any subsequent failures to appear for the defendants released into the Program. Further, the document must contain annual program activity including funding sources, the number of defendants assessed, as well as those granted pretrial release by the Courts.

In compliance with subsection 4(b) of the Act, Attachment #2 contains the names and case numbers of each person granted non-secured release that had warrants issued for failing to appear at a required Court proceeding, acquiring a new arrest, or committing a technical violation of pretrial release conditions.

Additionally, the statute requires each Pretrial Release Program to submit an annual report to its governing bond and the Clerk of the Circuit Court. The report summarizes activities within the calendar year.

Analysis:

A review of the Program's activities between January 1 and December 31, 2015 reflect the following:

- Of the 10,039 defendants arrested and booked into the Leon County Jail, 2067 were interviewed, (personal demographic information was obtained and a criminal history background summary was prepared for the court).
- Of the 2,067 interviewed, 1,679 were further assessed for release in accordance with criteria outlined in the Administrative Order 2006-02.
- 1,040 defendants, or 62% of those assessed, were placed under the supervision of pretrial release for monitoring of court ordered conditions based upon the eligibility criteria established by the judiciary.
 - 94% of supervised defendants attended all required court proceedings
 - 73% of supervised defendants had no incidents, were still enrolled, or had completed the program at the end of the calendar year. In 2014, when comparing the same data set, 75% were successful without further incidents.
 - 27% of supervised defendants violated their release conditions.
 - 16% (163) of supervised defendants were reported to the court as unsuccessful due to technical issues, such as failing to abstain from or testing positive for illegal drugs or alcohol, failing to adhere to curfew, or failing to conform to other rules designed to ensure effective monitoring.
 - 6% (60) committed a new law offense. This number remained consist with the previous year.
 - 5% (53) failed to appear.
 - 76% of violators had posted a monetary bond as a condition of release.

During the 2015 calendar year, the Supervised Pretrial Release Program diverted an estimated total of 165,345 inmate days from the Leon County Jail. The attached report demonstrates the value of the Program and satisfies the state reporting requirements under the Citizens Right to Know Act. Pending Board approval, the report will be provided to the Clerk of the Circuit Court for public viewing and inspection.

Options:

1. Accept the Supervised Pretrial Release Division's Annual Report (Attachment #1), and authorize staff to submit to the Clerk of the Circuit Court.
2. Do not accept the Supervised Pretrial Release Annual Report.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Narrative of Supervised Pretrial Release Annual Report
2. Public Registry Detail List of Violators

*LEON COUNTY BOARD OF COUNTY COMMISSIONERS
SUPERVISED PRETRIAL RELEASE PROGRAM
ANNUAL REPORT*



January 1, 2015 – December 31, 2015

In compliance with Section 907.043, Florida Statutes

In compliance with Section 907.043, Florida Statutes, also known as the Citizens' Right-to-Know Act, each pretrial release program must submit an annual report for the previous calendar year to the governing body and to the Clerk of the Circuit Court in the county where the pretrial release program is located. The annual report must be submitted no later than March 31st of every year. This report is submitted in compliance with the aforementioned legislation. The information requested by the statute, which is in bold letters and italicized, is included prior to each response. The statute is also attached for reference.

4(b)1. The name, location, and funding sources of the pretrial release division, including the amount of public funds, if any, received by the pretrial release division.

The Leon County Supervised Pretrial Division is located at 501-C Appleyard Drive, Tallahassee, Florida 32304.

Funding sources for the Supervised Pretrial Release (SPTR) Division include both local general revenue and federal grant funds. A total of \$1,050,226.29 was received from these sources.

2. The operating and capital budget of each pretrial release program receiving public funds

The operating budget from public funds was \$1,050,226.29; there was no capital cost associated with the program.

3a. The percentage of the pretrial release program's total budget representing receipt of public funds

The percentage of the pretrial release program's total budget representing receipt of public funds was 86%.

b. The percentage of the total budget which is allocated to assisting defendants obtain release through a nonpublicly funded program.

Revenues were not allocated to assist defendants to obtain release through a non-publicly funded program.

c. The amount of fees paid by defendants to the pretrial release program.

The amount of fees paid by defendants to the pretrial release program total \$144,476.38. Fees included \$40 monthly supervision costs unless waived by the Court. Defendants assigned electronic monitoring were required to pay: \$12 per day for a Secure Continuous Remote Alcohol Monitor (SCRAM) unit. These fees helped to support the program and offset revenues expended from public funds.

4. *The number of persons employed by the pretrial release program.*

The number of persons employed by the Division totaled 12 staff members during 2015. This included one full-time equivalent (FTE) employee funded through a grant. SPTR staff was responsible for all administrative and operations tasks.

5. *The number of defendants assessed and interviewed for pretrial release.*

The number of defendants assessed and interviewed for pretrial release totaled 1,679.

6. *The number of defendants recommended for pretrial release.*

In accordance with Administrative Order No. 2006-02, Uniform Bond Schedule and Pretrial Release Procedures, Second Judicial Circuit, Florida, which governs SPTR operations, Program staff did not recommend defendants for pretrial release. All defendants authorized to participate in the Leon County's Supervised Pretrial Release Program were admitted through Judicial Order.

7. *The number of defendants for whom the pretrial release program recommended against non-secured release.*

In accordance with Administrative Order No. 2006-02, Program staff did not recommend defendants against non-secured release.

8. *The number of defendants granted non-secured release after the pretrial release program recommended non-secured release.*

In accordance with Administrative Order No. 2006-02 and as stated in number 6 above, staff did not recommend defendants for pretrial release.

9. *The number of defendants assessed and interviewed for pretrial release who were declared indigent by the court.*

As the pretrial program is dictated by Administrative Order No. 2006-02, indigent status was not assessed at time of interview.

10. *The name and case number of each person granted nonsecured release who:*

- a. Failed to attend a scheduled court appearance.***
- b. Was issued a warrant for failing to appear.***
- c. Was arrested for any offense while on release through the pretrial release program.***

The attached *List of Violators* answers these questions.

11. Any additional information deemed necessary by the governing body to assess the performance and cost efficiency of the pretrial release program.

The following is provided as additional information:

- a. 257 defendants were granted non-secured release to the Supervised Pretrial Division between January 1 and December 31, 2015. An additional 783 defendants who were also required to post a bond were accepted into the Division during this same period.
- b. The average daily operating cost of the jail per inmate was \$73.29. The cost of using the SPTR as an alternative cost is \$6.35 per day. The Program diverted an estimated total of 165,345 inmate days from the Leon County jail. This resulted in a daily savings of \$66.94. The total cost savings was \$11,068,194.30.

Reminder: In compliance with subsection 4(b)10, the *List of Violators* is attached.

Leon County Supervised Pretrial Release Program Public Registry Activity Detail

501-C Appleyard Drive, Tallahassee, FL 32304

Year:2015

List of Violators

Name	SPN	FTA	New Arrest	Tech Viol.	FTA Warrants Issued
ANDERSON, CARRIE	242350			10/13/15	
Case Number	Charge				
2015CF2970A1	TRESPASS IN CONVEYANCE				
2015CF2970A2	VOP/POSSESSION OF PARAPHERNALIA				
ANTROBUS, STANITA	240855			06/26/15	
Case Number	Charge				
2015CF1739A1	FTA/POSSESSION OF COCAINE				
2015CF1739A2	RESISTING OFFICER WITHOUT VIOLENCE				
BATTLES, THELITUS	223917		02/24/15		
Case Number	Charge				
2012CT1172A1	FTA/NO VALID DRIVER'S LICENSE				
BAUCHAM, CURTIS	69072		05/20/15		
Case Number	Charge				
2014MM2411A1	BATTERY				
BLACKSHEAR, BRUCE	125290			06/26/15	
Case Number	Charge				
2015CF978A1	VOP/AGGRAVATED BATTERY WITH A DEADLY WEAPON				
2015CF978A2	BATTERY				
BROWN, PHYLLIS	169453	04/28/15			04/28/15
Case Number	Charge				
2015MM740A1	FTA/MISUSE OF 911				
2015MM955A1	FTA/TRESPASS ON PROPERTY AFTER WARNING				
2015MM955A2	FTA/RESISTING OFFICER WITHOUT VIOLENCE				
BRYANT, MELISSA	240888	08/04/15			08/04/15
Case Number	Charge				
2015MM1557A1	FTA/VIOLATION OF DOMESTIC VIOLENCE INJUNCTION				
CARDIN, AUSTEN	241302			08/25/15	
Case Number	Charge				
2015CF2142A1	VOP/IMPROPER EXHIBIT OF WEAPON				
2015CF2142A2	VOP/CRIMINAL MISCHIEF				
CARROLL, JOSHUA	156686			01/13/15	
Case Number	Charge				
2014CF556A1	DISORDERLY CONDUCT				
CARROLL, SHIRLEY	242443			10/16/15	

Leon County Supervised Pretrial Release Program Public Registry Activity Detail

501-C Appleyard Drive, Tallahassee, FL 32304

Year:2015

List of Violaters

Name	SPN	FTA	New Arrest	Tech Viol.	FTA Warrants Issued
<i>Case Number Charge</i>					
2015MM2849A1					
TRESPASS ON PROPERTY AFTER WARNING					
DAVIS, SHAWONDA	191814	02/11/15			02/11/15
<i>Case Number Charge</i>					
2014CF1794A1					
FTA/AGGRAVATED ANIMAL CRUELTY					
2014CF1794A2					
FTA/AGGRAVATED ANIMAL CRUELTY					
DELANCY, ALANNA	232777	05/06/15	06/05/15		05/06/15
<i>Case Number Charge</i>					
2013MM3957A1					
FTA/DOMESTIC BATTERY					
ERIKSEN, ANNE-MARI	113430		12/08/15		
<i>Case Number Charge</i>					
2015CF1782A1					
REMOVING MINORS FROM STATE CONTRARY TO COURT ORDER					
ESTHER SPAIN, SHANTERIA	239755			12/26/15	
<i>Case Number Charge</i>					
2015MM684A1					
FTA/DISORD CONDUCT AFFRAY					
2015MM1103A1					
DISORD CONDUCT AFFRAY					
2015MM1103A2					
TRESPASS IN OCCUPIED STRUCTURE					
2015MM1954A1					
CRIMINAL MISCHIEF (UNDER \$200 DAMAGES)					
2015MM2080A1					
BATTERY					
FOLSOM, DALE	27273			04/22/15	
<i>Case Number Charge</i>					
2014MM2124A1					
VIOLATION OF DOMESTIC VIOLENCE INJUNCTION					
2014CF2180A1					
AGGRAVATED STALKING AFTER COURT ORDER					
FRANCIS, WILLIE	233299	08/06/15			08/06/15
<i>Case Number Charge</i>					
2015CF1087A1					
FTA/BURGLARY OF DWELLING					
2015CF1087A2					
FTA/GRAND THEFT - THIRD DEGREE (\$100 TO \$300 VALUE FROM DWELLING OR CURTILAGE)					
GAVIN, ALYSSA	209416			04/02/15	
<i>Case Number Charge</i>					
2012MM3030A1					
FTA/VOP/PETIT THEFT (VALUE GREATER THAN \$100)					
2014CF3747A1					
VOP/CONTRIBUTING TO DELINQUENCY OF MINOR					
GILLISON, AARON	236788	08/25/15			08/25/15
<i>Case Number Charge</i>					
2015MM2030A1					
FTA/RESISTING OFFICER WITHOUT VIOLENCE					

Leon County Supervised Pretrial Release Program Public Registry Activity Detail

501-C Appleyard Drive, Tallahassee, FL 32304

Year:2015

List of Violators

Name	SPN	FTA	New Arrest	Tech Viol.	FTA Warrants Issued
GRAY, LADREKUS	232553		02/23/15		
<i>Case Number</i>	<i>Charge</i>				
GREENAWALT, HUNTER	212395			11/05/15	
<i>Case Number</i>	<i>Charge</i>				
2015MM1121A1	BATTERY				
GUTIERREZ, OMAR	237777			03/27/15	
<i>Case Number</i>	<i>Charge</i>				
2014CT2399A1	VOP/DRIVING UNDER THE INFLUENCE				
HANSELMAN, CHASE	240577			08/07/15	
<i>Case Number</i>	<i>Charge</i>				
2015MM1322A1	VIOLATION OF DOMESTIC VIOLENCE INJUNCTION				
HARRIS, LASHAREE	224721	09/09/15			09/09/15
<i>Case Number</i>	<i>Charge</i>				
2014MM2101A1	FTA/BATTERY				
HENDERSON, GREGORY	155663			07/07/15	
<i>Case Number</i>	<i>Charge</i>				
2014CF2335A1	FTA/POSSESSION OF COCAINE				
2014CF2335A2	VOP/FTA/POSSESSION OF CANNABIS				
2014CF2335A3	FTA/POSSESSION OF PARAPHERNALIA				
2014CF2335A4	VOP/FTA/DRIVING WHILE LICENSE SUSPENDED OR REVOKED				
HURST, GREG	239317	03/17/15		03/12/15	03/17/15
<i>Case Number</i>	<i>Charge</i>				
2015MM332A1	VOP/FTA/PETIT THEFT				
JACKSON, ELIZABETH	231621			12/09/15	
<i>Case Number</i>	<i>Charge</i>				
2015CF2539A1	FTA/POSSESSION OF DIAZAPAM				
2015CF3893A1	POSSESSION OF OXYCODONE				
JOHNSON, DONSHAE	162897	04/20/15		04/21/15	04/20/15
<i>Case Number</i>	<i>Charge</i>				
2014CF3856A1	FTA/RESISTING OFFICER WITH VIOLENCE				
2014CF3856A2	FTA/BATTERY ON LAW ENFORCEMENT OFFICER				
2014CF3856A3	FTA/VIOLATION OF DOMESTIC VIOLENCE INJUNCTION				
2014CF3856A4	FTA/BATTERY ON OFFICER FIREFIGHTER EMT ETC				
JOHNSON, LATONIA	98171		06/20/15		

Leon County Supervised Pretrial Release Program Public Registry Activity Detail

501-C Appleyard Drive, Tallahassee, FL 32304

Year:2015

List of Violaters

Name	SPN	FTA	New Arrest	Tech Viol.	FTA Warrants Issued
<i>Case Number</i>	<i>Charge</i>				
2015MM1014A1	MISUSE 911				
2015CF1939A1	AGGRAVATED ASSAULT WITH DEADLY WEAPON				
JONES, TAMIRA	233318	08/27/15			08/27/15
<i>Case Number</i>	<i>Charge</i>				
2013CF3431A1	COCAINE-POSSESS WIT SELL ETC WI 1000FT WORSHIP/BUSN SCH II				
2013CF3431A2	DANGEROUS DRUGS KEEP SHOP OR VEHICLE ETC FOR DRUGS 1ST VIOL				
2013CF3432B1	FTA/POSSESSION OF CONTROLLED SUBSTANCE WITH INTENT TO SELL OR DELIVER				
2013CF3432B4	FTA/MAINTAINING PLACE WHERE CONTROLLED SUBSTANCES ARE USED				
KERRY, KALEB	239932			05/15/15	
<i>Case Number</i>	<i>Charge</i>				
2015CF928A1	GRAND THEFT OF MOTOR VEHICLE				
LEDBETTER, DANIELLE	234890			01/26/15	
<i>Case Number</i>	<i>Charge</i>				
2014CT416A2	VOP/DUI - .15 OR HIGHER OR W/PERSON UNDER 18 YOA 2ND OFFENSE				
MACK, WILLIE	231666			04/30/15	
<i>Case Number</i>	<i>Charge</i>				
2015CF691A1	GRAND THEFT				
MARRERO, MARIA	241608	10/01/15			10/01/15
<i>Case Number</i>	<i>Charge</i>				
2015MM2156A1	FTA/PETIT THEFT 1ST OFF				
MASON, KANE	236904	08/11/15			08/11/15
<i>Case Number</i>	<i>Charge</i>				
2015MM579A1	FTA/PETIT THEFT				
MCCALL, ELISHA	239568	04/29/15			04/29/15
<i>Case Number</i>	<i>Charge</i>				
2015CF624A1	FTA/GRAND THEFT				
O'KEEFE, MELISSA	241498			10/09/15	
<i>Case Number</i>	<i>Charge</i>				
2015MM2069A1	BATTERY				
OSTERBYE, DONALD	241866			09/25/15	
<i>Case Number</i>	<i>Charge</i>				
2015MM2381A1	STALKING				
2015MM2381A2	VIOLATION OF DOMESTIC VIOLENCE INJUNCTION				

Leon County Supervised Pretrial Release Program Public Registry Activity Detail

501-C Appleyard Drive, Tallahassee, FL 32304

Year:2015

List of Violaters

Name	SPN	FTA	New Arrest	Tech Viol.	FTA Warrants Issued
2015CF3107A1		AGGRAVATED STALKING AFTER COURT ORDER			
2015CF3107A2		STALKING			
PASS, JORDAN	239276		02/20/15		
<i>Case Number</i>		<i>Charge</i>			
2015MM299A1		TRESPASS ON PROPERTY AFTER WARNING			
2015MM445A1		TRESPASS IN CONVEYANCE			
PEARSON, KIMBERLY	239745		04/27/15		
<i>Case Number</i>		<i>Charge</i>			
2015MM675A1		DOMESTIC BATTERY			
PHILLIPS, DEVONTE	236068		08/12/15	08/20/15	
<i>Case Number</i>		<i>Charge</i>			
2014CF1531A1		MURDER-SECOND DEGREE			
2015CF2516A1		BURGL UNOCCUPIED DWELLING UNARMED			
2015CF2516A2		GRAND THEFT 3RD DEGREE DWEL PROP 100 TO UND 300 DOLS			
POLLARD, RONDERIOUS	234877		07/23/15		
<i>Case Number</i>		<i>Charge</i>			
2014MM539A1		FTA/PETIT THEFT (VALUE GREATER THAN \$100)			
RICHARDSON, DONALD	240514			09/14/15	
<i>Case Number</i>		<i>Charge</i>			
2015CF1414A1		POSSESSION OF PYRROLIDINIOVALERPHENONE			
2015CF1414A2		POSSESSION OF CANNABIS			
2015CF1414A3		POSSESSION OF PARAPHERNALIA			
ROSADO, TANIA	238849		04/08/15		
<i>Case Number</i>		<i>Charge</i>			
2014CF3830A1		FELONY BATTERY			
RUSSELL, BENJAMIN	237749			01/13/15	
<i>Case Number</i>		<i>Charge</i>			
2014CF2980A1		VOP/POSSESSION OF COCAINE			
2014CF2980A2		POSSESSION OF CANNABIS			
SHAW, SELVIN	238782		04/09/15		
<i>Case Number</i>		<i>Charge</i>			
2014CF3774A1		POSSESSION OF MORE THAN 20 GRAMS CANNABIS			
2014CF3774A2		POSSESSION OF PARAPHERNALIA			
SIMMONS, TRE'VON	241874	10/28/15		09/24/15	10/28/15

Leon County Supervised Pretrial Release Program Public Registry Activity Detail

501-C Appleyard Drive, Tallahassee, FL 32304

Year:2015

List of Violaters

Name	SPN	FTA	New Arrest	Tech Viol.	FTA Warrants Issued
<i>Case Number</i> 2015MM2388A1	<i>Charge</i> VOP/FTA/CRIMINAL MISCHIEF (OVER \$200 UNDER \$1000 DAMAGES)				
SKALANY, WENDY	127462		02/02/15		
<i>Case Number</i> 2014MM3295A1	<i>Charge</i> DISORDERLY CONDUCT				
SPICER, JAMES	32160			08/25/15	
<i>Case Number</i> 2014CF3792A1	<i>Charge</i> BURGLARY OF OCCUPIED DWELLING				
STEVENS, MARKEITH	226225			10/07/15	
<i>Case Number</i> 2015CF843A1	<i>Charge</i> VOP/FTA/POSSESSION OF COCAINE				
STILL, MICHAEL	237907			02/04/15	
<i>Case Number</i> 2014CF3103A1	<i>Charge</i> VOP/RESIST OFFICER OBSTRUCT WO VIOLENCE				
2014CF3103A2	VOP/DRIVING UNDER THE INFLUENCE				
SUMRALL, TAUREAN	202132			09/28/15	
<i>Case Number</i> 2014MM538A1	<i>Charge</i> VOP/PETIT THEFT				
2014MM538A2	VOP/RESISTING OFFICER WITHOUT VIOLENCE				
2015CF1903A2	VIOLATION OF DOMESTIC VIOLENCE INJUNCTION				
2015CF1903A3	AGGRAV STALKING FOLLOW HARASS CYBERSTALK AFTER INJUNCTION				
2015CF1903A4	AGGRAV STALKING FOLLOW HARASS CYBERSTALK AFTER INJUNCTION				
TAYLOR, CRYSTAL	174190	05/05/15			05/05/15
<i>Case Number</i> 2015CF944A1	<i>Charge</i> FTA/PETIT THEFT 2ND OFF				
VANNORMAN, CHRISTINE	240311	09/08/15			09/08/15
<i>Case Number</i> 2015MM1096A1	<i>Charge</i> FTA/BATTERY				
WALKER, BARRINGTON	240157	04/28/15			04/28/15
<i>Case Number</i> 2015MM980A1	<i>Charge</i> FTA/PETIT THEFT				
WALKER, CEDRIC	238556		01/29/15		
<i>Case Number</i> 2014MM3705A1	<i>Charge</i> VOP/DOMESTIC BATTERY				

Leon County Supervised Pretrial Release Program Public Registry Activity Detail

501-C Appleyard Drive, Tallahassee, FL 32304

Year:2015

List of Violaters

Name	SPN	FTA	New Arrest	Tech Viol.	FTA Warrants Issued
WARD, SCOTT	227751			01/09/15	
Case Number	Charge				
2014CF2569A1	VOP/BATTERY				
2014MM3957A1	VIOLATION OF PRETRIAL RELEASE CONDITION				
WENTZ, JERRY	229097			05/20/15	
Case Number	Charge				
2015MM1175A1	PUBLIC AFFRAY				
WILKERSON, JEFFREY	215143		08/24/15		
Case Number	Charge				
2015MM907A1	BATTERY				
2015MM907A2	BATTERY				
2015MM907A3	CRIMINAL MISCHIEF (OVER \$200 UNDER \$1000 DAMAGES)				
WILLIAMS, LAKIBA	238339			01/22/15	
Case Number	Charge				
2014CF3428A1	VOP/CHILD NEGLECT				
WILLIAMS, MATHEW	18169	05/07/15			05/07/15
Case Number	Charge				
2014MM3682A1	FTA/DOMESTIC BATTERY				
TOTALS		18	15	32	18

Leon County Supervised Pretrial Release Program Public Registry Activity Summary
501-C Appleyard Drive, Tallahassee, FL 32304
Year:2015

Month	Interviewed		Assessed		Accepted	
	Indigent	Total	Indigent	Total	Indigent	Total
JANUARY, 2015	0	189	0	155	17	26
FEBRUARY, 2015	0	141	0	105	13	17
MARCH, 2015	0	154	0	99	23	28
APRIL, 2015	0	206	0	180	18	24
MAY, 2015	0	185	0	158	7	14
JUNE, 2015	0	181	0	148	14	21
JULY, 2015	0	188	0	150	22	29
AUGUST, 2015	0	196	0	161	18	20
SEPTEMBER, 2015	0	155	0	129	12	17
OCTOBER, 2015	0	148	0	120	22	28
NOVEMBER, 2015	0	164	0	147	10	12
DECEMBER, 2015	0	160	0	127	17	21
Totals	0	2,067	0	1,679	193	257

**Leon County
Board of County Commissioners**


Notes for Agenda Item #30

Leon County Board of County Commissioners

Cover Sheet for Agenda #30

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of the 2014-2015 Annual Report of the Code Enforcement Board and the Code Compliance Program

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator David McDevitt, Director, Department of Development Support & Environmental Management
Lead Staff/ Project Team:	Emma Smith, Permit and Code Services Director Jo'Toria Snelling, Compliance Board Coordinator

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Accept the 2014-2015 Annual Report of the Code Enforcement Board and the Code Compliance Program.

Report and Discussion

Background:

The Leon County Code Enforcement Board (CEB) is empowered by Ordinance to enforce Chapter 5, Articles II and III (Building and Housing); Chapter 10, Article VII (Environmental Management Act); Article X (Zoning); and Article XII (Flood Plain); and Chapter 14, Articles I and II (Public Nuisances and Junk). The CEB is supported by contractual legal services and is represented by Counsel Clayton Knowles of Knowles and Randolph Law Firm. The Assistant County Attorney serves as legal counsel for the County. The CEB members for the 2014-2015 fiscal year were Chairman Michael Eurich, Vice Chairman Travis Sparkman, and board members Carmen Green, Marcia Sanders, Curtis Whigham, Charles Cook, and Betsy Henderson. The seven board members volunteer their time, which averages about five hours per month, which is inclusive of their review time (Attachment #1).

On April 25, 2006, the Board held a workshop to provide an overview of the County's current Code Enforcement Program, presented related issues, and outlined recommendations for program enhancements. The Board also reiterated their goal of voluntary compliance. On May 9, 2006, the Board ratified the workshop and the County's Code Compliance Program has been maintained at its current level of functioning to achieve voluntary compliance.

The 2014-2015 Annual Report was reviewed and approved by the CEB at their regularly scheduled meeting on January 21, 2016.

Analysis:

In order to serve the citizens of Leon County in a timely and efficient manner, the Department of Development Support and Environmental Management (DSEM) implemented a central complaint process system. The complaints are received through telephone calls, citizen on-line reporting or by walk-in customers, logged and routed to the appropriate Division for investigation within 48 hours. If the complaint call is a health, safety, or serious environmental issue, it is inspected within 24 hours. As a team, the program's goal is to obtain voluntary compliance at the direction of the Board.

An official Notice of Violation (NOV) letter is the first notice to an alleged violator; sent through regular mail, certified mail return receipt. The numbers vary on obtaining compliance, and seem low due to the extensions of time granted to the citizens. The nature of the violation is described within the NOV along with a list of the County codes allegedly violated. A description of what was found on-site (inoperable vehicles, debris, garbage, etc.), the necessary action to remedy the situation and a time frame to obtain compliance is also included in the NOV. This process usually takes 30 to 45 days, and each complaint warrants an average of three inspections.

Attached is a comparison table for FY 13/14 and 14/15, and the statistics for the four quarters of FY14/15 (Attachment #2). There was a 1% decrease in the total number of complaints received during FY 14/15 as compared to FY 13/14. It appears this decrease is due to aggressive marketing strategies to make citizens more aware of Leon County's code enforcement process.

In conjunction with the Citizen Connect Service Request System, which enables citizens to file complaints via the internet, the Code Compliance Program website allows citizens to review the complaint process on-line and download a complaint form to mail in. Citizens utilize the County's Code Compliance Program regularly to assure that their neighborhoods are kept in compliance.

To expand public education and awareness, Code Compliance staff has created a flier that is provided to Homeowners' and Neighborhood Associations in the unincorporated portions of Leon County (Attachment #3). The flier explains that staff is available to speak at association meetings about code enforcement in their neighborhoods. During this fiscal year, there were no requests for presentations. However, staff has worked closely with Homeowner's Association representatives and distributed code compliance literature upon request.

On October 27, 2015, staff conducted a Code Compliance Program Workshop with the Commission Aides to familiarize them with the DSEM's code compliance efforts and processes. During this fiscal year, staff developed a cover letter which outlines the County's philosophy of "*People Focused. Performance Driven.*" and is included with the Notice of Violation letters to encourage participation and compliance.

On July 7, 2015, the Board approved the implementation of the Compliance Certification Letter Fee Resolution. The Resolution provides for the recovery of associated costs of research and processing of open code violations, lien research requests, and the issuance of Compliance Certification Letters by the Code Compliance Program. To date, staff has processed 90 requests and collected \$12,420 in Compliance Certification Letter fees. These funds will be a revenue source to offset the cost of operating the Code Compliance Program.

On May 13, 2014, the Board approved the Signs in Right-of-Way (ROW) Ordinance to address illegal signs in the ROW in unincorporated Leon County. Staff conducts periodic sweeps of problematic areas to reduce the proliferation of illegal signs. To date, 150 illegal signs have been removed from the ROW

On October 29, 2013, the Board approved the Refueling Assistance for Persons with Disabilities Ordinance with an effective date within 90 days, which gave the gas station owners time to comply with the Ordinance. This Ordinance was subsequently amended effective January 29, 2014, and it provides for the regulation of gas stations to ensure that persons with disabilities are provided equal access in refueling their vehicles. As of this date, there have been no inquiries or complaints regarding the implementation of the Refueling Assistance for Persons with Disabilities Ordinance.

On March 12, 2013, the Board approved the Abandoned Property Registration (APR) Ordinance to require that properties under a notice of default and the subject of foreclosure action or proceeding to register with Leon County. The Ordinance became effective on March 12, 2013, with an enforcement date of July 12, 2013. This Ordinance was subsequently amended effective December 10, 2013. The regulations established by the APR Ordinance are applicable within

unincorporated Leon County. During this fiscal year, staff has received 248 registrations for distressed or abandoned property and collected \$37,200 in registration fees. These funds will be a revenue source to offset the cost of operating the County's Code Compliance Program.

On July 22, 2008, the Board approved an Open-Pit Mining Ordinance that requires all open-pit mining operations and/or construction and demolition debris disposal facilities that have not been reclaimed be secured by a four-foot high fence with a locked gate. To date there have been no cases brought before the Code Enforcement Board for failing to comply with these regulations.

At the June 14, 2005 meeting, the Board approved the Procedures and Criteria List to remove old outstanding liens on CEB cases. During this fiscal year, two (2) cases met the eligibility requirements for the reduction of fines.

On September 21, 2004, the Board approved a Filthy Fluid Ordinance that prohibits the drainage of fluids on County streets and/or the property of others. During the last fiscal year, staff has received 5 filthy fluid complaints that were inspected to determine validity, processed and resolved.

On May 11, 2004, the Board approved a Lot Mowing Ordinance, which requires that grass not exceed 18 inches in height. During the last fiscal year, staff performed 136 site inspections in connection with overgrown grass complaints to determine the validity. These inspections are performed consistent with Board policy within 48 hours upon receipt of the complaint.

Code Enforcement Board (CEB) Caseload Analysis:

If the owner or violator fails to correct a violation within the time specified in the initial notice, if the violation is a repeat violation, or if the violation is a threat to public health, safety, or welfare or is irreparable/irreversible, the inspector will notify the CEB and request a hearing. A total of 76 new cases and 13 fine reconsideration cases were brought before the CEB during this fiscal year:

New Cases	76
Continued Cases	10
Request for Amendment to the Board's Order	0
Request for Extension of Time to Comply	4
Fine Reconsideration	13
Foreclosure Considerations	<u>10</u>
Total	113

Of the 76 new cases, 65 were heard by the CEB and found in violation and the compliance deadlines for the remaining 11 cases had not passed by the end of the 2014-2015 fiscal year. Of the 65 cases found in violation, 28 failed to come into compliance and an Order Imposing Fine and Notice of Lien was filed with the Leon County Clerk of the Courts, and 26 have since been found in compliance.

The following is a breakdown of the CEB cases that were found in violation:

Environmental Management	0
Junk	36
Building	10
Minimum Housing	2
Electrical Code	0
Zoning	1
Mowing	<u>16</u>
Total	65

Revenue Analysis:

The amount of fines collected during FY 14/15 was \$13,680 (Attachment #4). The CEB heard thirteen requests for reconsideration of accrued fines. Attached is a list of fines addressed for reduction during this fiscal year (Attachment #5). A status report of all outstanding fines during FY14/15 is also attached (Attachment #6), as well as a comparison chart of the CEB's activities for the past several years (Attachment #7).

Staff continues to send periodic follow-up letters to property owners in attempts to address the outstanding fines. Once a lien has been placed on homestead and non-homestead property, the owner is unable to sell the property until the lien has been satisfied. Staff has benchmarked like-sized counties in an attempt to identify additional methods to collect outstanding liens and fines. Some methods identified have ranged from the use of collection agencies to the development of amnesty programs. Staff will continue to review options that are best suited for Leon County.

Foreclosure Analysis:

On November 18, 1997, the Board provided direction to the CEB concerning outstanding fines and liens. The Board directed that the following be considered:

- (1) when the property can be used for a County purpose; or
- (2) when the amount of the lien is equal to or greater than the Property Appraiser's assessment of the property; or
- (3) when the property is not in compliance and there is a threat to public health, safety, or welfare, the CEB could authorize the County Attorney's Office to file suit to foreclose on unpaid liens.

There were nine cases brought to the CEB this year for consideration to proceed with foreclosure on non-homestead properties that were not in compliance and had outstanding fines. Eight were sent to the County Attorney's Office to begin foreclosure proceedings; the remaining one was resolved. At the end of FY14/15, these fines totaled \$770,850. According to F.S. Chapter 162.09(3), an imposed fine will continue to accrue until the violator comes into compliance or until judgment is rendered in a suit, whichever occurs first (Attachment #8).

Summary:

The Leon County CEB is a quasi-judicial Board that has the authority to impose administrative fines where a violation of a code provision has occurred, with the goal of obtaining voluntary compliance. During FY 14/15, no orders of the CEB were appealed to the Circuit Courts of Leon County. Staff continues to work diligently in processing requests for public hearings in a timely and efficient manner.

Options:

1. Accept the 2014-2015 Annual Report of the Code Enforcement Board and the Code Compliance Program.
2. Do not accept the 2014-2015 Annual Report of the Code Enforcement Board and the Code Compliance Program.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Attendance Record for Fiscal Year 2014-2015
2. Code Compliance Program Workload Comparison Table
3. Code Compliance Program Public Awareness Flier
4. Fines Paid in Fiscal Year 2014-2015
5. Fines Addressed in Fiscal Year 2014-2015
6. Status Report on Outstanding Fines
7. Comparison Chart of Code Enforcement Board Activity
8. Cases Referred for Foreclosure on Non-Homestead Properties

**Leon County Code Enforcement Board
Attendance Record for FY 2014-2015**

Board Member	Appointed by	Term Expires	Percent of Attendance
Marcia Sanders*	Commissioner Proctor	08/31/2018	50%
Michael Eurich	Commissioner Dozier	08/31/2018	80%
Curtis Whigham*	Commissioner Dailey	08/31/2018	90%
Travis Sparkman*	Commissioner Sauls	08/31/2017	80%
Betsy Henderson*	Commissioner Desloge	08/31/2018	70%
Charles Cook*	Commissioner Lindley	08/31/2017	90%
Carmen Green *	Commissioner Maddox	08/31/2017	80%

There were ten (10) meetings for the Fiscal Year 2014-2015.

* Excused Absences

**Code Compliance Program
Workload Comparison Table for Fiscal Year 13-14 and 14-15**

	14/15 1st Qtr.	14/15 2nd Qtr.	14/15 3rd Qtr.	14/15 4th Qtr.	14/15 Year End Figures	14/15 Yr. End % of Total	13/14 Year End Figures	13/14 Yr. End % of Total
Building	39 Bldg w/o 12 Min. H. 13 Unsafe 14	57 Bldg w/o 30 Min. H. 5 Unsafe 22	53 Bldg w/o 30 Min. H. 5 Unsafe 18	59 Bldg w/o 20 Min. H. 13 Unsafe 26	208	10%	190	10%
Junk & Litter	84	98	108	125	415	22%	443	24%
Junk Vehicles	26	33	68	57	184	10%	215	12%
Environmental	40	50	44	32	166	9%	196	11%
Filthy Fluids	1	2	0	2	5	0%	5	0%
Development Services	12 Home 2 Zoning 10 Signs 0	22 Home 7 Zoning 15 Signs 0	19 Home 3 Zoning 16 Signs 0	17 Home 1 Zoning 14 Signs 2	70	4%	51	3%
Lot Mowing	12	8	37	79	136	7%	173	9%
Right-of-Way	11	6	6	9	32	2%	21	1%
Abandoned Prop.*	0	0	0	0	0	0%	0	0%
Refueling Assistance	0	0	0	0	0	0%	0	0%
Invalid **	22	31	37	48	138	7%	201	11%
Referrals	59	95	192	214	560	29%	340	19%
TOTAL	306	402	564	642	1914	100%	1835	100%
Telephone Calls	640	781	1085	1110	3616		3866	
NOV & F/U (Closed) Compliance	138	113	175	203	629	52%	677	52%
TOTAL ACTIVITY	1084	1296	1824	1955	6159		6378	

* BCC approved Abandoned Property Registration (APR) Ordinance on 3/12/13 – Amended Ordinance 12/10/13. -- Number of Notice of Violations for failure to register the property.

** Invalid calls refer to complaints that are received and not considered County code violations

**NEIGHBORHOOD
PUBLIC AWARENESS PROGRAM**

LEON COUNTY WOULD LIKE TO HELP YOU HELP US MAKE
YOUR NEIGHBORHOOD A BETTER PLACE TO LIVE!!!!

The Development Support and Environmental Management staff would like to come to your association meeting to talk about the Leon County Codes that make a difference in your neighborhood. Through public education and awareness, we can work together to make your neighborhood shine! We will discuss the **JUNK, BUILDING, ZONING, ENVIRONMENTAL and MOWING** issues that you feel most pertain to you and your neighbors.

We will answer these questions and more:

**WHAT IS CONSIDERED JUNK? WHAT IS CONSIDERED A JUNK VEHICLE?
WHEN DOES SOMEBODY NEED TO GET A BUILDING PERMIT?
CAN SOMEBODY LIVE IN A TRAVEL TRAILER?
WHAT CAN BE DONE ABOUT UNSAFE BUILDINGS?
WHAT BUSINESSES ARE CONSIDERED HOME OCCUPATIONS?
HOW MANY DWELLINGS ARE ALLOWED ON ONE PARCEL?
DO I NEED A PERMIT TO CUT A TREE DOWN ON MY PROPERTY?
WHAT CAN BE DONE ABOUT THESE ISSUES?**

If you are interested in having a County staff member speak at your meeting, please complete this form and return to the following address:

Leon County Department of Development Support and Environmental Management
Neighborhood Public Awareness Program
435 N. Macomb Street, 2nd Floor
Tallahassee, Florida 32301

Association Name and Location of Meeting Place: _____

Association President (Contact Person) _____

Daytime Phone Number _____

Date of Meeting in which staff is invited _____

CIRCLE THE TOPICS YOU WOULD LIKE COUNTY STAFF TO DISCUSS:

JUNK BUILDING ZONING ENVIRONMENTAL MOWING

If you have any questions, please contact the Code Compliance Program at 606-1300.

We look forward to hearing from you, and we thank you for another opportunity to serve you!

**LEON COUNTY CODE ENFORCEMENT BOARD
FINES PAID IN FISCAL YEAR 2014-2015**

DATE RECEIVED	CASE NUMBER	RESPONDENT NAME	ORIGINAL FINE	AMOUNT PAID
09/16/2014	13-067 LEC130128	Kevin Barrett & Angela Palmer	\$27,000.00	\$60.00
10/16/2014	14-022 LEC130671	Panhandle Building Services	\$5,735.00	\$250.00
10/16/2014	14-023 LEC130670	Panhandle Building Services	\$40,500.00	\$250.00
10/28/2014	14-003 LEC130888	Jacqueline K. Dumond	\$2,200.00	\$80.00
03/12/2015	10-064 LEC091019	Christopher Johns	\$232,250.00	\$1,948.00
03/18/2015	14-007 LEC130477	Nataraja Brvish 10 11 18 Irrevoc Trust c/o Shiv N. Persuad	\$5,140.00	\$350.00
03/19/2015	13-079 LEC130375	Nellie Kilpatrick	\$15,150.00	\$250.00
03/20/2015	11-008 LEC100527	Asset Data Solutions, LLC	\$49,835.00	\$2,095.00
04/03/2015	11-071 LEC110209	Jonathan Manis	\$128,500.00	\$700.00
05/07/2015	14-075 LEC131146	Shirwood Industries, LLC	\$2,200.00	\$250.00
05/07/2015	14-039 LEC130850	Adam J. Fudge**	\$12,000.00	\$1,956.41
05/21/2015	14-070 LEC140061	Mystic Pond, LLC	\$49,750.00	\$620.00
08/11/2015	14-017 LEC130792	US Bank National Association Trustee	\$12,210.00	\$1,295.00
08/11/2015	14-058 LEC131106	US Bank National Association Trustee	\$12,210.00	\$1,060.00
08/25/2015	08-079 LEC071081	1819 Robinson Road**	\$88,020.00	\$6,974.20
09/09/2015	11-031 LEC100908	General Green	\$101,000.00	\$625.00
09/17/2015	11-037 LEC101011	Stephen J. Larko	\$1,010.00	\$200.00
04/21/2015	14-061 LEC131159	Samantha Knight*	\$4,825.00	\$0.00
09/11/2015	08-129 LEC080048	Salem Construction, LLC*	\$2,655.00	\$0.00
09/17/2015	15-005 LEC131258	Michael E. Thaxton*	\$1,290.00	\$0.00
09/24/2015	09-028 LEC080410	Owner Redacted*	\$78,955.00	\$0.00
06/04/2015	12-015 LEC110423	Troy L. Maxon***	\$40,070.00	\$0.00
12/09/2014	05-006 LEC050255	Damon L. Peters****	\$54,500.00	\$0.00
12/09/2014	05-007 LEC050256	Damon L. Peters****	\$82,250.00	\$0.00
		Grand Total	\$671,445.00	\$13,680.61

*Mortgage foreclosure, CEB inferior and extinguished.

**Funds received through Tax Auction proceeds

***Property sold to Leon County

****Property esheated to Leon County.

STATUS OF OUTSTANDING CEB FINES FOR FY 2014/2015

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
03/05/2001	01-005	Bobby J. Chambliss	10/18/2006	In Compliance - Fine unpaid			\$39,615.00
	LEC000696	(Non-Homestead) - Junk Code	10/21/2006	Board approved sending case to CAO to begin process to foreclose.			
District 3		5026 Box Wood Court					
09/26/2001	01-029	Ronald Pontones	09/20/2001	Board heard case	\$870.00		
	LEC010341	(Homestead) - Junk Code	12/12/2001	Notice of Lien filed			
District 2		9406 Barwick Drive	12/20/2001	In Compliance. Fine unpaid.			
03/05/2002	02-002	Ulysses Smith	05/18/2006	Board approved sending case to CAO to begin process to foreclose			\$172,510.00
	LEC000697	(Non-Homestead) - Junk Code	08/04/2014	Staff inspected property - Not In Compliance			
District 3		280 Louis John Lane					
03/05/2002	02-003	Ulysses Smith	10/04/2005	Staff inspected property - Not In Compliance			\$1,224,000.00
	LEC010122	(Non-Homestead)-Building Code	05/18/2006	Board approved sending case to CAO to begin process to foreclose			
District 3		280 Louis John Lane					
09/18/2003	03-023	Michael A & Maureen Crew	04/20/2007	In Compliance. Fine unpaid			\$44,445.00
	LEC020535	(Non-Homestead) - Junk Code	03/19/2015	Board directed staff to send case to CAO to begin foreclosure proceedings.			
District 2		7485 Southern Country Ln					
03/18/2004	04-004	Estate of Larry Grantham	04/20/2007	Staff inspected property - Not In Compliance			\$145,000.00
	LEC030558	(Non-Homestead) - Junk Code	06/21/2007	Board approved sending case to CAO to begin process to foreclose			
District 1		4742 Orchid Drive					
07/15/2004	04-009	Anita H. Kirkland	07/15/2004	Board heard case		\$140,800.00	
	LEC020647	(Homestead) - Junk Code	08/04/2014	Staff inspected property - Not In Compliance			
District 2		1307 Southern Drive	08/20/2015	Board directed staff to send the 1st Notice of possible foreclosure actions.			
06/03/2005	05-005	Roger Malebranche	11/21/2005	In Compliance. Fine unpaid	\$3,915.00		
	LEC030734	(Homestead) - Junk Code	02/03/2011	Staff inspected property - Not In Compliance			
District 2		1347 Yons Place	09/04/2015	Reminder letter			
09/01/2005	05-014	Matthew B. Williams	09/01/2005	Board heard case	\$127,885.00		
	LEC040728	(Homestead) - Junk Code	07/16/2014	Staff inspected property - Not In Compliance			
District 2		1984 Register Road	09/04/2015	Reminder letter			

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
09/26/2005	05-016	Kalheinz Bartell New Owner	08/21/2014	Staff inspected property - Not In Compliance		\$126,975.00	
	LEC040199	(Non-Homestead) - Junk Code	10/15/2015	Board directed staff to send the 1st Notice of possible foreclosure actions.			
District 2		3500 Friday Street					
08/07/2006	06-020	Lamar & Monica E.R. Dukes	11/17/2006	In Compliance. Fine unpaid			\$2,480.00
	LEC050147	(Non-Homestead) - Junk Code	09/20/2012	Board directed staff to refer case to CAO to begin foreclosure proceeding			
District 1		2433 Windy Pine Way					
11/30/2006	06-050	James R. Woodruff, Jr.	03/19/2007	In Compliance. Fine unpaid	\$2,445.00		
	LEC050835	(Homestead) - Junk Code	08/27/2014	Staff inspected property -Not In Compliance			
District 2		7567 Maige Lane	09/04/2015	Reminder letter			
01/25/2007	06-059	Gordon L. Smith & Amy L.	02/27/2009	In Compliance. Fine unpaid	\$25,475.00		
	LEC050754	(Homestead) - Junk Code	08/27/2014	Staff inspected property - Not In Compliance			
District 2		8483 E. Belk Drive	09/04/2015	Reminder letter			
05/01/2007	07-020	Ronald Pontones	04/19/2007	Board heard case.	\$106,605.00		
	LEC060460	(Homestead) - Junk Code	08/12/2014	Staff inspected property - Not In Compliance			
District 2		9406 Barwick Drive	09/04/2015	Reminder letter			
05/01/2007	07-052	Douglas & A.L. Renken	04/19/2007	Board heard case	\$10,500.00		
	LEC070217	(Homestead) - Junk Code	04/27/2007	In Compliance. Fine unpaid			
District 4		6601 Tim Tam Trail	09/04/2015	Reminder letter			
07/06/2007	07-060	Jesse L. & Beverly Y. Metz	09/01/2009	In Compliance. Fine unpaid	\$26,140.00		
	LEC070129	(Homestead) - Junk Code	08/04/2014	Staff inspected property - Not in Compliance.			
District 1		8224 Pin Oak Road	09/04/2015	Reminder letter			
06/01/2007	07-063	Felicia Riley	05/17/2007	Board heard case.	\$105,590.00		
	LEC060218	(Homestead) - Junk Code	09/12/2014	Staff inspected property - Not in Compliance.			
District 1		4457 Lost Pine Drive	09/04/2015	Reminder letter			
05/31/2007	07-072	Joshua Kelley (New Owner)	01/21/2010	Board directed staff to send to CAO to begin foreclosure proceedings			\$105,590.00
	LEC060348	(Non-Homestead) - Junk Code	09/05/2012	Staff inspected property - Not in Compliance.			
District 2		1100 (1104) Cottonwood Ln					
07/30/2007	07-088	Lewis P. Powell, Sr. & A.J.	01/10/2008	In Compliance. Fine unpaid	\$3,670.00		
	LEC060496	(Homestead) - Junk Code	08/27/2014	Staff inspected property - Not In Compliance.			
District 3		4445 Blue Bill Pass	09/04/2015	Reminder letter			
07/30/2007	07-091	Robert B. Pompey Jr	07/19/2007	Board heard case	\$102,405.00		
	LEC070101	(Homestead) - Junk Code	08/04/2014	Staff inspected property - Not In Compliance.			
District 1		4601 Shelfer Road	09/04/2015	Reminder letter			

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
07/30/2007	07-093	Ensley Lee Marks, Sr.	08/31/2007	Owner has not received req'd permit. Not In Compliance	\$738,500.00		
	LEC060603	(Homestead) - Building Code	09/10/2007	Filed Order Imposing Fine and Notice of Lien			
District 2		10715 Tebo Trail	09/04/2015	Reminder letter			
09/27/2007	07-115	Elaine Sarkkinen	04/17/2008	Board directed staff to refer to CAO to begin			\$101,425.00
	LEC060620	(Non-Homestead) - Mowing	08/21/2012	Staff inspected property - Not in Compliance.			
District 2		402 Big Richard Road					
11/29/2007	07-137	James D. & K.Y. Thomas	09/26/2012	Staff inspected property - Not in Compliance	\$99,220.00		
	LEC070109	(Homestead) - Junk Code	09/04/2015	Reminder letter			
District 1		5047 Dry Gulch Court					
01/29/2008	08-007	Frank S. & SL Stephens	04/08/2008	Staff checked PETS, owners have not received req'd inspections - Not in Compliance	\$683,000.00		
	LEC040454	(Homestead) - Building Code	04/21/2008	Filed Order Imposing Fine and Notice of Lien			
District 2		3391 Whippoorwill Drive	09/04/2015	Reminder letter			
04/07/2008	08-040	Joshua Kelley (New Owner)	03/20/2008	Board heard case			\$676,250.00
	LEC070320	(Non-Homestead)-Building Code	01/21/2010	Board directed staff to send to the CAO to begin foreclosure proceedings			
District 2		1100 Cottonwood Lane	09/05/2012	Staff inspected property - Not In Compliance			
03/25/2009	08-053	Edward C. Medlin, Jr.	03/19/2009	Board heard case	\$79,795.00		
	LEC070939	(Homestead) - Junk Code	08/19/2015	In Compliance. Fine unpaid			
District 2		3392 Whippoorwill Drive	09/04/2015	Reminder letter			
05/01/2008	08-062	H. Wayne Weaver & GF Weaver Trust	04/17/2008	Board heard case	\$62,500.00		
	LEC070502	(Homestead) - Building Code	03/06/2009	In Compliance. Fine unpaid			
District 4		1394 Manor House Drive	09/04/2015	Reminder letter			
08/04/2008	08-095	Mary L. Woods	07/17/2008	Board heard case	\$1,745.00		
	LEC070905	(Homestead) - Junk Code	10/20/2008	In Compliance. Fine unpaid			
District 2		5018 Sarav Way	09/04/2015	Reminder letter			
08/04/2008	08-098	Jaime Nicole Little	07/17/2008	Board heard case			\$638,500.00
	LEC080153	(Non-Homestead) - Building	05/10/2010	Staff inspected property - Not In Compliance			
District 2		11000 Bright Star Circle	07/15/2010	Board directed staff to send CAO to begin foreclosure proceedings			

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
08/04/2008	08-099	Jaime Nicole Little	07/17/2008	Board heard case			\$152,000.00
	LEC080260	(Non-Homestead) - Building Code: Pool	05/10/2010	In Compliance. Fine unpaid			
District 2		11000 Bright Star Circle	07/15/2010	Board directed staff to send CAO to begin foreclosure proceedings			
02/04/2009	09-005	Douglas E. & A.L. Renken	01/15/2009	Board heard case	\$229,000.00		
	LEC081156	(Homestead)-Junk: 2nd Repeat	02/10/2009	Filed Order Imposing Fine and Notice of Lien			
District 4		6601 Tim Tam Trail	03/17/2010	In Compliance. Fine unpaid			
06/04/2009	09-031	Harry Brown c/o Aragon Riley	05/21/2009	Board heard case			\$570,250.00
	LEC080014	(Non-Homestead)-Building Code	04/15/2010	Board directed staff to send to CAO to begin foreclosure proceedings			
District 4		4052 Crump Road					
07/24/2009	09-045	Cory Wonsey (New Owner)	07/16/2009	Board heard case			\$78,150.00
	LEC080128	(Non-Homestead) - Junk Code	05/20/2010	Board directed staff to send to CAO to begin foreclosure proceedings			
District 2		1172 Cottonwood Lane					
07/24/2009	09-046	Ed Michael Jefferson	09/26/2012	Staff inspected property - Not in Compliance	\$78,150.00		
	LEC080137	(Homestead) - Junk Code	09/04/2015	Reminder Letter			
District 1		4056 Buster Lane					
07/24/2009	09-058	Michael B. Quinlan	07/16/2009	Board heard case	\$530,750.00		
09/01/2009	LEC080356	(Homestead) - Building Code	03/15/2010	Filed Order Imposing Fine and Notice of Lien			
District 3		2606 Hastings Drive	09/04/2015	Reminder letter			
12/08/2009	09-103	Mary J. Williams	11/19/2009	Board heard case			\$523,500.00
	LEC090230	(Non-Homestead)-Building Code	08/16/2012	Board directed staff to send to CAO to begin foreclosure proceedings			
District 1		4065 Morgan Road					
02/04/2010	10-011	David E. Brumley	07/15/2010	Board directed staff to send the 1st notice of		\$68,140.00	
	LEC090239	(Non-Homestead) - Junk Code	07/01/2015	In Compliance. Fine unpaid			
District 2		5057 Tillie Lane					
04/01/2010	10-027	Angela & JB McCoy	03/18/2010	Board heard case			\$69,365.00
	LEC090816	(Non-Homestead) - Junk Code	01/20/2011	Board directed staff to CAO to begin foreclosure proceedings			
District 4		8839 Divine Way	09/05/2012	Staff inspected property - Not in Compliance			

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
04/01/2010	10-039	Steve & Donna L. Jenkins	03/18/2010	Board heard case			\$69,365.00
	LEC090705	(Non-Homestead) - Mowing	05/03/2010	Staff inspected property - Not in Compliance			
District 3		5770 Japonica Court	01/20/2011	Board directed staff to CAO to begin foreclosure proceedings			
06/03/2010	10-052	Margaret E. Raines	05/20/2010	Board heard case	\$5,105.00		
	LEC091070	(Homestead) - Junk Code	12/10/2010	In Compliance. Fine unpaid			
District 5		5708 Woodvalley Road	09/04/2015	Reminder letter			
08/30/2010	10-079	Patrick O. & Sheryl L. Phillips	10/22/2010	Filed Order Imposing Fine and Notice of Lien	\$456,750.00		
	LEC091164	(Homestead) - Building Code	08/17/2015	Staff inspected property - Not in Compliance			
District 3		3807 Rolf Drive	09/04/2015	Reminder letter			
09/23/2010	10-089	Richard & Angela Messer	09/16/2010	Board heard case	\$63,205.00		
	LEC100244	(Homestead) - Junk Code	08/04/2014	Staff inspected property - Not in Compliance			
District 2		2005 Shady Wood Trail	09/04/2015	Reminder letter			
09/23/2010	10-090	Richard & Angela Messer	09/16/2010	Board heard case	\$443,500.00		
	LEC100245	(Homestead)- Building Code	12/13/2010	Filed Order Imposing Fine and Notice of Lien			
District 2		2005 Shady Wood Trail	09/04/2015	Reminder letter			
11/04/2010	10-099	Sharon Smith	10/21/2010	Board heard case			\$61,735.00
	LEC100291	(Non-Homestead) - Junk Code	11/15/2012	Board directed staff to send to CAO to begin foreclosure proceedings			
District 1		462 Long Pine Drive					
10/21/2010	10-100	Sharon Smith	10/21/2010	Board heard case			\$440,500.00
	LEC100301	(Non-Homestead)-Building Code	11/15/2012	Board directed staff to send to CAO to begin foreclosure proceedings			
District 1		462 Long Pine Drive	08/04/2014	Staff inspected property - Not in Compliance			
08/04/2011	11-029	Life Estate of Geneva Thompson	07/21/2011	Board heard case			\$52,215.00
	LEC100973	(Non-Homestead) - Junk Code	07/18/2013	Board directed staff to send to CAO to begin foreclosure proceedings			
District 3		1015 Gardner Road					
08/04/2011	11-030	Sharon Smith	07/21/2011	Board heard case			\$52,215.00
	LEC100958	(Non-Homestead) - Mowing Code	11/15/2012	Board directed staff to send to CAO to begin foreclosure proceedings			
District 1		462 Long Pine Drive	08/04/2014	Staff inspected property - Not in Compliance			
10/03/2011	11-049	Lamar Dukes Estate & Monica E.R. Dukes	09/15/2011	Board heard case			\$50,220.00
	LEC101039	(Non-Homestead) - Mowing Code	09/20/2012	Board directed staff to send to CAO to begin foreclosure proceedings			
District 1		2433 Windy Pine Way	08/04/2014	Staff inspected property - Not in Compliance			

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
10/03/2011	11-050	Lamar Dukes Estate & Monica E.R. Dukes	09/15/2011	Board heard case			\$358,250.00
	LEC101040	(Non-Homestead)-Building Code	09/20/2012	Board directed staff to send to CAO to begin foreclosure proceedings			
	District 1	2433 Windy Pine Way					
10/03/2011	11-053	Clifford Rivers (New Owner)	09/15/2011	Board heard case		\$56,704.65	
	LEC110056	(Non-Homestead)-Building Code	04/28/2015	Property sold at Tax Auction			
	District 1	4317 Conifer Street	08/28/2015	New Owner Notification mailed			
11/04/2011	11-064	Shane S. Laufman	10/20/2011	Board heard case			\$349,750.00
	LEC110141	(Non-Homestead)-Building Code	10/16/2014	Board directed staff to send the 1st Notice of possible foreclosure			
	District 2	10497 Elgin Lane	09/17/2015	Board directed staff to send to CAO to begin foreclosure proceedings			
02/27/2012	12-002	Arrowhead Consolidated Holdings LLC (New Owner)	02/16/2012	Board heard case			\$44,935.00
	LEC110450	(Non-Homestead) - Junk Code	09/19/2013	Board directed staff to send to CAO to begin foreclosure proceedings			
	District 2	7498 Southern Country Ln	08/27/2014	Staff inspected property - Not in Compliance			
02/08/2012	12-003	Edward Rodgers & Sandra Trahan	01/19/2012	Board heard case			\$45,600.00
	LEC110392	(Non-Homestead) - Junk Code	11/20/2014	Board directed staff to send the 1st Notice of			
	District 2	368 Post Oak Drive	10/15/2015	Board directed staff to send to CAO to begin foreclosure proceedings			
02/08/2012	12-007	Household Finance Corp	01/19/2012	Board heard case			\$45,600.00
	LEC110447	(Non-Homestead) - Mowing Code	03/21/2013	Board directed staff to send to CAO to begin foreclosure proceedings			
	District 2	5017 Sarav Way					
02/08/2012	12-008	Christopher M. Shepard	01/19/2012	Board heard case			\$45,600.00
	LEC110333	(Non-Homestead) - Mowing Code	03/21/2013	Board directed staff to send to CAO to begin foreclosure proceedings			
	District 2	3641 WW Kelly Road					
04/04/2012	12-025	Deloris McCov	03/15/2012	Board heard case	\$43,675.00		
	LEC110682	(Homestead) - Junk Code	05/17/2012	Filed Order Imposing Fine and Notice of Lien			
	District 5	2308 Lou Ann Court	09/04/2015	Reminder letter			
06/28/2012	12-028	Loretta Williams	06/21/2012	Board heard case			\$40,630.00
	LEC110891	(Non-Homestead) - Junk Code	08/15/2013	Board directed staff to send to CAO to begin foreclosure proceedings			
	District 4	4859 Anhinga Lane					

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
06/28/2012	12-029	Gabe Smith Jr Life Estate	06/21/2012	Board heard case			\$43,630.00
	LEC110892	(Non-Homestead) - Junk Code	08/15/2013	Board directed staff to send to CAO to begin foreclosure proceedings			
District 4		4868 Anhinga Lane					
04/30/2012	12-034	Danny Ray & Joyce M. Hutto	04/19/2012	Board heard case			\$266,000.00
	LEC110792	(Non-Homestead)-Buildiing Code	09/19/2013	Board directed staff to send to CAO to begin foreclosure proceedings			
District 2		1832 T and T Road					
08/08/2012	12-049	Andrew R. & Sarah E. Crumper	07/19/2012	Board heard case		\$33,070.00	
	LEC120025	(Non-Homestead) - Junk Code	09/19/2014	Tax Deed reflects change in Homestead status			
District 5		1349 Blockford Court	04/07/2015	In Compliance. Fine unpaid			
08/08/2012	12-050	Andrew R. & Sarah E. Crumper	07/19/2012	Board heard case		\$33,070.00	
	LEC120026	(Non-Homestead) - Mowing	09/18/2014	Tax Deed reflects change in Homestead status			
District 5		1349 Blockford Court	04/07/2015	In Compliance. Fine unpaid			
11/28/2012	12-071	James E. Shaper	02/20/2014	Board directed staff to send to CAO to begin foreclosure proceedings			\$1,000.00
	LEC120384	(Non-Homestead) - Mowing	06/30/2015	In Compliance. Fine unpaid			
District 3		5500 Split Oak Court					
02/18/2013	13-001	Lillian Inez Miller	01/17/2013	Board heard case		\$259,500.00	
	LEC120772	(Non-Homestead)- Junk Code Repeat	02/20/2014	Board directed staff to send the 1st Notice of possible foreclosure			
District 1		4011 Buster Road					
03/05/2013	13-002	Mary L. Woods	02/21/2013	Board heard case	\$301,250.00		
	LEC120400	(Homestead) - Junk Code	03/21/2013	Filed Order Imposing Fine and Notice of Lien			
District 2		5018 Sarav Way	09/04/2015	Reminder letter mailed			
02/18/2013	13-007	William Parker, April Thompson, Samuel Thompson	01/17/2013	Board heard case		\$32,440.00	
	LEC120565	(Non-Homestead) - Mowing	03/19/2013	Staff inspected property - Not in Compliance			
District 2		1911 Sika Deer Dr	06/10/2013	Filed Order Imposing Fine and Notice of Lien			
03/05/2013	13-016	Evans & Victoria Tettey	02/21/2013	Board heard case	\$31,880.00		
	LEC120237	(Homestead) - Junk Code	06/10/2013	Filed Order Imposing Fine and Notice of Lien			
District 3		2624 Nez Perce Trail	09/04/2015	Reminder letter			
04/10/2013	13-029	Tallahassee Lassie 2, LLC	03/21/2013	Board heard case			\$9,550.00
	LEC120705	(Non-Homestead) - Mowing	02/05/2014	In Compliance. Fine unpaid			
District 5		8304 Balmoral Drive	07/17/2014	Board directed staff to send to CAO to begin foreclosure proceedings			

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
04/10/2013	13-031	Juan A Gibson	03/21/2013	Board heard case		\$224,000.00	
	LEC120629	(Non-Homestead) - Min. Housing Code	04/18/2013	Staff checked PETS, Required permit not obtained - Not in Compliance			
District 3		4965 Gearhart Rd	06/10/2013	Filed Order Imposing Fine and Notice of Lien			
06/07/2013	13-040	INA Group (New Owner)	05/16/2013	Board heard case			\$28,625.00
	LEC130068	(Non-Homestead) - Junk Code	09/18/2014	Board directed staff to send to CAO to begin foreclosure proceedings			
District 2		9745 Snail Street	08/28/2015	New owner notification mailed			
07/31/2013	13-041	Savannah Sanders	07/18/2013	Board heard case			\$190,500.00
	LEC120760	(Non-Homestead)- Building Code	07/17/2014	Board directed staff to send to CAO to begin foreclosure proceedings			
District 1		1506 Crown Ridge Rd					
06/07/2013	13-044	Alicia A. Howell	05/16/2013	Board heard case			\$28,625.00
	LEC130036	(Non-Homestead) - Junk Code	03/04/2014	Staff inspected property - Not in Compliance			
District 1		8486 Colbert Rd	03/20/2014	Board directed staff to send to CAO to begin foreclosure proceedings			
06/07/2013	13-045	Alicia A. Howell	05/16/2013	Board heard case			\$46,500.00
	LEC130035	(Non-Homestead)-Building Code	01/09/2014	In Compliance. Fine unpaid			
District 1		8486 Colbert Rd	03/20/2014	Board directed staff to send to CAO to begin foreclosure proceedings			
06/07/2013	13-046	INA Group (New Owner)	05/16/2013	Board heard case			\$204,000.00
	LEC130066	(Non-Homestead)-Building Code	09/18/2014	Board directed staff to send to CAO to begin foreclosure proceedings			
District 2		9745 Snail Street	08/28/2015	New owner notification mailed			
08/15/2013	13-048	James & Kimberly Prine	07/18/2013	Board heard case - Declared property a public nuisance		\$3,075.00	
	LEC130047	(Non-Homestead) Bldg/Junk abatement	10/31/2013	In Compliance. Fine unpaid			
District 2		9523 Lance Rd	01/17/2014	Filed Order Imposing Fine and Notice of Lien			
07/31/2013	13-051	Atlas Fl I SP LTD Partnership	07/18/2013	Board heard case		\$1,500.00	
	LEC130148	(Non-Homestead) - Junk Code	10/10/2013	In Compliance. Fine unpaid			
District 5		Hill N Dale Dr S	03/19/2015	Board directed staff to send the 1st Notice of possible foreclosure			

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
07/31/2013	13-053	Petrandis Mortgage & Invest	07/18/2013	Board heard case			\$3,750.00
	LEC130058	(Non-Homestead)-Building Code	09/13/2013	In Compliance. Fine unpaid			
District 3		5055 Crystal Brook Ln	07/17/2014	Board directed staff to send to CAO to begin foreclosure proceedings			
09/03/2013	13-059	Charles & SL Fedrick	08/15/2013	Board heard case	\$25,510.00		
	LEC130099	(Homestead) - Junk Code	01/16/2014	Filed Order Imposing Fine and Notice of Lien			
District 1		4704 Hibiscus Ave	09/04/2015	Reminder letter			
09/03/2013	13-065	Adventrues Three, LLC	06/26/2014	In Compliance. Fine unpaid			\$9,375.00
	LEC130174	(Non-Homestead) - Mowing Code	10/16/2014	Board directed staff to send to CAO to begin foreclosure proceedings			
District 2		6330 Crawfordville Rd					
10/03/2013	13-075	James M. Skipper	09/19/2013	Board heard case			\$174,250.00
	LEC130241	(Non-Homestead)-Building Code	11/20/2014	Board directed staff to send to CAO to begin foreclosure proceedings			
District 3		7244 Newfield Drive					
06/24/2015	13-076	Iskcon of Tallahassee, Inc.	09/19/2013	Board heard case		\$56,750.00	
	LEC130271	(Non-Homestead)-Building Code	01/06/2015	Staff inspected property - Not in Compliance			
District 1		4595 Crawfordville Road	03/11/2015	Filed Order Imposing Fine and Notice of Lien			
11/06/2013	13-085	Thomas Schmokel	10/17/2013	Board heard case	\$23,270.00		
	LEC130437	(Homestead) - Junk Code	01/16/2014	Filed Order Imposing Fine and Notice of Lien			
District 1		810 Brent Drive	06/04/2015	Reminder letter			
11/06/2013	13-087	Sabrina Truman	10/17/2013	Board heard case		\$23,270.00	
	LEC130368	(Non-Homestead) - Mowing	07/31/2015	Reminder letter			
District 3		5195 Water Valley Dr	08/21/2015	Tax Deed reflects a change in Homestead status			
12/06/2014	13-098	Joseph F. & G.A. Goodie	11/21/2013	Board heard case		\$56,750.00	
	LEC130382	(Non-Homestead)-Building Code	03/03/2015	Staff inspected property - Not in Compliance			
District 2		4554 Singleton Drive	03/20/2015	Filed Order Imposing Fine and Notice of Lien			
01/31/2014	14-011	Robert F Langford, Jr.	05/09/2014	Staff inspected property - Not In Compliance		\$144,250.00	
	LEC130358	(Non-Homestead)-Building Code	05/30/2014	Filed Order Imposing Fine and Notice of Lien			
District 1		4368 Lost Pine Drive	09/17/2015	Board directed staff to send the 1st Notice of			
01/31/2014	14-014	Aaron & Rosa Ervin	01/16/2014	Board heard case	\$19,500.00		
	LEC130615	(Homestead) - Building Code	05/04/2015	In Compliance. Fine unpaid			
District 5		13665 Driftwood Court	09/04/2015	Reminder letter			

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
05/30/2014	14-020	John Eric Neely	05/15/2014	Board heard case		\$4,335.00	
	LEC130731	(Non-Homestead)-Mowing Code	10/29/2014	In Compliance. Fine unpaid			
District 2		19532 Ben Talquin Trace	11/20/2014	Board directed staff to send the 1st Notice of possible foreclosure			
04/17/2014	14-034	Terry D. Williams	03/20/2014	Board heard case			\$125,500.00
	LEC131072	(Non-Homestead) - Junk Code	01/15/2015	Board directed staff to send to CAO to begin foreclosure proceedings			
District 4		7836 Centerville Rd					
04/17/2014	14-035	Terry D. Williams	03/20/2014	Board heard case			\$17,635.00
	LEC131068	(Non-Homestead)-Building Code	01/15/2015	Board directed staff to send to CAO to begin foreclosure proceedings			
District 4		7836 Centerville Rd					
04/17/2014	14-036	Terry D. Williams	03/20/2014	Board heard case			\$17,635.00
	LEC131069	(Non-Homestead) - Mowing Code	01/15/2015	Board directed staff to send to CAO to begin foreclosure proceedings			
District 4		7836 Centerville Rd					
04/29/2014	14-042	Ronald Singleton	04/17/2014	Board heard case	\$17,180.00		
	LEC130861	(Homestead) - Junk Code	09/18/2014	Filed Order Imposing Fine and Notice of Lien			
District 1		4030 Morgan Road	09/04/2015	Reminder letter			
04/29/2014	14-044	Cedrick Frazier	09/23/2014	Filed Order Imposing Fine and Notice of Lien.	\$6,435.00		
	LEC130944	(Non-Homestead) - Junk Code	01/26/2015	In Compliance. Fine unpaid			
District 1		4025 Bishop Rd.	09/04/2015	Reminder letter			
05/30/2014	14-050	Tina Louise Tongen	05/15/2014	Board heard case			\$16,130.00
	LEC131093	(Non-Homestead) - Junk Code	07/01/2014	Staff inspected property - Not in Compliance			
District 3		1676 Talpeco Road	08/20/2015	Board directed staff to send to CAO to begin foreclosure proceedings			
05/30/2014	14-051	Tina Louise Tongen	05/15/2014	Board heard case			\$16,130.00
	LEC131094	(Non-Homestead) - Mowing Code	08/20/2015	Board directed staff to send to CAO to begin foreclosure proceedings			
District 3		1676 Talpeco Road					
08/06/2014	14-062	Emmett L. and Richard L. Owens	07/17/2014	Board heard case	\$13,715.00		
	LEC130799	(Homestead) - Junk Code	09/19/2014	Filed Order Imposing Fine and Notice of Lien.			
District 5		3628 Chaires Cross Road	09/04/2015	Reminder letter			
09/03/2014	14-065	John Coulter	08/21/2014	Board heard case		\$12,700.00	
	LEC130819	(Non-Homestead) - Junk Code	11/21/2014	Filed Order Imposing Fine and Notice of Lien			
District 1		4288 Sand Pine Drive	08/20/2015	Board directed staff to send the 1st Notice of			

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
09/03/2014	14-074	Lizetta and Gregory O'keith	08/21/2014	Board heard case	\$12,210.00		
	LEC131132	(Homestead) - Junk Code	11/21/2014	Filed Order Imposing Fine and Notice of Lien			
District 1		8004 Pin Oak Road	09/04/2015	Reminder letter			
09/03/2014	14-076	John Coulter	08/21/2014	Board heard case		\$2,515.00	
	LEC131140	(Non-Homestead) - Junk Code	11/21/2014	Filed Order Imposing Fine and Notice of Lien			
District 1		8033 Pin Oak Road	12/16/2014	In Compliance. Fine unpaid			
09/03/2014	14-078	Hot Pepper Properties,LLC	08/21/2014	Board heard case		\$2,200.00	
	LEC131158	(Non-Homestead) - Junk Code	11/21/2014	Filed Order Imposing Fine and Notice of Lien			
District 1		8105 Blackjack Road	12/03/2014	In Compliance. Fine unpaid			
10/08/2014	14-089	Robert Strong	09/18/2014	Board heard case	\$1,185.00		
	LEC140085	(Homestead) - Junk Code	12/11/2014	In Compliance. Fine unpaid			
District 1		1795 Monday Court	09/04/2015	Reminder letter			
10/28/2014	14-092	John and Cassandra Hightower	10/16//2014	Board heard case	\$9,795.00		
	LEC140134	(Homestead) - Junk Code	01/16/2015	Filed Order Imposing Fine and Notice of Lien			
District 5		2042 Little River Lane	09/04/2015	Reminder letter			
10/30/2014	14-096	Robert Lee Williams Life Estate, Brenda Arnett & Elizabeth Williams	10/16/2015	Board heard case	\$8,710.00		
	LEC140032	(Homestead) - Junk Code	03/20/2015	Filed Order Imposing Fine and Notice of Lien			
District 2		9821 Fair Oaks Ln	09/04/2015	Reminder letter			
10/28/2014	14-097	E.A Kunkler	10/16//2014	Board heard case		\$1,745.00	
	LEC140181	(Non-Homestead) - Junk Code	01/16/2015	Filed Order Imposing Fine and Notice of Lien			
District 2		2715 (2719) Cricket Road	02/18/2015	In Compliance. Fine unpaid			
12/02/2014	14-101	B. J. Coulter Properties LLC	11/20//2014	Board heard case		\$9,550.00	
	LEC131201	(Non-Homestead) - Junk Code	01/07/2015	Staff inspected property - Not in Compliance			
District 1		8107 Turkey Oak Court	01/16/2015	Filed Order Imposing Fine and Notice of Lien			
12/02/2014	14-102	Jamie Hargrove	11/20//2014	Board heard case		\$9,550.00	
	LEC131184	(Non-Homestead) - Mowing	01/07/2015	Staff inspected property - Not in Compliance			
District 1		8417 Blackjack Road	01/16/2015	Filed Order Imposing Fine and Notice of Lien			
12/02/2014	14-105	BJ Coulter Properties (New Owner)	11/20//2014	Board heard case		\$6,750.00	
	LEC140563	(Non-Homestead)-Building Code	01/16/2015	Filed Order Imposing Fine and Notice of Lien			
District 1		3003 Baron Lane	01/29/2015	In Compliance. Fine unpaid			

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
01/30/2015	15-001	Ernest V. Goram, Jr. & Elizabeth A. Shuford	01/15/2015	Board heard case.	\$7,555.00		
	LEC140754	(Homestead) - Junk Code	03/20/2015	Filed Order Imposing Fine and Notice of Lien			
District 3		2044 Shady Oaks Drive	09/04/2015	Reminder letter			
03/16/2015	15-017	Bridget Straight	02/19/2015	Board heard case.	\$315.00		
	LEC140529	(Homestead) - Junk Code	08/26/2015	In Compliance, Fine Unpaid.			
District 2		9291 Elgin Road	09/04/2015	Reminder letter			
03/16/2015	15-019	DW Property, Inc.	02/19/2015	Board heard case.		\$5,945.00	
	LEC140535	(Non-Homestead) - Junk Code	04/21/2015	Staff inspected property, Not in Compliance			
District 1		2528 Shadowwood Drive	05/26/2015	Filed Order Imposing Fine and Notice of Lien			
03/16/2015	15-020	Thoedore Gary, Franklin Green & Virginia Gary	02/19/2015	Board heard case.		\$5,945.00	
	LEC140252	(Non-Homestead) - Mowing	04/21/2015	Staff inspected property, Not in Compliance			
District 3		4139 B Williams Lane	05/26/2015	Filed Order Imposing Fine and Notice of Lien			
05/07/2015	15-024	Katia White & Claribel Cantillo	04/16/2015	Board heard case.		\$4,195.00	
	LEC140718	(Non-Homestead) - Junk Code	06/09/2015	Staff inspected property, Not in Compliance			
District 1		114 Ponce De Leon	08/06/2015	Filed Order Imposing Fine and Notice of Lien			
05/07/2015	15-027	Katia White & Claribel Cantillo	04/16/2015	Board heard case.		\$4,195.00	
	LEC140719	(Non-Homestead) - Mowing	06/09/2015	Staff inspected property, Not in Compliance			
District 1		114 Ponce De Leon	08/06/2015	Filed Order Imposing Fine and Notice of Lien			
05/07/2015	15-028	Sharon D. Dubose	04/16/2015	Board heard case.		\$4,195.00	
	LEC140706	(Homestead) - Junk Code	06/09/2015	Staff inspected property, Not in Compliance			
District 1		4708 Hibiscus Avenue	08/06/2015	Filed Order Imposing Fine and Notice of Lien			
06/15/2015	15-035	Michael L. & K.A. Newton	05/21/2015	Board heard case.		\$2,760.00	
	LEC140787	(Non-Homestead) - Junk Code	07/21/2015	Staff inspected property, Not in Compliance			
District 1		4285 Slash Pine Lane	08/06/2015	Filed Order Imposing Fine and Notice of Lien			
06/15/2015	15-036	Gloria Y. & Clarence G. Washington	05/21/2015	Board heard case.	\$2,760.00		
	LEC140764	(Homestead) - Junk Code	08/06/2015	Filed Order Imposing Fine and Notice of Lien			
District 1		1444 Breck Drive	09/04/2015	Reminder letter			
06/15/2015	15-041	Christinana Trust	05/21/2015	Board heard case.		\$2,760.00	
	LEC150164	(Non-Homestead) - Mowing	07/22/2015	Staff inspected property, Not in Compliance			
District 5		5857 Nightingale Loop	08/06/2015	Filed Order Imposing Fine and Notice of Lien			
07/31/2015	15-051	William D. Watson	07/16/2015	Board heard case.		\$13,000.00	
	LEC140740	(Non-Homestead) - Min.	08/11/2015	Staff inspected property, Not in Compliance			
District 3		5729 Eunice Court	08/21/2015	Filed Order Imposing Fine and Notice of Lien			

ORDER DATE:	CASE NO.:	OWNER(S) NAME:	STATUS DATE:	STATUS:	HOMESTEAD FINE AMOUNT	NON-HOMESTEAD FINE AMOUNT	AMOUNT REFERRED TO CAO
09/01/2015	15-060	Korbin & Phyliss Laiminger	08/20/2015	Board heard case.		\$25,250.00	
	LEC150580	(Non-Homestead) Mowing Code Repeat	10/08/2015	Staff inspected property, Not in Compliance			
District 2		3250 Lakeview Drive	10/28/2015	Filed Order Imposing Fine and Notice of Lien			
09/01/2015	15-062	Mellie Delores Clark	08/20/2015	Board heard case.		\$35,000.00	
	LEC150675	(Non-Homestead) - Building Code Repeat	09/29/2015	Staff inspected property, Not in Compliance			
District 4		6636 Tim Tam Trail	11/05/2015	Filed Order Imposing Fine and Notice of Lien			
					\$4,511,665.00	\$1,412,884.65	\$7,398,530.00
		GRAND TOTAL					\$13,323,079.65
Updated 09/30/2015		TOTAL NUMBER OF CEB CASES	118				

COMPARISON OF CODE ENFORCEMENT BOARD ACTIVITY

ACTIVITY	03-04	04-05	05-06	07-08	08-09	09-10	10-11	11-12	12-13	13-14	14-15
Breakdown of Cases Heard:											
EMA Code	1	3	2	1	6	1	6	1	0	1	0
Junk Code	16	13	31	69	63	30	27	31	27	47	36
Zoning	1	0	1	0	9	0	1	0	0	2	1
Building	3	8	11	14	10	27	15	14	12	8	3
Unsafe Building	1	0	4	6	10	11	11	9	18	7	7
Electrical Code	0	0	0	0	0	0	0	0	0	0	0
Minimum Housing	0	0	0	4	0	1	1	0	2	5	2
Mowing	0	0	0	8	2	4	8	6	11	20	16
Flthy Fluids	0	0	0	0	0	0	0	0	0	0	0
Total Cases Heard by CEB	22	24	49	102	93	74	69	61	70	90	65
Cases Dismissed	0	1	0	1	6	4	0	1	0	0	0
Cases Withdrawn	1	0	0	1	0	0	1	0	2	3	2
In Compliance		0	0	0	3	0	0	0	1	0	0
Staff Reconsideration	0	0	0	0	0	2	0	0	1	3	2
Change of Ownership	1	0	0	0	0	0	0	0	0	0	0
Deadline not Expired	0	6	11	0	3	13	6	4	9	17	11
Cases Found in Compliance by CEB deadline	8	9	20	54	42	36	21	32	35	42	28
Cases not Found in Compliance by CEB deadline	8	9	18	40	39	19	23	21	21	26	26
Board Assessed Fines	\$69,139	\$84,130	\$205,190	\$359,030	\$388,305	\$700,895	\$466,365	\$312,220	\$464,290	\$193,015	\$171,230
Staff Recommended-Reductions	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$199,115	\$61,765
Board Action-Reductions	\$15,500	\$103,634	\$524,780	\$4,044,202	\$522,880	\$700,959	\$449,545	\$1,141,170	\$897,515	\$499,945	\$615,050
Fines Collected*	\$31,586	\$11,230	\$12,392	\$36,813.36	\$18,971.96	\$13,202.09	\$13,130.00	\$12,680	\$18,020	\$4,540	\$13,680

* Fine Collection is not necessarily collected in the same fiscal year as assessed.

**CASES REFERRED TO CAO FOR FORECLOSURE ON NON-HOMESTEAD PROPERTIES
FY 2014-2015**

HEARING DATE:	CASE NO:	RESPONDENT NAME:	ADDRESS	FINE AMOUNT	DATE REFERRED TO CAO
09/18/2003	03-023 LEC020535	Michael & Maureen Crew	7485 Southern Country Ln Not in Compliance	\$44,445.00	03/19/2015
10/20/2011	11-064 LEC110141	Shane S. Laufman	10497 Elgin Lane Not in Compliance	\$349,750.00	09/17/2015
08/15/2013	13-065 LEC130174	Adventures Three, LLC	6330 Crawfordville Road In Compliance	\$9,375.00	10/16/2014
09/19/2013	13-075 LEC130241	James M. Skipper	7244 Newfield Drive Not in Compliance	\$174,250.00	11/20/2014
03/20/2014	14-034 LEC131072	Terry D. Williams	7836 Centerville Road Not in Compliance	\$125,500.00	01/15/2015
03/20/2015	14-035 LEC131068	Terry D. Williams	7836 Centerville Road Not in Compliance	\$17,635.00	01/15/2015
03/20/2015	14-036 LEC131069	Terry D. Williams	7836 Centerville Road Not in Compliance	\$17,635.00	01/15/2015
05/15/2014	14-050 LEC131093	Tina Louise Tongen	1676 Talpeco Road Not in Compliance	\$16,130.00	08/20/2015
05/15/2014	14-051 LEC131094	Tina Louise Tongen	1676 Talpeco Road Not in Compliance	\$16,130.00	08/20/2015
			Grand Total	\$770,850.00	

NOTE: Fine amount reflects the amount accrued at the end of FY 14/15.

**Leon County
Board of County Commissioners**

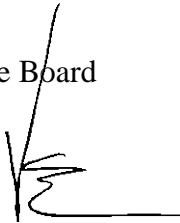
Notes for Agenda Item #31

Leon County Board of County Commissioners

Cover Sheet for Agenda #31

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Consideration of Full Board Appointments of Commissioners to the Value Adjustment Board

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Maggie Theriot, Assistant to the County Administrator
Lead Staff/ Project Team:	Stephanie Holloway, Sr. Executive Assistant

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Appoint two Commissioners to the Value Adjustment Board for terms of two years.

Report and Discussion

Background:

Policy No. 11-2, "Membership on Boards, Committees, Councils, and Authorities", was written to delineate the authority to appoint members of the Board of County Commissioners to various boards, committees, councils, and authorities (collectively, Committees), and the terms of those appointments (Attachment #1). The Policy, revised January 26, 2016, represents those Committees that require County Commission membership be appointed by the full Board.

Analysis:

Value Adjustment Board (VAB)

Purpose: The VAB settles disputes between taxpayers and the Property Appraiser. If the property owner feels the property's assessment, classification, or exemption is incorrect, a petition can be filed with the VAB.

Composition: The VAB consists of five members: two County Commissioners, one School Board member, one citizen appointed by the Board of County Commissioners, and one citizen appointed by the School Board. Members serve two-year terms, expiring on February 28, 2016.

Vacancies: Commissioners appointments from 2014 expired February 28, 2016.

Options:

1. Appoint two Commissioners to the Value Adjustment Board for terms of two years.
2. Board direction.

Recommendation:

Options 1

**Leon County
Board of County Commissioners**


Notes for Agenda Item #32

Leon County Board of County Commissioners

Cover Sheet for Agenda #32

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Establishment of the FY 2017 Maximum Discretionary Funding Levels and Initial Budget Policy Guidance

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Scott Ross, Director, Office of Financial Stewardship

Fiscal Impact:

This item has no current fiscal impact to the County. However, direction from the Board will be used in the development of the FY 2017 budget.

Staff Recommendations:

Option #1: Establish the Community Human Services Partnership (CHSP) funding level for FY2017 at \$1,200,000.

Option #2: Establish the maximum discretionary funding levels as follows:

- a. Homeless Shelter Construction: \$100,000
- b. Legal Services of North Florida (additional funding): \$125,000
- c. Domestic Violence Coordinating Council: \$25,000

Option #3: Maintain the special event funding account as follows:

Special Event Agencies	FY 2017 Funding
Celebrate America 4 th of July Celebration	\$2,500
Dr. Martin Luther King Celebration (Inter Civic Southern Leadership Council of Tallahassee)	\$4,500
NAACP Freedom Fund Award (Tallahassee NAACP)	\$1,000
Soul Santa (Frenchtown \$2,500 and Walker Ford \$1,500)	\$4,000
County Sponsored Tables/Community Events	\$15,000
Total	\$27,000

Option #4: Prepare a budget discussion item regarding current outside agency service contracts to evaluate if the funding continues to align with current Board priorities and to ensure this approach continues to be the most efficient and effective method for service delivery. The following entities will be included in the discussion item: TMH Trauma Center; Keep Tallahassee-Leon County Beautiful; Oasis Center; Tallahassee Trust for Historic Preservation; St. Francis Wildlife; Disc Village; Whole Child Leon; UPHS; and the Domestic Violence Coordinating Council.

Option #5: Direct staff to work with the City of Tallahassee, the United Way and community agencies in evaluating a two year grant funding cycle for CHSP to commence in FY2018.

Report and Discussion

Background:

On January 26, 2016, the Board adopted the FY 2017 Budget Calendar. Annually, the first budget item the Board considers as part of the budget process is establishing the discretionary funding levels for outside agencies. Subsequent to this item, the Board has Budget Workshops scheduled for April and June; additional workshops can be held if necessary in May and July. As specified in Leon County Ordinance, No. 2006-34 “Discretionary Funding Guidelines” (Attachment #1), and Policy No. 93-44, County Fiscal Planning Policy, the Board must consider these funding limits prior to March 31 each year (Attachment #2).

Due to increases in non-departmental funding requests by organizations outside the budget process, the Board adopted Ordinance No. 2006-34, “Discretionary Funding Guidelines” at the November 14, 2006 meeting. The ordinance requires the Board to set a maximum amount of discretionary funds that will be made available to outside agencies during the fiscal year in the following categories: Community Human Services Partnership (CHSP); CHSP – Emergency Fund; Commissioner District Budget; Midyear Funding; Non-departmental funding; and Youth Sports Team. The Board sets the maximum amount of annual funding available in these categories for the budget year. These amounts could be lowered depending on the funding available for competing priorities as the budget is developed and presented to the Board.

During the FY 2015 budget process, the budget realigned most line-item funding for outside agencies to contracted services within appropriate departmental budgets. By directly contracting for county core service, the County substantially reduced what is considered line-item funding. These agencies now enter into annual continuation of services contracts with the County to provide the necessary services. A list of the agencies and the associated contract amount is shown in Table 1.

Table 1: FY 2016 Outside Agency Contracts for Services

Department Oversight	Permanent Contracted Outside Agencies	FY 2016 Funding
Office of Intervention & Detention Alternatives	Disc Village	\$185,759
	Palmer Munroe Teen Center ⁽¹⁾	\$150,000
Office of Human Services & Community Partnerships	Whole Child Leon	\$38,000
	UPHS	\$23,750
	TMH Trauma Center	\$200,000
Office of Economic Development and Business Partnerships	Economic Development Council ⁽²⁾	\$174,500
Office of Sustainability	Keep Tallahassee-Leon County Beautiful	\$23,750
Strategic Initiatives Division	Oasis Center	\$20,000
Office of Management and Budget	Tallahassee Trust for Historic Preservation	\$63,175
Animal Control	St. Francis Wildlife Association	\$71,250
Total		\$950,814

(1) Fixed time limit (FY 2014 – FY 2016) per inter local agreement

(2) The Board authorized the termination of the contract at the January 26, 2016 meeting

At the January 26, 2016 meeting, subsequent to the dissolution of the Economic Development Council, the Board voted to eliminate the \$174,500 in contract funding for the EDC. Funding

for economic development will be discussed at the February 29, 2016 Blueprint Intergovernmental Agency meeting and during the County's budget workshops.

An agenda item regarding establishing the maximum discretionary funding levels for FY 2017 was presented to the Board at the February 9, 2016 meeting. After a discussion regarding the funding, the Board elected to postpone discussion regarding establishing the FY 2017 maximum discretionary funding level until the March 9, 2017 meeting.

The Board also expressed an interest in reevaluating funding associated with permanent contracts with outside agencies currently funded through Departmental budget (as shown in Table 1) to ensure this funding aligns with current Board priorities.

In order to align CHSP annual funding with the agency allocation process the Board established a new strategic initiative at the December retreat that was adopted at the January 26, 2016, meeting.

- Establish the annual County CHSP funding commitment early in the budget process as a set amount (not as a maximum funding level). (G5) (2016)

This particular Strategic Initiative aligns with the following Board Strategic Priority:

- Governance – Exercise responsible stewardship of County resources, sound financial management, and ensure that the provision of services and community enhancements are done in a fair and equitable manner. (G5) (2012)

Analysis:

The non-departmental budget process begins with the establishment of the maximum discretionary funding levels for outside agencies. In addition to the Discretionary Funding ordinance, Policy No. 93-44, County Fiscal Planning Policy, requires that prior to March 31, the Board of County Commissioners will:

1. Confirm the list of permanent line item funded agencies that can submit applications for funding during the current budget cycle.
2. Establish the amount of funding to sponsor community partner/table events in an account to be managed by the County Administrator.
3. Provide direction to staff on additional appropriation requests that should be considered as part of the tentative budget development process.

Based on the Discretionary Funding Ordinance, the Board also establishes maximum funding levels for a series of categories. In addition, the Board is to determine which agencies are to receive applications for funding requests.

Table 2 summarizes the discretionary categories and details the funding allocated during the past three fiscal years, FY 2015 thru FY 2017. Except for the Commissioner District budget fund (not shown and currently set at \$9,500 per Commissioner); the categories in the table are covered by Ordinance 2006-034.

Table 2: FY 2015 – FY 2017 Total Discretionary Funding

Discretionary Funding Category/Fiscal Year	FY 2015	FY 2016	FY2017*
Community Human Service Partnership	\$825,000	\$1,000,000	\$1,200,000
Homeless Shelter Capital	\$100,000	\$100,000	\$100,000
Legal Services Additional Funding	\$0	\$125,000	\$125,000
Domestic Violence Coordinating Council	\$0	\$25,000	\$25,000
Special Event Sponsorships	\$32,000	\$27,000	\$27,000
Total	\$957,000	\$1,277,000	\$1,477,000

*Recommended amounts; CHSP would be established as a set funding level, the remaining lines would be established as maximum funding levels pending final budget deliberations.

Community Human Service Partnership Funding

As shown in Table 2, the Board increased funding for the Community Human Service Partnerships program by \$175,000 in FY 2016. In addition, the Board approved \$100,000 in one-time funding for at-risk and economically disadvantaged youth in FY 2016 for the Southside Promise Zone. These funds are pooled with funds from the City and United Way and allocated to outside human services organizations based on a competitive application process.

At the March 10, 2015 Board meeting, when the FY 2016 maximum funding levels were established the Board set the initial CHSP funding level at \$1.2 million. As part of the budget balancing process this amount was reduced to \$1.0 million. As discussed during last year’s June 23, 2015 budget workshop, the Board indicated that for FY 2017, the County funding goal for this program would be \$1.2 million. The majority of the additional \$200,000 increase can be offset by the County’s \$150,000 three year commitment for Palmer Munroe Teen Center ending in FY 2016.

In order to synchronize the CHSP funding levels with the CHSP application process, and avoid having two separate application processes, the Board adopted a new strategic initiative regarding the establishment CHSP funding level. This strategic initiative states:

“Establish the annual County CHSP funding commitment early in the budget process as a set amount (not as a maximum funding level).” (2016)

On February 24, 2016, the City voted to maintain its funding level for CHSP in FY 2017 at \$1,640,651 and directed an additional \$400,000 to be considered as part of the City’s FY2017 budget process in support of agencies servicing the Promise Zone. Given the proposed \$200,000 increase to CHSP and the Board’s prior commitment of *one-time* funding for the Promise Zone initiative, staff does not recommend setting aside any additional specific funds for this initiative.

Additionally, the Board directed staff to work with the City and the United Way in restructuring CHSP’s governance (the Joint Planning Board and the Leadership Team) and to allow non-direct human service agencies to be eligible for CHSP funding. County funding for these agencies currently totals \$86,750 (\$38,000 Whole Child, \$23,750 UPHS and \$25,000 Domestic Violence Coordinating Counsel). The County Administrator has sent correspondence to both the City and United Way regarding these requests. At their February 24, 2016 meeting, the City Commission concurred with the proposed governance restructuring but declined the request to include non-profit human service agencies that do not provide direct services as part of the CHSP process.

As the City does not wish to proceed with this new CHSP funding category, staff recommends that a budget discussion item be prepared to evaluate these agencies and the existing outside agency contracts to ensure the funding requests continue to align with current Board priorities. The City Commission also requested that a two year grant funding cycle for CHSP agencies be evaluated. Should the United Way Board also concur with the proposed governance modifications, staff will prepare a future agenda item detailing the roles and responsibilities under the new structure.

Line-Item Funding

\$100,000 Homeless Shelter Capital Funding: During the FY 2015 budget process, the Board approved a five-year funding commitment to assist in the relocation of the Homeless Shelter. The Board approved providing a total of \$500,000 payable over five years towards the capital construction costs of the facility.

\$125,000 Additional Funding for Legal Services of North Florida: Due to a decline in federal and state funding, the Board provided an additional \$125,000 in funding to Legal Services of North Florida (LSNF) in FY 2016. This funding was to cover the cost of a full time attorney and related administrative support. This funding was in addition to the statutorily required \$132,500 the Board has provided since FY 2003.

\$25,000 Domestic Violence Coordinating Council: Since FY 2015, subsequent to the Public Safety Coordinating Council (PSCC) declining the Domestic Violence Coordinating Council (DVCC) continuation funding in FY 2014, the Board has appropriated \$25,000 to the council to continue its efforts to reduce domestic violence.

Special Event Funding

Leon County has traditionally assisted in funding small festivals and events. These requests do not require a written application, but are included in the budget as direct event sponsorships at the direction of the Board as specified in the Discretionary Funding Ordinance. Table 3 reflects the special events funding agencies that have received funding in FY 2016.

Table 3: FY 2016 and Recommended FY2017 Special Event Funding

Special Event Agencies	FY 2016 Funding	FY 2017 Funding
Celebrate America 4 th of July Celebration	\$2,500	\$2,500
Dr. Martin Luther King Celebration (Inter-Civic Southern Leadership Council of Tallahassee)	\$4,500	\$4,500
NAACP Freedom Fund Award (Tallahassee NAACP)	\$1,000	\$1,000
Soul Santa (Frenchtown \$2,500 and Walker Ford \$1,500)	\$4,000	\$4,000
County Sponsored Tables/Community Event Funds	\$15,000	\$15,000
Total	\$27,000	\$27,000

Previous Board action directed special event funding for the Veteran’s Parade, and Operation Thank You!, be realigned to the Veterans Services operating budget. Also, funding for the annual Friends of the Library authors event was moved to the Library Services budget. Furthermore, since the Capital City Classic basketball tournament and the Downtown New Year’s Eve Celebration met the eligibility requirements for Tourist Development event funding, the Board directed these two events to apply for tourist development special event grant funding.

Youth Sports Teams

In FY 2015, the Board eliminated funding for the Youth Sports Team program. Previously, the Board dedicated \$4,750 to assist in funding after season sports tournaments and award ceremonies. The maximum award was \$500, and funds were available on a first come first served basis. Due to under use (only two teams participated in FY 2013 and FY 2014), the Board discontinued funding the program in FY 2015. Only one inquiry regarding the availability of these funds has been received since funding was discontinued.

Other Funding Considerations

In addition to establishing the maximum discretionary funding level, which includes line-item funding and special event funding, County Fiscal Policy, 93-44 requires the Board to provide direction to staff regarding additional appropriation requests that should be considered during the tentative budget development process. Currently, the Board has provided budget policy direction regarding the following items:

- Consideration to establish a Community Paramedic Program
- Develop a selection and implementation policy for the L.I.F.E sales tax funding category
- Establish annual discretionary funding levels
- Consider establishing a County Apprenticeship-like Program
- Consider funding for possible trails at the Northeast Park property
- Implement a Miccosukee Sense of Place Initiative
- Consideration regarding enhanced future funding for boat landings, and an update on sidewalk projects and funding
- Status and details of the Department of Health-Leon's plan and goals for the \$30,000 in Federal Title V funding to focus on reducing the racial disparity in infant mortality

Detailed budget discussion items for these specific topics will be prepared for Board consideration during the scheduled budget workshops. Additionally, staff will prepare budget discussion items pertaining to the current legislative session, Department and Constitutional budget submissions, and any other policy direction the Board may wish to provide.

Options:

1. Establish the CHSP funding level for FY2017 at \$1,200,000.
2. Establish the maximum discretionary funding levels as follows:
 - a. Homeless Shelter Construction: \$100,000
 - b. Legal Services of North Florida (additional funding): \$125,000
 - c. Domestic Violence Coordinating Council: \$25,000
3. Maintain the special event funding account as follows:

Special Event Agencies	FY 2017 Funding
Celebrate America 4 th of July Celebration	\$2,500
Dr. Martin Luther King Celebration (Inter Civic Southern Leadership Council of Tallahassee)	\$4,500
NAACP Freedom Fund Award (Tallahassee NAACP)	\$1,000
Soul Santa (Frenchtown \$2,500 and Walker Ford \$1,500)	\$4,000
County Sponsored Tables/Community Events	\$15,000
Total	\$27,000

4. Prepare a budget discussion item regarding current outside agency service contracts to evaluate if the funding continues to align with current Board priorities and to ensure this approach continues to be the most efficient and effective method for service delivery. The following entities will be included in the discussion item: TMH Trauma Center; Keep Tallahassee-Leon County Beautiful; Oasis Center; Tallahassee Trust for Historic Preservation; St. Francis Wildlife; Disc Village; Whole Child Leon; UPHS; and the Domestic Violence Coordinating Council.
5. Direct staff to work with the City of Tallahassee, the United Way and community agencies in evaluating a two year grant funding cycle for CHSP to commence in FY2018.
6. Board direction.

Staff Recommendation:

Options #1 through #5

Attachments:

1. Leon County Ordinance 2006-34, Discretionary Funding Guidelines
2. Fiscal Planning Policy 93-44

ARTICLE XI. - DISCRETIONARY FUNDING GUIDELINES

Sec. 2-600. - Application of article.

This article shall govern the allocation of discretionary funds and provide the board a maximum amount of annual funding available in each of the following fund categories:

- (a) Community human services partnership fund;
- (b) Community human services partnership—Emergency fund;
- (c) Commissioner district budget fund;
- (d) Midyear fund;
- (e) Non-departmental fund; and
- (f) Youth sports teams fund.

(Ord. No. 06-34, § 1, 11-14-06)

Sec. 2-601. - Annual appropriation.

Funding for the purposes set forth in this article shall be subject to an annual appropriation by the board in accordance with this article.

(Ord. No. 06-34, § 1, 11-14-06)

Sec. 2-602. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Community human services partnership fund shall mean funds eligible for allocation to social service programs.

Community human services partnership—Emergency fund shall mean funds eligible for allocation for one time funding to meet an emergency situation.

Commissioner district budget fund shall mean funds eligible for allocation to each commissioner for activities relating to his or her district or the county at large.

Emergency situation shall mean those exigent circumstances that would prohibit or severely impact the ability of a currently funded community human services partnership (CHSP) agency to provide services.

Midyear fund shall mean funds eligible for allocation for requests that occur outside of the regular budget process.

Non-departmental fund shall mean funds eligible for allocation for non-profit entities that are included, by direction of the board, as part of the regular adopted budget.

Non-profit shall mean an entity that has been designated as a 501(c)(3) eligible by the U.S. Internal Revenue Services and/or registered as a non-profit entity with the Florida Department of State.

Youth sports teams fund shall mean funds eligible for allocation for temporary and nonrecurring youth sporting events such as tournaments and playoffs, and events recognizing their accomplishments.

(Ord. No. 06-34, § 1, 11-14-06)

Sec. 2-603. - Application process.

- (a) The county administrator or his designee is authorized to develop forms and procedures to be used by a non-profit, group or individual when submitting a request for funding consistent with the provisions herein.
- (b) The county administrator or his designee shall establish a process for evaluating requests for funding made pursuant to this article.

(Ord. No. 06-34, § 1, 11-14-06)

Sec. 2-604. - Funding category guidelines.

- (a) Community human services partnership program fund.
 - (1) Non-profits eligible for community human service partnership (CHSP) funding are eligible to apply for funding for other programs or specific event categories as long as the organization does not receive multiple county awards for the same program or event, or when requesting funding for an activity that is not CHSP eligible, such as capital improvements.
 - (2) Annually, as part of the budget process, the board shall confirm the allocation of funding set aside for the community human services program.
- (b) Community human services partnership program—Emergency fund.
 - (1) Non-profits that are funded through the CHSP process are eligible to apply for emergency, one-time funding through the community human services partnership program—Emergency fund.
 - (2) Annually, as part of the budget process, the board shall confirm the allocation of funding set aside for the community human services partnership program—Emergency fund.
 - (3) These funds are available to any agency that is currently funded through the CHSP process.
 - (4) The request for emergency funding shall be made at a regular meeting of the board. If deemed appropriate, the request for emergency funding shall then go before a CHSP sub-committee consisting of members from the CHSP review boards of each of the partners (Leon County, the City of Tallahassee, and the United Way of the Big Bend). The sub-committee shall determine if the situation would qualify as an emergency situation and what amount of financial support would be appropriate. The CHSP shall then make a recommendation to the county administrator, who is authorized to approve the recommendation for funding.
 - (5) In the event the board does not meet in a timely manner, as it relates to an agency's request, the county administrator shall have the authority to appropriate expenditures from this account.
- (c) Commissioner district budget fund.
 - (1) Annually, as part of the budget process, the board shall determine the allocation of funding set aside for the commissioner district budget fund.
 - (2) Expenditures shall only be authorized from this account for approved travel, and office expenses.
- (d) Midyear fund.

- (1) Non-profits, groups or individuals that do not fit into any of the other categories of discretionary funding as outlined in this article are eligible to apply for midyear funding.
 - (2) Annually, as part of the budget process, the board shall determine the allocation of funding set aside for the midyear fund.
 - (3) In the event the board does not meet in a timely manner, as it relates to a funding request, the county administrator shall have the authority to appropriate expenditures from this account. Such action is thereafter required to be ratified by the board.
- (e) Non-departmental fund.
- (1) Non-profits eligible for non-departmental funding are eligible to apply for funding in any other program or specific event categories as long as the organization does not receive multiple county awards for the same program or event. Eligible funding activities in this category are festivals and events and outside service agencies.
 - (2) Annually, as part of the budget process, the board shall determine the allocation of funding set aside for the non-departmental fund.
 - (3) Non-profits eligible for funding through the cultural resources commission (CRC) Leon County Grant Program (funded through the non-departmental process) are eligible for funding in other program or specific event categories as long as the organization does not receive multiple county awards for the same program or event.
- (f) Youth sports teams fund.
- (1) Non-profits or athletic teams of the Leon County School System that are eligible for the county's youth athletic scholarship program are not eligible for funding pursuant to this article.
 - (2) Annually, as part of the budget process, the board shall determine the amount of funding pursuant to this article.
 - (3) The award for youth sports teams shall not exceed \$500.00 per team.
 - (4) Youth sports teams requesting funding from the board shall first submit their requests in writing to the county administrator or his or her designee for review and evaluation. The request must include certified documentation establishing the legitimacy of the organization.
 - (5) Funding will be allocated on a first-come, first-served basis. In the event that more than one request is received concurrently when the fund's balance is reduced to \$500.00, the remaining \$500.00 will be divided equally among the applicants meeting the evaluation criteria.
 - (6) Applicants must have participated in a city, county, or school athletic program during the year in which funding is sought.
 - (7) Team participants must be 19 years of age or younger.
 - (8) The requested funding shall support post-season activity, e.g., tournaments, playoffs, or awards banquets associated with extraordinary performance.
 - (9) After the youth sports team funding level is established by the board during the budget process, the county administrator shall have the authority to appropriate expenditures from this account.
- (g) Appropriation process. Annually, prior to March 31, the board shall:
- (1) Determine the amount of funding set aside for each funding category identified in this article;
 - (2) Determine the list of permanent line item funded entities that can submit applications for funding during the current budget cycle; and
 - (3) Provide direction to staff on additional appropriation requests that should be considered as part of the tentative budget development process.

(Ord. No. 06-34, § 1, 11-14-06; Ord. No. 11-04, § 1, 2-8-11; Ord. No. 11-08, § 1, 5-24-11; Ord. No. 13-08, § 1, 3-12-13)

Secs. 2-605—2-699. - Reserved.

Board of County Commissioners Leon County, Florida

Policy No. 93-44

Title: Fiscal Planning

Date Adopted: March 11, 2014

Effective Date: March 11, 2014

Reference: N/A

Policy Superseded: Policy No. 93-44, revised 2/8/2011; Policy No. 93-44, revised 11/16/04; Policy 93-44, adopted 8/10/93; Policy No. 92-3, AFiscal Planning,@ adopted 3/10/92

It shall be the policy of the Board of County Commissioners of Leon County, Florida that: Policy No. 93-44, revised by the Board of County Commissioners on February 8, 2011, is hereby superseded, and a revised policy is hereby adopted in its place, to wit:

The County will establish fiscal planning practices to:

1. Provide that the annual operating and capital budget for Leon County shall be developed in conformity with the Tallahassee-Leon County Comprehensive Plan by the Office of Management and Budget, under the advisement of the County Administrator and adopted as provided in State law by a majority vote of the Board of County Commissioners presiding in a public hearing.
2. Provide for the development and annual review of a capital improvement budget. This budget shall contain a 5-year plan for acquisition and improvement of capital investments in the areas of facilities, transportation, equipment and drainage. This budget shall be coordinated with the annual operating budget.
3. Provide that the Board of County Commissioners will continue to reflect fiscal restraint through the development of the annual budget. In instances of forthcoming deficits, the Board will either decrease appropriations or increase revenues.
4. Provide that the County will strive to better utilize its resources through the use of productivity and efficiency enhancements while at the same time noting that the costs of such enhancements should not exceed the expected benefits.
5. Provide that expenditures which support existing capital investments and mandated service programs will be prioritized over those other supporting activities or non-mandated service programs.

6. Provide that the County Administrator shall be designated Budget Officer for Leon County and will carry out the duties as set forth in Ch. 129, F.S.
7. Provide that the responsibility for the establishment and daily monitoring of the County=s accounting system(s) shall lie with the Finance Division of the Clerk of the Circuit Court, and that the oversight of investment and debt management for the government of Leon County shall lie with the Board of County Commissioners.
8. Annually, prior to March 31, the Board of County Commissioners will:
 - A. Establish a budget calendar for the annual budget cycle.
 - B. Confirm the list of permanent line item funded agencies that can submit applications for funding during the current budget cycle.
 - C. Establish the amount of funding to sponsor community partner/table events in an account to be managed by the County Administrator.
 - D. Provide direction to staff on additional appropriation requests that should be considered as part of the tentative budget development process.
9. Provide that this policy shall be reviewed annually by the Board of County Commissioners to ensure its consistency and viability with respect to the objectives of the Board and its applicability to current state law and financial trends.

Revised 3/11/2014

**Leon County
Board of County Commissioners**

Notes for Agenda Item #33

Leon County

Board of County Commissioners

Cover Sheet for Agenda #33

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Approval of the Council on Culture & Arts Capital Improvement Grant Program and Guidelines and Acceptance of a Status Report on Efforts to Streamline Operational Efficiencies

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Cristina Paredes, Director, Department of Economic Vitality
Lead Staff/ Project Team:	Lee Daniel, Director of Tourism Development Chris Holley II, Assistant to the Director

Fiscal Impact:

This item has no fiscal impact to the County. Adequate funds are available in the FY 2016 budget to implement this grant program.

Staff Recommendation:

- Option #1: Approve the Council on Culture & Arts Capital Improvement Grant Program and Guidelines (Attachment #1).
- Option #2: Accept status report on efforts to streamline operational efficiencies with the Council on Culture & Arts.

Report and Discussion

Background:

This item seeks approval of the Cultural Capital Improvement Grants Program and Guidelines and, as directed by the Board, provides an update on the County's continual efforts to identify operational efficiencies and cost savings in its partnership with the Council on Cultural & Arts (COCA).

On February 11, 2014, the Board held a workshop to receive the Cultural Review Committee's Final Report on the updated Cultural Plan (Attachment #2). The Board received presentations by members of the Committee and County staff on the findings and recommendations identified in the Final Report which included 45 recommendations over four separate program areas (Attachment #3). Although the recommendations were not prioritized, Committee members emphasized the need for a grant program to help construct, repair, and expand cultural amenities across the community.

During the workshop, staff presented the Board a series of options to explore the operational efficiencies of implementing the Cultural Plan under the Division of Tourism Development given that County and City funding accounted for 93.25% of COCA's administrative and re-granting funds in FY 2013. At that time, the Board accepted the Committee's Final Report and directed COCA to develop its FY 2015 budget anticipating an additional \$400,000 in Tourist Development Tax (TDT) funds. In order to address Committee's desire for capital funding, the Board directed COCA to develop a capital grants program, guidelines, and application process for cultural institutions to be brought back to the Board for final approval. In subsequent negotiations with the City over the TDT once dedicated to the performing arts center, the Board increased its commitment to the cultural arts by another \$225,000 by dedicating a ¼ cent of TDT for the yet to be approved Cultural Capital Improvement Grants Program.

And finally, the Board provided direction for staff to continue to work with COCA in identifying potential operational efficiencies and cost savings. Following the workshop, a letter was sent outlining the Board's actions which included the following guidance to COCA: establish a committee to monitor its progress relative to the implementation of the Cultural Plan, create of a capital grant program as identified in the Cultural Plan, and to continue to work with Tourism staff to identify operational efficiencies (Attachment #4).

Following the approval of the Cultural Plan, COCA established the Capital Area Cultural Plan Advisory Committee (CPAC), comprised of members of its board of directors and other individuals in the community and is set to sunset in August 2016. The CPAC's charge was to prioritize elements of the Cultural Plan and establish a budget necessary to implement aspects of the plan. During a September 15, 2015 workshop, the Board received presentations by staff and COCA on funding for cultural arts as well as an update on the implementation of the Capital Area Cultural Plan (Attachment #5). At the time of the workshop, COCA and CPAC were still in the process of developing the parameters and processes for the capital grants program. The Board directed staff to work with COCA to refine the mid-year/annual report in order to align the organizational outcomes with elements of the cultural plan in order to identify the revenue and

expenditures utilized, which was subsequently approved. In accordance with the funding agreement and the Board directed changes, COCA submitted their End of Year Report and audited financial statements for Fiscal Year 2015 (Attachment #6).

During Commission discussion time at the December 8, 2015 regular meeting, the Board requested an agenda item exploring opportunities to help reduce COCA's administrative overhead, including but not limited to, the provision of office space, the sun-setting of the Cultural Plan Review Committee, and streamlining operational efficiencies to align cultural and heritage activities within the County's Tourism Division.

Analysis:

In 2014, Board reached an agreement with the City regarding the reallocation of one-cent of TDT, previously dedicated to the construction of a performing arts center, to support cultural grants starting in FY 2015. In addition, for five years beginning in FY 2015, the County agreed to dedicate an additional ¼ cent of TDT to support a capital needs matching grant program. Monies accrued from the ¼ cent during FY 2015 are to be distributed during FY 2016 and continue through FY 2020. During this five-year term, the County and City agreed to continue to commit general revenues funds in the amount no less than \$150,000 each towards the operation of COCA. On December 9, 2014, the Board approved the interlocal agreements with the City and CRA to effectuate these matters (Attachment #7).

On April 28, 2015, the Board approved the First Amended and Restated Grant Funding Agreement between Leon County and the COCA. The Agreement is subject to four annual renewals, at the sole option of the County, for a term of one year each. The Agreement details the County's annual funding commitment to COCA (totaling \$1.3 million in FY 2016) as follows:

- \$150,000 of general revenue (matched by the City)
- 1 cent of TDT – currently estimated at \$1 million
- ¼ cent of TDT specifically for the Capital Grants Program – currently estimated at \$250,000

Cultural Facilities Matching Grant Program

The guidelines pertaining to the proposed capital matching grants program were completed in December 2015 and were subsequently approved by the COCA Board of Directors. Tourism Development staff served on CPAC throughout this process to provide guidance on the appropriate uses of the TDT and to share insights on possible cooperative marketing opportunities. At its meeting on January 7, 2016, the Tourist Development Council recommended the Cultural Capital Improvement Grants Program be approved by the County Commission.

The purpose of the Cultural Capital Improvement Grants Program is to offer support and funding for renovation, new construction, acquisition or equipping of cultural facilities located in Leon County. A Cultural Facility is outlined in the grant guidelines as:

“a building that shall be used primarily for the programming, production, presentation, exhibition, or any combination of the above functions of any of the arts and cultural disciplines including, but perhaps not limited to: music, dance, theater, creative writing, literature, architecture, painting, sculpting, folk arts, photography, crafts, media arts, visual arts, programs of museums, historical sites, and historical/heritage facilities.”

To be an eligible applicant, organizations must be physically located in Leon County, a non-profit tax exempt Florida Corporation, and provide at least three years of year-round arts or cultural programming in the County. Applicants may apply for a minimum of \$5,000 and maximum of \$100,000 but requests must be no greater than 50% of the total eligible budget costs for the project. Organizations may only submit a single application per year and those who are awarded funding will not be eligible for program funding in the fiscal year immediately following their grant award. Matching fund requests must be at least 1:1 and may consist of the following:

- Cash on hand or liquid assets, which are required to make up at least 25% of the total match.
- Irrevocable pledges.
- In-kind contributions to consist of no more than 50% of the applicant’s total match requirement.
- Prior eligible expenditures directly related to the project made within two years prior to the application date.
- A portion of the value of the land or building (up to 10%) directly used for the grant project.

Pending Board approval, the guidelines are set to be released to the public on March 11, 2016 as outlined in the grant program timeline and COCA would begin implementation of the program with approximately \$250,000 of FY 2015 TDT funds (capital grant funding is distributed in arrears). Disbursements of the ¼ cent TDT will be made on a case-by-case basis as recommended by COCA and approved by the TDC. It is anticipated that the TDC will review recommended grants for approval at their July 7, 2016 meeting.

Once a grant is awarded, recipients will enter into a contractual agreement with Leon County through its fiscal agent, COCA, which specifies the applicant’s responsibilities. The applicant must submit interim reports at six-month intervals (at a minimum) and a final grant report. The Grantee must also maintain an accounting system that provides for a complete record of the use of all grant and matching funds. Staff is recommending Board approval of the Cultural Capital Improvement Grants Program and Guidelines.

Operational Efficiencies and Cost Savings

The Cultural Plan identifies several recommendations that requires coordination with Tourism Development such as developing a unified marketing and advertising campaign, promoting local heritage and cultural destinations, and working with hoteliers and local businesses to package arts, culture, and heritage resources wherever practical to expand the geographic reach of local offerings. For these reasons, the Board directed staff to work with COCA to identify operational efficiencies.

Staff regularly meets with COCA to discuss these operational efficiencies as well as ongoing programmatic efforts. In addition, the Executive Director of COCA now serves as an ad hoc member of the TDC. As a result, staff routinely partners with COCA in developing content used in the Visitor Guide and VisitTallahassee website; and as part of ongoing marketing efforts, staff includes arts, culture, and historic attractions in all of the media tours conducted with visiting journalists from lifestyle magazines as well as in regular rotations of weekly social posts on all platforms. Currently, COCA is undertaking a web site redesign as well as an organizational rebranding initiative which includes a new logo. Staff is working with COCA to ensure that both calendars continue to be integrated so that both websites continue to reach a greater audience.

Staff continues to engage in discussions with COCA on operational efficiencies, specifically regarding office space. Recently, COCA's office building was purchased by a new owner who subsequently notified COCA about an increase in rent. COCA has been given two options by the new owner of their current building. One would option would increase annual rent by 10%, or approximately \$4,500, each year for three years. This would represent an increase of approximately \$13,000 over three years. Another option would increase the current rent by 22% next year and remain flat for three years for a total increase over that time of approximately \$8,500. In light of the notification of rent increase, COCA inquired about the possibility of relocating including renting office space from Leon County.

Staff met with COCA to discuss possible locations such as the first floor of the Tourism Development office (currently used as the Visitor Center), the Historic Amtrak Building, and the Leon County Government Annex Building. During the course of touring these facilities and follow up conversations with COCA, it was determined that the first floor of the Tourism office space did not have adequate square footage and that the Leon County Government Annex would only serve as a short term option. COCA is also considering options related to space at the former Mary Brogan Museum and, as a long term solution, inhabiting the City's old Waterworks Building. The Amtrak Building could be a viable long-term option for COCA's future office space; however, staff would need to determine the appropriate rental rate (market or below-market), develop estimates for the cost of renovating the interior space to fit COCA's needs, develop options for the relocation of existing County programs, and recommend a desired term for the lease in order to offset the renovation costs. Staff would then bring the recommendations to the Board for approval.

As described in the February 11, 2014 workshop item, service delivery enhancements and efficiencies may be available through the Leon County Division of Tourism Development given the overlapping functions and the \$1.3 million of annual funding provided to COCA. Almost

half of the Cultural Plan recommendations on economic development and marketing identified the need to coordinate with Division of Tourism Development, of which two of the recommendations are part of the divisions day-to-day functions. As such, the Board may wish to explore the potential operational alternatives and efficiencies that could be achieved by providing support to the cultural arts through the Division of Tourism Development. The Division is fully staffed, experienced in the distribution and oversight of grants programs, and actively markets local culture, arts, and heritage events in partnership with a professional marketing and public relations firm. If the Board desires, staff would prepare an agenda item for the Board's consideration on the implementation and execution of the Cultural Plan under the Division of Tourism Development. Further exploration of this option would also require consideration by the City due to the COCA funding interlocal agreement previously discussed.

Options:

1. Approve the Council on Culture & Arts Capital Improvement Grant Program and Guidelines.
2. Accept status report on efforts to streamline operational efficiencies with the Council on Culture & Arts.
3. Direct staff to bring back an agenda item for Board consideration on the implementation and execution of the Cultural Plan under the Division of Tourism Development and in partnership with the City.
4. Do not approve the Council on Culture & Arts Capital Improvement Grant Program and Guidelines.
5. Do not approve the status report on efforts to streamline operational efficiencies with the Council on Culture & Arts.
6. Board direction.

Recommendation:

Options 1 & 2.

Attachments:

1. COCA's Capital Improvement Grant Program and Guidelines
2. February 11, 2014 Workshop on the Cultural Plan
3. Cultural Plan Final Report, February 2014
4. February 25, 2014 Letter to COCA on the Board's Actions on the Workshop on the Cultural Plan
5. September 15, 2015 Workshop on the Update of the Implementation of the Cultural Plan
6. COCA's 2015 Annual Report
7. 2014 Interlocal Agreement with the City of Tallahassee on COCA Funding

CULTURAL FACILITIES MATCHING GRANT PROPOSAL FY16



Administered on behalf of Leon County



FY16 Cultural Facilities Matching Grant Program Guidelines

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CULTURAL FACILITIES MATCHING GRANT PROGRAM GUIDELINES

PURPOSE OF THE PROGRAM

To offer support and funding for renovation, new construction, or acquisition or equipping of cultural facilities located in Leon County or the City of Tallahassee.

A **Cultural Facility** is a building that shall be used primarily for the programming, production, presentation, exhibition, or any combination of the above functions of any of the arts and cultural disciplines including, but perhaps not limited to: music, dance, theater, creative writing, literature, architecture, painting, sculpture, folk arts, photography, crafts, media arts, visual arts, programs of museums, historical sites, and historical/heritage facilities.

The intent of this grant program is capital improvement that, for the purpose of this application, is defined as an addition or renovation of a permanent structural improvement or the restoration of some aspect of a property that will either enhance the property's overall value or increases its useful life.

BASIC ELIGIBILITY

All applicants must meet the following basic legal and program eligibility requirements at the time of the application.

All applicant organizations must:

- 1) Be physically located in the City of Tallahassee or Leon County, Florida.
- 2) Be a non-profit, tax exempt Florida corporation according to these definitions:
Incorporated as an active nonprofit Florida corporation, pursuant to Chapter 617, Florida Statutes;
Designated as a tax-exempt organization as defined in Section 501(c)(3) or 501(c)(4), of the Internal Revenue Code of 1954; and
Allowed to receive contributions pursuant to the provisions of s. 170 of the Internal Revenue Code of 1954.
- 3) have provided at least 3 years of year-round arts or cultural programming in Leon County.

Applicant organizations who are awarded funding through the Cultural Facilities Matching Grant Program will not be eligible for program funding in the fiscal year immediately following their grant award.

FACILITY ELIGIBILITY

The applicant's venue for the proposed project must be located in Leon County, and *by the application deadline*, must be one of the following:

- An auditorium that is owned and operated by a government entity;
- An auditorium that is owned by a government entity that is leased to a not-for-profit organization for operation as an auditorium open to the public;
- An auditorium that is subleased from a government entity to a not-for-profit organization for operation as an auditorium open to the public;
- A museum that is owned and operated by a government entity;
- A museum that is owned and operated by a not-for-profit organization and open to the public.
- A museum that is owned by a government entity that is leased to a not-for-profit organization for operation as a museum open to the public.

GRANT REQUIREMENTS

All applicant organizations must:

1. Own or have an executed lease for the undisturbed use of the land or buildings for a period of no less than 10 years (or both). Exception: Unless land or buildings or both are publically owned and leased to an eligible applicant.
2. Retain ownership of all improvements made under the grant. Exception: Unless land or buildings or both are publically owned and leased to an eligible applicant.
3. Provide an organization operating budget showing total revenue and support for the last 2 completed fiscal years. Organizations must also provide a 5 year budget projection.
4. Provide a digital file reduction of current architectural plans (This is required for new building projects. Encouraged for all other applicants.)
5. Provide support letters indicating project impact and worthiness (5 letters or fewer)
Any applicant requesting and receiving grant funds from this program for the purpose of construction, rehabilitation, remodeling, or preservation of a historic property, must do so in conformance with the Secretary of the Interior's Standards for Historic Preservation. Please see these standards and additional information at www.nps.gov/history/hps/tps/tax/rhb/.
6. Have at least 25% of the total matching funds confirmed by the application deadline. The applicant must have 100% of the matching funds confirmed before grant funding will be disbursed.

Applicants can only have one "open" cultural facilities grant at a time.

UNALLOWABLE EXPENDITURES FOR GRANT PROGRAM FUNDING

No Facilities project expenditures will be allowed for the following, from COUNTY funds or from matching funds:

1. General Operating Expenses (GOE). Administrative costs for running the organization (including but not limited to salaries, travel, personnel, office supplies, mortgage or rent, operating overhead or indirect costs, etc.).
2. Costs associated with representation, proposal, or grant application preparation.
3. Costs incurred or obligated before project timeline approved in the grant process. (See exceptions on p. 5 under "Allowable Matching Funds")
4. Costs for lobbying or attempting to influence federal, state or local legislation, the judicial branch, or any County agency.
5. Costs for planning, including those for preliminary and schematic drawings, and design development documents necessary to carry out the project.
6. Costs for bad debts, contingencies, fines and penalties, interest, and other financial costs.

7. Costs for travel, private entertainment, food, beverages, plaques, awards, or scholarships.
8. Projects restricted to private or exclusive participation, including restriction of access to programs on the basis of sex, race, creed, national origin, disability, age, or marital status.
9. Re-granting, contributions, and donations or endowment contributions.
10. Feasibility studies, architectural drawings or operational support.
11. Expenditures for space rental, improvement, or maintenance not specifically identified with the project.

ALLOWABLE MATCHING FUNDS

There are five types of allowable matches.

- Irrevocable pledges
- Documented in-kind contributions
- Prior eligible expenditures directly related to the project and made within 2 years prior to the application date
- A portion of the value of the land or building directly used for the grant project
- Cash on hand (Liquid Assets)

At least 25% of match must be cash-on-hand. No more than 50% of the match may be irrevocable pledges or in-kind contributions.

Volunteer hours may not be used as in-kind unless they are providing professional services. For example, a plumber or carpenter may provide in-kind as a skilled trade professional, but not as a general volunteer for the organization.

In-Kind contributions by the applicant are **not eligible** for match.

For further details, see “Match Requirements” and “Restrictions on Matching Funds” below.

MATCH REQUIREMENTS

- Match must be at least 1:1, or one applicant dollar for every one County dollar requested.
- Matching funds **must be specifically related to the project for which grant funds are being requested.**
- Required documentation for the match is listed below and on the application.
- **Match must be 100% complete and confirmed at the time of grant award.** Applicant must have at least 25% of total match confirmed by the application deadline.

1. **Cash-on-Hand.** At least 25% of the match must be cash-on-hand (not merely pledged) and dedicated to the project before grant funding may be released. (Example: if match is \$1,000, at least \$250 must be cash-on-hand). Cash-on-hand may exceed 25% of the total match, but may never be less than 25% of the total match. Cash-on-hand may be documented by submitting a grant award confirmation, or an account statement that shows the availability of the cash, accompanied by board minutes or an executive director’s statement attesting to the approved use of those funds—free from restrictions, liens—are dedicated to the proposed project, or an award letter for a government appropriation.

2. Irrevocable Pledges. Irrevocable pledges of cash payment must be received and obligated by the end of the grant encumbrance period of 21 months). Pledges must be documented in the following manner:

- a) Name of person or organization making the pledge;
- b) Date and Amount of the pledge;
- c) When the pledge will be paid (must be paid by end of the grant encumbrance period); and
- d) Intent of the donor for use of the funds must be confirmed to be specifically for the proposed project.

Only pledges that are auditable are acceptable.

No more than 50% of the total match may be irrevocable pledges and/or in-kind contributions.

3. In-Kind Contributions. Sources of in-kind contributions must be itemized at the time of application, and the goods and services received and utilized by the end of the grant encumbrance period. In-kind contributions must be dedicated to the project and will be accepted toward match if received and utilized within the proposed project period dates and/ or by the end of the grant encumbrance period. Itemized in-kind contributions must include the following information:

- a) Name of person or organization making the in-kind contribution;
- b) Date and Description of goods and services donated; and
- c) Fair market value of the in-kind contribution, including total value of the goods and services, amount to be donated, and the basis for the determination.

4. Prior Expenditures. Prior expenditures directly related to the project may be accepted toward match if made within two (2) years prior to the application date. Itemized prior expenditures must include the following information:

- 1) date and description of expense
- 2) brief explanation of purpose of expense and how it relates to grant project

5. Land or building. Up to 10% of the value of the land or building specifically used for the grant project can be counted toward match. The land or building may be appraised for the purposes of the match. However, the cost of the appraisal may not be counted towards the match. Applicants may use an appraisal or the organizational audit or 990 to demonstrate the value of the land or building applied towards the match.

RESTRICTIONS ON MATCHING FUNDS

- Funds that are for General Operating Expenses (i.e. the Un-restricted column on the Statement of Activity page of the organization's audit) will not be allowed.
- Revenue from bond issues that have not been passed at the time of application will not be acceptable as match. Cash proceeds must be received and expended by the end of the grant period.
- Revenue from grants that have not yet been awarded will not be acceptable as match.
- Fundraising costs will not be acceptable as match.
- Legal fees or taxes will not be acceptable as match.
- Matching funds will be designated only to the project phase presented in this application and may not be used in previous or succeeding applications.
- Matching funds may have been expended prior to the execution date of the Grant Award Agreement; as long as they are clearly a part of the project described and can be documented and as long as they are made within two years prior to the application

date. However, at least 25% of the matching funds must be confirmed by the application deadline.

- Interest paid on mortgage. The interest paid on the mortgage is considered to be the "cost of doing business," and may not be used as match.
- Building or Land as match:
 - The value of buildings or land not owned by the applicant may not be used as match.
 - The building or land must have been intended for the grant purpose at the time of purchase or acquisition.
 - A building or land used for the grant project may be appraised for purposes of the match. The cost of the appraisal cannot be counted toward the match. Only 10% of the portion of the land or building directly used for this project may be counted towards the match.
 - Owner must live in Leon County
 - Must have unrestricted use of the building or land for at least 10 years
- Loans may not be used as match. Only unencumbered equity may be counted as match.
- Funds from any State of Florida agency may not be used as match for this program.
- In-Kind Contributions by the applicant are **not eligible** for match.

MATCHING FUNDS DOCUMENTATION

- Prepare all Matching Fund documentation within a single PDF, if possible.
- If there are multiple Matching Fund documents, attach them in the order in which they are listed on the Match Form, or include a cover listing of all the documents included.
- Identify any Matching Fund documentation clearly, especially if it is not immediately clear who or what they are funding.
- Matching documentation must be included if you indicate it as "confirmed" on the Match Form.
- Matching Funds Confirmation requires audit-ready documentation, such as:
 - Grant award letters, written or emailed pledge to support the project, sponsorship agreements, etc., which includes:
 - Donor/Company,
 - Contact information,
 - Amount of the contribution/award,
 - Date by which the contribution, award, or pledge will be paid, and
 - **Use or purpose for the funding--must be intended specifically for the project.** If the document indicates general support for the organization and does not specify the project, you must submit accompanying letter from the executive director as in "Applicant Cash" item, below.
 - Must include any restrictions on the funding, such as: approval process, acknowledgement requirements, specific materials of value such as tickets, advertising space, etc.)
- A notice of intent to consider support for the project does not qualify as confirmed, but may be included to show potential or pending matching funds. Indicate these in the "unconfirmed" column on the Match Form.
- Applicant Cash – If using applicant cash to support a project, the documentation must include: the amount, the availability of that amount to be used specifically for this project, that the amount is free and clear from liens or other use restrictions, and that it has been dedicated specifically to this project, as approved by the applicant organization's executive director, or an officer of the Board of Directors.

The applicant's recent financial statements (as submitted with the application) should support this availability of funds from Applicant Cash.

- Documentation of In-Kind support must be included in the project plan narrative, budget, budget detail and match forms in order to reflect the total cost of the project. It is recommended to document all forms of In-Kind support for the proposed project, whether or not used as Matching Funds.
- Matching Funds Confirmation of In-Kind Support requires documentation, such as: pro-bono value statements (from the providing source); statement of contributed item and value, volunteer hours (statement includes name, contact, service to be provided, number of hours, rate and total value of service(s), etc. As with all matching funds, the contribution or donation must be specifically for the project.

FUNDING REQUESTS AND LIMITATIONS

- Applicants may apply for a maximum funding request of \$100,000. The minimum allowable funding request is \$5,000.
- Funding Request must be no greater than 50% of the total eligible budget costs for the project.
- Organizations may only submit a single application per year.
- Applicants who are awarded funding through the Cultural Facilities Matching Grant Program will not be eligible for funding in the fiscal year immediately following their grant award.

PROJECT TYPES ALLOWED

- **Acquisition** – land/building purchase
- **Construction** – a. New building (ground up building construction), or
b. building addition resulting in air conditioned square footage by 25% or more
- **Renovation** – repair, addition, or alteration of a building/property
- **Equipping** – outfit or return a property to a state of utility through replacement of capital fixtures and equipment; including fixtures, furnishings and equipment that will replace, increase or alter to enhance technology, make possible a greater capacity, or make more efficient use of the space.

No “bundling” of items. Proposal must be for one proposed project only. Trying to include more than one stand-alone project to make a bigger project for the proposal is discouraged. All elements of the project shall be integrated into the proposed project scope.

No multi-year requests. All new requests will be single-phase projects. Single Phase Projects are defined as those which will be completed within 21 months after grant funds are available.

CHANGES IN PROJECT SCOPE OR VENUE

Anything that substantially reduces the scope or character of the funded project is not allowed.

Organizations wishing to change the scope or venue of their project must submit a new application, in accordance with application guidelines and calendar, for a subsequent application cycle.

Any material changes in project scope or of a variance of 20% or more of total budget **or any one line item**, must receive approval by COCA *in advance* in order to receive further funding.

PROJECT EXTENSIONS

Grant period extensions may be requested by the applicant. An extension of the completion date must be requested at least 30 days prior to the end of the grant period. COCA may approve extensions not to exceed 120 days for any project unless the Grantee can clearly demonstrate extenuating circumstances.

An extenuating circumstance is one that is beyond the control of the Grantee, and one that prevents timely completion of the project, such as a natural disaster, death or serious illness of the individual responsible for the completion of the project, litigation related to the project, or failure of the contractor or architect to provide the services for which they were hired. An extenuating circumstance does not include failure to read or understand the administrative requirements of a grant, or failure to raise sufficient matching funds.

To request an extension, grantee must submit written request to COCA at the earliest possible date, or at least two (2) months in advance of the project end date. Request must include: project title and brief description, award amount, requested amount of time for extension (number of days/months) and explanation for extension request. The request must include any project scope changes and budget impact related to the extension.

The extension request will come before COCA for consideration. If approved, the grant is considered in "current" standing. The length of time awarded by the approved request extends the project grant period accordingly, and a contract amendment will be issued. If any follow-up information is requested, this becomes part of the grant requirements and must be completed to maintain current status.

LEASE AND LAND REQUIREMENTS

Applicant organizations must document ownership or undisturbed use as follows:

1. **Legal proof of unrestricted ownership of land and building.** Unrestricted shall mean unqualified ownership and power of disposition. Property that does not meet the unrestricted ownership criterion will not be eligible for match. Documentation may include a deed, title, or copy of a recent tax statement. Provisional sales contracts, binders, or letters of intent are not acceptable documentation of ownership.

OR

2. **Undisturbed use of property for a specific period of time.** This specific period of time must begin no later than the deadline date for the application in which funding is requested, and must continue for the minimum period of time required according to the Project Scope. For building renovation or construction, the remaining lease term must allow for a minimum of ten (10) years' public access to the facility, under normal operating hours, beyond the completion date of the proposed project.

Documentation must include:

- an executed copy of a lease with applicant, and
- a written explanation of any easements, covenants, or other conditions affecting the use of the site or facility, or both.

***Important:** The length of the lease is measured from the remaining term as of the date of application. Provisional extensions to meet the minimum lease requirement are not acceptable. All original and executed lease extensions must be submitted with the application.

LEASE CHECKLIST

CHECKLIST FOR LEASE

THE FOLLOWING CHECKLIST WILL INDICATE THAT THE AUDITORIUM OR MUSEUM IS ELIGIBLE TO APPLY FOR THESE FUNDS IF ALL THE ITEMS BELOW ARE TRUE.

- The underlying fee simple ownership will be by a government entity, who will be the Landlord under the Lease.
- The Lease may provide a right to the Tenant to construct improvements, but for said constructed improvements and other improvements on the property, they cannot be materially modified without the approval of the Landlord. The Lease may authorize the Tenant to apply for TDT Dollars to be used for improvements and other authorized project-specific expenditures under the TDT guidelines.
- The Tenant must maintain in all respects the improvements and deliver them to the Landlord at the end of the Lease in the same condition as when constructed, reasonable wear and tear accepted.
- If the Tenant is dissolved, that will constitute a default under the Lease and terminate the Lease with any improvements reverting back to the Landlord.
- During the term of the Lease, the Tenant may show the value of the improvements on its books, with a note that upon termination, those improvements revert to the Landlord.
- The use by the Tenant for the property and improvements must be agreed upon and will be restricted to a cultural facility use (see "Definitions and Terms"). Tenant may not assign its rights under the Lease without Landlord's approval and the use may not change without Landlord's approval.

CHECKLIST FOR SUBLEASE FROM GOVERNMENT ENTITY

THAT IN TURN IS LEASING FROM A PRIVATE SOURCE

When a museum or auditorium building is owned by a not-for-profit organization but situated on land owned by a private source that is leasing to a government entity that is subleasing to the applicant not-for-profit ...

- The term of all Leases and subleases must be for a required number of years, at least equal to the useful life of any improvements to be constructed by the Tenant.
- Language in the Lease Agreement that assures us that auditorium or museum usage will remain for the length of the lease.
- Language in the lease that states that the government entity will become responsible for maintaining the auditorium or museum should the nonprofit default on the lease.

For Acquisitions only

Acquisition applicants will be considered exempt from this ownership eligibility requirement. If the application is for an acquisition, the applicant must provide a description of the facility, purchase price, and a letter of intent to sell signed by the seller. Remember, the County will not reimburse the grantee for an expense that was incurred prior to the execution of the Grant Award Agreement. Therefore, the purchase of (closing on) the property or facility (an expense) may not take place prior to the execution of the Grant Award Agreement.

ADMINISTRATIVE AND REPORTING REQUIREMENTS

If a grant is awarded, recipients shall enter into a contractual grant award agreement with Leon County through its fiscal agent, COCA, that specifies the applicant's responsibilities. The applicant shall comply

with the administrative and accounting requirements set forth in the grant award agreement, which include but are not limited to:

1. Submission of interim reports at six-month intervals (at a minimum) and a final grant report.
2. The Grantee shall maintain an accounting system that provides for a complete record of the use of all grant and matching funds, including:
 - (a) Establish an accounting system that records project expenditures by using the same expense categories as those in the original application.
 - (c) All project documentation must be kept current, and accessible to COCA or Leon County, upon request, and retained for a period of five (5) years after the project and grant reporting requirements have been completed.

ENCUMBRANCES AND EXPENDITURES

Grant recipients must encumber (commit or contract for) all County dollars for the length of the grant period. County funds may not be encumbered or expended prior to the signing of the Grant Award Agreement by all parties.

FUNDING ACKNOWLEDGEMENT

For projects funded wholly or in part by this grant, Applicant organizations must acknowledge COCA, the City of Tallahassee, and Leon County in signage and media, including digital communications and websites and programs, publications and other printed materials.

Acknowledgment will include the County's, and COCA's logo **and** use of the following statement, as best suited to the collateral design, and at a size that is legible.

Verbiage for acknowledgment is as follows: "This project is funded in part by Leon County Government through the Council on Culture & Arts."

Requests for exceptions to the verbiage or logo compliance may be approved if noticed to COCA in advance of publication deadline.

Acknowledgement to COCA and Leon County must be commensurate with the recognition provided to other contributors and sponsors of the project in any of the following applications:

- a. On a permanent sign constructed on the project site;
- b. On a temporary signage displayed at the construction site; and
- c. In all major publications, printed and digital media

INDEMNITY, SAFETY AND INSURANCE REQUIREMENTS

Indemnity. To the fullest extent permitted by law, applicant will defend, indemnify and hold harmless COCA and Leon County from and against all claims, damages, losses and expenditures, including reasonable attorneys' fees and costs, arising out of or resulting from its activities under the Agreement.

Safety. Applicant will comply, and will require its contractors (if any) to comply, with all applicable laws, ordinances, rules, regulations, standards and lawful orders from authorities bearing on the safety of persons or property or their protection from damage, injury or loss.

Insurance. Applicant shall provide and maintain insurance coverage throughout the term of the contract, or until the completion of the proposed project, whichever is sooner, of such types and in such amounts as may be necessary to protect against misappropriation of the Program funding and damage

to or destruction of the improvements purchased or constructed with said funding. Applicant or insuring agent will provide certificates of insurance evidencing said coverage, according to the following requirements:

a. Applicant will have in force the following insurance coverage and will provide Certificates of Insurance to COCA prior to commencing project under the Agreement to verify such coverage. It shall be the responsibility of the Applicant to ensure that all its contractors and subcontractors procure and maintain the insurance coverage outlined below for the duration of the project, unless noted otherwise.

i. **Commercial General Liability** - Applicant will provide coverage for all operations including, but not limited to, Contractual, Products and Completed Operations, and Personal Injury. The limits will not be less than \$1,000,000 Combined Single Limit (CSL) bodily injury and property damage, or its equivalent. The insurance policy will list COCA and Leon County as an additional insured, with respect to the Commercial General Liability insurance.

ii. **Commercial Automobile Liability** – Applicant will provide coverage for all owned, non-owned and hired vehicles directly related to the grant project for limits of not less than \$500,000 Combined Single Limit (CSL) bodily injury and property damage, or its equivalent.

iii. **Workers' Compensation**, if applicable – Applicant will provide coverage for all employees at the site location and, in case any work is subcontracted, will require the subcontractor to provide Workers' Compensation for all its employees. Coverage is required in accordance with State of Florida statutory requirements.

iv. **Employee Dishonesty/Crime Insurance** – Applicant will provide coverage greater than or equal to sixty-five percent (65%) of the amount of the Cultural Facilities Program funding.

v. **Payment and Performance Bonds** – The contractor shall execute payment and performance bonds in amounts at least equal to the **current project phase amount** (total amount of the proposed project, not including prior expenditures toward the project, nor is it mandated to cover soft costs, which typically include design, engineering, permitting (DE&P) and project administration) in such form and with such sureties as may be acceptable to the Applicant and COCA. If the surety on any bond furnished by the contractor is declared bankrupt or becomes insolvent or its rights to do business in the State of Florida are terminated, or it ceases to meet the requirements imposed by this agreement, the contractor shall within five (5) business days thereafter substitute another bond and surety, both of which shall be acceptable to the Applicant and COCA. The bonds must remain active throughout all current work related to the proposed project.

NOTE: If an applicant/grantee's project is limited to new equipment installations, a builders' risk or installation floater (inland marine coverage) is acceptable, with the caveat that the policy must include coverage for any damage done to the existing structure caused by the new installation.

vi. **Builders' Risk/Installation Floater** – The contractor shall provide "all risk" property insurance on any construction, additions, and machinery and equipment. The amount of the insurance shall be no less than the estimated replacement value at the time of applicant's final acceptance of said improvements. In the event that the grantee does not work with a contractor on the

funded project, the organization must purchase or add Builders' Risk to their current property program (Commercial General Liability). This is a cost that would have to be incorporated into the grant request. The Builders Risk policy must remain active throughout all current work related to the proposed project and must not terminate until the final acceptance of a contractor's work, all vendors' installations, final release of occupancy, and final acceptance at completion of the project has been made by the applicant.

vii. The insurance coverage shall contain a provision that forbids any cancellation, changes or material alterations in the coverage without providing 30 days written notice to COCA, or 10 days for nonpayment. (These terms are no longer provided on the ACORD standard industry Certificates of Insurance Cancellation, but shall be included in the policy provisions.)

b. Any exceptions to the insurance requirements in this section must be requested in writing by the applicant and approved by COCA. Such a request should include reasons why the applicant is unable or unduly burdened by the requirement it desires reduced or waived.

c. Compliance with these insurance requirements shall not relieve or limit the applicant's liabilities and obligations under this Agreement. Failure of COCA to demand such certificate or other evidence of full compliance with these insurance requirements or failure of COCA to identify a deficiency from evidence provided will not be construed as a waiver of the applicant's obligation to maintain such insurance.

Project Team and Management - Cultural Facilities Funding projects require very specific usage and project management oversight, and frequently necessitate a contractor, or project manager. In the event that a contractor will not be engaged for the project management, it becomes even more critical to provide roles and responsibilities for the project team, organization staff, and Board of Directors, with regard to the project management.

FINANCIAL REPORTING

Financial Statements will be required as part of the application. The following chart shows the financial statements required based on the applicants operating budget (unrestricted operating revenue) for most recently completed fiscal year. Please note: No compilation reports will be accepted for audited or reviewed financial statements.

If your organization's unrestricted, operating revenue for the most recent fiscal year was:

\$1.5 million or greater

You must submit

- a) Form 990,
- b) Independent, certified audit for most recent fiscal year,
- c) AND current year, board-approved financial statements

Between \$500,001-\$1.5 million

You must submit

- a) Form 990 AND
- b) Independent, certified audit, OR
- c) reviewed, financial statements AND current year, Board-approved financial statements

Less than \$500,000

You must submit

- a) Form 990 AND
- b) Independent, certified audit OR
- c) reviewed financial statements, compiled financial statements OR
- d) Self-reported year-end financial statements signed by the organization's treasurer or accountant AND current year- to- date financial statements

PANEL MEETING

An independent panel will meet to discuss the applications and ask questions of applicants, if requested. The grant review panel will be assigned and supported by COCA. Applicants will be invited to attend the meeting to answer questions from the panel. No presentations or updates from applicants will be allowed at the panel meeting. After panel discussion at the public panel meeting, each panelist will finalize their scores and submit them for final data entry and ranking. Panel will hold consensus discussion on final scores, ranking, and funding recommendations.

SCORING, RANKING, AND FUNDING

Scoring. The total possible number of points for a grant application is 105. The grant panel's evaluation will be based on the information contained in the application and required attachments. The panel members' individual ratings will be averaged to determine a final score for each application. Applications receiving a score of 75 or higher will be considered for funding.

Bonus Points will be added to the applicant's average score based on the length of the applicant's length of operation. Such length and points shall be determined from the date of incorporation to the date of the application deadline, according to the following rubric:

- 10 to 15 years – 2 points
- 15 to 20 years – 3 points
- More than 20 years – 5 points

Scoring will be Olympic-style, meaning that the high and low score will be dropped and the remaining scores will be averaged together. Scores will be calculated to the thousandths of a point (example: 85.437). For funding consideration, a final score of 75 or greater is required.

Ranking. A priority list is determined by the rank order of all proposed projects based on the Olympic average score of each application. The number of applicants funded will depend on the amount of the funding pool available, awarding funding to the highest scoring applications, until the pool is depleted. Any remaining partial request amount will be taken into consideration by the panel as they decide the funding recommendation by consensus.

Final approval of ranking and funding recommendations. COCA's Board of Directors and Leon County's Tourist Development Council (TDC) reviews and approves the funding recommendations of the grant panel.

The grant panel will have the flexibility to offer partial funding but not less than 80% of the applicant's request. However, the goal of the program is to fully fund organizations' requests.

GRANT PANELIST EVALUATION RUBRIC

A. Concept (40 Points Total)

- Q1: Need – 20 Points
- Q2: Vision – 15 Points
- Q3: Inspire Excellence – 5 Points

B. Facility (30 Points Total)

- Q4: Process/Design/& Planning – 15 Points
- Q5: Quality – 15 Points

C. Management & Budget (30 Points Total)

- Q6: Operational Readiness – 10 Points
- Q7: Financial Readiness – 15 Points
- Forms & Financial Position
- Q8: Care & Stewardship – 5 Points

PAYMENT SCHEDULE

Reporting and Disbursements Schedule to be determined according to project timeline and draw-down needs, on a project-by-project basis.

- **Report/Disbursement #1 – 25% of award** upon Execution of Award Agreement with required updates
- **Report/Disbursement #2 – up to 65% of award** for 2nd Disbursement (may be more than one Interim report/disbursement, depending on project timeline and project draw-down needs)
- **Report/Disbursement #3 – 10% of award** after close of project, final report, including release of liens and documentation of all project expenditures. **(This is on a reimbursement basis.)**

DEFINITIONS & TERMS

APPLICANT: a public entity, or a not-for-profit corporation that owns or has the unconditional use of the building to be renovated, expanded, constructed, or equipped, and the site on which it is located.

Legal name of the organization directly responsible for the project and having undisturbed use of the facility at the time of application. Make sure that the street address is included if using a post office box for mailing.

APPLICANT CASH (MATCH): This line item is often used to "balance the budget" when expenditures exceed all other revenues listed. For the proposal budget, these are general funds the applicant will dedicate to the project.

APPLICANT'S FEDERAL EMPLOYER IDENTIFICATION NUMBER: Must be provided before funds will be released. This is not a State of Florida sales tax exemption number.

ARCHITECTURAL/DESIGN SERVICES: Amount paid (or documented in-kind) for total services involved with project. These may include design work, schematics, design development, bidding and negotiation, consultant services, and contract administration by the architect.

ASSETS: (see CAPITAL FIXTURES AND EQUIPMENT), items that become affixed to the facility, that add to the value of the facility, and are depreciated over the useful life of the item(s). "Bricks and mortar" refers to purchase of (acquisition), building of (construction) or improvements (renovation or equipping) to the facility. Design and architectural services, feasibility studies, permitting fees, and expenditures of staff for coordination with contractors, preparing bids or rebidding, are often expenses of a facility improvement—considered "soft costs"—but are not assets.

AUDITORIUM: a facility open to the public constructed for the purpose of serving public gatherings, including but not limited to performances and concerts.

BUILDING ACQUISITION: Amount paid by the applicant for purchasing an *existing building* involved in the project, or documented in-kind value. Use the acquisition date value.

The following restrictions apply:

- 1) Must be applicant-owned, or to be acquired as part of the grant.
- 2) Lease value not eligible for match.
- 3) Must be considered "secure and dried-in" to be valid for building acquisition through Cultural Facilities.

CAPITAL FIXTURES AND EQUIPMENT: fixtures and equipment that add to the value or useful life of property with a useful life of at least five years. Generally, capital equipment must be deducted by means of depreciation, amortization or depletion. Capital equipment includes machinery or betterments of a long-term nature. Expenditures that keep property in an ordinarily efficient operating condition and do not add to its value or appreciably prolong its useful life are not capital expenditures. Non-capital expenditure repairs include services such as repainting, tuck-pointing, mending leaks, plastering and conditioning gutters on buildings.

CAPITAL IMPROVEMENT: for the purpose of this application, is defined as an addition or renovation of a permanent structural improvement or the restoration of some aspect of a property that will either enhance the property's overall value or increases its useful life.

CONFIRMED MATCHING FUNDS: resources presently available to designate to the project for which funding is requested (including cash the applicant has on hand, irrevocable pledges, in-kind services, donated services, materials, and other donated assets). Required match amount is one applicant dollar for every one grant dollar. Match is considered confirmed through the completion of the required Match Summary form.

CULTURAL FACILITY: for purposes of this application, an auditorium or museum.

CONCRETE: May include cast-in-place concrete, architectural cast-in-place concrete formwork, structural precast concrete, and special concrete toppings and finishes.

CONSTRUCTION OR NEW CONSTRUCTION: a new building (ground-up building construction) or building addition resulting in increase of air-conditioned square footage by 25% or more.

CONVEYING SYSTEMS: May include elevators, moving walkways, wheelchair lifts, and vertical conveyors.

CONTINGENCY: An amount budgeted for unanticipated expenditures (i.e., materials, equipment, labor, cost overruns, etc.) based on a percentage of the total expenditures; recommended to budget five (5) percent.

CORPORATE SUPPORT: Cash support derived from contributions given for this project by businesses, corporations, and corporate foundations, or a proportionate share of such contributions allocated to this project.

CULTURAL FACILITIES FUNDING (this grant request): Enter amount requested from the County on this line.

DOORS AND WINDOWS: May include steel, wood, glass, and aluminum doors; frames; automatic or revolving doors; steel, wood, glass, and aluminum windows; decorative or mirrored glass, and door and window hardware.

ELECTRICAL: May include wires and cables, transformers and switchgear, panelboards, fuses, disconnect switches and circuit breakers, interior and exterior lighting (including theatrical lighting), fire alarm systems, public address systems, and lighting control equipment.

ENCUMBRANCE PERIOD: the 21 month period between June 15, 2016 and February 15, 2018, during which TDT dollars and match dollars must be obligated to pay for project expenditures.

EQUIPMENT: May include such items as theatre and stage equipment (i.e., fly systems, lighting instruments, stage drapes, and projector screens). Note: Do not include expenditures for office equipment.

EQUIPPING: the project will outfit a property to a state of increased utility or returning a property to a state of utility through replacement of capital fixtures and equipment; includes fixtures, furnishings, and equipment (FF&E) that will replace, increase or alter to enhance technology, make possible a greater

capacity, or make more efficient use of the space. May include theatre and stage equipment (fly systems, lighting instrumentation, drapery, projector screens), and specialties such as built-in storage units, signs, etc., (see Capital Fixtures and Equipment, Equipment).

Furniture & Office equipment are not allowable expenses with grant funds; and may be matching fund expenditures **only if directly related to the project.**

EXISTING BUILDING (see PROJECT): a building that is considered *secure and dried-in* is eligible for acquisition, renovation or equipping grant requests.

EXPENSES: Costs related to purchases of services, furnishings or equipment; or staff time for project coordination, items paid in current fiscal year; versus expenditures which may be capitalized, and are recorded as an asset and depreciated over time.

FACILITY OWNERSHIP OR LEASE; WHO OWNS THE LAND AND BUILDING? The question of ownership of the facility to be constructed or renovated must be addressed here. If the facility is being leased, the lessor must be named and the length of the lease must be disclosed. If the application is for the acquisition of a building, clearly indicate such and explain who presently owns the property. Documentation of the intent to sell and the purchase price must be provided in the original application.

FEASIBILITY STUDY: research and report conducted and prepared by an independent, professional consultant qualified to measure:

- A) Community need for the project;
- B) The applicant's ability to raise the needed funds and complete the project; and
- C) The applicant's ability to successfully operate the completed facility for at least five years.

FINISHES: May include plaster, sheathing, ceramic tile, wood or brick flooring, carpet, painting, and wall coverings, and acoustical treatments such as panel or tile ceilings.

FISCAL STABILITY: encompasses the annual financial results of operations, available resources, and the applicant's plan to resolve any deficit problems. A concern for fiscal stability would be indicated by multi-year operating deficits and declining fund balances. (Note: The fiscal impact this proposed facility project would have on projected operations will be considered.)

FIXTURES, FURNISHINGS, AND EQUIPMENT (FF&E): accounting term used in valuing a building. FF&E are movable furniture, fixtures or other equipment that have no permanent connection to the structure of a building or utilities. These items renovation enhancements that will replace, increase or alter, to enhance technology, that makes possible a greater capacity, more efficient use of the space. These items must be directly related to the project.

FURNISHINGS: May include casework, window treatment hardware, louver blinds, and theatre seating. These items must be directly related to the project.

FURNITURE: items that are not affixed to the building despite being required for the operation of the building. (Examples: tables, chairs, computers which are used for administrative purposes, equipment that is leased, desks and other office equipment which are used for administrative purposes, rugs, planters, books, etc.) These items must be directly related to the project.

GENERAL REQUIREMENTS: Cost may include the following contractor services and expenditures: payment and performance bond(s), field engineering, shop drawings, allowances, construction photographs, quality control, and contract close-out.

GOVERNMENT ENTITY: a federal, state, county, municipality, or political subdivision thereof.

GRANT PERIOD: the time for the use of the grant award as set forth in the grant award agreement, within 21-month project period of June 15, 2016 to February 15, 2018.

IN-KIND CONTRIBUTION: the documented fair market value of non-cash contributions provided by the grantee or third parties which consist of real property or the value of goods and services directly benefiting and specifically identifiable to the project.

LAND ACQUISITION: Amount paid by the applicant for purchasing land involved in the project, or documented in-kind value of land donated for the project according to a certified property appraiser. Use the acquisition date value. Lease value is not eligible for match.

LEASE: a contract by which a rightful possessor of real property conveys the right to use and occupy the property for a period of time in exchange for consideration. With respect to this application, the minimum lease term shall be equal to or greater than the useful life of what is being funded. Only leases in which the lessee is a qualified Applicant, as defined herein, will be considered (except where noted under "Eligibility").

MASONRY: May include unit masonry; stone masonry veneer, restoration, and cleaning; and glass masonry assemblies.

MAINTENANCE RESERVE: required to designate amount or percentage in operating budget to afford routine and incidental maintenance and repairs. Intent, to refrain from applying for on-going maintenance of current equipment.

MATCHING FUNDS: dollars provided by the applicant designated solely for the project. For every one dollar the County provides for the project, the applicant will provide at least one matching dollar. Of these matching funds, at least 50% must be in cash, which may include official award letters for grant commitments and appropriations indicating grant funding. No more than 50% of matching funds may be in-kind contributions and/or irrevocable pledges.

A minimum of one-to-one-dollar match is required, but all funding –outside of the County’s Cultural Facilities Funding requested (or granted) – will be considered matching funds.

MECHANICAL: May include pumps, motors, sprinkler systems, plumbing fixtures, water heaters, HVAC pumps and controls, boilers, furnaces, liquid coolers and evaporators, air-conditioning units, humidifiers, fans, metal ductwork, and air filters.

METALS: May include structural steel, metal fabrication, metal stairs, pipe and tube railings, gratings, and ornamental metalwork.

MINORITY: a lawful, permanent resident of Florida who is: An African American, A Hispanic American, An Asian American, A Native American, or An American Woman [288.703(3), Florida Statutes]. At least 51 percent of the organization shall be owned or governed and operated by the identified minority person(s) or persons with disabilities.

MULTI-PHASE PROJECT: a project that consists of several stages or segments. Only single-phase projects may be requested for grant funding.

MUSEUM: For the purposes of this grant application, a museum is defined according to the State of Florida, Division of Cultural Affairs, definitions below:

Art Museum: A department or Agency of the local state or local government or a public or private not-for-profit organization operating in Florida on a permanent basis for the primary purpose of collecting, exhibiting and caring for visual artwork as well as sponsoring and producing visual art programs.

Historical Museum: a department or agency of the state or local government or a public or private not-for-profit organization operating in Florida on a permanent basis for the primary purpose of collecting, exhibiting, and caring for artifacts and other objects of intrinsic historical value as well as sponsoring and producing programs that are related to the historical resources of Florida.

Science Museum: A department or agency of the state or local government or a public or private not-for-profit organization operating in Florida on a permanent basis for the primary purpose of sponsoring, producing and exhibiting programs for the observation and study of various types of natural science and science technology. This definition includes, but is not limited to: arboretums, botanical gardens and nature centers, museums of science, science-technology centers and planetariums.

NEW APPLICATION: an application that has not previously been recommended for funding, or an application for which funding has been recommended, but requires a change in project scope or venue.

NEW CONSTRUCTION: a new building (ground-up building construction) or building addition resulting in increase of air-conditioned square footage by 25% or more.

NON-MATCHING COUNTY FUNDS: What other non-matching Leon County funds will go into the project? This means are there other monies (in-kind contributions, pledges, or cash) which will be used for the project but which you are not counting as matching funds. Identify the source and amount of these funds.

OPERATING FORECAST: fundraising and operating plans for project completion and sustainability (projecting at least five (5) years out.)

OTHER LEON COUNTY GRANTS: Are the matching funds in the grant application being used to match any other Leon County grants? While it may be permissible to use your match dollars to match grants from other County agencies), it is not permissible for you to use the cultural facilities match dollars to match any other Leon County grant.

PLANNING: the preliminary development of architectural, engineering, and other technical services necessary to carry out the project.

PRIMARY POINT-OF-CONTACT PERSON: Indicate the name and title of the person who will be responsible for supervision of the project and administration of the grant. All correspondence

concerning this application will be addressed to this Person. It shall be the responsibility of the applicant to notify COCA of any change.

PROJECT: the acquisition or renovation of existing buildings, or the construction of new buildings, or the acquisition of equipment for a building to be used for cultural activities.

PROJECT LOCATION: Physical address of project.

PROJECT TITLE: Include the type of project proposed (for example: Education Wing: Renovation). If the applicant name is different than the facility name, the facility name should be added to the title. Do not repeat the applicant name in the project title.

PUBLICLY OWNED: owned by a government entity, as defined herein, either through fee simple or lease, such that the government entity has control and undisturbed use of the property for a period to begin before the date the application is submitted and continuing uninterrupted to a date that encompasses the end of the useful life of the capital fixture, equipment, renovation, expansion or construction for which the application is submitted.

RENOVATION: the act or process of giving a building/property a state of increased utility or returning a building/ property to a state of utility through repair, addition, or alteration that makes possible a more efficient use.

RESIDENT COUNTY OF PROJECT: The project must be located in Leon County.

SITE CONSTRUCTION: May include: building demolition, site clearing, sewerage and drainage, underground ducts and utility structures, termite control, irrigation systems, earthwork, and landscaping.

SPECIAL CONSTRUCTION: May include X-ray protection, and metal building systems.

SPECIALTIES: May include louvers and vents, signs, lockers, metal storage shelving, partitions, and mobile storage units.

THERMAL AND MOISTURE PROTECTION: May include waterproofing, fireproofing, shingles and roofing, siding, and sealants.

TOTAL AMOUNT REQUESTED FROM LEON COUNTY: This means the total amount of money being requested for Cultural Facilities Grant Funding.

TOTAL IN-KIND CORPORATE SUPPORT (MATCH): All documented non-cash contributions provided to the applicant by corporate parties. These contributions may be in the form of the fair market value of goods and services directly benefiting and specifically identifiable to the proposed project or program.

TOTAL IN-KIND FEDERAL GOVERNMENT SUPPORT (MATCH): All documented non-cash contributions provided to the applicant by units of the federal government. These contributions may be in the form of the fair market value of goods and services directly benefiting and specifically identifiable to the project or program. *NOTE: The fair market value of any in-kind contribution must be documented to be eligible as matching funds. The applicant should keep receipts or other signed statements.*

TOTAL IN-KIND LOCAL GOVERNMENT SUPPORT (MATCH): All documented non-cash contributions provided to the applicant by other units of government. These contributions may be in the form of the

fair market value of goods and services directly benefiting and specifically identifiable to the project or program.

TOTAL IN-KIND PRIVATE SUPPORT (MATCH): All documented non-cash contributions provided to the applicant by individuals and non-corporate, non-government parties. These contributions may be in the form of the fair market value of goods and services directly benefiting and specifically identifiable to the project or program.

TOTAL IN-KIND STATE GOVERNMENT SUPPORT (MATCH): All documented non-cash contributions provided to the applicant by other units of state government. These contributions may be in the form of the fair market value of goods and services directly benefiting and specifically identifiable to the project or program.

TOTAL LOCAL GOVERNMENT SUPPORT (MATCH): Cash support derived from grants or appropriations given for this project by city or other local government agencies, or a proportionate share of such grants or appropriations allocated to this project. **Note: If the applicant is a city or other local government agency, their cash support should be shown under Applicant Cash and explained in the Budget Detail.**

TOTAL FEDERAL GOVERNMENT SUPPORT (MATCH): Cash support derived from grants or appropriations given for this project by agencies of the federal government, or a proportionate share of such grants or appropriations allocated to this project. The inclusion of an official "Award Letter" may allow the award amount to be counted as "cash-on-hand" even if the award check has not yet been received.

TOTAL PRIVATE SUPPORT (MATCH). Private donations, including foundation grants, given for this project, or a proportionate share of such grants allocated to this project, and cash donations.

TOTAL STATE GOVERNMENT SUPPORT (MATCH): Cash support derived from grants or appropriations given for this project by the Florida Department of State Division of Cultural Affairs or other Florida State government agencies, or a proportionate share of such grants or appropriations allocated to this project. The inclusion of an official "Award Letter" may allow the award amount to be counted as "cash-on-hand" even if the state check has not yet been received.

TYPE OF ORGANIZATION: Indicate the legal status of the applicant entity.

TYPE OF PROJECT: Indicate appropriate project category: Renovation, Construction, Acquisition or Equipping of Cultural Facilities.

UNDISTURBED USE: that the building to be renovated, expanded, or constructed, and the site of such building, will be owned by, or will be under lease to, the applicant **by the date of the application submission**, and that the use of the site and building will be unencumbered by covenants, easements, or other conditions contrary to the purpose of the project.

WOOD AND PLASTIC: May include rough carpentry, finish carpentry, interior and exterior architectural woodwork, panelwork, and plastic fabrications.

Expenditures may include the actual amount to be paid or the value of the in-kind contribution.

Appendix

SAMPLE APPLICATION

BASIC PROJECT INFORMATION

1. Project Title
2. Description of Project
3. Project Contacts (name and Email Address)
4. Request Amount
5. Project Start Date
6. Project End Date
7. Location of Project (must be in Leon County)
8. Project Purpose
____ Acquisitions ____ New Constructions ____ Renovation ____ Equipping
9. Organization Name
10. Incorporation date/years of continuous operational service to the community
11. Federal ID #
12. Website url for organization or proposed project
13. Total Project Amount (Indicate if this is part of a larger, multi-phase project, please give total of entire project)
14. Facilities Historical Significance
 - a. Age of the building
 - b. Is the building subject to historical preservation requirements
15. Ownership/Lease
 - a. Who owns the building?
 - b. Who owns the land?
 - c. If building is leased to applicant, what is the remaining length of the lease (from the time of application due date)?

NARRATIVE QUESTIONS

Section A: Concept (40 points)

Q1) Need (20 points) (8,000 maximum characters) - Why is the project important **to your community**, and what are the consequence of not doing it, or the opportunities for advancement by completing it. A. Project-specific B. Needs have been shown C. Photos, tables, studies, statistics, and documents permitted (*Upload allowed 2MB*)

Q2) Vision (15 points) (8K characters) -What is the Vision?- Why is the project important **to your mission**, and what are the consequences of not doing it, or the opportunities for advancement by completing it.

Q3) Inspire Excellence (5 points) (7,000 maximum characters)
A. Not just about bricks and mortar, but rather what happens there

- B. Testimonials of patrons, critics
- C. How will project enable further or enhance the artistic excellence of your program?

Section B: Facility (30 points)

Q4a) Process/Design/ & Planning (15 points) (9,000 maximum characters)

Include:

- Design Planning – project scope
- How have you addressed environmental features and sustainability?
- Necessary components from consultants
- Estimates
- Programmatic square footage
- Demonstrate that you have the proper qualified project team and have taken all the necessary steps for project preparation.
- Provide a timeline of project milestones; include start and end date and key points in between.

Q4b) Five (5)-year Operating Forecast (1,000 characters + 1MB upload)

Q5) Quality (15 points) (3,000 maximum characters)

- A. **Show the lifetime estimates of materials for your physical solution, relating to your need and vision**
- B. Show the physical solution and useful life

Section C: Management & Budget (30 points)

Q6) Operational Readiness (10 points) (4,500 maximum characters)

- A. Address the project plans & preparation that is complete/confirmed, give specifics on the items below, or add what is relevant to your project , to demonstrate the project readiness.

PROJECT READINESS

- Architectural Drawings completed? Yes___ No ___ Explain Details _____
- Design Drawings completed? Yes___ No ___ Explain Details _____
- Project Team status? Explain Details _____
- Contracted with General Contractor? Explain Status _____
- Historic Preservation Board release issued (if applicable)? Yes___ No ___ Not Applicable Explain Details _____
- Are the land use approvals completed? Yes___ No ___ Explain Details _____
- Permitting issued? Pre-permit meeting? (or status) Yes___ No ___ Explain Details _____
- Certificate of Occupancy issued? Yes___ No ___ Explain Details _____
- Three bids solicited/received OR explain Yes___ No ___ Explain Status/Details _____

- Site preparations Yes___ No ___ Details/Explain _____
- Is a (real estate) lawyer consulting on the project? Yes___ No ___ Explain Details _____

Are there any third-party restrictions or contingencies? Yes ___ No ___ Explain Details

Does the applicant have a maintenance fund established to support future maintenance and repairs for this facility/equipment? Yes ___ No ___ Explain Details

Requirements, Attachments/Uploads –Upload each of the required attachments.

Q6a) Minutes from the organization’s board meeting authorizing the project for which applicant is applying. (500 char. Response +1MB upload)

Q6b) Board of Directors, including officers (+1MB upload)

Q6c) Project Team, including key staff involved with project (+1MB upload)

Q7) Financial Readiness (15 points) -- Forms & Financial Position

Form A: Certification from Professionals – Architect, Engineer and Contractor – IF no architect, engineer or contractor, provide 3 bids from vendors, OR explain) (500 char. Response +1MB upload)

Form B: Project Budget – Summary (for proposed project/phase) – Indicate how grant funds and match will be spent. Include both revenue and expenses for the project, and in-kind (1MB upload)

Form C: Matching Funds & Matching Funds documentation \$1:\$1 of funds contributed specifically for the proposed project (group documentation, 1 upload each for: cash, pledges, in-kind) (3 times, at +1MB each upload)

1) 100% match of request amount required at application.

- ___% of cash match (cash in the bank/applicant cash, government appropriations/resolution, State of Florida or other major funders’ award notice); ED statement & bank statement required for applicant cash.
- ___% of pledges match (signed donor pledge, signed sponsorship or naming agreement)
- ___% of in-kind match (statement of value and service to be provided)
- *NOTE: A report will be provided to panel that confirms match & backup documentation.*

Requirements:

Prepare: Financial Statements – a) **audit and Form 990** from most recently completed fiscal year- these must be current on Nonprofit Search, and do not have to be uploaded to application, and

Upload most recent b) current year-to-date **Financial Statements** (if audit is more than 1 year old)-- both Balance Sheet and Statement of Income & Expenses from same reporting date.

Q8) Care & Stewardship (5 points) (1,500 maximum characters)

- A. Care, Maintenance plan
- B. Ability to last into the future
- C. Your resources dedicated to maximizing the useful life.

Requirements, Attachments/Uploads –Upload the required attachments, if not included within applicant’s Nonprofit Search portrait.

Q8) Long-range or strategic plan (if for renovation, construction or acquisition, the plan should include facilities planning &/or implementation of proposed project). (1,500 char. +1MB upload)

Support Materials: (Optional) – (1,500 maximum characters +3MB upload)

Proof of Ownership, Lease and/or sublease with remaining term from date of application, include all addendums. (1,000 maximum characters +3MB upload)

Attached Application Forms:

1. Certificate of Professionals or Bids
2. Budget Summary
3. Match Summary
4. Five Year Operating Forecast
5. Project Readiness Questionnaire
6. Panelist Grant Scoring Rubric

All applications and inquiries concerning the Cultural Facilities Matching Grant Program should be directed to:

Dr. Kevin Carr
Grants Program Manager
Council on Culture & Arts
816 South Martin Luther King Jr. Blvd.
Tallahassee FL 32301
Ph: 850-224-2500
Email: kevin@cocanet.org

GRANT PROGRAM TIMELINE

Approvals of guidelines

January 9 – Guidelines go before TDC for approval

January 14 – Guidelines go before the COCA Executive Committee for approval

January 21 – Guidelines go before the COCA Board of Directors for approval

March 8 – Guidelines go before the County Commissioners for approval

Release guidelines to public

March 11, 2016

Grant Review/Application window

March 11- April 15, 2016

Grant Application deadline

April 15, 2016

COCA reviews and prepares applications for panelists

April 18-April 25, 2016

Panelists review applications

April 25 – May 27, 2016

Grant panel meeting

May 27, 2016

TDC review and approve grants

July 7, 2016

Funding released to grantees

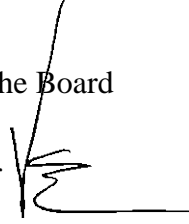
Approximately August 1, 2016

Leon County Board of County Commissioners

Cover Sheet for Workshop

February 11, 2014

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Workshop on Consideration of the Cultural Plan Review Committee's Final Report and Recommendations

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Ken Morris, Director Economic Development & Business Partnerships Lee Daniel, Director of Tourism Development

Fiscal Impact:

The County has generally maintained level funding for the cultural arts during the economic recession. Today, the County provides \$654,500 annually to Council on Cultural Arts (COCA) with \$504,500 derived from bed tax revenues, which are earmarked for re-granting to cultural organizations. The remaining \$150,000 is used to support COCA's administrative costs. The County and City combined accounted for 93.25% of COCA's administrative and re-granting funds in FY 2013.

Based on the Board's preliminary direction at its workshop on October 29, 2013 to dedicate a full one-cent of bed taxes to culture in FY 2015, the County's investment in the cultural arts would increase by \$400,000 annually. In total, the County's projected budget for cultural arts in FY 2015 will surpass \$1 million.

Staff Recommendation:

Board direction.

Report and Discussion

Background:

This workshop is being presented to the Board to review and consider the recommendations given in the Final Report of the Cultural Plan Review Committee (Attachment #1). In 2003, the “Cultural Plan for the Future of the City of Tallahassee and the Capital Area” was developed by an advisory group appointed by the City of Tallahassee, as well as participation by several community leaders. Since 2003, Leon County has partnered with the Council on Culture & Arts (COCA) to implement the Cultural Plan and administer the cultural grant program. During this period, the County has provided COCA with \$6.86 million in funding, of which \$5.14 million has been re-granted to the community.

On September 18, 2012, the Board directed the County Administrator to work with the City Manager to finalize a proposal to update the Cultural Plan. The following month, the Board approved the process to update the Plan with an 18-member Cultural Plan Review Committee (Committee) appointed by the County and City Commissions. Staff was provided by the City as the County provided staffing for the Sales Tax and Imagine Tallahassee Committees. The Committee was tasked with reviewing the original Cultural Plan, assessing the status of plan implementation, determining what portions of the plan need to be updated or omitted based on changes that have occurred, and providing recommendations to the County and City Commissions on modifications to the plan objectives.

On June 18th and 19th, 2013, Ms. Kelly Dozier, Committee Chairperson, presented the Interim Report to the County and City Commissions respectively (Attachment #2). The Interim Report found that there was a need to look at both the short term and long-term objectives of our cultural community. The Committee made several recommendations, including the reinstatement of a Cultural Plan Implementation Committee. During the presentation to the Board, Commissioners expressed concerns about the cultural arts community’s financial dependence on local government and the need for additional support from the private sector. The Board also allocated up to \$5,000, in collaboration with the City, to secure a professional facilitator to assist the Committee.

This workshop on the Cultural Plan is one of four intertwined matters competing for limited resources. Staff presented an agenda item to the Board on January 21, 2014 detailing the overlapping nature associated with the Cultural Plan Update, the Leon County Sales Tax Committee recommendations, the FSU Civic Center District Master Plan and related convention center, and the Community Redevelopment Agency’s (CRA) role in determining the future use of the one-cent bed tax dedicated to the performing arts center. The item, as approved by the Board, provided a sequence for the Board to address these matters to ensure the Board has the best information upon which to make decisions given some of the overlapping financial and policy implications. Based on the Board's actions on all of these issues, staff will bring back an agenda item reconciling each of the Board’s directives for final approval prior to scheduling joint meetings with the Intergovernmental Agency and/or CRA.

Analysis:

The Committee held its first meeting on December 10, 2012 and unanimously approved the Cultural Plan a year later on December 16, 2013. The Final Report was provided to the County on January 31, 2014. More than 100 meetings were publically noticed, providing opportunity for input from interested parties. Specific areas the Committee was asked to address include:

- How to raise additional funds for arts, culture, and heritage communities?
- What are the immediate facility needs for arts and cultural organizations in the community and provide specific recommendations to meet those needs recognizing the fiscal limitation of public funding?
- How to elevate awareness of arts, cultural and heritage organizations in the community to local and regional audiences?
- How can the arts, cultural and heritage communities work more closely with the educational institutions and public and private sectors?

Upon reviewing the original Plan, the Committee initially branched out into six subcommittees. Due to the overlap of issues, the six subcommittees were reduced to four and the Final Report reflects the findings and recommendations in the following four program areas:

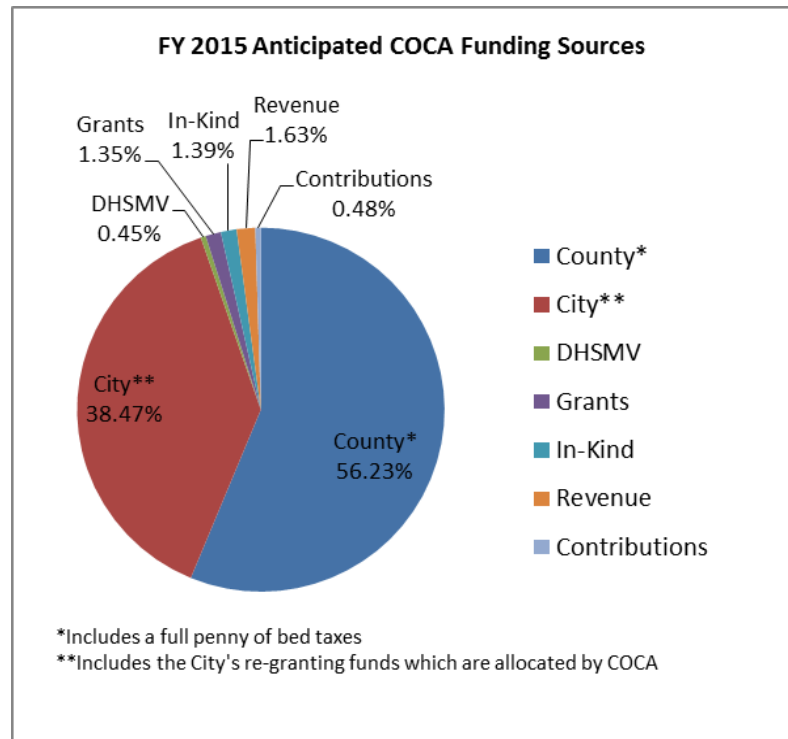
1. Economic Development & Marketing
2. Education
3. Funding and Facilities
4. Plan Implementation/COCA

The Committee did not prioritize the recommendations in any particular order nor assign a cost to the recommended initiatives. Instead, the Committee is seeking the Board's approval of the Final Report in order to proceed with hosting a community workshop in partnership with COCA. Following the community workshop, the Committee anticipates that COCA will utilize the updated Plan in developing an implementation plan and FY 2015 budget request. The Committee also recommends establishing a Citizens' Cultural Plan Advisory Committee to meet bi-annually with the COCA Board to review community progress towards the implementation of the programs and initiatives contained in the revised Plan.

Changes to the economy over the past decade have had a significant impact on local cultural organizations' ability to fundraise, meet financial objectives, and remain functionally sustainable. The Final Report cites national data on the impact of the arts and the disproportionate cuts endured during the recession compared to the overall economy. However, the County and City are recognized for their commitment to the value of culture, arts, and heritage over this time period. Further, it credits the support of the County and City for COCA's recognition as one of the only local arts agencies in Florida to maintain level grant funding to local culture, arts, and heritage organizations.

According to the Audit of COCA Salary Funding and Expenditures, historical funding for COCA has declined by \$259,036 (21.5%) between FY 2008 and FY 2012 (Attachment #3). During that same time period, the County reduced its funding to COCA by \$3,850 (0.6%). Today, the County provides \$654,500 annually to COCA with \$504,500 derived from bed tax revenues, which are earmarked for re-granting to cultural organizations. The remaining \$150,000 is used to support COCA’s administrative costs. According to information provided by COCA and the City of Tallahassee, the County and City accounted for 93.25% of COCA’s funding in FY 2013. This includes the City funds set aside for re-granting through COCA but are maintained on the City’s financial books.

The proportion of COCA’s funding provided by local governments may increase in FY 2015. At the Board’s October 29, 2013 workshop to consider future uses for the one-cent bed tax dedicated to the performing arts center, the Board provided preliminary direction to increase its financial support of the arts



from bed tax funds by seeking to utilize a full-cent for arts and culture (Attachment #4). This would increase the County’s investment in culture by nearly \$400,000 annually, as staff projects each penny of the bed tax to generate approximately \$900,000 in FY 2015. However, this increase cannot be effectuated until the Board meets with the City Commission and CRA on the reallocation of bed taxes currently dedicated to the performing arts center (Attachments #5 & #6). When combined with the \$150,000 for administrative costs, the County’s projected budget for cultural arts in FY 2015 will surpass \$1 million. The pie chart above anticipates the County and City providing 94.7% of COCA’s administrative and re-granting funds by FY 2015.

The Committee recommendations, by program area, are provided in the subsequent portions of this analysis along with staff findings and recommendations. Please refer to the Final Report for the full narrative and detail associated with the Committee’s program areas and recommendations.

Economic Development & Marketing:

1. Create a unified marketing and advertising campaign for promoting Tallahassee and the Capital Area as a cultural hub (Also refer to Economic Development & Marketing Recommendations #10 and #11).
 - o Establish a steering committee from various organizations with each contributing the funds for an advertising campaign.
2. Support a Trolley system and transportation linkages to further connect the districts with cultural components, which have been and are being developed throughout Tallahassee. Examples include Midtown, Frenchtown, Downtown, Cascades Park, Southside, College Town, Gaines Street, The Market District, and others.
3. City of Tallahassee and Leon County should continue to identify and support districts with cultural components by providing appropriate way finding, parking opportunities and transportation links for ease of accessibility to arts, culture and heritage entities.
4. In order to improve the business skills of arts and culture executives, COCA will continue to provide training workshops to assist artists and arts/cultural organizations in ways to implement effective business practices
5. COCA should continue to collaborate with Leon County Tourist Development (Visit Tallahassee) to promote local heritage and cultural destinations. COCA and Visit Tallahassee should continue their efforts to combine their events calendar and create a mobile user-friendly website as well as an app for smart phone users to easily access the information. Information should be presented in a professional and attractive format.
6. Leon County Tourist Development (Visit Tallahassee) should continue to market Tallahassee as a “location site” for the film industry, as an economic driver, in cooperation with the FSU Film School, The Film Society, Florida A&M Journalism/Film Program, TCC Film Program, the Tallahassee Film Festival and other film-oriented organizations.
7. Every three years, COCA should use real data collected through an economic impact report to provide current information on the economic impact of arts and culture in our community. (Refer to Plan Implementation recommendation #9)
 - o To be paid by the County and City.
8. Increase the concept of community arts liaisons including the expansion of the existing arts liaisons program of the Economic Development Council to include leaders of the arts community in an effort to be proactive and look for economic development opportunities that may present themselves as a result of cultural and heritage events in our community.
9. Working with the City of Tallahassee Police Department and others involved in Festival permitting and planning, COCA should create a guide and checklist for event or festival planning and hold workshops to assist those interested in creating new events or sustaining existing events in our community.

10. COCA should develop an annual marketing and communications plan that includes an analysis and determination of its brand, strategic messages, target audiences, the best media channels to reach those audiences and quantifiable goals to determine the efficacy of its marketing strategies.
11. COCA to work alongside Leon County Tourist Development (Visit Tallahassee) and other organizations to help identify and promote destination-defining events, which help define the brand and spotlight arts, culture and heritage.
12. COCA will work with Leon County Tourist Development (Visit Tallahassee) and local businesses, arts organizations and hoteliers to package arts, culture, and heritage resources wherever possible and practical to expand the geographic footprint and reach of our local offerings beyond our community.

Staff Findings:

The first recommendation in this section seeks to establish a steering committee from multiple organizations throughout the community to advance a marketing effort funded by participating organizations. A unified marketing and advertising campaign should be led by a team of industry professionals rather than an ad hoc steering committee and it is unlikely that a sizeable marketing fund could be collected under this model on a consistent basis in order to be effective.

Coordination with the Leon County Division of Tourism Development is referenced in five of the 12 recommendations. The Division of Tourism Development also carries out two additional recommendations (#9 and #10) in its current day-to-day operations to grow the destination market and promote the area. Given these findings and recommendations, the growing needs of the cultural community, and the County's anticipated \$900,000 investment of tourism funds (\$1 million in total County funds), the Board may wish to explore some operational efficiencies and alternatives to support the cultural arts by providing these services in-house through the Division of Tourism Development. The Division is fully staffed, experienced in the distribution and oversight of grants programs, and actively markets local culture, arts, and heritage events in partnership with a professional marketing and public relations firm.

Staff Recommendation:

Should the Board wish to explore the operational efficiencies of implementing the Cultural Plan under the Division of Tourism Development, staff would prepare an agenda item for Board's consideration on the implementation and execution of the Cultural Plan, including the granting process, under this County Division and in partnership with the City.

Education:

1. To create a collective place that serves as a conduit between teachers, schools and the business community so schools and teachers can share needs and businesses can directly respond to help with these needs.
2. Arts, heritage and education organizations should be encouraged to share their expertise with public, private and with home schools.
3. Increase commitment to Leon County's youth and strengthen art and business relationships by creating an Arts at Work program, which is a comprehensive youth program that promotes the arts.
4. Local festivals should showcase student accomplishments in the arts by featuring a COCA/LCS booth that showcases work from K-12.
5. An arts, culture, and heritage curricula coordinator position at Leon County Schools should be created to serves as the businesses conduit between the schools, businesses and arts, heritage and cultural organizations.
6. A Coalition for Arts, Culture and Heritage Professionals should be established providing networking, collaborative, and cooperative opportunities to community arts, culture, and heritage executives.
7. A Youth & Education Network should be formulated (Refer to Plan Implementation recommendation #7). This group will bring greater awareness of and advocate for the importance of arts, culture and heritage education in the community.
8. Promote more “Art in Public Space,” and where there currently is art, provide educational opportunities such as signage at the site of public artworks or guided/self-guided tours.
9. Formulate creative partnerships with organizations that are able to provide volunteers to assist in school arts/heritage classes and activities on a regular and consistent basis.
10. Promote lifelong learning for arts, culture, and heritage by providing a variety of professional development workshops and continuing education opportunities for the community to attend at affordable prices.

Staff Findings and Recommendations:

There are no additional staff findings or recommendations for this section.

Funding and Facilities:

1. Leon County and the City of Tallahassee should continue to provide financial support for arts, heritage, cultural programs, festivals special events, and educational conferences that add to the quality of life and help make Tallahassee a desirable destination.
2. In addition to local government funding, COCA should continue to seek additional public and private funding to support its programs and grants, while not competing with other local arts, cultural and heritage organizations.
3. Recognizing that there are several local government-funded grant programs, as well as varied conditions and criteria regarding eligibility for funding, the committee recommends that there be increased collaborations between all parties including, but not limited to, more effective sharing of information between funding agencies and improved dissemination of information about funding opportunities with all potential applicants (An illustration of local government funding can be found on page 39 of the Final Report).
4. The committee recommends funding be made available for current and future festivals, which will be subject to annual assessment and evaluation determined by the grantor.
5. Establish a new matching grant program for capital improvements for arts, cultural and heritage organizations (See Addendum A1 in the Final Report for grant guidelines).
 - o A dedicated source of funding should be identified for this purpose, such as the use of bed tax dollars currently set aside for the performing arts center.
6. The on-going need for performance venues must be addressed.
7. If we can strengthen our existing cultural organizations and events, demonstrating a record of success, it will be their constituents who will ultimately be the strongest supporters of a future performing arts center.
8. There have been some wonderful and unique installations in our community. There should be a cohesive vision for art in public spaces, such as the gateways to our community or roundabouts creating our “sense of place.”
9. Recognizing that the arts, culture and heritage are a central part of what makes up our community; and recognizing that organizations which provide vital experiences in arts, culture and heritage, like other non-profits, have traditionally faced a myriad of challenges in establishing and maintaining financial sustainability and therefore must rely on governmental support; it is a desirable vision to someday see this segment of our community become financially strong and more self-sustaining.
10. Create a funding source that provides competitive grants to art, and cultural and heritage organizations, as well as state and local government in our community, for projects and programs that would allow those organizations to achieve a desired “quantum leap” (highly significant advance or breakthrough) in their offerings or level of self-sustainability. This game changing opportunity grant is essential to the economic development and quality of life of the community (See Addendum A2 in the Final Report for more information).
 - o The Committee recommends a level of funding that would provide \$5,000,000 over the 20-year life of the sales tax extension, or \$250,000 per year, and be administered through an existing granting infrastructure, such as the one in place at COCA.

Staff Findings:

The County, City, CRA, and Tallahassee Downtown (the Downtown Improvement Authority) each provide funding and resources to support the growing cultural community and festivals/activities. More specifically, the County provides \$654,500 annually to the COCA with \$504,500 earmarked for re-granting to cultural organizations.

Recommendation #4 seeks the continued availability of funds for festivals and events that would be subject to annual evaluation by the grantor. The Board recently approved the creation of the Tourism Signature Event Grant Program and allocated \$125,000 annually for large events and festivals. While the program is not specifically restricted to cultural events, staff anticipates that these funds will be utilized for arts and cultural activities.

Another recent Board action that is not contemplated in the Final Report is its workshop on October 29, 2013 to consider future uses for the one-cent bed tax dedicated to the performing arts center. The Board's support for a capital grants program was based on the needs identified in the Committee's Interim Report. During the workshop, the Board provided preliminary direction to increase its financial support of the arts from bed tax funds by seeking to utilize a full-cent for arts and culture to include:

- The current funding levels for the COCA re-granting process (\$504,500).
- The creation of a capital grants program for cultural institutions, with the associated application process and guidelines, allowable under section 125.0104, Florida Statutes.
- Additional arts and culture investment opportunities available with Tourist Development Tax funds to enhance visitation as recommended by the Tourist Development Council in conjunction with the Cultural Review Planning Committee's Final Report.

The Board's preliminary direction to utilize a portion of the bed taxes currently dedicated to the performing arts center for culture in FY 2015 would increase the County's investment by nearly \$400,000 annually, as staff projects each penny of the bed tax to generate approximately \$900,000 in FY 2015. However, this increase cannot be effectuated until the Board meets with the City Commission and CRA on the reallocation of bed taxes currently dedicated to the performing arts center.

Recommendation #5, which seeks to establish a matching grant program for capital improvements for the arts, cultural, and heritage organizations with the bed tax dollars currently set aside for the performing arts center, is contemplated in the Board's direction from the October 29th workshop. Should the City concur with the Board, the Tourist Development Council will work with the cultural community to bring back recommendations to the Board on the allocation of a full-cent to include the re-granting funds for COCA, a capital grants program, and other cultural investment opportunities.

In a separate workshop on February 11, 2014, the Board will have the opportunity to consider the recommendations of the Sales Tax Committee as they relate to the proposed "Quantum Leap" program described in recommendation #10.

Staff Recommendation:

There are no staff recommendations for this section.

Plan Implementation:

1. COCA will continue to re-grant annually contracted funds from the City of Tallahassee and Leon County through a competitive grant process for culture, arts, and heritage organizations supporting the superlative work these organizations provide the entire community.
 - o Recognizing the limitations in place by Statute, the City of Tallahassee and Leon County should attempt to ease requirements in the COCA Grant Program providing a collective pool of grant dollars to assist local culture, arts, and heritage organizations with general operations grant funding.
2. Create grant programs for individual artists through creative funding streams to support individuals in our community who contribute to culture, arts, and heritage.
3. COCA shall continue to seek out collaborative granting opportunities to partner with organizations and individual artists in the community for grant dollars and public/private funding for which they alone can apply to bring in more funds into our community to help elevate culture, arts, and heritage.
4. Acting as the local arts agency for all citizens in the City of Tallahassee and Leon County, COCA will advocate for and champion all culture, arts, and heritage organizations and individuals.
5. A Coalition for Arts, Culture, and Heritage Professionals should be established providing networking, collaborative, and cooperative opportunities to community arts, culture, and heritage executives.
6. As the local arts agency, COCA will create an ongoing conversation in the community regarding the value of public and private financial support for arts, culture, and heritage.
7. A Youth & Education Network should be established to provide networking, collaborative, and cooperative opportunities to community arts, culture, and heritage educators and administrators.
8. The Board of Directors and staff of COCA will align their strategic vision and long-term organizational plan with the Cultural Plan and collaborate with the Cultural Plan Advisory Committee and community stakeholders to evaluate the implementation and progress of the Goals, Recommendations, and Strategies in the Cultural Plan to best serve all communities in the City of Tallahassee and Leon County.
9. In aligning their strategic vision and long-term organizational plan with the Cultural Plan, COCA will provide the community with an “Economic Impact Study” every three years that demonstrates the role arts, culture, and heritage organizations and individuals play in the local economy.
 - o To be paid by the County and City.
10. With the adoption of the new Cultural Plan a Cultural Plan Advisory Committee will be created by the City and County Commissions to:
 - o Collaborate with plan implementation stakeholders and community on organizational and community needs assessments addressed in the Cultural Plan.
 - o Provide advisement to plan implementation stakeholders and community with possible amendments, improvements, or changes to the Cultural Plan for the betterment of arts, culture, and heritage in our community.
 - o Report the annual progress of the Cultural Plan to the County and City Commissions.

11. Report the annual progress of the Cultural Plan to the commissions of the City of Tallahassee and Leon County.
12. Upon acceptance of the new Cultural Plan, in anticipation of budget preparation and budget workshops at the City of Tallahassee and Leon County, and with the hiring of the new executive director of COCA and other key arts, culture, and heritage staff discussed in the Cultural Plan; funders, policy makers, organizations, individuals and governmental groups, which contribute to the implementation of the Cultural Plan shall conduct a workshop, co-led by COCA Executive Director and Chair of Cultural Plan Advisory Committee, to collectively understand and discuss the implementation of the Cultural Plan and begin the process of collaboration in implementation. A goal of this workshop would include:
 - o Establishing funding needs for the implementation of the Cultural Plan, which may need to be considered during the budgeting process of the County and City.
13. It is recognized by the CPRC that the implementation of some of the recommendations included in the Capital Area Cultural Plan may require additional staffing and funding for COCA. The COCA Board as the governing entity of COCA, with support from the Cultural Plan Advisory Committee, will determine and recommend any additional positions and funding which it deems necessary to effectively implement the plan.

Staff Findings:

This section of the Final Report presents a conundrum in its first recommendation whereby cultural events are linked to enhancing tourism but bed tax funds are considered too restrictive because they require a grantee to demonstrate their tourism impact. The use of tourism funds are prescribed in Florida Statutes so the Board has limited latitude to 'ease requirements' for the COCA re-granting program.

Recommendation #10 seeks to establish a Citizens' Cultural Plan Advisory Committee to meet bi-annually with the COCA Board to review community progress towards the implementation of the programs and initiatives contained in the revised Plan. Under this recommendation, the Advisory Committee would report the progress of the Cultural Plan to the County and City Commissions on an annual basis and would presumably be staffed by the County and/or City. Further, the recommendation explicitly states that the Advisory Committee would not "provide oversight, supervision, or management of any individual, organization, or stakeholder named in the Cultural Plan." The addition of an Advisory Committee, staffed by the County and/or City, to oversee COCA's implementation of the Cultural Plan while not having any formal relationship or authority over COCA may be problematic. As the recognized local arts agency with a volunteer board and various partner organizations, the Board may wish to encourage COCA to establish and staff its own subcommittee to review its progress relative to the Cultural Plan.

Recommendations #11 and #12 present the process by which the Committee recommends developing more specific funding requests for the FY 2015 budget cycle. The Committee is seeking the Board's approval of the Final Report in order to proceed with hosting a community workshop in partnership with COCA. Following the community workshop, the Committee anticipates that COCA will utilize the updated Plan in developing its FY 2015 budget requests for implementation.

Staff Recommendation:

Should the Board wish to proceed with implementing the Cultural Plan as generally outlined in the Final Report, staff recommends providing COCA with the guidance to develop its County budget request assuming \$150,000 for administrative costs and \$900,000 in County bed tax funding to include:

- The current funding levels for the re-granting process (\$504,500).
- The creation of a capital grants program for cultural institutions, with the associated application process and guidelines, allowable under section 125.0104, Florida Statutes.
- Additional arts and culture investment opportunities available with Tourist Development Tax funds to enhance visitation.

This recommendation is based on the Board's preliminary direction at the October 29th workshop to set aside a penny of bed tax revenue for arts and culture along with the unresolved matters to be jointly addressed with the City. Staff also recommends that COCA work in consultation with the Tourist Development Council in developing its budget request for FY 2015.

The Committee's recommendation to establish a Citizens' Cultural Plan Advisory Committee to meet bi-annually with the COCA Board to review community progress towards the implementation of the programs and initiatives and report the progress of the Cultural Plan to the County and City Commissions on an annual basis would not "provide oversight, supervision, or management of any individual, organization, or stakeholder named in the Cultural Plan." The addition of an Advisory Committee, staffed by the County and/or City, to oversee COCA's implementation of the Cultural Plan while not having any formal relationship or authority over COCA may be problematic. As the recognized local arts agency with a volunteer board and various partner organizations, staff recommends encouraging COCA to establish and staff its own subcommittee to review its progress relative to the Cultural Plan rather than the County and City creating a separate Advisory Committee to oversee the implementation of the Plan.

Summary

The Committee's Final Report recognizes the County and City for their commitment to the value of culture, arts, and heritage during the recession as many local governments disproportionately cut funding for the arts over this time period. The Committee did not prioritize its recommendations in any particular order nor assign a cost to the recommended initiatives. Instead, the Committee is seeking the Board's approval of the Final Report in order to proceed with hosting a community workshop in partnership with COCA. Following the community workshop, the Committee anticipates that COCA will utilize the updated Plan in developing its FY 2015 budget requests for implementation.

This workshop on the Cultural Plan is one of four intertwined matters competing for limited resources along with the Leon County Sales Tax Committee recommendations, the FSU Civic Center District Master Plan and related convention center, and the CRA's role in determining the future use of the one-cent bed tax dedicated to the performing arts center. The Board approved a sequence to address these matters at its meeting on January 21, 2014 to ensure that it has the best information upon which to make decisions given some of the overlapping financial and policy implications.

Today, the County provides \$654,500 annually to COCA with \$504,500 derived from bed tax revenues, which are earmarked for re-granting to cultural organizations. The remaining \$150,000 is used to support COCA's administrative costs. According to information provided by COCA and the City of Tallahassee, the County and City accounted for 93.25% of COCA's administrative and re-granting funds in FY 2013. This includes the City funds set aside for re-granting through COCA but are maintained on the City's financial books.

The Committee anticipates that additional funds will be sought by COCA to implement the Cultural Plan but does not address any operational or organization efficiencies, nor is there a determination that the County and City funds have demonstrated a return on investment. Based on the Board's preliminary direction at the October 29, 2013 workshop to increase its investment in the cultural arts, the County's projected budget for COCA in FY 2015 will surpass \$1 million. Service delivery enhancement and efficiencies may be available through the Leon County Division of Tourism Development as it is referenced numerous times and already carries out many of the functions described in the Final Report. Given these findings and the growing needs of the cultural community, the Board may wish to explore the potential operational alternatives and efficiencies that could be achieved by providing support to the cultural arts through the Division of Tourism Development. The Division is fully staffed, experienced in the distribution and oversight of grants programs, and actively markets local culture, arts, and heritage events in partnership with a professional marketing and public relations firm.

Should the Board wish to explore implementing the Cultural Plan under the Division of Tourism Development, staff recommends the Board accept the Committee's Final Report and to direct staff to bring back an agenda item for Board consideration on the implementation and execution of the Cultural Plan, including the granting process, under the Division of Tourism Development and in partnership with the City.

Should the Board wish to proceed, as generally outlined in the Final Report, staff recommends the Board accept the Committee's Final Report with two caveats as follows:

The Committee recommends establishing a Citizens' Cultural Plan Advisory Committee to meet bi-annually with the COCA Board to review community progress towards the implementation of the programs and initiatives contained in the revised Plan. Under this recommendation, the Advisory Committee would report the progress of the Cultural Plan to the County and City Commissions on an annual basis and would presumably be staffed by the County and/or City. Further, the recommendation explicitly states that the Advisory Committee would not "provide oversight, supervision, or management of any individual, organization, or stakeholder named in the Cultural Plan." The addition of an Advisory Committee, staffed by the County and/or City, to oversee COCA's implementation of the Cultural Plan while not having any formal relationship or authority over COCA may be problematic. Should the Board wish to proceed as generally outlined in the Final Report, staff recommends encouraging COCA, as the recognized local arts agency, to establish and staff its own subcommittee to review its progress relative to the Cultural Plan.

Based on the Board's preliminary direction at the October 29th workshop and the unresolved matters to be jointly addressed with the City, staff recommends providing COCA with the guidance to develop its budget request at this time, in consultation with the Tourist Development Council, assuming \$150,000 for administrative costs and \$900,000 in County bed tax funds to include:

- The current funding levels for the re-granting process (\$504,500).
- The creation of a capital grants program for cultural institutions, with the associated application process and guidelines, allowable under section 125.0104, Florida Statutes.
- Additional arts and culture investment opportunities available with Tourist Development Tax funds to enhance visitation as recommended by the Tourist Development Council in conjunction with the Cultural Review Planning Committee's Final Report.

Consistent with normal practices, staff will prepare a ratification item summarizing the Board's action and direction at this workshop. Concurrently, a ratification item will also be presented on the Board's actions with regard to the workshop on the Sales Tax Committee's recommendations and a revised sequence of actions and policy positions taken by the Board. Once the Board has reaffirmed its actions, staff will proceed with scheduling joint meetings with the Intergovernmental Agency and/or CRA to carry out the Board's direction.

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Options:

1. If the Board wishes to explore the operational efficiencies of implementing the Cultural Plan under the Division of Tourism Development, staff recommends the Board:
 - a. Accept the Cultural Plan Review Committee's Final Report.
 - b. Direct staff to bring back an agenda item for Board consideration on the implementation and execution of the Cultural Plan, including the granting process, under the Division of Tourism Development and in partnership with the City.
2. If the Board wishes to proceed, as generally outlined in the Final Report, staff recommends the Board:
 - a. Accept the Cultural Plan Review Committee's Final Report.
 - b. Encourage COCA to establish and staff its own subcommittee to review its progress relative to the Cultural Plan.
 - c. Direct COCA to develop its FY 2015 budget request to the County assuming \$150,000 for administrative costs and \$900,000 in County bed tax funds, in consultation with the Tourist Development Council, to include:
 - i. The current funding levels for the re-granting process (\$504,500).
 - ii. The creation of a capital grants program for cultural institutions, with the associated application process and guidelines, allowable under section 125.0104, Florida Statutes.
 - iii. Additional arts and culture investment opportunities available with Tourist Development Tax funds to enhance visitation.
3. Do not accept the Cultural Plan Review Committee's Final Report.
4. Board direction.

Recommendation:

Board direction.

Attachments:

1. Final Report of the Cultural Plan Review Committee.
2. Interim Report of the Cultural Plan Review Committee.
3. Funding Sources of COCA, 2012-03 Audit of COCA Salary Funding and Expenditures.
4. October 29, 2013 Workshop on the Future Uses for the One-Cent Tourist Development Tax Currently Dedicated to a Performing Arts Center - w/o attachments.
5. Interlocal Agreement with the City of Tallahassee and CRA, June 23, 2004.
6. First Amendment to the Interlocal Agreement with the City and CRA, October 4, 2007.

VSL/AR/KM

City of Tallahassee/Leon County
Cultural Plan Review Committee

Capital Area Cultural Plan





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*"Painting by Karl Zerbe from
LeMoyne Center for the Visual
Arts Permanent Collection"*

Zerbe

CITY OF TALLAHASSEE/LEON COUNTY
Cultural Plan Review Committee
CAPITAL AREA CULTURAL PLAN

JANUARY 2014

“During its year of work, The Cultural Plan Review Committee reached out to our community to hear and learn how the original cultural plan worked for them and what changes could be made to make a new plan be successful. This new cultural plan reflects the current state of culture, heritage and arts in the capital area and asks our elected officials in both City and County for strong commitments to support arts and heritage efforts in our community”.

*Kelly Dozier, Chair
Cultural Plan Review Committee*



This plan was unanimously approved by a December 16, 2013
vote of the Cultural Plan Review Committee.

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THE ROLE AND BENEFITS OF ARTS AND CULTURE IN OUR COMMUNITY

The importance that Committee Members place on the arts industry and its significance to Tallahassee is demonstrated in the countless volunteer hours that have been invested in this process as well as the time, talent and treasure each member has personally provided to organizations of their choice.

Each and every member of the Cultural Plan Review Committee would like to offer their voice to the chorus of support for the importance of arts, culture and heritage which results in our community's sense of place and contributes greatly to economic development. The intrinsic value may not be easy to quantify but the impact our arts community offers is clearly proportional to quality of life experiences. It takes resources and planning to document metrics that link events, attractions, educational outreach, ties to business and family relocations but it only takes a glance at a community calendar to know that **this** community values the arts.

To place appropriate emphasis on the measurable value of arts to any community, we offer the December 5, 2013 findings of the U.S. Bureau of Economic Analysis and National Endowment for the Arts as stated in a press release on the Impact of Arts include:

- 3.2% or \$504 billion of current gross domestic product is attributable to the arts
- U.S. Travel and Tourism is an additional 2.8%
- The positive value of arts and culture has been understood on a human level for a millennia
- The impact can be measured
- Arts commodities include advertising and education

- During the recession the arts suffered more than the overall economy
- In 2011 the production of arts and cultural goods employed more than two (2) million workers and generated more than \$289.5 billion of employee compensation

Major community initiatives that included Richard Florida's Creative Class concepts that resulted in the Knight Creative Class Initiative (KCCI) and the recent IMAGINE TALLAHASSEE effort, individually and collectively confirmed the importance of achieving greatness as a community and the role that arts, culture and quality of life experiences play in fulfilling that role. These efforts addressed the concepts of community "brain drain," building on existing resources and creating new collaborations. Sustainable Tallahassee and the Tallahassee Film Festival were two outcomes of KCCI efforts. The initiatives resulted in building a sense of place with "Get Gaines Going" and Cascades Park as two examples. It is very clear that people of all ages believe that art, culture and heritage are critical to developing the character of our community and achieving "Greatness".

If our community adopts and implements a revised cultural plan that includes annual accountability and modifications, we can ensure that we will maintain our respected leadership position in K-college education, keep and attract new residents, create jobs, increase quality of life experiences and build tourism. Increased tourism will result in increased bed tax funds, a principal element of current and future cultural funding.



SUPPORT OF ARTS AND CULTURE IN OUR COMMUNITY

During a time when almost every municipality in the state of Florida reduced or eliminated funding for arts and culture, the elected leaders of Leon County and the City of Tallahassee demonstrated their commitment to the value of culture, arts and heritage experiences with unwaivering and unanimous support. That support is symbolic that culture is part of the very fiber of our community, creating character and offering value for every district of our city and county.

The Cultural Plan Review Committee would like to commend and thank the Leon County Board of County Commissioners as well as the Mayor and City of Tallahassee Commission for their collective leadership to establish the Cultural Plan Review Committee a group of diverse and interested citizens dedicated to providing direction for arts, culture and heritage planning for the benefit of our residents and visitors.

The Cultural Plan Review Committee (CPRC) understands the importance of their recommendations representing the interests of the entire community. Efforts to ensure that the diverse population segments were heard were essential to the process, knowing it would result in strength and vitality for our cultural region.

Cultural Plan Review Committee members' life experiences span seven decades and included important representation from generations defined as "baby boomers," "Generation X," "Generation Y," and "Millenials." Professional experiences and backgrounds included artists, a young professional, corporate officers, small business owners, educators, tourism professionals, representatives of higher education, community volunteers, non-profit executives, a former legislator, media and

marketing professionals, banking and finance, as well as representation from The Council on Culture and Arts. Ethnic representation was also diverse and was additionally complimented by the concerted effort to meet with community stakeholders representing many ethnic groups each serving important demographic sectors.

The report contains some new ideas and a different perspective on some significant elements of the former plan, which was adopted in 2003. The differences are not critical of the original work. In fact, the accomplishments of the first plan are commendable and many elements of that plan continue to serve our community well today. However, there have been many changes in our community over the span of a decade. Some have had great impact on local cultural organizations including the ability to fundraise, meet financial objectives or continue as a sustainable entity.

The findings of the Cultural Plan Review Committee are the result of careful consideration for the impact of the recent financial recession and demographic shifts in populations. Examples include efforts to keep a highly educated workforce in our community (recent college graduates) and our ability to attract an affluent and educated retiree population (Choose Tallahassee) The Committee's recommendations were greatly influenced by the input of leading community organizations that include, but are not limited to: The Tourist Development Council, The Greater Tallahassee Chamber of Commerce, The Capital Chamber of Commerce, Big Bend Minority Chamber of Commerce, Leon County Economic Development Council, The Leon County Public Schools, Florida State University, Florida A&M University, Tallahassee Community

College, as well as the many arts, cultural and heritage organizations that serve our region.

These important community stakeholders and many others participated in the process by serving as members of the Committee, responding to written surveys, through interviews, e-mails, and by attending meetings. There were more than 100 meetings that were publically noticed, providing opportunity for input from any interested party.



CULTURAL PLAN REVIEW COMMITTEE APPOINTEES:

Marc Bauer	Kelly Simmons Dozier	Jan Sheffield
Althemese Barnes	Christopher Heacox	Bailey Vochastzer
Chucha Barber	Terrence Hinson	Bart Wells
Betsy Couch	Rebecca Lutz	Mayda Williams
Berneice Cox	Anne Mackenzie	Michelle Wilson
Russell Daws	Marion McGee	Rosanne Wood
Karen Wendland Dix	Audra Pittman	
Kevin Doar	Jill Sandler	

CITY OF TALLAHASSEE STAFF ASSISTING THE COMMITTEE:

Michael Parker, Director, Economic & Community Development

Wanda Milton Whitehead, MPA, CPM, Assistant Director, Economic & Community Development

Hetal H. Desai, Assistant City Attorney

Wendy Gray, Public Workshop Facilitator

Mack Rush, Coordinator of Special Projects, Economic & Community Development (Retired)

Deborah L. Craig, Administrative Specialist I, Economic & Community Development

Michele McGee, Administrative Specialist I, Economic & Community Development Department

Jacqueline Riggins, Administrative Specialist II, Economic & Community Development Department

Carol Shirkey, Administrative Specialist III, Economic & Community Development Department

Frank Dietrich, Urban Design Mapping & Graphics Specialist, Tallahassee-Leon County Planning Department



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APPROACH AND PROCESS OF THE REVIEW AND RECOMMENDATIONS

Seeking to engage citizens in the planning process and bring an independent perspective to the examination of the existing cultural plan, current programs, and future initiatives, as well as the role of COCA in providing arts and cultural leadership, the Leon County Commission and the Tallahassee City Commission created the 18-member Cultural Plan Review Committee in October 2012. The Committee held its first meeting on Dec. 10, 2012.

The Cultural Plan Review Committee was charged with the responsibility to review the original plan, assess the status of the plan and its implementation, determine what portion of the plan might need to be updated or omitted based on changes that had occurred since its creation and to provide recommendations for modifications to the plan objectives.

Specific areas members were asked to address included:

- How to raise additional funds for arts, culture and heritage communities
- What are the immediate facility needs for arts and cultural organizations in the community and provide specific recommendations to meet those needs recognizing the fiscal limitation of public funding
- How to elevate awareness of arts, cultural and heritage organizations in the community to local and regional audiences
- How can the arts, cultural and heritage communities work more closely with the educational institutions and public and private sectors

Members of the Committee unanimously selected Kelly Dozier to be the Chair and

Audra Pittman to be Vice-chair at the first committee meeting. Each members' areas of interest and expertise were also discussed. It became obvious that to achieve the objectives, members of the Committee would need to work on specific and unique segments of the plan. The original Plan's six (6) objectives became the basis for the sub-committees.

At the second meeting, Chairs for the subcommittees were appointed by the Committee Chair and Vice-Chair and members of each subcommittee

were appointed to sub-committees based on their interests and experience. It was agreed that any member could attend any subcommittee meeting and that all members would have the opportunity to discuss and contribute to the recommendations of any subcommittee findings.

The sub-committees began with their respective and detailed review of each of the original Plan's six objectives that correlated to that committee. This process spanned more than six months with each committee laboring to provide both review and recommendations.

Due to the overlap of interests and to consolidate resources ultimately, four of the sub-committees were combined into two. It was impossible to separate recommendations for Marketing and Economic Development as it was to separate recommendations for Facilities and Finance. The interrelationships between



the objectives and the recommendations resulted in four final sub-committees.

Having met and deliberated for over a year, the Committee is excited to submit this update to the current cultural plan. We have engaged our community over the course of this past year. We have held numerous meetings throughout Leon County and Tallahassee, listened to hours of public testimony, exchanged ideas, discussed options, explored a sampling of current offerings, met with the COCA Board and distilled it into a set of recommendations covering four key areas—Education, Economic Development and Marketing, Facilities and Funding, and Plan Implementation/COCA.

This plan is intended to be a living plan, one that is flexible and responsive to trends and aspirations within Tallahassee and Leon County. It reflects a vision and a deep-seated commitment by our leaders and residents to accelerate the growth of creative opportunity throughout the region. It recognizes the contributions the arts, culture and heritage make to economic development and education of our community.

This plan includes numerous recommendations. While these are an important first step, implementation is the most important next step. We recognize that success will require continued leadership from the Leon County Commission and the Tallahassee City Commission. COCA has a critical role in implementation. As detailed in the recommendation (Plan Implementation/COCA) they are essential to that process working in cooperation and collaboration with other community stakeholders. Not all aspects of implementation have been allocated to a particular individual or organization as funding priorities and funding availability will determine how best implementation strategies can be realized. It is clear, and the Committee would like to emphasize, that it will take all

stakeholders to implement and execute the plan including strong advocacy resources.

The Committee respectfully requests that you accept this plan, and that through your local arts agency—COCA—and its strategic planning process and current programming, the proposals that are within your control are integrated into our existing cultural plan, programs and offerings as resources permit.

Setting priorities among many competing proposals within the plan will be a critical component and require a strategic roadmap. The Committee has not prioritized the recommendations in any particular order and has not assigned a cost to these initiatives. It is our intention that COCA, as your local arts agency, working on your behalf, at your direction will have the opportunity to lead the prioritization of the recommendations in tandem with the further development of their strategic plan. The Cultural Plan Advisory Committee and COCA will co-host a workshop to take the important next step of establishing those priorities. The workshop and future meetings will consider implementation requirements, explore associated financial resources and needs, and work towards incorporating recommendations that are within the control of the county and city into a strategic plan developed and approved by the COCA Board. This can be implemented in phases as resources allow, beginning with the fiscal year 2014/2015.

Finally, the Committee recommends that you also appoint a Citizens' Cultural Plan Advisory Committee to meet bi-annually with the COCA Board to review community progress towards the implementation of the programs and initiatives in this plan, exchange ideas and identify additional strategies for expanding arts, cultural and heritage opportunities.

The Committee is unanimous in its belief that we have a vibrant art, cultural and heritage community that must be maintained and strengthened. The successful future of our community is directly proportional to quality of life experiences that attract and keep residents and grow successful businesses. Art means business and the business of protecting and growing our arts community must remain a critical priority for all stakeholders especially the men and women who are elected and charged with the trust placed in them for this important purpose. The Committee would like to express gratitude for the support provided to-date, including the opportunity to share a collective voice about the rewards of our current and future art, culture and heritage offerings.





THE CULTURAL PLAN REVIEW COMMITTEE CONTRIBUTING MEMBERS

Kelly Simmons Dozier, Committee Chair
Funding & Facilities and Plan Implementation
Subcommittee Member
City Commission Appointee
Senior Vice President/Chief Community
Officer, Mad Dog Construction

Dr. Audra Pittman, Committee Vice-Chair
Education Subcommittee Member
City Commission Appointee
Artist/Professor, Savannah College of Arts & Design

Chucha Barber, Facilities Subcommittee Chair
County Commission Appointee
Principal, Chucha Barber Productions

Betsy Couch, Education Subcommittee Chair
Knight Creative Community Initiative Appointee
Adjunct Professor, Florida State University

Berneice Cox, Economic Development and Marketing
Subcommittee Chair
County Commission Appointee
President and CEO, The Bacall Group

Christopher Heacox, Plan Implementation
Subcommittee Chair
County Commission Appointee
Executive Director, Seven Days of Opening Nights, FSU

Jan Sheffield, Funding Subcommittee Chair
Economic Development Commission Appointee
Chief of Staff, First Commerce Credit Union

Marc Bauer, Marketing Subcommittee Chair
(12/12 – 6/13)
Tallahassee Tourist Development Council Appointee
Former Managing Partner, Hunter+Harp Hospitality

Karen Wendland Dix, Facilities Subcommittee Chair
(12/12-6/13)
City Commission Appointee
Marketing and PR Consultant/Arts Volunteer

Althemese Barnes, Funding and Facilities
Subcommittee Member
Heritage Organization Representative
Executive Director, John G. Riley House and Museum

Russell Daws, Funding and Facilities
Subcommittee Member
County Commission Appointee
Executive Director, Tallahassee Museum

Kevin Doar, Funding and Facilities
Subcommittee Member
City Commission Appointee to replace Karen
Wendland Dix President, Theatre Tallahassee Board
of Directors
Auditor, Florida Department of Transportation

Rebecca Lutz, Economic Development and Marketing
Subcommittee Member
City Commission Appointee
Multimedia News Editor, Tallahassee
Democrat/Tallahassee.com

Anne Mackenzie, Economic Development and
Marketing Subcommittee Member
COCA Appointee
Member, Florida House of Representatives (retired)

Jill Sandler, Education Subcommittee Member
Tallahassee Active Lifelong Learning/Leadership
Tallahassee Appointee
Member, City of Tallahassee Senior
Citizen Advisory Board

Bart Wells, Economic Development and Marketing
Subcommittee Member
Leadership Tallahassee Appointee
Executive Vice President, Sperry and Associates

Mayda Williams, Plan Implementation Subcommittee
(12/12-8/13)
Greater Tallahassee Chamber of Commerce Appointee
Founder, Target Copy, Community Volunteer

Rosanne Wood, Economic Development and
Marketing Subcommittee Member
COCA Appointee (7/13-9/13 Filling in for
Anne Mackenzie)
Founding Principal, SAIL High School

THE GOALS OF OUR CULTURAL PLAN

ECONOMIC DEVELOPMENT & MARKETING

Position and market the arts, culture and heritage as a strategic partner of Tallahassee/ Leon County economic development efforts. This shall be achieved through public and private funding for arts, arts organizations and cultural assets.

EDUCATION

Capitalize on the area's art, cultural and heritage attributes in order to strengthen art, culture and heritage opportunities in schools and the community. This effort recognizes the importance of expanding current education-related initiatives and implementing new opportunities.

FUNDING & FACILITIES

Provide sustainable public and private funding to preserve and improve arts, cultural and heritage organizations and experiences. This effort acknowledges the importance of growing new and emerging projects and facilities, but will give priority to existing organizations.

PLAN IMPLEMENTATION

The Council on Culture and Arts for Tallahassee/Leon County (COCA) will realize its mission as the local arts agency representing culture, arts, and heritage for ALL in Tallahassee and Leon County through grant-making, advocacy, marketing, and education.

“When Winston Churchill was asked to cut arts funding in favour of the war effort, he simply replied, “then what are we fighting for?”



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ECONOMIC DEVELOPMENT AND MARKETING

GOAL

Position and market the arts, culture and heritage as a strategic partner of Tallahassee/Leon County economic development efforts. This shall be achieved through public and private funding for arts, arts organizations and cultural assets.

FINDINGS

Investing in arts, culture and heritage in Tallahassee/Leon County is yielding substantial economic benefits. The arts community is an industry that supports jobs, local businesses, tourism, and generates government revenue. Spending by arts and culture organizations and their audiences totaled \$74.6 million in Tallahassee/Leon County during 2008. (2009 Arts and Economic Prosperity in Tallahassee Report – Americans for the Arts).

Arts, culture and heritage enhances the quality of life and serves as an integral part of regional economic development. Every segment of our community deserves the benefit of great art, culture, and heritage experiences, which also make our area an exciting place to live, learn, work and visit. Businesses planning to relocate consider arts, culture and heritage when assessing quality of life for their employees. Arts, culture and heritage also develop a community identity and provide the community with a sense of collective pride, which will attract a dynamic workforce and businesses.

Opportunities exist for a collaborative relationship between COCA, Leon County Tourist Development (Visit Tallahassee), Greater Tallahassee Chamber of Commerce, Big Bend Minority Chamber of Commerce and the Economic Development Council, and other groups.

COCA has partnered with United Partners for Human Services and The North Florida Community Foundation to provide a series of workshops on best business practices for non-profits. To assist its members, COCA publicizes Leadership Tallahassee's Building Better Boards program.

Merchant account services were established as a way to assist individual artists and small businesses make additional sales using this COCA resource.

Arts, culture and heritage should be valued as vital contributors to Tallahassee/Leon County's character, quality of life and economy. Individual artists, as well as arts, culture and heritage organizations, represent potential for small business development that contributes to the overall economic vitality of Tallahassee and the surrounding communities.

“As part of our overall evaluation of where to site our new Operations Center, quality of life for our employees was clearly a factor. As home to one of the country's largest universities, Tallahassee offers a rich cultural and arts community that we greatly value.”

Kaye Scholer Chief of Operations Jeff Hunter, who spearheaded the search

RECOMMENDATIONS: OBJECTIVES AND STRATEGIES

1. Create a unified marketing and advertising campaign for promoting Tallahassee and the Capital Area as a cultural hub.

- Establish a steering committee including representatives from COCA, Greater Tallahassee Chamber of Commerce, Big Bend Minority Chamber of Commerce, Leon County Tourist Development (Visit Tallahassee), Leon County, City of Tallahassee, Florida State University, Florida A&M University and Tallahassee Community College to work together on this effort. The collective assets of each of these institutions create a synergy which will allow our community to speak with a strong and common voice.
- Each organization will appoint one representative to the steering committee. Each organization will contribute toward the funds required for the advertising campaign. This marketing campaign will be used by the organizations represented on the steering committee to provide a cohesive message.

2. Support a Trolley system and transportation linkages to further connect the districts with cultural components, which have been and are being developed throughout Tallahassee. Examples include: Midtown, Frenchtown, Downtown, Cascades Park, Southside, College Town, Gaines Street, The Market District and others.

- Providing accessible public transportation options will facilitate and encourage participation and attendance in our cultural districts.
- Encourage City and CRA to continue funding the trolley system/transportation linkages.

3. City of Tallahassee and Leon County should continue to identify and support districts with cultural components by providing appropriate wayfinding, parking opportunities and transportation links for ease of accessibility to arts, culture and heritage entities.

- Funding should continue to be provided by the City and the CRA.

4. In order to improve the business skills of arts and culture executives, COCA will continue to provide training workshops to assist artists and arts/cultural organizations in ways to implement effective business practices

- To facilitate this effort, COCA should partner with business organizations such as the Economic Development Council's Entrepreneurial Excellence Program and the Jim Moran Institute and others that become available.

5. COCA should continue to collaborate with Leon County Tourist Development (Visit Tallahassee) to promote local heritage and cultural destinations. COCA and Visit Tallahassee should continue their efforts to combine their events calendar and create a mobile user-friendly website as well as an app for smart phone users to easily access the information. Information should be presented in a professional and attractive format.

- Create a centralized location for calendar of events.
- COCA, Visit Tallahassee, City and County funds should be used to support this project.

6. Leon County Tourist Development (Visit Tallahassee) should continue to market Tallahassee as a “location site” for the film industry, as an economic driver, in cooperation with the FSU Film School, The Film Society, Florida A&M Journalism/Film Program, TCC Film Program, the Tallahassee Film Festival and other film oriented organizations.

- Visit Tallahassee should create a list of location sites for Tallahassee and Leon County. As funding resources become available, Visit Tallahassee should work with the City of Tallahassee, Leon County and the State to position Tallahassee as a location site.

7. Every three years, COCA should use real data collected through an economic impact report to provide current information on the economic impact of arts and culture in our community. (Refer to #9 of the Operations/Implementation)

- City and Leon County should provide funds for this report.

8. Increase the concept of community arts liaisons including the expansion of the existing arts liaisons program of the Economic Development Council to include leaders of the arts community in an effort to be proactive and look for economic development opportunities that may present themselves as a result of cultural and heritage events in our community.

- Identify decision makers and influencers that are participating in our many cultural and arts events and facilitate the proactive development of relationships between them and local economic development leaders.
- Establish a business oriented liaison between COCA, the Chambers of Commerce and the Economic Development Council to serve on the appropriate committee.

9. Working with the City of Tallahassee Police Department and others involved in Festival permitting and planning, COCA should create a guide and checklist for event or festival planning and hold workshops to assist those interested in creating new events or sustaining existing events in our community.

- To assist event and festival planners in organizing and sustaining events through understanding best practices, permits needed, and where to find resources, etc.
- The guide and checklist will be posted on COCA’s website. Workshops would be held based on interest or requests.

10. COCA should develop an annual marketing and communications plan that includes an analysis and determination of its brand, strategic messages, target audiences, the best media channels to reach those audiences and quantifiable goals to determine the efficacy of its marketing strategies.

- COCA’s marketing efforts would be organized under the umbrella of a strategic marketing plan that communicates its brand and mission to the public, to key community stakeholders and to culture, heritage and arts organizations. The efficacy of this plan would be evaluated annually by monitoring key indicators, such as, but not limited to, online page views, social media engagement, media placement, e-mail opens, responses to direct mail, event attendance, etc.

11. COCA to work alongside Leon County Tourist Development (Visit Tallahassee) and other organizations to help identify and promote destination defining events which help define the brand and spotlight arts, culture and heritage.

- Maintain open lines of communication and collaboration between COCA

and Visit Tallahassee to ensure that the region's destination defining events are being advertised and promoted in the best way possible.

- COCA staff and Visit Tallahassee staff would meet at least quarterly to discuss upcoming events and to strategize ways to promote and market them within Tallahassee and outside the region.

12. COCA will work with Leon County Tourist Development (Visit Tallahassee) and local businesses, arts organizations and hoteliers to package arts, culture and heritage resources wherever possible and practical to expand the geographic footprint and reach of our local offerings beyond our community.

- COCA will continue to work with Visit Tallahassee and local businesses, arts organizations and hoteliers to disseminate information regarding our many art and cultural offerings using tools such as in-house hotel TV channel, destination maps, and cultural events magazine and other marketing efforts whenever possible.

“As Chairman of the Oklahoma Chamber of Commerce, I visited almost every city and town in the state. There is a visible difference in places with an active cultural community. I see people looking for places to park, stores staying open late, and restaurants packed with customers. The business day is extended and the cash registers are ringing.”

*Ken Fergeson
Chairman and CEO, NBanC*

*Past President, American
Bankers Association*





EDUCATION

GOAL:

Capitalize on the area’s art, cultural and heritage attributes in order to strengthen art, culture and heritage opportunities in schools and the community.

FINDINGS:

- One can learn in and about arts, culture and heritage during school programs as well as through their exposure in the community and at home.
- Research has proven that children with access to art, culture and heritage programs tend to score better on standardized tests, have increased graduation rates and many more positive benefits.
 - ✓ A report by the Arts Education Partnership (2002) revealed that schoolchildren exposed to drama, music and dance are often more proficient at reading, writing and math.
 - ✓ “The empirical classroom experience of arts integration subjectively suggests that carefully structured arts-based pedagogy can improve students’ learning and academic experiences, resulting in demonstrably positive outcomes that include deeper engagement in subject matter and better retention of content; greater emotional involvement in the learning process and deeper social awareness; and the ability to apply principles across disciplines.” – From “Neuroeducation: Learning, Arts and the Brain,” by Johns Hopkins researchers findings.
- Arts education is important because: “1) the arts transform the learning environment; 2) the arts reach students who are not

otherwise being reached; 3) the arts reach students in ways they are not otherwise being reached; 4) the arts connect students to themselves and each other; and 5) the arts provide new challenges for those students already considered successful.” – Champions for Change

- Cultural, heritage and artistic experiences are key in the community.
- Tallahassee is host to a variety of art, culture and heritage organizations where education is central to their mission – from the Challenger Learning Center, Riley House Museum and Tallahassee Museum to Mission San Luis and the Tallahassee Senior Center for the Arts.

“As a lifetime educator, I have witnessed time and time again what a difference it makes when a student is part of an arts program. For some, it may be the only thing that motivates them to do well in school. Ensuring that every student has that opportunity is a priority for us.”
Superintendent Jackie Pons

- Tallahassee is rich in cultural opportunities, but the community as a whole is not aware of all the offerings.
- Currently, there is not an over-arching network of arts and heritage education providers that spans from home-schools, private schools, LCS and the Universities.
- Funding for arts and heritage education programs has decreased at the state level.
- In the past, several local cultural organizations historically had benefit of funding from LCS. This had come in the

Art, culture and heritage education can happen anywhere and everywhere at any age and setting.

form of a designated line item funding for services or, in some instances, funds to pay for a Leon County School District employee to work at the institution. The reason there were variables is, for example, when a teacher was assigned to the Challenger Learning Center, they were still in the state employee retirement system.

If a teacher were assigned to The Brogan Museum, that institution could not offer those benefits so the value was paid to the institution for staff, in lieu of assigning a permanent employee of the district. These positions are no longer in place.

- During one of the worst recessions in recent history, Leon County Schools have undergone tremendous budget cuts, more than \$100 million. However, LCS works to maintain arts and cultural programs in K-12.
- All LCS schools offer at least one fine or performing arts class, as varied as African drumming and a blue grass band.
- 70% LCS children participate in cultural and art programs.
- There are more than 100 visual art, music, drama and dance educators in Leon County public elementary and secondary schools.
- Local schools are left to provide support for their arts and heritage curriculum with auxiliary funding (private donor donations, business donations, fundraisers, discretionary district funds, etc.).
- Often times the success of a school's art, culture and heritage programs depends on the strength of the principal and/or teachers and their ability to fundraise to create the creative learning environments that are envisioned.
- It is important that for school-age children cultural, heritage and artistic experiences are also offered outside of educational organizations. Tallahassee is fortunate to have top-notch community arts, cultural, heritage organizations that offer educational opportunities to enrich and complement the education offered in our area schools, home schools and Universities.
- COCA has created a variety of successful education-related programs, which should be continued such as: COCA for the Classroom, COCA for children and COCA's Arts in Education Newsletter.
- LCS have a variety of great partnerships with arts, culture and heritage organization in town such as COCA; FAMU; FSU – Master Craftsmen studio, Museum of Fine Arts, foreign languages departments; TCC; Lemoyne; Killlearn Kiwanis Club; Goodwood Museum; the Holocaust Education Research Council; the Buffalo Soldiers Troupe, area Churches; Lee's Place; Junior League of Tallahassee; Mission San Luis; Riley House Museum; Tallahassee Museum; the Florida Supreme Court; the Florida Capitol; Leon County Public Library; and more.

RECOMMENDATIONS: OBJECTIVES AND STRATEGIES

1. To create a collective place that serves as a conduit between teachers, schools and the business community so schools and teachers can share needs and businesses can directly respond to help with these needs.

Objective: To promote the Foundation for Leon County School's find it & fund it, leon! program, www.finditfunditflorida.com/leon. Individuals, organizations and businesses are encouraged to invest in the creativity of a teacher to bring amazing learning experiences to their students. To get started, simply click on a grant listed and view the details and fund online. Using this easy-to-use module, teachers can request funds for projects from parents and businesses within the community to help fulfill their individual classroom needs. It's a virtual wish list that allows donors to instantly fulfill a classroom need with just a few key strokes.

This program offers a variety of community opportunities as it can be used by business, nonprofit organizations, and schools within a community to post opportunities such as student internships, volunteer opportunities, scholarships, and teacher externships. In addition, businesses can post offers of equipment, materials, and guest speakers for our public schools. Our teachers can also make requests from the community. It's a one-stop-shop clearinghouse of opportunities for our local students and teachers.

Strategy: 1) Foundation for Leon County Schools to work with COCA and LCS to promote the website and program to arts, heritage and cultural education providers. Also to provide a learning opportunity and training seminar annually for area teachers so they are all aware of the program and understand how to apply.

Strategy 2) Foundation for Leon County Schools to coordinate with the Greater Tallahassee Chamber of Commerce to provide information about "find it, fund it, leon!"

- The successes of "find it & fund it, leon!" program depends on community awareness.

2. Arts, heritage and education organizations should be encouraged to share their expertise with public, private and with home schools.

Objective: This can be measured and encouraged by asking organizations to share their intent on COCA grant requests and/or other methods. COCA should encourage organizations to provide experiences for the community and/or children, from performances to executive internships.

3. Increase commitment to Leon County's youth and strengthen art and business relationships by creating an Arts at Work program, which is a comprehensive youth program that promotes the arts.

- This is modeled after the successful Fulton County, Ga. program, which has received numerous accolades. This program would target students, ages 14-18, and provides arts education and job training.
- Throughout Arts at Work, students are exposed to various aspects of the arts industry-- from learning how to properly write an artist's bio and learning simple accountability such as being on time all the way to viewing an art gallery and putting on an art show. The program dedicates the focus of its activities to studying and producing art and throughout the 8-week program where the students become



“artists” with weekly training from a local artist. Leon County could successfully follow the model started in Fulton County, Georgia, which has received national accolades. Participants have to apply to participate in the program in a process similar to Youth Leadership Tallahassee.

- LCS supports the idea of an Arts at Work program.

Strategy: Work together with partners such as the Foundation for Leon County Schools, Leon County Schools and Northwood Arts Project to investigate this program more and provide

“In fact, all people today, youth and adult, spend the majority of their lives learning outside the walls of formal classrooms.” -- Institute of Museum and Library Services

recommendations to the COCA board of directors for implementation by January 2015, assuming available funding, with the

first program launching no later than fall 2015.

4. Local festivals should showcase student accomplishments in the arts by featuring a COCA/LCS booth that showcases work from K-12.

Objective: To have participation at minimum at Springtime Tallahassee and Winter Festival celebrations as well as LeMoyné Chain of Parks Art Festival. Create opportunities to highlight the arts in schools (public, private and home schools) and support business in the City of Tallahassee.

Strategy: The advisory board of COCA, The Education Director, and current LCS individual responsible for supervising arts educators could partner with Governor’s Square Mall and merchants to begin an annual art show. Partnering with merchants and driving business to the mall could also bring added visibility to the arts by having each school provide a display board that features art from participating schools.

5. An arts, culture and heritage curricula coordinator position at Leon County Schools should be created to serve as the businesses conduit between the schools, businesses and arts, heritage and cultural organizations.

A designated arts, culture and heritage representative with experience in education would significantly expand arts, culture and heritage opportunities, continuing education and resources for teachers and their schools.

Objective: To create the arts, culture and heritage curricula coordinator position before the 2015-2016 school year.

Strategy: The position could assume a variety of responsibilities. Primarily, they could identify teacher development needs and provide resource in the arts, culture and heritage and work with area cultural organizations as a liaison to all schools and much more. They could also work with LCS administration and COCA to expand signature programs and create new signature programs such as a community Arts Extravaganza that showcases LCS talent from K-12 annually. On a smaller basis the position could coordinate a Performing Arts Nights at each LCS. This position would also serve as the “go to” for the local arts, culture and heritage organizations, among other duties.

- This is a new position which will require additional funding as well as additional funding for potential event expense, which may be offset by corporate sponsorships.

6. A Coalition for Arts, Culture and Heritage Professionals should be established providing networking, collaborative, and cooperative opportunities to community arts, culture, and heritage executives.

- This will allow a variety of individuals and organizations to come together to share ideas, discuss upcoming activities and network.

- Education contacts from the area schools should also be invited to attend and network.
- It is important that more structured networking events are coordinated and implemented monthly throughout the year.
- For more information, see page 44 of the COCA Implementation Subcommittee section.

7. A Youth & Education Network should be formulated as mentioned in the COCA Implementation Subcommittee section on page 45. This group will bring greater awareness of and advocate for the importance of arts, culture and heritage education in the community.

8. Promote more “Art in Public Spaces,” and where there currently is art, provide educational opportunities such as signage at the site of public artworks or guided/self-guided tours.

- Expand the current art in public spaces in the community.
- Specifically with LCS, build upon LCS art in community spaces programs. For example, the successful SAIL High School program where students created art in public spaces throughout campus that identify the subject taught in each building.
- In addition to the strategies mentioned on page 45 this should be expanded to include non-traditional art in public places opportunities that are complimented with educational signage.
- Provide artistic elements and educational-related signage in everyday spaces such as bus shelters, intersections and more.

- Create a standardized style of small educational sign, which has basic information such as title, artist, date and QR code to get more information.

Example 1): In 2013, with the bus shelters, Tallahassee expanded creative art in unique public spaces with the City of Tallahassee’s bus shelter at the SE corner of Gaines St. and Railroad Ave. intersection. There is not currently signage explaining the artistic aluminum enclosure or how it is made, but that could be further developed.

Strategy: To incorporate art into Tallahassee’s bus shelters and provide educational signage explaining the artistic element, creation, the artist, etc.

Example 2): With intersections there is an opportunity to encourage the community to do more creative art projects such as the Fall 2013 Market District’s Paint the Pavement project, which was organized by the Market District Merchant’s Association in partnership with the City of Tallahassee. There is no current signage explaining the project or how this artistic medium was created.

Strategy: To further expand Tallahassee’s Sense of Place initiative by working to secure unique artistic elements in creative places and educate the public about the art. This could be installed or virtual signage that engages the community and explains the artistic medium and more.

Strategy: Create a coalition between COCA, Florida State University Department of Art Education, FAMU Department of Visual Arts, Humanities and Theatre, and LCS arts educators to develop appropriate signage for art in public places. This coalition could be managed by the Education Director and or chaired by an active member of the COCA board.

Strategy: Provide additional grant support through COCA to encourage the Florida State University Department of Art Education, 7 Days of Opening Nights, and other artists and art organizations willing to collaborate on to art murals in public places and provide educational signage and information related to public art.

Strategy: Expand COCA's Outdoor Public Art Directory and Map to include an easy to use web application for additional access to information about each piece of artwork.

9. Formulate creative partnerships with organizations that are able to provide volunteers to assist in school arts/heritage classes and activities on a regular and consistent basis.

Objective: To establish a cadre of volunteers who can expand arts and heritage opportunities for students in and out of the school setting. Volunteers with experience in the arts, heritage or education can be recruited from service organizations, colleges, COCA's online listings, Tallahassee Senior Center, etc. This would be staffed by staff person or a volunteer(s).

Examples of activities could include:

- Work with arts and heritage organizations to expand their outreach efforts. For example, the FSU Museum of Fine Arts has initiated outreach projects with schools where interns, arts students, teachers and other volunteers created information packets and lesson plans on specific exhibitions which are shared with schools to promote field trips or bring aspects of the exhibits into the schools. Materials can also be sent home with students for family participation. Not all cultural organizations have the staff to devote to such efforts.
- Work with cultural and heritage organizations and the schools to develop lesson plans which integrate

the arts/heritage into core curriculum such as history or English lessons.

- Volunteer artists such as musicians, poets, actors, story tellers can put on performances in classrooms and assemblies. These can be integrated into core curriculum such as history or English lessons.
- Such activities can be shared with more than just schools. Exposure to arts/heritage activities should be available in recreational centers, Boys and Girls Clubs, after school programs as well as families.
- Peer groups of students with special artistic skills or heritage interests can be organized and trained to share their skills and interests with fellow students.

10. Promote lifelong learning for arts, culture and heritage by providing a variety of professional development workshops and continuing education opportunities for the community to attend at affordable prices.

Objective: To continue the success of past workshops; promote future workshops and offer a minimum of 4 workshops annually.

Strategy: The COCA Arts advisory group could help drive awareness of these opportunities. Support from Florida State University College of Visual Arts, Theatre, and Dance and FAMU's Department of Visual Arts, Humanities and Theatre, Osher Life Long Learning Center and volunteer members could drive the interest and success of future workshops. Social Media campaigns and information would also generate interest. Sponsors from local businesses like Ulrecht Art Supply, Michael's, Jo-Ann Fabrics, and Hobby Lobby could be reached for support and presentations that would help waive the cost of supplies. Current COCA facilities or LCS spaces could host these learning opportunities.





FUNDING AND FACILITIES

GOAL:

Provide sustainable public and private funding to preserve and improve arts, cultural and heritage organizations and experiences. This effort acknowledges the importance of growing new and emerging projects and facilities but will give priority to existing organizations.

FINDINGS:

Leon County and the City of Tallahassee should be commended for their steadfast support of local arts, cultural and heritage organizations during economic conditions that have sometimes been referred to as the greatest recession since “The Great Depression.” Unlike many communities throughout the region, the state, and the nation, funding for these organizations remained a priority for our community, with on-going support of elected Commissioners, the Mayor of Tallahassee, the current and former County Administrators, as well as the City Manager.

While the City of Tallahassee had a stable revenue base from which to identify general funds, Leon County Commissioners identified funds to replace declining general operating revenues. Cultural funding from the County was maintained through a creative solution, the use of Bed Tax funding.

Arts, cultural and heritage organizations, special events, festivals and educational conferences have diversified funding needs. Currently, the City and the County provide program and **operational support through the COCA re-granting program.** Under current COCA guidelines, a festival must host activities at multiple times during a single year to be eligible for funding. If that criteria is not met, **festival, special event and educational**

conference organizers may apply for limited funding from the Tourists Development Council, the Community Redevelopment Agency, or the Downtown Improvement Authority.

There are limited resources for capital improvements. The Committee found that this funding need is an important priority.

Likewise, there is currently **no designated funding source for innovative new ideas or projects.** The TDC sometimes provides grant support for these emerging initiatives, but TDC funds are restricted to tourism impact, which is difficult to demonstrate as a start-up event.

Imagine Tallahassee is considering a **“Quantum Leaps” grant program** as a possible concept for future funding of this type. “Quantum Leaps” are defined as highly significant advances or breakthroughs.

State statutes strictly govern the use of Bed Tax dollars. These statutes limit funding support to organizations and events that promote tourism. This is an important point, as there are many

“In creative placemaking, partners from public, private, nonprofit, and community sectors strategically shape the physical and social character of a neighborhood, town, tribe, city, or region around arts and cultural activities. Creative placemaking animates public and private spaces, rejuvenates structures and streetscapes, improves local business viability and public safety, and brings diverse people together to celebrate, inspire, and be inspired.”

*Ann Markusen, Markusen Economic Research Services
Anne Gadwa Nicodemus, Metris Arts Consulting
From Creative Placemaking*

“quality of life” experiences that drive economic development and ensure a strong community. Some significant events and organizations are not eligible to apply for the Bed Tax funds. The current pool from general funds available through the COCA grant process is not sufficient to provide the funding needed for non-tourist, more locally centered cultural offerings.

The City’s portion of arts, heritage and culture funding from its general fund is available for more flexible funding strategies. These are valued by our community, including many cultural organizations, cultural activities and events. **Some organizations provide significant quality of life experiences, but cannot easily demonstrate their impact on tourism.**

Many of these organizations and events have been cited as examples of rationale to live here, move here, relocate a business, or start a business in our community. Thus, there is a need for continued support of these, as well as new and emerging events and organizations that serve our residents, all having the potential to increase quality of life,

tourism, and revenue for our city and county.

Of equal importance is the value of State cultural organizations in our community. The experiences they offer truly make a dynamic cultural environment for our residents and visitors. Increased support of these facilities and events would further the bridge building between “town and gown” and ensure we remain a community of rich and diversified cultural offerings. The Committee does not recommend modification to the current COCA regranting program for this purpose, as it would significantly deplete the ability of municipal funding to support existing non-state entities. The Committee feels strongly that there are inadequate available dollars for both state and non-state cultural organizations that should be addressed with careful planning and new strategies.

Recent national studies indicate the fastest growing division of tourism is historic facilities and tours. **Increased collaboration between local arts, cultural and heritage organizations and municipal governments and state**



agencies, has the potential to significantly grow tourism and bed tax revenues for the collective benefit of all community stakeholders.

There are specific **funding sources for festivals, special events, and conferences.** These important activities create a “sense of place” and contribute significantly to the identity of our community, while providing promotional value to attract tourists and promote economic development.

There is clearly a need in our community for improved or additional performance spaces. Performance organizations that require seating for more than 1,200, as well as large rehearsal spaces, have the most difficult needs to be met. The community must go forward with an effort to create one or more new performance venues with a realistic plan, including the affordability for local groups to utilize the space.

In recent years, significant funds were set aside, and other efforts made, regarding the support for two specific cultural facilities (The Performing Arts Center and ArtsExchange).

While these specific initiatives sought out and received significant financial support from local government, existing facilities failed to generate support resulting in a lack of balance between the efforts to create new facilities and the preservation and improvement of existing facilities. During the economic downturn of the past five years, existing organizations found it difficult to fund ongoing facility needs, let alone make improvements or add to their facilities. This has left an urgent need to identify capital improvement funds for existing facilities, while also providing funds for new facilities.



RECOMMENDATIONS: OBJECTIVES AND STRATEGIES

1. Leon County and the City of Tallahassee should continue to provide financial support for arts, heritage, cultural programs, festivals special events and educational conferences that add to the quality of life and help make Tallahassee a desirable destination.

2. In addition to local government funding, COCA should continue to seek additional public and private funding to support its programs and grants, while not competing with other local arts, cultural and heritage organizations.

- These sources of funding may include NEA funds, private endowments and collaborative grants for which only a Local Arts Agency can qualify.

3. Recognizing that there are several local government-funded grant programs, as well as varied conditions and criteria regarding eligibility for funding, the committee recommends that there be increased collaborations between all parties including, but not limited to, more effective sharing of information between funding agencies and improved dissemination of information about funding opportunities with all potential applicants. (See PAGE 39 Chart Local Government Funding).

- Create a designated web site with all grant opportunities and deadlines, including a link to (and from) every grantor's webpage. Each grantor should be required to provide this information and monitor its accuracy. The site will be created, managed and hosted by COCA.

4. The committee recommends funding be made available for current and future festivals, which will be subject to annual assessment and evaluation determined by the grantor.

- Consolidation of existing festival funding as reasonable and appropriate. (It is understood that CRA and DIA have geographical considerations that could limit consolidation)
- Comprehensive information and funding sources should be available on a designated site that will be created, managed and hosted by COCA.

5. Establish a new matching grant program for capital improvements for arts, cultural and heritage organizations. (See Addendum A1 for Grant Guidelines)

- Follow the guidelines within the attached addendum
- A dedicated source of funding should be identified for this purpose, such as the use of Bed Tax dollars formerly set aside for the Performing Arts Center

6. The on-going need for performance venues must be addressed.

- Create collaborations and partnerships between performing arts organizations, universities, community colleges public schools and private venues
- Identify underused sites that are affordable and can be repurposed

7. If we can strengthen our existing cultural organizations and events, demonstrating a record of success, it will be their constituents who will ultimately be the strongest supporters of a future Performing Arts Center.

- Strategies for going forward with a future Performing Arts Center in our community should include a realistic business plan, workshops with community stakeholders, and efforts to unite the arts community,, and creating an affordable, well equipped, appropriately large, performing arts venue available for the community.
- The need for performance venues is a critical priority for performance arts organizations in our community. The community must go forward with the effort to create one or more new performance venues, but there must be a realistic plan, including the affordability for local groups to utilize the space.

8. There have been some wonderful and unique installations in our community. There should be a cohesive vision for art in public spaces, such as the gateways to our community or roundabouts creating our “sense of place.”

- The community should establish a diversified committee to create a strategic plan for art in public places including desirable objectives for gateways, large and small.
- Partnerships with private and public funding sources should be established.

9. Recognizing that the arts, culture and heritage are a central part of what makes up our community; and recognizing that organizations which provide vital experiences in arts, culture and heritage, like other non-profits, have traditionally faced a myriad of challenges in establishing

and maintaining financial sustainability and therefore must rely on governmental support; it is a desirable vision to someday see this segment of our community become financially strong and more self-sustaining.

- COCA and the Community Foundation of North Florida should collaborate to create educational programming for arts, culture and heritage organizations to learn about establishing and growing endowments for long-term financial sustainability.
- All arts, culture and heritage organizations should strive for the goal of achieving institutional financial sustainability.

10. Create a funding source that provides competitive grants to art, and cultural and heritage organizations, as well as state and local government in our community, for projects and programs that would allow those organizations to achieve a desired “quantum leap” (highly significant advance or breakthrough) in their offerings or level of self-



sustainability. This game changing opportunity grant is essential to the economic development and quality of life of the community. (See Addendum A2 for More Information)

The Committee recommends a level of funding that would provide \$5,000,000 over the 20-year life of the sales tax extension, or \$250,000 per year, and be administered through an existing granting infrastructure, such as the one in place at the Council on Culture and Arts (COCA).

- Examples of the types of programs or projects that may be supported through this grant are:
 1. Installation of Art in Public Places, such as at gateways and roundabouts
 2. Projects that promote a sense of place or identity in the community (Signature Festivals, Public Exhibitions, etc.)
 3. Projects that propel an organization to a new level of service to the community
 4. Projects that propel an organization to a new level of sustainability
 5. Projects/Programs that attract Regional or National media attention to the Tallahassee area as a visitor destination
 6. Future KCCI initiatives
- The Leon County Sales Tax Committee has tentatively set aside up to 15% of the future proposed sales tax extension (currently the Blueprint 2000 tax) for economic development and is awaiting the recommendations by IMAGINE Tallahassee to make the final decisions regarding the allocation of funds towards economic development projects and initiatives.

- The Cultural Plan Review Committee has submitted this grant proposal to IMAGINE Tallahassee for inclusion in their recommendations to the Leon County Sales Tax Committee, as it meets several of the Goals and Strategies that have been identified through the IMAGINE Tallahassee visioning process.
- Some of the Goals and Strategies that are met by this grant funding proposal are:

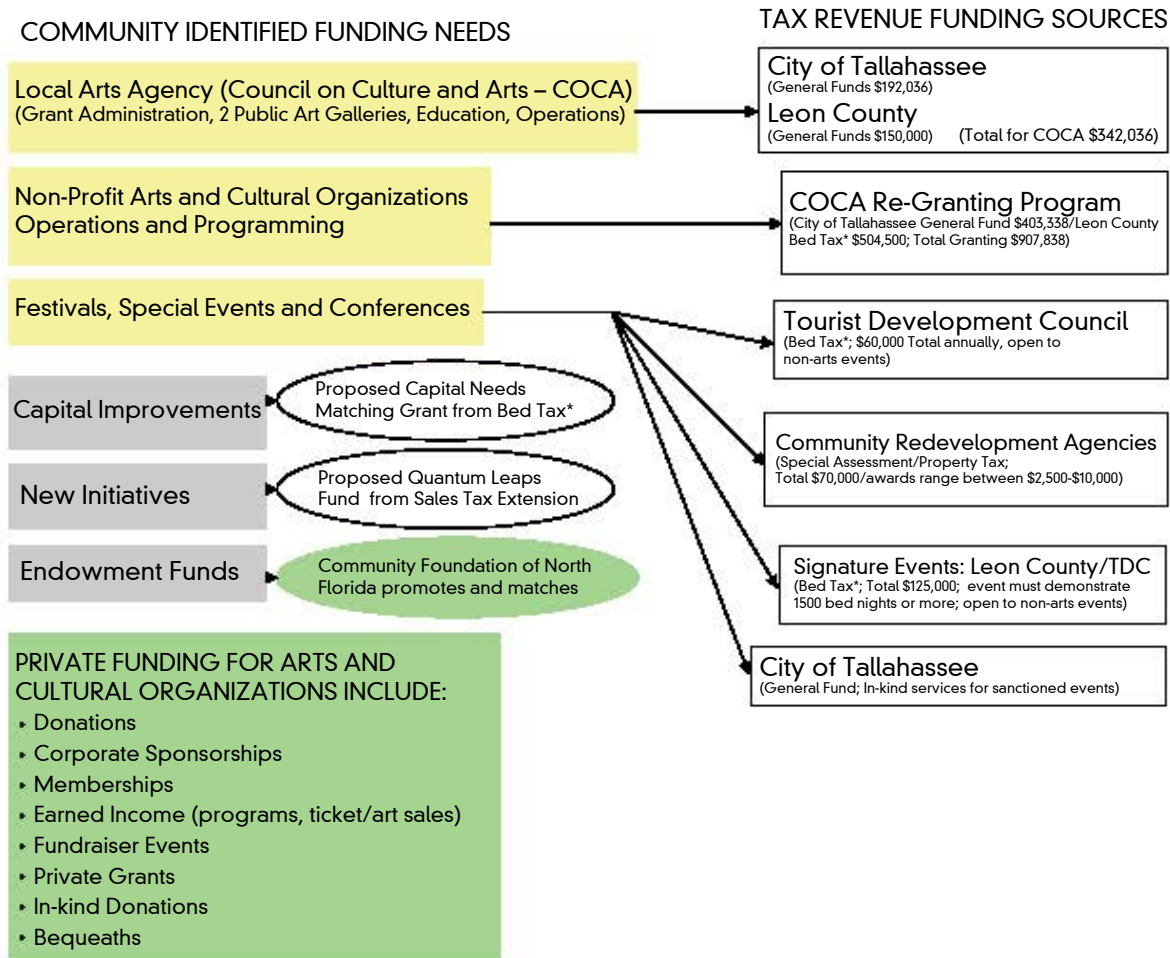
Goals:

1. Increased visitor and tourist spending.
2. Media recognition as a cultural destination for in-state and out of state travelers.
3. Increase financial sustainability within our arts and cultural institutions.
4. Recognition of Greater Tallahassee as a metropolitan area “on the rise.”
5. Increased employment in “creative industries.”
6. Improved perception of Tallahassee as a place to live among young professionals.

Strategies:

1. Ensure a level of “coolness” within downtown and surrounding urban areas.
2. Promote art in public places.
3. Foster the development of creative young professionals as catalysts for economic growth.
4. Foster financial sustainability in our arts and culture organizations.

CURRENT LOCAL PUBLIC FUNDING AVAILABLE TO ARTS AND CULTURAL ORGANIZATIONS (12/2013)



***Bed Tax dollars are limited by State of Florida Statute:**
 "if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event must have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists;"

This chart is prepared by the Leon County/City of Tallahassee Cultural Plan Review Committee



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Painting by Lance deHaven Smith

PLAN IMPLEMENTATION

GOAL

The Council on Culture and Arts for Tallahassee/Leon County (COCA) will realize its mission as the local arts agency representing culture, arts, and heritage for ALL in Tallahassee and Leon County through grant-making, advocacy, marketing, and education.

FINDINGS:

The original Cultural Plan (2003) set forth goals, objectives, and strategies that were delegated to COCA to implement, manage, and evaluate. Some of the goals, objectives, and strategies included:

- The construction of the Arts Exchange and a community Performing Arts Center.
- An Arts Trolley serving the First Friday Gallery Hop.
- A Community Arts, Culture and Heritage Map of Tallahassee.
- Capital Culture Magazine published by COCA.

The Cultural Plan was overseen by an Audit Committee, which was appointed by the City and County Commissioners to guide the implementation of the plan for the first three years. They provided reports to the joint commissions in six and twelve month intervals. **The Audit Committee adjourned at the beginning of 2007.**

At the end of the Audit Committee's governance of the plan, the nation and community experienced one of the worst recessions in recent history. The economic downturn and other circumstances effected the implementation of the plan moving forward **as several goals, objectives, and strategies were tied to financial resources that were either reduced significantly or ceased to exist.**

Even with the financial impact of the recession, it is noted that **COCA was able to provide many**

valuable resources to the community. These resources include, but are not limited to:

- One of the only local arts agencies in Florida to maintain level grant funding to local culture, arts, and heritage organizations in the City of Tallahassee and Leon County.
- Professional development and assistance to the cultural community (i.e. "Marketing Mondays", merchant service accounts for local artists, technical assistance workshops).
- Marketing and promotional services to the arts, culture, and heritage community (i.e. "More Than You Thought This Week" and "COCA Opportunities" email blasts, www.MoreThanYouThought.com calendar, and "COCA Buzz" in TLH Magazine (Sunday, Tallahassee Democrat)).
- Administer the "Art in Public Places" program, which includes curating art exhibitions at City Hall and the Tallahassee Regional Airport.
- Support for arts, culture, and heritage educators and learners through the monthly "Arts in Education Newsletter", the annual "COCA for the Classroom" resource guide, and the "COCA for Kids" directory.

The Cultural Plan Review Committee determined from assessment of the original plan and best practices of other community cultural plans (see Austin, Texas; Asheville, North Carolina; et. al.), that **an annual review of**

the new plan will provide the arts, culture, and heritage community and stakeholders a “living plan” and allow for changes in the plan when they are deemed necessary.

The Cultural Plan Implementation Subcommittee met with the Board of Directors and Staff of COCA, representatives from the Tourist Development Council/Visit Tallahassee, the Greater Tallahassee Chamber of Commerce, the Economic Development Council, Leadership Tallahassee, and City and County Commissioners, as well as community stakeholders in culture, arts, and heritage and one message was overarching in all conversations – **COCA, as our community’s designated local arts agency, should take the lead as the umbrella agency for culture, arts, and heritage in the City of Tallahassee and Leon County.**

Community leaders agree that COCA should operate as the local arts agency for all in the City of Tallahassee and Leon County. That being said, it is noted that the **statements below, gleaned in the review process, represent some of the concerns about COCA in the past. These concerns of the past should not reflect on perception of COCA moving forward.** Our local arts agency should be:

- Advocate for arts, culture, and heritage organizations in our community and avoid competition with arts, culture, and heritage organizations and individuals.
- Agency whose mission is driven by an organizational strategic plan and in step with the Cultural Plan of the City of Tallahassee and Leon County avoiding projects not at the core of their mission and Cultural Plan.
- Agency, which fosters operational and collaborative relationships with various organizations, individuals, and governmental agencies.

During the review of the original Cultural Plan, the **Executive Director of COCA tendered her resignation** to embark on a new phase of her professional life. With a new cultural plan and in seeking a new director, **COCA’s Board of Directors has a unique opportunity to engage a new leader that can guide the organization forward and elevate culture, arts, and heritage in our community by:**

- The adoption of the new Cultural Plan for the City of Tallahassee and Leon County.
- Collaborative, cooperative, and networking engagement opportunities with civic, cultural, and educational organizations and individuals in the community.



RECOMMENDATIONS: OBJECTIVES AND STRATEGIES

1. COCA will continue to re-grant annually contracted funds from the City of Tallahassee and Leon County through a competitive grant process for culture, arts, and heritage organizations supporting the superlative work these organizations provide the entire community.

- Recognizing the limitations in place by Statute, the City of Tallahassee and Leon County should attempt to ease requirements in the COCA Grant Program providing a collective pool of grant dollars to assist local culture, arts, and heritage organizations with general operations grant funding.
- COCA should continue to annually evaluate grant-funding requirements for culture, arts, and heritage organizations that contribute to the advancement of culture, arts, and heritage in Tallahassee and Leon County, which meet the needs of the entire community.

2. Create grant programs for individual artists through creative funding streams to support individuals in our community who contribute to culture, arts, and heritage.

- COCA will work with local, regional, and national foundations and re-granting organizations to secure grant funding for individuals advancing culture, arts, and heritage programs in the City of Tallahassee and Leon County.

For Example:

- Governmental and Regional (National Endowment for the Arts, National Endowment for the Humanities, South Arts, Division of Cultural Affairs, Florida Humanities Council, et. al.)
- National foundations (Doris Duke Foundation, Knight Foundation, Wallace Foundation, Ford Foundation, Andrew W. Mellon Foundation, et. al.)
- Other funding opportunities that only COCA can apply as the local arts agency for the City of Tallahassee and Leon County.

3. COCA shall continue to seek out collaborative granting opportunities to partner with organizations and individual artists in the community for grant dollars and public/private funding for which they alone can apply to bring in more funds into our community to help elevate culture, arts, and heritage.

- This may be a National Endowment for the Arts “Our Town” grant that promotes Creative Placemaking. Creative Placemaking is defined by the NEA as, “leveraging the arts to create a distinct sense of place through increased creative activities, produce vibrant local economies that together capitalize on existing assets, and/or make communities more livable through enhanced quality of life.”
- Examples of collaborative grants COCA has applied for (2000-2015), include but are

not limited to, the National Endowment for the Arts, ArtPlace America: Innovation Grants, Visit Florida, John S. and James L. Knight Foundation, Gannett Foundation, and Division of Cultural Affairs, State of Florida.

4. Acting as the local arts agency for all citizens in the City of Tallahassee and Leon County, COCA will advocate for and champion all culture, arts, and heritage organizations and individuals.

- The executive director of COCA will seek partnerships and collaborations through networking, professional opportunities, and board and committee seats (appointed, ad hoc, ex officio, etc.) with the Tourist Development Council/Visit Tallahassee, the Greater Tallahassee Chamber of Commerce, the Economic Development Council, Leadership Tallahassee, Network of Young Professionals, Big Bend Minority Chamber of Commerce, and other civic organizations.

5. A Coalition for Arts, Culture, and Heritage Professionals should be established providing networking, collaborative, and cooperative opportunities to community arts, culture, and heritage executives.

- This group will consist of community leaders (i.e., executive directors of arts, culture, and heritage organizations) and businesses in the City of Tallahassee and Leon County with the membership setting goals and objectives through a shared vision.
- This network will be administered through COCA and facilitated by their executive director to seek improved communication between leaders in the arts, culture, and heritage community providing a platform for synergy, collaboration, cooperation, communication, and advocacy.

- This network can provide a forum for professionals from organizations to:
- Encourage and enable program providers to seek opportunities for collaboration and cooperation,
- To build a support network for professionals working in the arts; and
- To create comprehensive systems of presenting the arts to our community.

6. As the local arts agency, COCA will create an ongoing conversation in the community regarding the value of public and private financial support for arts, culture, and heritage.

- COCA will use the quantitative and qualitative data provided by local arts, culture, and heritage organizations participating in the COCA Grant Programs and information from other arts, culture, and heritage businesses and state partners to create a “One Sheet” to educate local governments, businesses, and individuals about the intrinsic and extrinsic value of arts, culture, and heritage in the City of Tallahassee and Leon County.
- This “One Sheet” report is different than the Annual Reports issued to the City of Tallahassee and Leon County per COCA’s contracts with said agencies in that it:
 - Includes information by local arts, culture, and heritage businesses and state partners, not participating in the COCA Grant Program, but have a cultural and economic impact in the City of Tallahassee and Leon County.
 - Is more of a “one-sheet” document that can provide information to individuals, organizations, and

businesses on the impact arts, culture, and heritage has in our community.

(See example in Addendum A3)

- Uses more quantitative data provided by organizations and local artists to exhibit the economic, educational, and community impact of arts, culture, and heritage in the City of Tallahassee and Leon County.
- Would use the results of the “Economic Impact Study,” which COCA would conduct every five years **(See Goal #8)**.
- As referenced above, COCA provides an Annual Report to the commissions of the City of Tallahassee and Leon County reporting back the progress of their previous year’s contract. It is recommended that COCA’s reporting to the commissions of the City of Tallahassee and Leon County be streamlined to one report that provides the information needed and necessary to satisfy both contracts; in one document.

7. A Youth & Education Network should be established to provide networking, collaborative, and cooperative opportunities to community arts, culture, and heritage educators and administrators.

- This group will consist of arts, culture, and heritage educators and administrators seeking to elevate educational opportunities, share resources, and advocate for arts, culture, and heritage education in the community. This may include:
 - o PK – 12 educators and administrators in private, public, and home school education.

- o Public, private, and non-profit arts, culture, and heritage organizations including but not limited to museums, after-school programs, community arts programs, private arts instruction (music, art, dance, theatre, etc.), and other arts, culture, and heritage educational opportunities available in the City of Tallahassee and Leon County.
- o Florida State University, Florida A&M University, and Tallahassee Community College departments, programs, and colleges supporting arts, culture, and heritage education in the community.
- The network may also be responsible for recognizing “arts educators of the year” in the community and should be facilitated by COCA’s Education Director.

For Example:

- The Brevard Cultural Alliance acknowledges excellence in arts education to build an understanding of the importance of the arts, culture, and heritage in the schools.
- www.artsbrevard.org/programs-and-grants/for-educators/excellence-in-visual-arts.html

8. The Board of Directors and Staff of COCA will align their strategic vision and long-term organizational plan with the Cultural Plan and collaborate with the Cultural Plan Advisory Committee and community stakeholders to evaluate the implementation and progress of the Goals, Recommendations, and Strategies in the Cultural Plan to best serve all communities in the City of Tallahassee and Leon County.

9. In aligning their strategic vision and long-term organizational plan with the Cultural Plan, COCA will provide the community

with an “Economic Impact Study” every three years that demonstrates the role arts, culture, and heritage organizations and individuals play in the local economy.

- These studies can be produced in partnership with the Americans for the Arts as was the Arts and Economic Prosperity study that COCA conducted in 2008, which was published in 2009.
- At the time of this report, the cost of the study through the Americans for the Arts is \$8,500.
- o More information is available at:
www.americansforthearts.org/information_services/research/services/economic_impact/iv/custom.asp

10. With the adoption of the new Cultural Plan a Cultural Plan Advisory Committee will be created by the City and County Commissions to:

- Collaborate with plan implementation stakeholders and community on organizational and community needs assessments addressed in the Cultural Plan.
- Provide advisement to plan implementation stakeholders and community with possible amendments, improvements, or changes to the Cultural Plan for the betterment of arts, culture, and heritage in our community.
- Report the annual progress of the Cultural Plan to the commissions of the City of Tallahassee and Leon County.

The Cultural Plan Advisory Committee (CPAC) is charged with reporting progress and assisting stakeholders with implementation of the Cultural Plan for the City of Tallahassee and Leon County. The committee is not established to provide oversight, supervision,

or management of any individual, organization, or stakeholder named in the Cultural Plan.

This advisory committee will consist of individuals in our community who have a vested interest in arts, culture, and heritage and represent diverse communities including but not limited to visual arts, music, dance, theatre, heritage, education, film, and creative writing.

- o The Cultural Plan Advisory Committee will be made up of 13 members, who are arts, culture, and heritage stakeholders in the community:
 - o Community leaders initially drawn from Subcommittee chairs of CPAC and/or Arts, Culture, and Heritage Community Stakeholders (4 total)
 - o Community leaders/administrators in arts, culture, and heritage (2 total)
 - o COCA board member and executive director (2 total)
 - o Leon County School teacher and/or administrator (1 total)
 - o Greater Tallahassee Chamber of Commerce/EDC (1 total)
 - o Visit Tallahassee/Tourist Development Council (1 total)
 - o Colleges and Universities (TCC, FSU, FAMU) (2 total)
- The committee and key stakeholders will meet every six months to discuss successes and challenges of the plan implementation, suggest possible changes and amendments to the plan, and determine any unmet needs. Annually, the committee will present a Cultural Plan Progress Report which will include success findings, suggested modifications, and needs assessments to the commissions of the City of Tallahassee and Leon County and other key stakeholders.

- o The CPAC will meet with the COCA Board in a timely manner to assist in recommendations for funding to the Leon County and City of Tallahassee Commissions prior to their annual budget workshops.
- o The committee will operate in the calendar year.

After two years under the new Cultural Plan, the Cultural Plan Advisory Committee will sunset as an independent committee and become an ad hoc committee of the COCA Board.

11. Upon acceptance of the new Cultural Plan, in anticipation of budget preparation and budget workshops at the City of Tallahassee and Leon County, and with the hiring of the new executive director of COCA and other key arts, culture, and heritage staff discussed in the Cultural Plan; funders, policy makers, organizations, individuals and governmental groups, which contribute to the implementation of the Cultural Plan shall conduct a workshop, co-led by COCA Executive Director and Chair of Cultural Plan Advisory Committee, to collectively understand and discuss the implementation of the Cultural Plan and begin the process of collaboration in implementation.

- Participation in this workshop should include members of:
 - o Cultural Plan Advisory Committee
 - o Council on Culture and Arts
 - o Tourist Development Council
 - o Greater Tallahassee Chamber of Commerce
 - o City of Tallahassee Government
 - o Leon County Government
 - o Leon County Schools
 - o Florida State University

- o Tallahassee Community College
- o Florida A&M University
- o Economic Development Council
- o Community Redevelopment Authority
- o Others who may be in a position to move the plan forward

- The goals of this workshop would include:

- o Establishing funding needs for the implementation of the Cultural Plan, which may need to be considered during the budgeting process of the City of Tallahassee and Leon County.
- o Establish opportunities for collaboration.
- o Understand and begin the creation partnerships needed to implement the Cultural Plan.

12. It is recognized by the CPRC that the implementation of some of the recommendations included in the Capital Area Cultural Plan may require additional staffing and funding for COCA. The COCA Board as the governing entity of COCA, with support from the Cultural Plan Advisory Committee, will determine and recommend any additional positions and funding which it deems necessary to effectively implement the plan.



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ADDENDUM

Addendum A-1

PROPOSED CAPITAL NEEDS MATCHING GRANT FOR ARTS AND CULTURAL FACILITIES

Purpose of the Program – To offer support and funding for renovation, new construction, or acquisition of cultural facilities located in Leon County or the City of Tallahassee.

A Cultural Facility is a building that shall be used primarily for the programming, production, presentation, exhibition, or any combination of the above functions of any of the arts and cultural disciplines including, but perhaps not limited to: music, dance, theater, creative writing, literature, architecture, painting, sculpture, folk arts, photography, crafts, media arts, visual arts, programs of museums, historical sites, and heritage experiences.

The intent of this grant program is capital improvement that, for the purpose of this application, is defined as an addition or renovation of a permanent structural improvement or the restoration of some aspect of a property that will either enhance the property's overall value or increases its useful life.

Basic Eligibility: All applicants must meet the following basic legal and program eligibility requirements at the time of the application.

All applicant organizations must:

- 1) Be physically located in the City of Tallahassee or Leon County, Florida.
- 2) Be a non-profit, tax exempt Florida corporation according to these definitions:

Incorporated as an active nonprofit Florida corporation, pursuant to Chapter 617, Florida Statutes;

Designated as a tax-exempt organization as defined in Section 501(c)(3) or 501(c)(4), of the Internal Revenue Code of 1954; and

Allowed to receive contributions pursuant to the provisions of s. 170 of the Internal Revenue Code of 1954.

- It is understood that the source of grant funds may result in additional requirements that affect eligibility for applicants.

Grant Requirements:

- A. Own or have an executed lease for the undisturbed use of the land or buildings or both. In cases where either the land or buildings or both are leased by the applicant, the owners must also meet the criteria in number 1 above. **Exception:** Unless land or buildings or both are owned by the City of Tallahassee and/or Leon County and leased to an eligible applicant.
- B. Retain ownership of all improvements made under the grant. **Exception:** Unless land or buildings or both are owned by the City of Tallahassee and/or Leon County and leased to an eligible applicant.

- C. An organization operating budget showing total revenue and support for the last completed fiscal years.
- D. A digital file reduction of current architectural plans.
- E. Support letters indicating project impact and worthiness (5 letters or fewer.)

Grant Restrictions:

The Cultural Facilities program grant does not fund feasibility studies, architectural drawings or operational support.

Any applicant requesting and receiving grant funds from this program for the purpose of construction, rehabilitation, remodeling, or preservation of a historic property, must do so in conformance with the Secretary of the Interior’s Standards for Historic Preservation. Please see these standards and additional information at www.nps.gov/history/hps/tps/tax/rhb/.

Although applicants may apply for more than one project, applicants can only have one “open” cultural facilities grant at a time.

Submissions and Review Calendar – to be determined

Request Amount: The maximum grant amount that may be requested is \$500,000. There is no minimum amount. Only a single application for any applicant may be submitted in the same year.

Match Requirements: Organizations must demonstrate SECURED funds equal to the amount requested (\$1 to \$1 match). The funds must be placed in a designated account for the sole purpose of the project and there will be

accountability requirements before, during and after the release of grant funds. Alternative or additional match requirements may be required depending on the funding source.

Single Phase and Multi-Phase Projects:

Single Phase Projects are defined as those which will be completed within 21 months after grant funds are available.

Multi- Phase Projects are defined as those for which funding will be requested for different phases of the **same** project over a period not to exceed 3 years. Multi-phase projects **must** have activities in each year for which funding is requested. Requested total amount may not exceed \$500,000, but grant funds may be allocated to the applicant in varied amounts, subject to project needs and availability of matching funds.

All required matching funds must be secured prior to grant approval.

Applicant must define phases of the project and submit a separate request for each project phase over the 3-year period. Phases must be numbered in keeping with the order of the project and application submissions.

For multi-phase projects, applicants should describe all construction or renovation work to be done (i.e., all additional phases), beyond the construction or renovation described in the original proposal. Applicants should describe a clear understanding of the entire project. Applications that are not identified as “multi-phase” will be determined to be single phase, which could result in forfeiture of funding if project is not completed on time.

Changes in Project Scope or Venue:

Anything that substantially reduces the scope or character of the funded project is not allowed. Organizations wishing to change the scope or venue of their project must submit a new application, in accordance with application guidelines and calendar, for a subsequent application cycle.

Project Extensions: Grant period extensions for single-phase and multiphase projects may be requested by the organization. An extension of the completion date must be requested at least 30 days prior to the end of the grant period.

Extensions may not exceed 120 days for any single-phase project or 120 days for any phase of a multiphase project unless the Grantee can clearly demonstrate extenuating circumstances. An extenuating circumstance is one that is beyond the control of the Grantee, and one that prevents timely completion of the project, such as a natural disaster, death or serious illness of the individual responsible for the completion of the project, litigation related to the project, or failure of the contractor or architect to provide the services for which they were hired. An extenuating circumstance does not include failure to read or understand the administrative requirements of a grant, or failure to raise sufficient matching funds.

Multiphase projects remain subject to the original overall time limitation (i.e. 3 consecutive years), regardless of the number of approved grant extensions. A Grant Amendment Request (GAR) form (see Grant Forms) should be used when requesting an extension.

Non-Allowable Costs: Grant funds may not be spent on the following:

- A. General Operating Expenses (GOE).
Administrative costs for running the organization (including but not limited

to salaries, travel, personnel, office supplies, mortgage or rent, operating overhead or indirect costs, etc.).

- B. Costs associated with representation, proposal, or grant application preparation.
- C. Costs incurred or obligated before project timeline approved in the grant process.
- D. Costs for lobbying or attempting to influence federal, state or local legislation, the judicial branch, or any state agency.
- E. Costs for planning, including those for preliminary and schematic drawings, and design development documents necessary to carry out the project.
- F. Costs for bad debts, contingencies, fines and penalties, interest, and other financial costs.
- G. Costs for travel, private entertainment, food, beverages, plaques, awards, or scholarships.
- H. Projects restricted to private or exclusive participation, including restriction of access to programs on the basis of sex, race, creed, national origin, disability, age, or marital status.
- I. Re-granting, contributions, and donations.
- J. Reimbursement of costs that are paid prior to the execution of the Grant Award Agreement.

Review Criteria and Scoring:

Each eligible application will be evaluated on competitive criteria.

Criteria	Application section(s)	Worth
Scope of Work	Scope of Work: Project Narrative and Phases	up to 25 points
	<ul style="list-style-type: none"> Describe the project for which you are requesting support. Describe how the board has been engaged in using an inclusive, thorough planning process to make informed decisions about the project. Describe the ability to operate and maintain equipment/facility after the project is complete. Provide a detailed construction schedule for the project. Describe how the project corresponds to the organization's long-term facilities plan. Have permits been secured, if applicable? 	
Project Budget and Matching Funds	Proposal Budget Detail: Expenses Proposal Budget Detail: Income	up to 25 points
	Matching Funds Statement <ul style="list-style-type: none"> Describe the administrative and financial capabilities to implement the project, including budget. Demonstrate financial need for a grant. Provide three years organizational and financial data. Have matching funds committed to the project or demonstrate an ability to raise funds to complete the project. Have capital reserves in place or demonstrate an ability to successfully fund depreciation. Include a project budget that identifies all sources of funding (committee, pending and/or projected). Include a project budget where the costs are prioritized and informed by construction drawing phase engineers/estimates or professional third party bids. Have identified and/or hired the project's leadership and key contracted personnel, as needed, and demonstrate they have the appropriate skills and capacity to implement the project. Demonstrate that there is a current capital campaign for this project and how additional funds to complete the project will be obtained. 	

Need for Project	<p>Need for Project and Operating Forecast Detail</p> <ul style="list-style-type: none"> • There must be a demonstrated need for the project that is integral to the mission and overall strategic organizational plan. • Demonstrate that the project is appropriately sized relative to the capacity and needs of the organization. • For projects that either expand programming or square footage, or both, provide evidence of market demand for said expansion. • For maintenance and/or repair projects, demonstrate that it is in the context of an overall capital needs assessment and replacement schedule. • Describe the project's use of energy efficient products and/or technologies. • Describe the project's impact on accessibility, quality of life, job creation, economic growth, cultural tourism or other issues deemed relevant. • Describe how the project will sustain and/or enhance the future operating stability/capability of the facility. • Describe the broad-based community support the project has and the number of constituents affected. • Demonstrate cooperation between local community groups, professional companies, organizations and local government authorities to ensure the most efficient use of available resources, as well as high level of community support for the project. 	up to 25 points
Project Impact	<p>Project Impact</p> <ul style="list-style-type: none"> • Demonstrate expected increase in visitor draw to the facility being improved. • How will the project be evaluated? What goals or outcomes are you expecting? • Detail how this project will affect the audience and communities served by your organization. • Demonstrate ability of project to have a positive impact on cultural awareness on a local, regional or statewide basis. • Thoroughly analyze the impact the capital project will have on the organization's future finances if expanding square footage or programming. 	up to 25 points

Possible Bonus Points for Length of operational service:

- 10 to 15 years – 2
- 15 to 20 years – 3
- More than 20 years - 5

The total possible number of points is 105. The Application Review Committee's evaluation will be based on the information contained in the application and required attachments. The Committee members' individual ratings will be averaged to determine a final score for each application.

Applications receiving a score of 75 or higher will be considered for funding.

Addendum A-2

RECOMMENDATION PRESENTED TO IMAGINE TALLAHASSEE ON 10/14/13 FROM THE FUNDING AND FACILITIES SUBCOMMITTEE OF THE CULTURAL PLAN REVIEW COMMITTEE

Growing our destination product for travel and tourism while supporting a creative culture and urban lifestyle

Goals:

1. Increased visitor and tourist spending.
2. Media recognition as a cultural destination for in-state and out of state travelers.
3. Increase financial sustainability within our arts and cultural institutions.
4. Recognition of Greater Tallahassee as a metropolitan area "on the rise".
5. Increased employment in "creative industries."
6. Improved perception of Tallahassee as a place to live among young professionals.

Strategies:

1. Ensure a level of "coolness" within downtown and surrounding urban areas.
2. Promote art in public places.
3. Foster the development of creative young professionals as catalysts for economic growth.
4. Foster financial sustainability in our arts and culture organizations.

Create a funding source that provides competitive grants to arts and cultural organizations, as well as state and local government, for projects or programs that allow the organization to achieve

a "quantum leap" (highly significant advance or breakthrough) in their offerings or level of self-sustainability.

Examples of projects or programs that could be eligible:

1. Art in Public Places
2. Projects that promote a sense of place or identity in the community
3. Projects that propel an organization to a new level of service to the community
4. Projects that propel an organization to a new level of sustainability (investment now, save money over time)
5. Projects/Programs that attract Regional or National media attention to the Tallahassee area as a visitor destination
6. KCCI initiatives

Executive Summary: Economic Development efforts for our region rely on competitive assets. A highly educated workforce, thriving high-tech presence, and a community committed to visual arts, performing arts, science, and historical experiences are all essential factors. To maintain the ability to grow and attract new business, our community must offer outstanding quality-of-life experiences that include cultural facilities, programs, and events.

Culture is essential economic development unto itself. According to the most recent regional analysis (Americans for the Arts Economic Prosperity Report, 2009), combined with its complimentary thriving tourism market, culture is an industry that supports

2,720 FTE employees in our community with a unique economic impact of \$74,567,307. It is simply good business to support and grow the benefits of culture and historic resources.

HOW CULTURE ADDRESSES THE SALES TAX THEMES

Sense of Community- Art and historic experiences offer an immeasurable mechanism for growing its creative class. When artists, performers, historians and other related professionals are valued, offered competitive salaries, have opportunities for employment and are encouraged to be both artists as well as successful entrepreneurs, business prospers. To earn a reputation and “sense of community” where extraordinary art abounds, there must be thriving, attractive facilities, events, experiences and spaces, both indoors and in the natural environments that foster the creation of art and celebrate its presence.

Connectivity – There is a physical connection between spaces when sidewalks, bikes, and trails link neighborhoods and sections of our community. Art offers the opportunity to make emotional connections. Some cities have used “Cows on Parade,” “Flamingos on Parade”, or other iconic community symbols to unite what the community values with original art.

This results in making unique connections between streets, shopping districts and an overall sense of unity. Some municipalities have used street pavers to create artistic messages. Landscaping can also be artistic renderings.

There should be careful consideration to what types of art might define our community and make these types of connections. But, the purpose of this proposal is to promote consideration for the importance of incorporating art into the Connectivity plan.

Economic Vitality – All firms contemplating relocation or expansion consider the many

resources a community offers. Families require good schools, activities, and quality of life experiences, as well as diversified employment opportunities for spouses. Graduating students from institutions of higher education consider salary and opportunities for advancement, as well as the “livability” of the community. Seniors look for life-long learning and volunteer opportunities to remain engaged and active members of society. It is not unreasonable to think a family’s need to relocate for one member’s professional advancement may bring multiple generations of its members.

When there are rich cultural experiences, a vibrant night life and activities that are valued by people of all demographic groups, the chances to build on the economy flourish. In every culture throughout history, one of the most important aspects of the economy has been the value placed on artistic achievement and offerings. Today in Tallahassee, as well as the world, that remains true. The importance of culture should not be underestimated regarding the economic vitality of our community.

Parks/Ecotourism –The “other Florida” is the one we call home. The mighty Apalachicola, Wacissa, and Aucilla rivers tie to lakes, streams and ponds, while offering a plethora of ecotourism experiences. We are home to one of the greatest natural history museums in the state, national and state parks, and we are a city with nationally acclaimed parks and related programs. Cultural experiences abound in these locations and must be supported.

There are opportunities to expand our offerings. Heritage trails, the site of the “First Christmas”, and an expansion of collaboration between destinations, state and municipal agencies, the Leon County Tourist Development Council and other stakeholders will flourish, if cultural organizations can be strengthened to increase programs offered in our parks and the number and quality of eco-tourism experiences.

Gateways – Art in Public Spaces is the most obvious example of how culture can positively impact gateways to our community. While there have been some wonderful and unique installations, there is no cohesive vision for art in public spaces to enhance our gateways. Imagine art at interstate exit and entrance ramps that make a statement about our “sense of place.” Art can also be installed in roundabouts to create community gateways.

It would be ideal if the community would establish a diversified committee to create a strategic plan for art in public places, including desirable objectives for gateways, large and small.

ADDENDUM A-3

A strong Return on Investment

Twenty-two organizations were funded through the City's Cultural Service Grants last year for a total of 2.85 million dollars, approximately one-third of one percent of the City's budget (00.3).

The Arts and Culture Industry:

- » Supports 756 jobs
- » Spends 29 million in the local economy
- » Provided 364,907 free and reduced price tickets
- » Achieved an overall economic impact of 58 million

Arts and Culture Fuel the Economy by:

- » Strengthening Education
- » Promoting Economic Development
- » Energizing Downtown
- » Advancing Tourism

All YOURS for \$3.27

A Great Return on Investment.

Let decision makers know that you value investments in arts and culture.

City Council: 630-1377 | city@coj.net
Mayor Alvin Brown | 630-1776 | mayoralbrown@coj.net



Cultural Council

PO BOX 491, JACKSONVILLE, FL 32202-0491

Jacksonville
INVESTS
\$3.27
PER PERSON
in the ARTS



CULTURAL ORGANIZATIONS FUNDED BY THE CITY OF JACKSONVILLE

A sample of what these groups offer to citizens:

CLIMBER MUSEUM OF ART AND GARDENS

- » Serves 2,300 kids with disabilities at a Very Special Arts Festival

FLORIDA THEATRE

- » Generates more than 1,800 hotel room nights through visiting artists and patrons

JACKSONVILLE SYMPHONY ORCHESTRA

- » Brings more than 179,000 people downtown during the concert season

MUSEUM OF CONTEMPORARY ART

- » Offers free admission to families every Sunday

MUSEUM OF SCIENCE AND HISTORY

- » Houses the largest single-lens digital dome planetarium in the United States

WJXT PUBLIC BROADCASTING

- » Provides audio reading service to 21,000 visually impaired people in Duval County

BEACHES AREA HISTORICAL SOCIETY

- » Hosts more than 100 students annually to learn about the history of the First Coast

BEACHES FINE ARTS SERIES

- » Presents eight concerts featuring internationally acclaimed artists free to the public

CATHEDRAL ARTS PROJECT

- » Serves as the leading provider of free, standards based art instruction to 1,800 disadvantaged children

JACKSONVILLE CHILDREN'S CHORUS

- » Provides a unique program of musical instruction to boys experiencing social expansion through it's Young Men's Choir

PLAYERS BY THE SEA

- » Provides drama instruction to children of military personnel stationed at Naval Station Mayport.

RIVERSIDE FINE ARTS ASSOCIATION

- » Provides free musical programming to 22,000 students from 50 elementary schools on the First Coast

THEATRE JACKSONVILLE

- » Nurtures First Coast Writers through the Playwright's Exchange Program and the 12-hour Playwriting Competition

THEATREWORKS

- » Makes professional children's theatre accessible to 50,000 students and their families

ATLANTIC BEACH EXPERIMENTAL THEATRE

- » Brings senior citizens together with students to share stories resulting in community performances

CITY KIDS ART FACTORY

- » Provides fine, high level art instruction to underserved students in the urban core

FRIDAY MUSICALS

- » Provides scholarship assistance to young musicians, many of whom have performed and taught around the world

JACKSONVILLE HISTORICAL SOCIETY

- » Creates award-winning documentaries on local history in partnership with public and commercial broadcasting stations

MANDARIN MUSEUM AND HISTORICAL SOCIETY

- » Combines historical and environmental themes in an annual River Celebration Day

RITZ CHAMBER MUSIC SOCIETY

- » Brings positive media attention to Jacksonville as our nation's only all African-American chamber music ensemble

STAGE AURORA

- » Promotes literacy by securing one of the area's only grants from the National Endowment for the Arts for its Big Read program

Arts and Culture: A Great Return on Investment!

ADDENDUM A-4

SOME OF THE INDIVIDUALS INTERVIEWED, ORGANIZATIONS THAT PRESENTED AND DOCUMENTS STUDIED BY THE COMMITTEE

Economic Development and Marketing

Anne Mackenzie, Board Member, Past Chair COCA Board

Amanda Thompson, COCA

Christopher Heacox, Executive Director, Seven Days of Opening Nights

Erica Thaler, Education and Marketing, COCA

Jane Barron, Red Hills Horse Trials

Jay Revell, Downtown Improvement Authority

Kay Stephenson, Board Chair, COCA Board

Kelly Dozier, Chair, LeMoyne Chain of Parks Art Festival

Lee Daniel, Tourist Development Council/Visit Tallahassee

Marvin Mayer, Red Hills Horse Trials

Michael Parker, Director, City of Tallahassee Economic Development

Ni'Cole McRae, Owner, Ni'Coles Performing Arts Center

Peggy Brady, Executive Director, COCA

Quincie Hamby, Local Artist

Raoul Clarke, President of Springtime Tallahassee

Roxanne Manning, City of Tallahassee

Sean Pittman, Big Bend Minority Chamber of Commerce

Sue Dick, Greater Tallahassee Chamber of Commerce

Also spoke with or obtained information from:

Athens, Georgia Cultural Plan

Austin, Texas Cultural Master Plan

Asheville, North Carolina Cultural Plan

Boulder, Colorado Cultural Plan

Charlotte, North Carolina Cultural Plan

Chattanooga, Tennessee Cultural Plan

Denver, Colorado Cultural Plan

Houston, Texas Cultural Plan

Madison, Wisconsin Cultural Plan

Portland, Oregon Cultural Plan

Education

Althemese Barnes, Executive Director, Riley House Museum

Amanda Thompson, COCA

Amanda Whitaker, Gilchrist Elementary

Barbara Willis, Assistant Superintendent, Leon County Schools

Christopher Heacox, Seven Days of Opening Nights

Donna Callaway, Former Principal, Raa Middle School

Gil Ziffer, City Commissioner

Jackie Pons, Superintendent, Leon County Schools

Janet Pichard, Tallahassee Ballet

Judy Arthur, Teacher, Leon High School

Judy Crews, Retired Leon County Art Teacher and Guidance Counselor

Leslie Puckett, Tallahassee Senior Center Art Coordinator

Lori Danello Roberts, Northwood Arts Project

Michi Meko, Fulton County Arts Council

Nancy Miller, City Commissioner

Ni'cole McCrae, Nicole's Performing Arts Center

Rosanne Wood, former SAIL Principal, COCA Board Member

Russell Daws, Executive Director, Tallahassee Museum

Sheila Costigan, Executive Director, Foundation for Leon County Schools

Viki D. Thompson Wylder, PhD, Curator of Education, FSU Museum of Fine Arts

Also spoke with or obtained information from:

Savannah College of Business

Brevard Council of the Arts

Arts Foundation of Martin County

Fulton County, Art-At-Work program

Cultural Arts Alliance Walton County

Palm Beach County Cultural Council

United Arts of Central Florida

St. Johns Cultural Council

Miami/Dade Department of Cultural Affairs

Funding and Facilities

Allys Paladino Craig, Director, FSU Fine Arts Museum
Althamese Barnes, Executive Director of Riley House Museum
Beth Lewis, Executive Director of Goodwood Museum
Bob Inzer, President, Board of Directors -The Florida Center for Performing Arts and Education
Chris Heacox, Executive Director of 7 Days of Opening Nights
Danny Langston, Board President, Challenger Learning Center
Susan Borland, Education Manager – Challenger Learning Center
Jevelle Robinson, Executive Director – African Caribbean Dance Theater, Inc.
David Watson, Treasurer, Tallahassee Symphony Orchestra
Terry Galloway – Director and Founder Mickee Faust Club
Donna Nudd –Member Board of Directors – Mickee Faust Club
Felicia Leborgne Nowels – President, Board of Directors –
The Mary Brogan Museum of Art and Science
Marcus Rhodes – Executive Director, Southside Arts Complex
Gil Ziffer, Commissioner, City of Tallahassee
Janet Pichard, Executive Director, Tallahassee Ballet
Lee Daniel, Executive Director, Leon County Tourist Development Council
Kerri Post, Deputy Director, Florida Department of State
Larry Fuchs, Board President, LeMoyne Center for the Visual Arts
Mandy Sauer, Executive Director, Tallahassee Symphony Orchestra
David Watson, Treasurer, Board of Directors – Tallahassee Symphony Orchestra
World Ballet
Valerie Arsenault, Music Director – The Tallahassee Bach Parley
Peggy Brady, COCA Executive Director
Russell Daws, Executive Director, Tallahassee Museum of History and Natural Science
Teresa Davis, Executive Director, Tallahassee Little Theatre now Theatre Tallahassee

The Facilities Committee contacted all 2012 COCA grant recipients requesting their input regarding current and future facilities needs.

Reviewed materials, studied data, attended meetings of:

Historical budget data from City of Tallahassee and Leon County

Reports and information provided by COCA

Sales Tax Committee meeting/presentation by proponents of proposed Performing Arts Center

Imagine Tallahassee Steering Committee Meetings

Form 990 tax returns for COCA grant recipients

Various cultural plans from other cities

Capital Improvement and other Grants provided to arts and culture efforts from various states

Plan Implementation

Anne McKenzie, COCA Board

Barbara Boone, Greater Tallahassee Chamber of Commerce

Gil Ziffer, City Commissioner

Johanna Money, COCA Board

John Lawrence, COCA Board

Kay Stephenson, COCA Board Chair

Kristin Dozier, County Commissioner

Lee Daniel, Tourist Development Council/Visit Tallahassee

Dr. Matthew Shaftel, Florida State University

Mike Pate, KCCI and original plan committee member

Miriam Burns, Former Director of Tallahassee Symphony Orchestra

Peggy Brady, Executive Director of COCA

Ramon Alexander, COCA Board

Rosanne Wood, COCA Board

Russell Daws, Executive Director of Tallahassee Museum

Scott Maddox, Tallahassee City Commissioner

Sue Dick, Greater Tallahassee Chamber

Stephen Hogge, COCA Board

Presentations Made to the Whole Committee:

Gil Ziffer, Tallahassee City Commission

Jackie Pons, Superintendent and Barbara Wills, Assistant Superintendent, Leon County Schools

Kay Stevenson, Chair COCA Board

Lee Daniels, Executive Director, Visit Tallahassee

Peggy Brady, Executive Director of COCA

Robert Bendus, Florida Department of State





City of Tallahassee/Leon County
Cultural Plan Review Committee

Capital Area Cultural Plan



Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Commissioners

BILL PROCTOR
District 1

JANE G. SAULS
District 2

JOHN DAILEY
District 3

BRYAN DESLOGE
District 4

KRISTIN DOZIER
District 5

MARY ANN LINDLEY
At-Large

NICK MADDOX
At-Large

VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

February 25, 2014

Ms. Amanda Thompson, Interim Executive Director
Council on Culture & Arts
816 S. Martin Luther King Jr. Blvd
Tallahassee, FL 32301

Dear Ms. Thompson,

On behalf of the Leon County Board of County Commissioners, I would like to thank you for your dedication and support for arts and culture which play a vital part of making Leon County such an amazing place to live. This letter serves as a summary of the Board's recent actions on cultural matters and outlines some next steps as we begin to transition to the FY 2015 budget process.

On February 11, 2014 the Board held a workshop to review the Cultural Plan Review Committee's final report and recommendations and provided guidance on several issues. Upon acceptance of the final report, the Board encouraged COCA to establish its own subcommittee to monitor its progress relative to the implementation of the Cultural Plan rather than the County and City establishing a separate committee without any formal authority as recommended in the final report. Further, the Board directed COCA to develop its FY 2015 budget request according to the County's projected budget of \$150,000 for administrative costs and a full penny of bed tax funds (estimated at \$900,000) to include:

- a. The current funding levels for the re-granting process (\$504,500).
- b. The creation of a capital grants program for cultural institutions, with the associated application process and guidelines, allowable under section 125.0104, Florida Statutes.
- c. Additional arts and culture investment opportunities available with Tourist Development Tax funds to enhance visitation.

This proposed increase of nearly \$400,000 would represent a 38% increase in County funds available to COCA next year. Please note this allocation of a full penny of bed tax funds for FY 2015 is still dependent on upcoming deliberations with the City/CRA regarding the use of funds currently dedicated to the performing arts center. While a meeting date has not yet been set for this discussion, the County will continue to proceed on this matter as directed by the Board. On this point, I understand that you have been working with Lee Daniel, Director of Tourism Development, on the creation of the capital grants program which will go before the Tourist Development Council on March 6, 2014 and subsequently provided to the Board later in the year.

Amanda Thompson
February 25, 2014
Page 2

And finally, the Board also directed staff at its February 11th workshop to work with COCA on identifying potential operational efficiencies and cost savings between our two organizations. I have asked Lee Daniel to take the lead on this matter on behalf of the County and to provide my office with your joint findings by April 7th, 2014.

Leon County is excited to continue its partnership with COCA and we look forward to the upcoming community workshops on the cultural arts alongside the Cultural Plan Review Committee. Please let me know if you have any questions or concerns on these matters and know that my office is always open to discuss opportunities to better collaborate on future endeavors.

Sincerely,



Vincent S. Long
Leon County Administrator

cc: Kelly Dozier, Chair of the Cultural Plan Review Committee
Alan Rosenzweig, Deputy County Administrator
Ken Morris, Director of Economic Development & Business Partnerships
Lee Daniel, Director of Tourism Development
Scott Ross, Director of Office of Financial Stewardship
Michael Parker, Director of Tallahassee Economic & Community Development

Leon County Board of County Commissioners

Cover Sheet for Workshop

September 15, 2015

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Workshop Providing a Status Report on Council on Culture & Arts Funding and an Update on the Implementation of the Cultural Plan

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Cristina Paredes, Director of Economic Vitality
Lead Staff/ Project Team:	Lee Daniel, Director of Tourism Development Chris Holley II, Assistant to the Director

Fiscal Impact:

The County has increased its investment in the cultural arts through the reallocation of Tourist Development Tax (TDT) funds beginning in FY15. The Board's reallocation increased the TDT dedicated to the Council on Culture & Arts (COCA) from approximately ½-cent TDT (\$504,500) to a total 1¼-cent TDT (approximately \$1.13 million), which is used to support the cultural plan and grant programs administered through COCA. A portion of these funds (¼-cent) is available in arrears the following year to support a capital grants program. Specifically, monies accrued from the ¼-cent during FY 2015 will be available during FY 2016 and continue through FY 2020.

The expenditure of these funds through COCA shall be in accordance with the approved Cultural Plan (Attachment #1), including the cultural capital improvement grants.

Staff Recommendation:

Option #1: Accept the status report on Council on Culture & Arts Funding and an update on the implementation of the Cultural Plan.

Title: Workshop Providing a Status Report on Council on Culture & Arts Funding and an Update on the Implementation of the Cultural Plan

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Report and Discussion

Background:

In 2003, the “Cultural Plan for the Future of the City of Tallahassee and the Capital Area” was developed by an advisory group appointed by the City of Tallahassee, as well as participation by several community leaders. Since 2003, Leon County has partnered with the Council on Culture & Arts (COCA) to implement the Cultural Plan and administer the cultural grant program.

On September 18, 2012, the Board directed the County Administrator to work with the City Manager to finalize a proposal to update the 2003 Cultural Plan. The following month, the Board approved a process to update the Plan with an 18-member Cultural Plan Review Committee (Committee) appointed by the County and City Commissions. Staff support for the Committee was provided by the City as the County provided staffing for the Sales Tax Committee. The Committee was tasked with reviewing the original Cultural Plan, assessing the status of plan implementation, determining what portions of the plan need to be updated or omitted based on changes that have occurred, and providing recommendations to the County and City Commissions on modifications to the plan objectives.

The Committee met for one year with the first meeting held on December 10, 2012. The Committee unanimously approved the Cultural Plan in December 2013 and provided the final report to the County on January 31, 2014 (Attachment #1). On February 11, 2014, the Board held a workshop on the Cultural Plan and approved recommendations such as increasing the County’s investment in the cultural arts by dedicating a full one-cent of bed taxes as well as an additional ¼ cent to support a capital needs matching grant program as recommended in the Cultural Plan (Attachment #2). In addition, the Board provided direction to staff to work with COCA in identifying potential operational efficiencies and cost savings (Attachment #3). The efficiencies achieved through this partnership are discussed in the analysis portion of this workshop item on page five.

On October 14, 2014 meeting, the Board reached an agreement with the City regarding the reallocation of one-cent of Tourism Development Tax (TDT), previously dedicated to the creation of a performing arts center, to support cultural grants starting in FY 2015. In addition, for five years beginning in FY 2015, the County agreed to dedicate an additional ¼ cent of TDT to support a capital needs matching grant program. Monies accrued from the ¼ cent during FY 2015 will be distributed during FY 2016 and continue through FY 2020 (Attachment #4). During this five-year term, the County and City agreed to continue to commit general revenues funds in the amount of no less than \$150,000 each towards the operation of COCA. Table #1 on page four of the item outlines the County and City funding support for COCA. On December 9, 2014, the Board approved the interlocal agreements with the City and CRA to effectuate these recommendations (Attachment #5). The City and the CRA subsequently approved the new agreement on December 10 and 11, respectively. Subsequently, the Board approved the tourism ordinances related to collection of the tourist development tax at the first and only public hearing in February 2015 (Attachment #6).

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In light of the new Cultural Plan, the selection of the new executive director for COCA, and the shifting of resources to implement the Cultural Plan, the Board also directed staff to schedule a workshop to provide an update from COCA on the implementation of the Cultural Plan, including the cultural capital improvement grants and increase in tourism funding.

Analysis:

This workshop provides the Board with a status report on COCA funding and an update on the implementation of the Cultural Plan including the historical funding for COCA, the TDT support provided to arts and culture compared to other counties in Florida, COCA’s plans for these funds.

Overview on Funding for COCA:

Tourism Development has utilized TDT to market Tallahassee and Leon County as a destination for nature-based tourism activities, history and heritage, visual and performing arts, science and discovery, sporting events, meetings and conferences, filming, dining, nightlife and shopping. Prior to FY 2015, \$504,500 of TDT revenue was provided to COCA to be re-granted to cultural organizations and events throughout the community. An additional \$150,000 from the County’s general revenue was also allocated to COCA for administrative support. As discussed previously, beginning in FY 2015 the TDT dedicated to COCA increased from a fixed amount of \$504,500 (or approximately ½ cent) to a total 1¼-cent (approximately \$1.13 million). The disbursement of \$150,000 from general funds each from the County and City for the operation of COCA will continue to occur.

Table #1 depicts the COCA’s funding from the County and City over the past four fiscal years as well as the tentative budget for the upcoming fiscal year. The City currently (FY 2015) provides \$403,338 of general revenue for the cultural grant program. At the time of writing this workshop item, the City budget staff indicated that the tentative FY 2016 budget allocates \$192,039 for COCA’s administrative expenses (\$150,000) as well as funding for the cultural resources commission and the art in public places program (\$42,036). Should the city reduce its funding support, COCA will utilize the additional TDT funds to support its grant programs and implementation of the cultural plan. If this should occur, COCA’s FY 2016 budget will be \$1,493,911 compared to \$1,649,874 in FY 2015. It should be noted that COCA’s FY 2016 budget is still an increase in funding compared to its FY 2014 by \$244,037.

Table #1: COCA’s Funding from the County and City

	Funding Source	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016 (Tentative)
City of Tallahassee¹	General Revenue	\$721,334	\$595,374	\$595,374	\$595,374	\$192,036
Leon County	General Revenue	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000
	TDT to Support Operating Grants	\$504,500	\$504,500	\$504,500	\$904,500	\$921,500
	TDT to Support Capital Grants	0	0	0	\$0 ²	\$230,375
	<i>County Subtotal</i>	<i>\$654,500</i>	<i>\$654,500</i>	<i>\$654,500</i>	<i>\$1,054,500</i>	<i>\$1,301,875</i>
	Total:	\$1,375,834	\$1,249,874	\$1,249,874	\$1,649,874	\$1,493,911

¹All City funding support provided through general revenue. The table above reflects the City’s FY 2016 tentative budget for COCA at the time of writing this workshop item.

²In FY 2015, ¼ cent of TDT is available in arrears to support a capital grants matching program. More specifically, monies accrued from the ¼-cent during FY 2015 will be available during FY 2016 and continue through FY 2020.

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Table #2 shows how Leon County compares other communities who invest tourism dollars to art/culture and the percentages of funds allocated. As reflected below, Leon County dedicates 25% of the total TDT collections to arts and culture, which is substantially higher than other counties in Florida.

Table #2: Florida Counties' Support of Arts/Culture with TDT Funds FY 2015

County	% To Arts	\$ To Arts	Total TDT Collections
<i>Leon</i>	22%	<i>\$1.13 million</i>	<i>\$5.1 million</i>
Alachua	17%	\$0.70 million	\$4.1 million
St. Johns	15%	\$1.20 million	\$8.3 million
Sarasota	10%	\$1.79 million	\$18.6 million
Polk	8%	\$0.70 million	\$8.8 million
Broward ¹	1%	\$0.60 million	\$52.5 million
Brevard	<1%	\$0.48 million	\$11.2 million
Pinellas	<1%	\$0.20 million	\$41.2 million
Lee	<1%	\$0.30 million	\$33.3 million
Collier	<1%	\$0.10 million	\$20.0 million

¹Broward County approved an additional \$1 million to be used from TDT reserves.

COCA and the Implementation of the Cultural Plan:

Following the approval of the Cultural Plan, COCA established the Capital Area Cultural Plan Advisory Committee (CPAC), comprised of members of its board of directors and other individuals in the community, to prioritize elements of the Cultural Plan and establish a budget necessary to implement aspects of the plan. A sub-committee was also formed to develop guidelines pertaining to a proposed capital matching grants program, which is discussed in detail on page five. Tourism Development staff has served on CPAC to provide guidance on uses of the TDT and to share insights on possible cooperative marketing opportunities. The achievements CPAC has made toward the implementation of the cultural plan are outlined in Attachment #7.

On April 28, 2015, the Board approved the First Amended and Restated Grant Funding Agreement between COCA and the County regarding cultural programs and activities, the relationship to the promotion of tourism, and a listing of allowable and non-allowable expenditures of TDT funds (Attachment #8). The agreement states that additional investment in the cultural arts through COCA is to support the cultural grant program, the proposed capital needs matching grant program for arts and cultural facilities, and components of the Capital Area Cultural Plan that support economic development through tourism and related marketing consistent with uses authorized in section 125.0104, Florida Statutes. The Board's actions ensure the appropriate level of funding to support COCA in its mission to serve the community in the realm of the arts. The Board also approved a resolution to ensure that the TDT funds allocated for the cultural grant program, the capital needs matching grants for arts and cultural facilities program, and the components of the Capital Area Cultural Plan that support economic development through tourism and related marketing, are utilized in accordance with Section 125.0104, Florida Statutes (Attachment #9). The resolution provides a brief description of each program, the relationship to the promotion of tourism, and a listing of allowable and non-allowable expenditures for the cultural grants program, the capital needs matching grants for arts and cultural facilities program, and the components of the Cultural Plan that support economic development through tourism and related marketing.

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Recently, based on the Board's previous direction to explore operational efficiencies between Tourism and COCA, staff updated the COCA calendar including integration with the redesigned VisitTallahassee website as well as continues to provide ongoing assistance in managing the back end of the website. The integration of both calendars eliminated inconsistencies and the necessity of having to enter events on two different calendars. Further, it allows both COCA and Tourism staff to review events before posting to the website. This ensures accurate event information is made readily available for visitors to learn about upcoming events. It also provides the COCA events calendar with more exposure to a far greater audience and to benefit from all Tourism marketing efforts that generate traffic to VisitTallahassee.com.

Staff also held meetings with COCA to further discuss the Board's directive to identify other operational efficiencies, such as contractual marketing/advertising services. Under the leadership of the new Director, Dr. Audra Pittman, staff has continued the discussions on operational efficiencies specifically regarding office space. Staff will keep the Board apprised of these discussions with COCA. Furthermore, staff continues to work with COCA to ensure all grant dollars are used within the allowable uses of the TDT and that these uses are consistent with the resolution approved by the Board. Staff routinely partners with COCA in developing content used in the visitor guide and VisitTallahassee website; and as part of marketing efforts, staff includes arts, culture, and historic attractions in all of the media tours conducted with visiting journalists from lifestyle magazines as well as in regular rotations of weekly social posts on all platforms. This year staff is currently planning its largest industry partners meeting, known as the annual Marketing Rollout, which will prominently feature the arts and cultural community with its theme. The annual marketing event will be held on October 1, 2015 at the Theatre Tallahassee.

Through the work of CPAC and in order to receive the initial disbursement of these funds, COCA has provided FY 2015 budget information detailing how FY15 funds will be spent (Attachment #10) as well as its FY15 Mid-year Report (Attachment #11) specifying activities and achievements to date. In future years, disbursements of the one-cent TDT will be made in quarterly payments contingent upon the receipt of the following:

- non-departmental funding request application identifying the community services activities, as well as those persons responsible for overseeing and assuring delivery of those services, to implement the grant funding;
- timely invoices;
- midyear report and;
- annual report provided to and approved by the County.

As discussed previously, COCA and the CPAC subcommittee are currently in the process of developing the parameters and processes for the capital grants program that will be reviewed by the TDC and presented to the Board for final approval. Once the Board approves the parameters of the capital grants program TDT funds will be available to eligible agencies beginning October 1, 2015 for the program. The Cultural Plan calls for this program to be a one to one match from the receiving organizations in order to obtain capital grant funding. Disbursements of the ¼ cent TDT will be made on a case-by-case basis for the proposed capital grants program as recommended by COCA and approved by the TDC. Receipt of capital grants program funds is also contingent upon an appropriate invoice, Mid-Year report, and Annual report.

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For FY 2016, the County has forecasted revenue from the TDT at \$921,500 per penny and the ¼ penny is projected to generate \$230,375 resulting in a total estimated support for COCA and the cultural plan of \$1.15 million. In addition to the County will continue to support administrative functions for COCA in the amount of \$150,000 from general revenue. For the upcoming fiscal year, COCA plans allocate \$907,838 for re-granting to cultural organizations and events throughout the community cultural grants, which is the same amount, dedicated in FY 2015. In addition, COCA's other initiatives for FY 2016 include the following and are discussed further in Attachment #12:

- cultural tourism marketing extension grants;
- contracting with Americans for the Arts to participate in a national study of the economic impact of spending by nonprofit arts and culture organizations;
- refreshment of the COCA website (www.tallahasseearts.org), and;
- creation of a new and rebranded events calendar, Tallahassee Arts Guide, to replace morethanyouthought.com, which will still be integrated with the Visit Tallahassee website.

Conclusion:

As discussed previously, in FY 2015 the TDT dedicated to COCA increased from a fixed amount of \$504,500 to a total 1¼-cent (approximately \$1.13 million), which is used to support the cultural plan and grant programs administered through COCA. A portion of these funds (¼-cent) is available in arrears the following year to support a capital grants program as recommended in the Cultural Plan. Specifically, monies accrued from the ¼-cent during FY 2015 will be available during FY 2016 and continue through FY 2020. For FY 2016, the County has budget \$1.15 million to COCA to administer the cultural grant program and implement the Cultural Plan.

Through COCA, the County dedicates 22% of the total TDT collections to arts and culture, which is substantially higher than other counties in Florida. In addition, staff continues to work with COCA to ensure all grant dollars are used within the allowable uses of the TDT and routinely develops content with COCA as part of marketing efforts and for use in the visitor guide and VisitTallahassee website.

The Executive Director of COCA, Dr. Audra Pittman, will be present to give the Board an update on COCA's upcoming FY 2016 initiatives and the implementation of the Cultural Plan.

Options:

1. Accept the status report on Council on Culture & Arts Funding and an update on the implementation of the Cultural Plan.
2. Do not accept the status report on Council on Culture & Arts Funding and an update on the implementation of the Cultural Plan.
3. Board direction.

Recommendation:

Option #1.

Title: Workshop Providing a Status Report on Council on Culture & Arts Funding and an Update on the Implementation of the Cultural Plan

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Attachments:

1. 2014 City of Tallahassee/Leon County Cultural Plan Review Committee Capital Area Cultural Plan
2. February 11, 2014 BOCC Workshop on Consideration of the Cultural Plan Review Committee's Final Report and Recommendations
3. February 25, 2014 Letter from the County Administrator to COCA Regarding the Summary of the February 11, 2014 BOCC Workshop
4. October 14, 2014 BOCC Agenda Item on Consideration of the City's Counter-Proposal to Reallocate the Tourism Development Tax Currently Dedicated to the Performing Arts Center
5. December 9, 2014 Agenda Item on Approval of Interlocal Agreements to Effectuate the Reallocation of the Tourism Development Tax
6. February 10, 2015 Agenda Item – First and Only Public Hearing on a Proposed Ordinance Amending Section 11-47, Providing Amendments to the Leon County Tourist Development Plan, and on a Proposed Ordinance Amending Section 11-46(C)
7. Capital Area Cultural Plan Advisory Committee Summary
8. First Amended and Restated Grant Funding Agreement between Leon County and the Council on Culture & Arts FY 2015 including Exhibits A, B, and C
9. BOCC Resolution to Ensure TDT Funds to Support COCA and the Cultural Plan are Utilized in Accordance with Florida Statute 125.0104
10. COCA Funding Proposal FY 2015 June 15, 2015
11. FY 2015 COCA Mid-Year Report April 15, 2015
12. COCA's Top Initiatives for 2015-2016



MEMORANDUM

DATE: December 17, 2015

TO: Lee Daniel, Chris Holley

FROM: COCA Staff

RE: Summary of COCA's FY15 End of Year Report

In alignment with the Capital Area Cultural Plan, below is a summary of COCA's FY15 End of Year Report.

1. Economic Development and Marketing Deliverables (ED&M)

- COCA has seen an increase in subscribers to our weekly "Opportunities" email, which includes prospects for job opportunities, calls for musicians, call to visual artists, grants, and more.
- COCA has compiled the economic impact data from Cultural Grant applicants, giving a snapshot of the health of the cultural community.
- COCA staff conducted eleven (11) grant workshops which focused on topics such as grant writing, budgeting, tourism marketing, and audience building.
- Listings in COCA's Artist Directory increased, and more than 860 total artists are currently marketing themselves through that online service.
- The subscription base for COCA's weekly "Tallahassee Arts Guide" increased as did the number of cultural events it contains.

2. Education Deliverables (ED)

- The number of subscribers to COCA's "Arts in Education Newsletter" increased and now total more than 2,500 educators.
- New in-school programs were added to the "COCA for the Classroom" resource guide.
- COCA also added new afterschool arts programming to the "COCA for Kids" resource guide.
- COCA hosted 11 student interns/volunteers from FSU, FAMU, and area high schools.
- Eight (8) public art exhibits were produced by COCA staff who also oversaw and managed all of the coordination, curation, design, and installations these exhibits

require. These exhibits featured the artwork of more than 270 artists, an increase over last year.

3. Funding and Facilities Deliverables (FF)

- Working with a sub-committee of the Cultural Plan Advisory Committee, COCA developed eligibility requirements for a new Capital Facilities Matching Grant program.
- COCA staff revised and publicized the Cultural Grant Guidelines for the FY16 grant cycle. Volunteer grant panelists were trained and the grant panel meeting was conducted. Scores were audited and funding levels determined.
- COCA collected FY15 interim grant reports and disseminated the balance of FY15 County funds directly to grantees upon approval of those reports.

4. Plan Implementation Deliverables (PI)

- COCA Board meetings were held in November, January, March, May, July, and September; Executive Committee meetings were held in October, December, January, February, April, June, and August.
- The Cultural Plan Advisory committee and its sub-committees met 11 times in FY15 to prioritize initiatives and identify potential funding strategies for the most current Cultural Plan.

5. Additional Accomplishments

- COCA staff continues to partner and meet regularly with local, state and national organizations, businesses, individuals and leaders of various initiatives.
- COCA facilitated the new outdoor public mural located at Gaines and Gadsden on the Waterworks site.
- As part of the Art in Public Places Program, COCA created a new prize for the annual Creative Tallahassee exhibition called the Mayor's Purchase Prize.
- COCA created an additional public gallery space within City Hall on the fourth floor in the City Commissioner's main conference room. Artwork in this space will rotate annually.
- Fifty-two (52) COCA produced articles have been published in the TLH section of the Tallahassee Democrat. Each article features a local artist or representative from a local arts organization.
- COCA and Raa Middle School developed a Mentoring in the Arts Pilot Program. COCA is recruiting local visual artists, musicians, dancers, and theater professionals to provide mentoring to middle school arts students in Raa's Magnet Program. COCA is also assisting with the training process and the ongoing support for arts mentors.

- COCA's web site has received more than 87,000 page views and more than 39,000 unique visitors.
- COCA is undertaking a web site redesign as well as an organizational rebranding initiative which included a new logo.
- COCA implemented the Cultural Tourism Marketing Extension Grant Program which provided funding up to \$3,000 to assist in the promotion and advertising of local arts and cultural events, programs, and venues to tourists and residents outside of Leon County.
- COCA has seen an increase of engagement and activity on our Facebook page which now has more than 4,000 likes. Similarly, COCA has increased our Twitter following with more than 2,200 followers.
- COCA's Outdoor Public Art Directory added several listings which now totals 190 outdoor public artworks cataloged and listed along with information, images, links, and a Google map.
- COCA is currently working in collaboration with Artsopolis, a national non-profit designer of events calendars, to redesign our community arts calendar. In FY15, COCA estimates that there were average of 500 event listings each month.
- COCA staff annually provides more than 200 instances of one-on-one technical assistance to cultural organizations, artists, and educators in marketing, grant writing, program development, and strategic planning and has "incubated" many new and emerging cultural businesses in the region.
- COCA has developed new arts related content and materials to be published on the Leon County School district's newly re-designed website.
- COCA ordered an Economic Impact Survey to commence December 2015 and end in June 2017.

In FY15, COCA received level funding from Leon County in the amount of \$504,500 for re-granting to local arts organizations. COCA also received an additional \$400,000 from the TDT to implement several new projects related to tourism. COCA received this additional funding in July of 2015, less than 3 months prior to the end of the fiscal year. The timeline for most of the planned projects went beyond a 3 month span. COCA was able to begin work on several projects and spent \$169, 121 of the total (\$400,000) additional TDT funds. In order to complete the planned projects, COCA has carried over the remaining \$230,879 to spend in FY16. This will include the second payment to Artsopolis for the redesign of a community cultural events guide, the production of a community wide video marketing campaign and promotional piece to be distributed regionally and nationally, the balance of the payment to Moore Consulting group for the redesign and rebranding of the current COCA web site, and additional marketing initiatives and operational costs related to the projects listed above.

In FY15, COCA received level funding from Leon County of \$150,000 in general revenue. \$110,593 was spent on operating expenses related to the cultural grant program and ongoing marketing initiatives. Due to a fully funded state grant, COCA finished the fiscal year with a \$39,407 surplus from Leon County general revenue which has been carried forward to partially cover the increased cultural grant awards made to local arts organizations. COCA typically awards a total of \$907, 836 to local arts organizations through re-granting. In FY15, COCA responded to the cultural community's expanded needs by increasing the overall grant award to \$992,440. The \$39,407 will cover a portion of that increased re-granting amount. This portion is part of the general revenue funding (total grant award FY15-16: \$992,440 = TDC Funding (paid to grantees)\$850,542 + General Revenue (paid to grantees): \$141,898).

Annually, COCA applies for local arts agency program support funding through the State of Florida's Division of Cultural Affairs. COCA consistently earns high grant scores in comparison with our colleagues around the state. In FY15, COCA partnered with KCCI for a funding request to implement a wayfinding initiative focusing on community districts.

It is understood that the 2014 Cultural Plan has a number of strategies that are able to be addressed in the short term and some that involve long-term and ongoing planning. Given that this plan also has many stakeholders and partners, COCA ensures that it will work diligently, along with the Cultural Plan Advisory Committee, to see that these ideas are consistently addressed. Funding for these initiatives is also part of the process and will be assessed at the end of each fiscal year to make sure the needs of the cultural community are being addressed. We recognize that this is a dynamic project and that needs and priorities will change as both the City of Tallahassee and Leon County continue to grow and change.

COCA Contract for Services - FY15 Annual Report					
Objectives and Strategies Alignment	Recommendations: Objectives and Strategies	Outcomes/Actions	Status	Funding Source: City General Revenue: CGR County General Revenue: LCGR Tourist Development Tax: TDT Other Grants: OG Private Funding: PRV	Total Expenditure for this section
1. Economic Development and Marketing Deliverables (ED&M)				CGR, LCGR, TDT, OG	CGR: \$24,539 LCRG: \$8,244 TDT: \$3,432 OG: \$7,291
<i>Goal: Position and market the arts, culture and heritage as a strategic partner of Tallahassee/Leon County economic development efforts. This shall be achieved through public and private funding for arts organizations and cultural assets.</i>					
ED&M 10.0, 10.1	Weekly research that provides at least five-hundred annual (500) prospects for: job opportunities, travel opportunities, volunteer opportunities, calls for musicians, call to visual artists, grant opportunities, and job openings.	Weekly research has been provided for more than 1,200 opportunities to date.	Ongoing	OG	
ED&M 10.0, 10.1	Weekly creation of enews that includes the research findings from above to a subscription base of five-thousand (5,000).	Email blasts have been sent weekly from October 1-Sept. 30. Examples are available at COCAnet.org. To date, subscription base is more than 5,300 for this particular email which gets hundreds of additional weekly views through Facebook and Twitter. This is a record number of subscribers which continues to grow by 25-35 new subscriptions every week. <i>(See example attached)</i>	Ongoing	CGR, OG	
ED&M 7.0, 7.1	Documentation of the local economic impact of cultural organizations participating in the Cultural Grant program through surveys are included as a part of the grant process.	Based on a self-reported Economic Impact Survey conducted as part of the FY16 Cultural Grant application, COCA has compiled the following data from the applicants' last completed fiscal year (FY14): Revenue Generated by FY14 Cultural Grant Program organizations: \$9,982,494 Cash expenditures of these organizations: \$4,663,243 Total value in-kind support: \$724,134 Total number of people employed and under contract by the organizations: 1,247 Salaries of people employed and under contract: \$5,319,251 Total number of volunteers: 2,792 Total number of volunteer hours: 120,826 Total attendance: 747,141 Visitors from outside Leon County: 72,543 Hotel/motel bed nights: 9,114	Ongoing	CGR, LCGR, OG	
ED&M 4.0, 4.1	Presentation of at least two (2) public workshops on topics supporting the capacity building of local cultural organizations and individual artists.	COCA staff conducted eleven (11) grant workshops which focused on topics such as grant writing, budgeting, tourism marketing, and audience building.	Ongoing	OG	
ED&M 4.0, 4.1	At least thirty five (35) individual consultations with local artists, arts administrators and entrepreneurs to provide guidance and information on starting a business, available resources, starting a 501C3 vs. private business, etc.	COCA staff have logged more than 700 individual consultations between October and September.	Ongoing	CGR, LCGR	

COCA Contract for Services - FY15 Annual Report

Objectives and Strategies Alignment	Recommendations: Objectives and Strategies	Outcomes/Actions	Status	Funding Source: City General Revenue: CGR County General Revenue: LCGR Tourist Development Tax: TDT Other Grants: OG Private Funding: PRV	Total Expenditure for this section
ED&M 1.0, 10.0; EDUC 8.0	COCA maintains an Artist Directory, listing local practising artists in a wide variety of disciplines.	More than 860 total artists are currently listed in COCA's Artist Directory. New artists regularly submit info and images for listings and more than 100 artist listings were added this year. The breakdown of artistic disciplines is approximately 60% visual/40% non-visual artists.	Ongoing	OG	
ED&M 1.0, 5.0, 5.1,5.2; EDUC 2.0	Weekly creation of email blast "Tallahassee Arts Guide" that lists upcoming cultural events.	This weekly publication is sent to more than 8,900 total subscribers with 60-70 new subscribers each week. It includes an average of 100 listings per issue with 6-8 featured events per issue, balanced across disciplines. Typically, COCA sees 300-500 click-thrus to events (see example attached).	Ongoing	CGR, TDT	

COCA Contract for Services - FY15 Annual Report					
Objectives and Strategies Alignment	Recommendations: Objectives and Strategies	Outcomes/Actions	Status	Funding Source: City General Revenue: CGR County General Revenue: LCGR Tourist Development Tax: TDT Other Grants: OG Private Funding: PRV	Total Expenditure for this section
2. Education Deliverables (ED)				CGR, OG	CGR: \$30, 265 OG: \$29,453
<i>Goal: Captialize on the area's art, cultural and heritage attributes in order to strengthen art, culture and heritage opportunities in schools and the community.</i>					
EDUC 1.0	Continue the employment of an arts and heritage education coordinator.	Amanda Thompson continues to be employed as COCA's Education Director and provides daily assistance to educators.	Ongoing	CGR	
ED&M 10.0, 10.1; EDUC 2.0	Locate funding sources and job and lesson plans that will be provided in individual consultations monthly group meetings and through twelve (12) enews distributed to at least 1,000 subscribers including regional teachers, principals and individuals.	Subscribers now total more than 2,500 educators for monthly email newsletters which have been sent each month from October-Sept. This newsletter has also drawn the attention of not only local K-12 educators, but higher education leaders as well, within and outside our area. Professors at such prestigious institutions as Harvard University, Cornell, Savannah College of Art and Design, and others also subscribe. (See example attached) Monthly arts education meetings are attended and individual consultations occur on a regular basis.	Ongoing	OG	
EDUC 1.0, 2.0, 9.0	Create and update an annual publication of COCA for the Classroom, listing over 70 opportunities in arts, culture and heritage for grades K-12; connecting arts, culture and heritage organizations with schools and educational outlets.	COCA for the Classroom has listings for more than 85 opportunities to date from 54 providers. Updates to this resoucre guide are made regularly and as needed by providers.	Ongoing	OG	
ED&M 10.0, 10.1; EDUC 1.0, 2.0	Continue to update COCA for Kids, an introduction to the variety of kid- and teen-friendly arts and cultural offerings throughout the Capital Area, adding new activities as they are created, and updating those that are continuing. Maintain a listing for at least 130 providers and 150 individual programs.	Though this guide is continually updated, as of Sept. 30, there are more than 500 individual programs offered by more than 152 organizations, businesses and individual teaching artists are listed. The information is available to parents, grandparents and guardians.	Ongoing	OG	
EDUC 10.0	COCA regularly hosts interns and volunteers from local high schools, colleges, and universities.	COCA hosted 11 student interns/volunteers from FSU, FAMU, and area highschools.	Ongoing	OG	
EDUC 8.0	Continue to staff the Art in Public Places program.	Amanda Thompson continues to serve in both the Education and Art in Public Places position.	Ongoing	CGR	
EDUC 8.0	Oversee the City's permanent collection of artwork and relocate pieces of art as requested by City staff for temporary or permanent placement.	Several pieces were relocated during this period and the master inventory catalog has been updated to reflect the new locations.	Ongoing	CGR, OG	

COCA Contract for Services - FY15 Annual Report

Objectives and Strategies Alignment	Recommendations: Objectives and Strategies	Outcomes/Actions	Status	Funding Source: City General Revenue: CGR County General Revenue: LCGR Tourist Development Tax: TDT Other Grants: OG Private Funding: PRV	Total Expenditure for this section
EDUC 4.0, 8.0	Sustain the Art in Public Places Program by producing ten (10) art exhibits in City Galleries each year.	COCA manages all tasks to conduct art exhibits in City Galleries. Due to the temporary closure of the Artport Gallery, a total of eight (8) exhibits were planned for the City Hall Gallery during FY16 (See list attached). One (1) additional exhibit was produced in the City Hall Gallery which showcases student artists who won City art contests.	Completed	CGR, OG	
EDUC 8.0	Manage all tasks required to implement the Art in Public Places Program	<ul style="list-style-type: none"> • Schedule the installation and de-installation of each exhibit with the City Facilities office and the artists. • Provide required paperwork to City for insurance purposes • Curate (select artwork) for each individual show with artist or group of artists in advance of show and schedule the dates for their exhibits. • Secure a signed agreement with each artist at the beginning of the season • Install each individual exhibit with all artwork securely in place • Gather information from artist on title, medium, date of creation and title of pieces with their prices for sale to provide the public inquiring about purchasing artwork. • Create and photocopy a simple catalog for each exhibit for the public to inform them of the artist and artwork's information. • Create, print and place labels for each work with information for public • Create signage for galleries providing public information on how to contact artists for sales. • Reserve the facility, tables, chairs and other needs with City Facilities for each of at least two (2) public receptions; host each event. • De-install each exhibit and complete final reports for City Risk Management. • File claim for any artwork that is damaged or stolen during an exhibit and follow up with artist. 	Completed	CGR, OG	
EDUC 8.0	By June of each year, solicit applications for annual exhibit season from local artists interested in exhibiting in two (2) public galleries for the upcoming season.	Due to the temporary closure of the Artport Gallery, COCA did not accept proposals from local artists for exhibitions. Until the airport renovations are completed, the City Hall gallery space will be used for all annual exhibitions and it will serve as the location for some of the exhibitions that were originally conceived for the Artport Gallery in 2015.	Completed	CGR, OG	
EDUC 8.0	Exhibit the work of more than one hundred fifty (150) individual local, artists during the fiscal year	More than 320 artists submitted more than 775 pieces for jury review. To date, the work of more than 270 artists has been exhibited.	Completed	CGR, OG	
EDUC 8.0	Receive at least 750 comments or signatures in the guest books located in the galleries.	To date, more than 300 comments/signatures have been received for the City Hall Gallery. Because of the temporary closure of the Artport Gallery, there have been no exhibits displayed for which comments would have been recorded.	Completed	CGR, OG	

COCA Contract for Services - FY15 Annual Report

Objectives and Strategies Alignment	Recommendations: Objectives and Strategies	Outcomes/Actions	Status	Funding Source: City General Revenue: CGR County General Revenue: LCGR Tourist Development Tax: TDT Other Grants: OG Private Funding: PRV	Total Expenditure for this section
EDUC 8.0	Create and print (# as needed) interactive guides for the ten (10) art exhibits held in City Galleries, specific to the exhibit, for children and families to use while visiting the galleries. Each guide will have an average of nine (9) interactive challenges for a child and parent to participate with together.	To date interactive guides have been printed for each of the eight (8) Art in Public Places exhibits, each with at least nine (9) interactive challenges. Each gallery goer can participate in these interactive challenges and complete them at their own pace. (See example)	Completed	CGR, OG	
EDUC 8.0	Solicit at least three (3) citizen panelists to serve as jurors for the two (2) juried exhibits that are a part of the annual exhibit season. These citizens may be the same as those who asked to review and rank artwork for the upcoming season.	To date, fifteen (15) people including Pamela Saffo, Zoe Golloway, Barbara Edwards, Rene Lynch, Russell Grace, Tyler Cintron, Leslie Puckett, Morgan Barr Lewis, Teri Abstein, Todd Bertolaet, Mary Maida, Yvonne Edwards Tucker, Viki Thompson Wylder, Eluster Richardson, and Barbara Cohenour have served as volunteer jurors and/or judges for the COCA season of exhibits and the 2 juried art competitions.	Completed	CGR, OG	
EDUC 4.0, 8.0	Coordinate an annual Youth Art Exhibit with schools and teachers, with the goal of exhibiting at least fifty (50) pieces of student and teacher artwork.	80 pieces of student work was exhibited in the Annual Youth Art Exhibit.	Completed	CGR, OG	
EDUC 8.0	Create two (2) prospectuses for two City-Wide (2) juried competitions: Creative Tallahassee and Photofest.	Both prospectus were created and disseminated. Two additional special, juried exhibitions have been designed for FY15 and the prospectus has been deseminated for both.	Completed	CGR, OG	
EDUC 8.0	Exhibit at least 40 pieces of artwork from individual local artists in Creative Tallahassee.	Nearly 200 individual pieces of art were submitted for consideration and from those submissions, 53 artists were represented through 63 individual pieces of artwork in the Creative Tallahassee exhibit.	Completed	CGR, OG	
EDUC 8.0	Exhibit at least 30 pieces of artwork from individual local artists in Photofest.	More than 130 individual pieces of artwork were submitted for consideration and from those submissions, 30 artists were represented through 34 individual pieces of artwork in the Photofest exhibit.	Completed	CGR, OG	
EDUC 4.0	Hold at least three (3) major public receptions - one (1) for Youth Art Exhibit, one (1) for the Creative Tallahassee and one (1) for Photofest Juried Exhibits.	Receptions have been held for all three (3) exhibits in addition to other receptions held for additional exhibits.	Completed	CGR, OG	

COCA Contract for Services - FY15 Annual Report					
Objectives and Strategies Alignment	Recommendations: Objectives and Strategies	Outcomes/Actions	Status	Funding Source: City General Revenue: CGR County General Revenue: LCGR Tourist Development Tax: TDT Other Grants: OG Private Funding: PRV	Total Expenditure for this section
3. Funding and Facilities Deliverables (FF)				CGR, LCGR, TDT, OG	CGR: \$22,085 LCRG: \$23,435 TDT: \$504,500 OG: \$13,425
<p><i>Goal: Provide sustainable public and private funding to preserve and improve arts, cultural and heritage organizations and experiences. This effort acknowledges the importance of growing new and emerging projects and facilities but will give priority to existing organizations.</i></p>					
F&F 3.0, 3.1; PI 1.0, 1.1, 1.2	Continue the employment of a Grants Specialist to provide direct contact with applicants throughout the process and to maintain accountability through the analysis of reports and applications.	Kevin Carr continues to be employed as COCA's Grant Program Director and provides assistance to prospective grantees and those who inquire about the COCA's grant programming.	Ongoing		CGR, OG, LCGR
F&F 5.0, 5.1, 5.2; PI 1.0, 1.1, 1.2	Establish a new matching grant program for capital improvements for arts, cultural and heritage organizations.	Kevin Carr facilitated a Cultural Plan Advisory Committee group that specifically addresses the eligibility requirements for a new Capital Facilities Matching Grant program. He is responsible for continually assessing the needs of this program and the needs of the organizations in the community to assess its effectiveness.	Ongoing		CGR, LCGR
ED&M 4.0, 4.1; F&F 3.0, 3.1; PI 1.0, PI 1.1, 1.2	Manage the Cultural Arts Grant Program, including providing instructions on how to apply for grants, noticing grant application timelines, providing applicant with at least a apply for grants, noticing grant application timelines, providing applicant with at least a four (4) week period in which to prepare a grant application ,and recommending the award of City-funded grants to successful applicants.	COCA staff revised the Cultural Grant Guidelines for the FY16 grant cycle. These guidelines included detailed instructions on how to apply for grants and grant application timelines (all meetings were publically noticed). The process allowed the applicant an eight (8) week period in which to prepare a grant application. Based on panelist evaluations and scoring, COCA has recommended the award of City and County grant funds to successful applicants. (See attached FY16 Grant Guidelines) with grant timeline included.	Completed		CGR, OG, LCGR
F&F 3.0, 3.1; PI 1.0, 1.1, 1.2	Design, reproduce and make available electronically all application materials and guidelines for the grant program.	COCA staff designed, reproduced and made available electronically (on the COCA website and by email), the FY16 Cultural Grant Guidelines. (See attached FY16 Grant Guidelines).	Completed		CGR, OG, LCGR
ED&M 4.0,4.1	Use the grant program as an educational tool in business development by providing consultations to any grant applicant who indicates a desire for that service with an average of twenty (20) individual cultural business applicants on presentation of technically superior applications that will also provide them with tools to write other successful applications to other funding organizations, and bringing in more cultural grant funds to Tallahassee.	COCA staff conducted eleven (11) grant workshops (including workshops related to the new Cultural Facilities grant currently in development) for prospective FY16 grant applicants and conducted 56 individual consultations with grant applicants for the FY16 Cultural Grant. COCA staff completed the technical scoring process for applications received from the organizations for the FY16 Cultural Grant program. After technical scores were calculated, staff prepared the applications for citizen panel review.	Completed		CGR, OG, LCGR

COCA Contract for Services - FY15 Annual Report					
Objectives and Strategies Alignment	Recommendations: Objectives and Strategies	Outcomes/Actions	Status	Funding Source: City General Revenue: CGR County General Revenue: LCGR Tourist Development Tax: TDT Other Grants: OG Private Funding: PRV	Total Expenditure for this section
F&F 1.0	Solicit the participation of seven (7) panelists with at least five (5) ultimately serving on the panel.	COCA staff solicited nominations for grant panelists from the community and selected seven (7) panelists to serve as the FY16 Cultural Grant panel. Training and orientation was held for all of the volunteer panelists and the grant panel meeting was held on August 28, 2015 to score the grant applicants. (See list of grant panelists attached)	Completed	CGR, LCGR	
F&F 3.0, 3.1; PI 1.0, 1.1; 1.2, 6.0	Analyze use of funds by each grantee two (2) times per year in mid-term and final reports.	In March and April, 2015 COCA collected FY15 interim grant reports and disseminated the balance of FY15 County funds directly to grantees upon approval of those reports. COCA coordinated with the City on payment instructions for its balance of FY15 funding to grantees. In late October 2015, COCA will collect FY15 final grant reports for City and County cultural funding. 100% of applicants submitted reports that were reviewed and accepted by COCA, assuring compliance with granting guidelines. The Final FY15 reports are due on October 31, 2015 and will be reviewed by COCA staff in November. Attached is a summary of the funding allocated to grantees through COCA's FY15 Cultural Grant cycle. (See attached)	Completed	CGR, LCGR, TDT, OG	

COCA Contract for Services - FY15 Annual Report					
Objectives and Strategies Alignment	Recommendations: Objectives and Strategies	Outcomes/Actions	Status	Funding Source: City General Revenue: CGR County General Revenue: LCGR Tourist Development Tax: TDT Other Grants: OG Private Funding: PRV	Total Expenditure for this section
4. Plan Implementation Deliverables (PI)				CGR, LCGR, TDT, OG	CGR: \$13,272 LCRG: \$6,330 TDT: \$1,477 OG: \$8,926
<i>Goal: The Council on Culture and Arts for Tallahassee/Leon County (COCA) will realize its mission as the local arts agency representing culture, arts, and heritage for ALL in Tallahassee and Leon County through grant-making, advocacy, marketing, and education.</i>					
PI 4.0	COCA will serve as the designated local arts agency for the City of Tallahassee and Leon County and will adhere to the standards of such an agency (See Section 265.32, Florida Statutes). As a local arts agency COCA will, as stated in FL Statute 265.32:		Service continues		
PI 4.0	Meet at least quarterly (4 times a year) pursuant to notice and at such times and places as the Council shall determine	Board meetings were held at COCA in November, January, March, May, July, and September; Executive Committee meetings were held in October, December, January, February, April, June, and August	Ongoing	CGR, LCGR, OG	
ED&M 8.1; PI 8.0	Maintain the Board membership of fifteen (15) members in positions as described in the cultural plan and as directed through the appointment process.	As of Sept. 30, Board members appointed as per statute and serving in designated positions. (See attached list)	Ongoing	CGR, LCGR	
PI 10.0, 11.0	Adopt a new Cultural Plan Advisory Committee stakeholders that will sunset after two years.	As of August 2014, the Cultural Plan Advisory committee and its sub-committees have met 11 times.	Ongoing	CGR, TDT, OG	
PI 1.0, 8.0	Provide programs and services within the stated purposes outlined in the originating Statute.	COCA provides programs as per statutory purpose (see cocanet.org)	Ongoing	CGR, LCGR	
F&F 1.0; PI 1.0, 1.1, 1.2	Within the funding earned in this annual contract, COCA will deliver a portion of the services and programming as introduced as a part of the Tallahassee Cultural Plan (Cultural Plan) accepted by the City and the County Commissions in 2014. It is understood that it is not possible to provide all services and programming contained in the Cultural Plan within the budgeted funds through this contract alone.	A Cultural Plan Advisory Committee was created and they are currently working to prioritize initiatives and identify potential funding strategies for the most current Cultural Plan. Contract deliverables will be updated in the FY16 contracts with the City of Tallahassee and Leon County.	Ongoing	CGR, TDT, OG	

COCA Contract for Services - FY15 Annual Report					
Objectives and Strategies Alignment	Recommendations: Objectives and Strategies	Outcomes/Actions	Status	Funding Source: City General Revenue: CGR County General Revenue: LCGR Tourist Development Tax: TDT Other Grants: OG Private Funding: PRV	Total Expenditure for this section
5. Additional Accomplishments				CGR, LCGR, TDT, OG, PRV	CGR: \$71,317 LCRG: \$72,585 TDT: \$164,212 OG: \$43,095 PRV: \$6,253
ED&M 1.0, 2.0, 2.1; EDUC 10.0; F&F 6.0, 6.1, 6.2; PI 3.0, 4.0, 4.1	COCA staff continue to partner and meet regularly with local, state and national organizations, businesses, individuals and leaders of various initiatives including the Non-Profit Sector group, FSU, FAMU, Leon County Schools, OLLI, KCCI, EDC, CRA, Visit Tallahassee, Blackwater Resources, Tallahassee Magazine, Tallahassee Woman Magazine, Congresswoman Gwen Graham, INIE, Tallahassee Music Week, Community Foundation of North Florida, Downtown Business Association, Choose Tallahassee, Lively Technical Institute, Leadership Tallahassee, Youth Leadership Tallahassee, Tallahassee Democrat, the Downtown Improvement Authority, TDC, Tallahassee Active Lifelong Learners, Community Classroom Consortium, Quincy Rotary, Star Metro, and many more.		Ongoing		TDT, CGR
EDUC 8.0; F&F 8.0, 8.2	COCA facilitated the new outdoor public mural located at Gaines and Gadsden on the Waterworks site. COCA worked closely with the artist and the project was awarded an NEA grant. Acting as a liason, COCA assisted with the coordination and documentation of the project, negotiated the contract, and aided in the actual painting of the mural.		Completed		CGR
EDUC 8.0	As part of the Art in Public Places Program, COCA not only manages the City Hall and Artport Gallery spaces, COCA also manages the City's permanent art collection, which is comprised of about 80 artworks by local artists, displayed in public areas throughout City buildings and outdoors. Some of these artworks have been acquired through donations to the City but the majority were purchased from the artists in the late 1980s and early 1990s. COCA and the Mayor's staff have worked together to create a new prize for the annual Creative Tallahassee exhibition called the Mayor's Purchase Prize. Each year, an artwork will be selected for purchase from the artist and incorporated into the City's permanent art collection, expanding it to include more contemporary artworks by local artists.		Completed		CGR
EDUC 8.0	COCA created an additional public gallery space within City Hall on the fourth floor in the City Commissioner's main conference room. Artwork in this space will rotate annually.		Completed		CGR, OG
ED&M 12.0	Fifty-two (52) COCA produced articles have been published in the TLH section of the Tallahassee Democrat. A balance and diversity of artists, artistic disciplines and businesses and organizations have been represented. Thirteen (13) arts educators/administrators and arts students have been represented to date. <i>(See examples attached)</i>		Completed		CGR, LCGR, TDT, OG
EDUC 1.0, 9.0, 10.0	COCA and Raa Middle School have teamed up to develop a Mentoring in the Arts Pilot Program. COCA is recruiting local visual artists, musicians, dancers, and theater professionals to provide mentoring to middle school arts students in Raa's Magnet Program. COCA is also assisting with the training process and the ongoing support for arts mentors.		Ongoing		OG
ED&M 10.0, 10.1, 11.0, 11.1, 11.2, 12.0, 12.1	From October 1-Sept. 30, COCA's web site has received more than 87,000 page views and more than 39,000 unique visitors. Currently the most popular content are the City Hall Gallery page, Things To Do page, COCA for Kids guide, COCA blog (updates weekly), the Artist Directory (including 860 listings of local artists to date), the Outdoor Public Art Directory (more than 190 listings to date), and the COCA for the Classroom guide (addressed above). During FY15, COCA contracted with Moore Consulting to undertake a web site redesign as well as an organizational rebranding initiative which included a new logo. This project will ensure the COCA site stays user-friendly and functional. COCA also worked to secure a trademark for our new tag line, The Arts Live Here. Also in FY15, COCA engaged Frame to produce a video (a portion of which was shot in Ruby Diamond Auditorium, Cascades Park, Bradfordville Blues Club, Museum of Fine Arts at Florida State University) to be utilized on the newly designed web site and for promotion of the entire cultural community. This will be shown on FOX 49 and WCOT.		Work on the redesigned web site to be completed by the end of the 2015 calendar year. The Frame video has been completed.		CGR, TDT, OG

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ED&M 11.0,11.1, 11.2, 12.0; PI 1.0, 1.1, 1.2	COCA implemented the Cultural Tourism Marketing Extension Grant Program which provided funding up to \$3,000 to assist in the promotion and advertising of local arts and cultural events, programs, and venues to tourists and residents outside of Leon County. (See list of grantees attached)		Completed	TDT	
ED&M 10.0, 10.1	COCA's Facebook page has more than 4,000 likes and the breakdown of demographics of users: 70% female/30% male & predominately Tallahassee and Leon County. Nearly 100 fans are from 44 foreign countries. For of individual posts, there are 57 average likes, 6 average comments and 6 average shares. COCA follows approximately 500 organizations and local artists on our newsfeed. Some of COCA's Facebook posts are "boosted" for greater reach and visibility. COCA has more than 2,200 followers on Twitter (grouped by cultural orgs and artists, news media, other for marketing/re-tweeting) and hasan average of 20 weekly comments, re-tweets, and direct messages. COCA follows and re-tweets more than 400 organizations and local artists.		Ongoing	TDT, OG	
ED&M 12.0; EDUC 8.0; F&F 8.0, 8.1	COCA's Outdoor Public Art Directory includes 190 outdoor public artworks cataloged and listed along with information, images, links, and a Google map. COCA also maintains the Downtown Public Art Walk on our web site.		Ongoing	CGR, OG	
ED&M 1.0, 5.0, 5.1,5.2	MoreThanYouThought.com is COCA's searchable calendar of cultural events and classes held in a 100-mile radius. COCA has recently partnered with the local tourism bureau, Visit Tallahassee, in the redesign of this calendar. This resource is now even more visible to visitors. COCA is currently working collaboration Artsopolis, a national non-profit designer of events calendars. COCA's calendar will be part of a national network of arts calendars and tourism bureaus. Analytics for the MoreThanYouThought.com calendar show nearly 30,000 users and close to 50,000 sessions. 69% of users are searching organically for More Than You Thought.com. There have been 110,400 pageviews and an average of 4120 sessions per month. 28% of users are referred from www.cocanet.org and 9% are referred from Visit Tallahassee. COCA estimates that there are an average of 500 event listings each month.		Ongoing, with the new calendar redesign being made public at the end of the 2015 calendar year.	TDT, OG	
ED&M 4.0	COCA staff annually provides more than 200 instances of one-on-one technical assistance to cultural organizations, artists, and educators in marketing, grant writing, program development, and strategic planning and has "incubated" many new and emerging cultural businesses in the region.		Ongoing	CGR, LCGR, TDT, OG	
EDUC 6.0	COCA has developed new arts related content and materials to be published on the Leon County School district's newly re-designed website.		Ongoing	OG	
EDUC 6.0	In partnership with FSU's Master Craftsman Studio and the local glass guild, COCA brought a unique fused glass lesson plan opportunity to local art teachers.		Completed	OG	
EDUC 8.0	During FY15, COCA led several exhibition tours in the public gallery spaces and recently hosted all of the Taylor County High School art students.		Completed	CGR, OG	
F&F 1.0, 2.0	Nick Pavlovik serves as the Finance Manager for COCA. His role is to provide financial information to the COCA ED and BOD and for various reports, maintain contractual agreements, track receivables, and pay invoices, process payroll, staff the annual financial audit, maintain financial records history, and other responsibilities related to the financial health of the organization.		Ongoing	CGR, LCGR	
F&F 2.0, 2.1	COCA is a membership based organization and, annually, staff solicits new members and encourages the retention of current members through renewal notices. Staff maintains a membership database and corresponds with members in regard to various COCA services and programs that might be of particular interest to them based on their membership category. COCA staff also researches new and enhanced membership benefits.		Ongoing	PRV	
ED&M 7.0, 7.1; PI 6.0, 9.0	COCA ordered an Economic Impact Survey to commence December 2015 and end in June 2017. This research study will benefit area Chambers, businesses, and members of arts organizations		Final results will be analyzed and made publically available in the summer of 2017.	TDT	

COCA Contract for Services - FY15 Annual Report					
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EDUC 6.0, 9.0, 10.0	In partnership with FSU's Master Craftsman Studio and the local glass guild, COCA brought a unique fused glass lesson plan opportunity to local art teachers. It is anticipated that the data collection will begin in Jan. 2016 and will continue through the calendar year of 2016.		Ongoing	CGR	
EDUC 10.0; F&F 2.0, 2.1	COCA also offers its upstairs conference space at extremely low rental rates for local cultural organizations to use for meetings, rehearsals, and other activities.		Ongoing	PRV	
PI 3.0; F&F 2.0	Annually, COCA applies for local arts agency program support funding through the State of Florida's Division of Cultural Affairs. COCA consistently earns high grant scores in comparison with our colleagues around the state. Additionally, COCA regularly partners with local community groups in making grant requests to both public and private granting sources at local, state, and national levels. In FY15, COCA partnered with KCCI for a funding request to implement a wayfinding initiative focusing on community districts.		Ongoing	OG	
PI 4.0	In FY15, COCA accrued operating expenses related to general overhead for programming, which included, equipment purchase, lease, and maintenance, office supplies, bank charges, marketing, auditor fees, postage, recognitions, events, and travel expenses.		Completed	CGR, LCGR	
PI 4.0	In FY15, COCA accrued office space rental fees related to maintaining daily operations.		Completed	CGR, LCGR	
<p>It is understood that the 2014 Cultural Plan has a number of strategies that are able to be addressed in the short term and some that involve long-term and ongoing planning. Given that this plan also has many stakeholders and partners, COCA ensures that it will work diligently, along with the Cultural Plan Advisory Committee, to see that these ideas are consistently addressed. Funding for these initiatives is also part of the process and will be assessed at the end of each fiscal year to make sure the needs of the cultural community are being addressed. We recognize that this is a dynamic document and that needs and priorities will change as both the City of Tallahassee and Leon County continue to grow and change.</p>					

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COCA's "Opportunities" Email



email us at cultural@cocanet.org
call us at 850-224-2500
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see events at www.morethanyouthought.com

January 30, 2015

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COCA Announcements



Opening Reception Tonight!

Meet the artists at a public opening reception scheduled

for Friday, Jan. 30, 2015 from 6:00pm-7:30pm at the City Hall Gallery. There is no charge for the reception or the exhibition. COCA is turning 30! We want to celebrate this milestone by highlighting our local artists with this special exhibition. Please join us! More info [here](#).



Creative Tallahassee
2015 (Deadline: February 13)

Creative Tallahassee, presented

Quick Links



COUNCIL ON CULTURE & ARTS
FOR TALLAHASSEE/LEON COUNTY

Visit COCA's Website

**more than you
thought.com**

What's There to Do
in Tallahassee?



Become A COCA
Member!

Click the Logo to Join!

by COCA, is an annual juried fine art exhibition showcasing talented artists of the Big Bend area. From the entries submitted, approximately 45 artworks will be selected and exhibited in the City Hall Art Gallery. Artwork must be original, current and not previously submitted to this annual exhibition. All media, 2D or 3D, is accepted including fine art craft and photography, but excluding video and performance art. An entry fee does apply. For more information or to apply contact Amanda Karioth Thompson at (850) 224-2500 or click [here](#) for more info.



COCA Board of Directors: Spotlight on Anne Mackenzie

Anne Mackenzie (Chair) is the Member Relations and Committee Director for the Florida Coalition for Children. As a member of the Florida House of Representatives from 1982 to 1998, she chaired several committees and served as the first female Majority Leader and chair of the Rules Committee. In addition, she served on numerous boards and committees in her hometown of Fort Lauderdale before relocating to Tallahassee permanently in 1998 where her community involvement has continued through associations with United Way (Power of the Purse), Capital Tiger Bay, the boards of Healthy Start and COCA, and several cultural organizations.

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**You're Invited
To Our 60s
Groovin' Gala**

Sat, Jan 31 • 6:30 pm
Mint Lounge
Versailles at Kleman Plaza
Tickets at
www.SouthernShakes.org
850-321-0437

Proceeds to Benefit Our Southern
Shakespeare Education Program

Community Involvement

Action Alert! Help Preserve Arts Education in Schools (Deadline: February 2)



Join Our E-mail List!

Click on "E-mail" to Sign Up



COCA has 3 e-mails to choose from: pick one or all!

MoreThanYouThought This Week (weekly list of arts and cultural events; Mondays)

Weekly Opportunities E-mail (for artists and arts organizations Thursdays)

Arts in Education Newsletter (resources for educators; monthly)



New Senate education committee chairman Senator Lamar Alexander (R-TN) has released a proposed reauthorization of the Elementary and Secondary Education Act. Specifically, he has proposed terminating references to all federal core academic subjects, including arts education in the classroom. In addition to several other changes, Senator Alexander has proposed terminating authorization of \$1 billion in after-school programs, of which many include after-school arts activities for children. For more info and to take action, visit [here](#).



Nominate an Outstanding Tallahassee Woman (Deadline: February 4)

Every year during Women's History Month in March, the Tallahassee Democrat honors 25 outstanding women who have achieved success in their businesses or professions and who have contributed to the greater good of the community. Now, in its ninth year, 25 Women You Need to Know has recognized hundreds of women who work every day to make our community better. Nominate [here](#).



Action Alert! Write Legislators to Approve Arts and Culture Grants (Deadline: February 23)

The Governor does recommend \$5 million for Cultural and Museum Grants in his proposed budget. This is the amount he recommended last year as well. FCA reports that there is \$1.5 billion in the Governor's proposed budget in non-recurring dollars that have not been allocated. It is critical that all arts and culture advocates please follow through on the [Action Alert](#) here. It will be the Florida Legislature that will recommend FY 2015-2016 appropriations for arts and cultural grants. They must hear from you now.

New! Help Paint "I AM Gaines Street" Mural (February 7 - 28)

In collaboration with Tallahassee's Opening Nights events, the Department of Art Education will be hosting a community mural

painting from February 7th to the 28th at 651 West Gaines St in Tallahassee. For more info, visit [here](#) or contact Heather Forlong at (850) 644 - 2147 or at hforlong@fsu.edu.



New! The Tallahassee Ballet
Seeks Silent Auction Items (Date:
March 9)

On Monday, March 9th 2015, the Tallahassee Ballet will host their largest fundraiser, the 19th Annual Lisa Graganella Nutcracker Golf Classic at the Southwood Golf Club. They are asking businesses to support this event and the fundraising efforts of The Tallahassee Ballet by donating a gift certificate or other merchandise for our silent auction. In return, businesses will be represented with signage, recognized in the event program, and given credit on the item's bid sheet. Funds raised from this event are crucial to The Tallahassee Ballet as they provide funding for the Community Outreach Programs including the DanceChance program, which provides economically disadvantaged children with tuition-free lessons and dancewear. For more info email katie@tallahasseeballet.org or call (850) 224-6917.

New! Golf Tournament Prizes Needed
(Deadline: February 20)

Apalachee Tapestry Magnet School of the Arts, is looking for gift cards, donated goods and services, and event tickets for their First Annual Golf Tournament on March 6th. All proceeds will benefit visual and performing arts programs such as Strings, African Drumming, Chorus, Dance, Graphic Arts, Murals, and Band which are provided to a diverse student population. For more info, visit [here](#) or contact Sherry Shorter at shorters@leonschools.net or at (850) 488-7110.

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Funding Opportunities



Florida Humanities Council Accepting Applications for 2015 Mini Grants (Deadline: March 1)

The Florida Humanities Council is accepting applications from Florida nonprofit organizations for the planning and implementation of public humanities projects related to Florida or of interest to Floridians. Eligible projects include single events, lectures or panel discussions, reading and discussion groups, film series, and/or online resources. Projects must also enlist the participation of humanities scholars and/or experts in the project's planning and execution, and engage the public in thoughtful and informed activities that explore humanities topics. For more information, visit [here](#).



New! National Book Foundation Seeks Nominations for 7th Annual Innovations in Reading Awards (Deadline: February 28)

The foundation is seeking applications from individuals and institutions that demonstrate a commitment to literature and the promotion of reading for its own sake. Key criteria include

creativity, risk-taking, and a visionary quality, as well as a new approach to presenting books and literature. Priority will be given to applications from individuals and institutions that have developed interdisciplinary approaches and incorporate innovative thinking in design, technology, social change, social entrepreneurship, and other fields. Potential candidates can enter themselves for consideration or be nominated by others. For more info, visit [here](#).

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Valentine Voices and Verses Benefit



Sunday, February 8th, 2015 at 3:00 p.m.

A delightful afternoon of music featuring performances by artists Carla Connors, soprano, Timothy Hoekman, piano and Evan Jones, baritone.

They will be joined by singers Brianna Reilly, a high school senior, and Orion Canter, an FSU student.

The musical program includes love songs from the opera, art song and musical theater repertoire.

Delicious hors d'oeuvres and beverages will be served following the performance.

Hosted in the home of Gene and Ginny Densmore
9713 Waters Meet Drive, Tallahassee

Donation: \$20 single, \$35 with a friend

Reserve seats by: phoning (850) 224-9934 or online at [Valentine Voices and Verses](#) or donating at the door.

Professional Development



Bank Strategies for Preventing Fraud in a Nonprofit (February 3)

All nonprofits, no matter the industry or size, can be targets of fraud. However, small nonprofits tend to have disproportionately large losses from asset misappropriation, and are far less likely to recover from fraud. Mary Stafford, Vice President of Business Development with Prime Meridian Bank, will discuss how local

banks can assist nonprofit organizations in preventing fraud. She will also discuss other financial best practices that can protect your organization. For more info and to register, visit [here](#).



Convening Culture 2015: Building a Healthier Florida through Arts and Culture

(February 8 & 9)

Citizens for Florida Arts, Inc. presents Convening Culture 2015: Building a Healthier Florida through Arts and Culture. From sessions on arts and healthcare initiatives to roundtables on sustaining a healthy funding environment, there will be many ways for participants to engage and explore these topics. For more info visit [here](#).



New! AFP Presents Events that Raise Money Workshop (February 12 at 11:30 am)

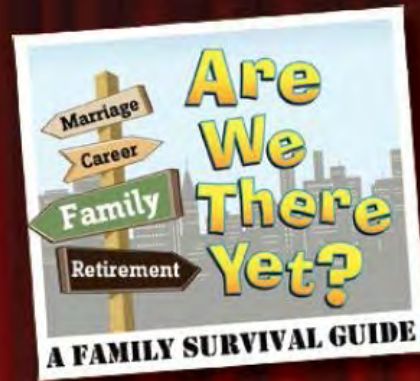
Join AFP for this workshop on how to plan successful fundraising events. Jason Zaborske, President/CEO of Capital Events, will speak about how to choose an appropriate event that will raise funds for your organization. For more info visit [here](#).

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Curtains for a Cause

 Tallahassee Memorial
HealthCare Foundation

PRESENTS



ARE WE THERE YET? is a roller coaster ride through the lives of modern American families. This lively musical portrays the love and challenges of the old adage, "You can pick your friends but you can't pick your family." One thing is for sure, you will definitely relate to this family musical and "enjoy the ride!"

A TMHF benefit for the Brian Jackson Dystonia Research & Discovery Program at FSU College of Medicine

Valentine's Day
Saturday, February 14th, 2015
850-431-4080 www.curtainsforacause.com

Promotional Opportunities



T.O.U.R. Guide - Bigger Promotional Push in 2015

Reserve your spot for this year's T.O.U.R. (Tourism is Our Ultimate Resource) Program. This campaign showcases local attractions and educates residents about the importance of tourism here. The four month campaign runs May through August and offers free admission to select local attractions on the third Saturday of each month. Participating attractions receive exposure through expanded promotional efforts that include email newsletters, customized digital outdoor boards, newspaper advertising and a dedicated landing page on the Visit Tallahassee web site. There is NO COST for participating in the campaign, just waive entry fees for one Saturday. If you have any questions contact: Lauren Pace at 850.606.2322 or Lauren.Pace@VisitTallahassee.com

Dates for the 2015 T.O.U.R. Guide Program:

Saturday, May 16

Saturday, June 20

Saturday, July 18

Saturday, August 15



#TheArtsLiveHere

#COCATally

#iHeartTally

FAQs for MTYT



Do you have events to list on www.morethanyouthought.com? Here is your printable FAQ one-sheet [here](#). Questions? erica@cocanet.org

morethanyouthought.com

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MonticelloOperaHouse



**The Marvelous
WONDERETTES**
January 16 - 31, 2015
Written & Created by Roger Bean

Monticello Acting and Dance Company
Directed by: Melanie Mays

Musical Arrangements by Brian William Baker
Orchestrations by Michael Borth
Vocal Arrangements by Roger Bean & Brian William Baker
Originally Directed by Roger Bean
Original Choreography by Bets Malone
Choreographed by Melanie Mays & Kevin Godwin

**Showtimes—January
16,17,23,24,25,30,31**

**DINNER THEATER - DOWNSTAIRS IN THE BANQUET AREA
(LIMITED SHOW-ONLY TICKETS AVAILABLE)**

Dinner & Show Prices: \$35 regular - \$32 Members - \$25 children 12 and under
Show Only Prices: \$15 regular - \$12 Members - \$10 children 12 and under
Please call for Membership discounts or tickets for children

Doors open at 6:00pm for Pre-Show Dinner/7 pm for Show-only/12:00 pm for Matinees

Call Monticello Opera House at **850-997-4242** or
www.monticellooperahouse.org


The Monticello Opera House, Inc. is a community non-profit
Monticello Opera House, Inc. 185 West Washington Street, Monticello, FL 32345
The Marvelous Wonderettes is presented through a special arrangement with Steele Spring Stage Rights.

Volunteer Opportunities



New! Volunteers Needed for
ArtiGras 2015 (Date: February 21)

ArtiGras needs volunteers in many areas to make this huge event happen. If interested, contact laura@railroadsquare.com.



Search hundreds of local listings or add yourself!

Calls to Actors



New! Child Actors Audition for "The Bardlings" (January 31 from 10 am - 1 pm)

The Southern Shakespeare Festival Education Program will be holding auditions for "The Bardlings," the children's company. All interested middle and high school students are welcome. Nothing is required for the audition aside from an interest in learning about and performing Shakespeare. The Bardlings will perform throughout the community over the next several months, and will be also perform as part of the Shakespeare Festival at Cascades Park on April 17-19, 2015. Auditions will be held at the Meridian Point Building at Cascades Park. For more info, contact Kevin Carr at kevin@southernshakes.org. For more info, visit [here](#).



New! Auditions for the Film Heroes Not Forgotten (January 31)

Post 13 Productions is holding open cast auditions January 31 at the National Guard Armory. Cast roles are for boys 11 - 13 years old. For more info, visit [here](#), and contact Don Gerteisen at (850) 933 - 3716 or at dagert45@gmail.com for an audition appointment time.



New! Auditions for Little Shop of Horrors (February 13)

Audition for this rocking, twisted comedy about a luckless florist who mistakenly raises a plant which enjoys humans - for dinner. Songs are in the style of early 1960s rock-and-roll, doo-wop and Motown tunes. Shows begin Friday, Feb. 13 and run for two weekends. Rated PG-13. For more info, contact Bill Mock at gmi@tds.net or at (850) 875 - 9444.



New! Auditions for On the Town (February 15 & 16)

Audition for the fabulous 1940s musical On the Town. Auditions begin at 7 pm. Prepare 16 bars of a song appropriate to the period and bring sheet music. Wear comfortable clothes and shoes. Visit [here](#) for audition form and more information. Call Karen Mesterton-Gibbons at (850)875-9444 for more info.



New! Auditions for Mind the Gap (Dates: February 20 & 21)

Auditions for Mind the Gap will be in Orlando. There are 34 speaking part. If interested, email your resume and links to your reel and website to mindthegapthefilm@gmail.com. For more info, visit [here](#).

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CAPITAL CITY
AMPHITHEATER
AT CASCADES PARK

Tuesday, March 3rd **7:30PM \$20-\$32***

PINK FLOYD EXPERIENCE **BUY TICKETS**

*INCLUDES TAXES & FEES

Calls to Musicians



New! Musicians
Wanted for
Tallahassee Music
Week (Date:
February 21)

Tallahassee Music Week, Inc. is seeking soloists and ensembles of all musical genres to perform at unconventional locations from April 4th through April 10th in the Tallahassee area. Example spaces include cafes, public spaces and high foot-traffic areas. While the project is non-profit, its organizers are offering \$25 per person, per 1 hour block of performance time at selected venues. Musicians who perform for Tallahassee Music Week will be promoted throughout the Big Bend area via an extensive regional marketing plan. Any lyrical content must be appropriate for all ages. Space is limited. Please visit www.TLHMusicWeek.com for more information, and click on the Contact page to express an interest in participating.

Calls to Performers



New! Performers Wanted at ArtiGras 2015 (Date: February 21)

ArtiGras welcomes all hoopers, jugglers, musicians, performers, school groups and more! Put down a hat for tips, and join in the festivities. For more info, contact laura@railroadsquare.com.

Calls to Vendors

New! Call for Vendors for Word of South (Date: April 11 - 12)

The Word of South Vendor committee invites you to participate in Tallahassee's inaugural event celebrating literature and music on April 11th & 12th, 2015. This event promises excitement and interest to all who love books and music. Events will be held in Cascades Park on four different stages, rain or shine. For more info, visit [here](#) or contact Donna Meredith at (850) 878 - 2931 or at meredithds@comcast.net.

Calls to Visual Artists (local)



New! Rent Booth Space at ArtiGras 2015 (February 21)

Artist booth space is \$30 and will be a great way to reach thousands of members of the Tallahassee and regional community. Booths and tables are invited to join in on the ArtiGras spirit and decorate their booths festively for the event. For more info, visit [here](#).



New! 621 Gallery Seeking Applications for exhibitions (Deadline: February 27)

All media, solo, or group exhibitions for 2015-16 season (Sept '15-June '16). For details go to www.621gallery.org and look under "home" section. If you have questions email 621galleryinc@gmail.com.

Calls to Visual Artists (non-local)



LSU Art Gallery Accepting Submissions for 20" x 20" x 20" (Deadline: February 6)

All artists in the United States are eligible to submit. The art submissions need to be no larger than 20"x20"x20". This excludes matting and framing of 2 dimensional works. Works need to be completed within the last two years. Works previously exhibited in the LSU Student Union Art Gallery are ineligible. For more information, visit [here](#).



Fine Arts Exhibition in Decatur, GA (Deadline: February 23)

The Decatur Arts Alliance invites artists working in all media to participate in the Fine Arts Exhibition at the 2nd Annual Decatur Arts Festival. The exhibition is a juried multimedia presentation that contributes a fresh and unique perspective to the festival every year. All works must be original, completed within the last two years, and fit through a standard door. For more information, visit [here](#).



Velocity of Textiles Exhibition in Atlanta, GA (Deadline: March 1)

All artists working in fiber media are invited to apply. Work should reflect the forward trajectory of textiles through a twenty first century intersection of conceptual innovation and by using new and old techniques and materials. Artists should also maintain the traditional attention to craftsmanship. For more info, visit [here](#).

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Calls to Writers



New! Lunch Ticket's Gabo Prize for Literature in Translation or Multi-Lingual Texts (Application

Window: February 1 - 28)

Lunch Ticket is accepting submissions for the Gabo Prize for Literature in Translation/Multi-Lingual Texts. Include original work with your translation and a document showing permission to publish the original work. Original, bilingual work may be submitted under the translation category; please indicate the cover letter. For full submission guidelines, visit [here](#). Contact Diana Greenwood at dgreenwood@antioch.edu or at (561) 818 - 1916 with questions.



New! Submit for Lunch Ticket's Winter/Spring 2015 Issue (Application Window:

February 1 - April 30)

Lunch Ticket is now accepting submissions for its Winter/Spring 2015 issue. Starting February 1, 2015, the following genres are encouraged to apply: Fiction, Flash Fiction, Poetry, Writing for Young People, & Visual Art. For full submission guidelines, visit [here](#). Contact Diana Greenwood at dgreenwood@antioch.edu or at (561) 818 - 1916 with questions.

COCA's Online Event Calendar

What's there to do in Tallahassee?
www.morethanyouthought.com

If you're planning any type of event--a benefit, fundraiser, concert, annual festival--be sure to post it on COCA's official interactive webcalendar for arts and culture:

www.MoreThanYouThought.com.

It's easy and fast. And, best of all, it doesn't cost a thing.

MoreThanYouThought.com can also help you avoid scheduling conflicts with other major events. Post listings days, months, even years in advance and know you're reaching hundreds of people each week. Even magazines like Southern Living and AAA use MoreThanYouThought.com as a reliable guide to what's happening in the Florida capital area.

If you need any assistance navigating or posting events, please call Erica at (850) 224-2500.

Submit to the Opportunities Email

To submit opportunities and calls for consideration in COCA's Weekly Opportunities Email, click [here](#) for the submission form. COCA members may also submit an image.

COCA reserves the right to include or exclude any listing at its discretion and to determine the content and placement of all listings. Items will be listed for a maximum of two editions.

Deadline for submission is 5:00 pm on the Wednesday of each week.

Special events are not listed in the Opportunities Email. You can post all your art or cultural events on COCA's calendar of events website at www.MoreThanYouThought.com. It's free! Use it!

COCA does not endorse any artists, organizations, or programs listed herein, nor imply stature through their inclusion in this newsletter. While we have made every effort to insure that this information is correct, we cannot guarantee the accuracy, completeness, or timeliness of the information.



COCA's programs are sponsored in part by the City of Tallahassee, Leon County, the State of Florida, Department of State, Division of Cultural Affairs, and the Florida Council on Arts and Culture.

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COCA | 816 S ML King Jr Blvd | Tallahassee | FL | 32301

View the full web page version! [Click here](#)



coca's morethanyouthought.com

Arts and cultural happenings in Florida's Capital Region

this week

Arts, Cultural, and Heritage Events for
April 20 to April 26, 2015

Want to get this email weekly? Sign up [here!](#)
Find more events or add your own at www.morethanyouthought.com

Jazz and Blues Festival

@ Tallahassee Museum
Apr 25 -26

featuring:

Pioneer Breakfast

@ Tallahassee Museum
Saturday, Apr 25



Come out to the Tallahassee Museum for one of the region's best two-day jazz, swing, and rhythm and blues music festivals! Get up and dance, sit back and enjoy the music, or take part in fun family activities on the pioneer farm. Before the festival kicks off, enjoy a hearty, outdoor meal at our Pioneer Breakfast on the 1880s farmstead.

Jazz and Blues Festival: [More Info](#)
Pioneer Breakfast: [More Info](#)

Paint Around Auction and Gala

FSU School of Dance and Allies4Arts
@ William Johnston Building
Saturday, Apr 25



Imagine a centerpiece of esteemed artists in front of their own canvases, painting a group of dancers in pose, all on display for guests. A jazz trio plays in the background as guests eat, drink and mingle. The music stops...The painters rotate to their colleague's canvas...The painting begins again. Guests are encouraged to walk among the painters, to examine their technique from as close as an arm's length. At the end of the evening, after each artist has their hand at another's canvas, the collaborations will be

auctioned to guests.

[More Info](#)

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Backstage at the Ballet

@ The Tallahassee Ballet
Saturday, Apr 25



Come observe The Tallahassee Ballet resident designer and costume staff prepare for this spring's production series in an exciting costuming session. Get a sneak peak of "In Production With," featuring "Paquita" and choreography from Christopher Huggins, Sarah Harkness, and KK Cashin, as well as Tyrone Brooks and Lauren Owen's choreography in the ballet, "Carnival of the Animals."

Bella Hristova, Violin

The Artist Series of Tallahassee
@ Opperman Music Hall
Sunday, Apr 26

[More Info](#)

advertisement



Bella Hristova, Violin

"Every sound she draws is superb." *The Strad* "a lovely, often soaring tone" *The New York Times*



1:30 PM Sunday, April 26 in Opperman Music Hall, FSU

Single ticket \$23 • Student \$5 • 12 and under free
Purchase online at theartistseries.org,
by phone (850) 224-9934 or visit Beethoven & Company



Bella Hristova is acclaimed for her passionate, powerful performances, beautiful sound, and command of her instrument. Her talent has been recognized with a prestigious 2013 Avery Fisher Career Grant. Hristova's exciting program will include J. S. Bach's Partita No. 1, Ysaye's Sonata No. 4, and Beethoven's Sonata No. 10, in addition to new works for solo violin by Joan Tower. An incredible violinist and a compelling program - this concert promises to have it all.

[More Info](#)

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TSO Jazz- Your Capital City Big Band

Tallahassee Symphony Orchestra
@ Cascades Park Amphitheatre
Saturday, Apr 25



Straight from prohibition-era New York, Tallahassee Symphony Orchestra Jazz is the capital city's new big band. Join TSO for a great evening of tunes by Ellington, Basie, Goodman, and many others. Children's activities begin at 7pm.

[More Info](#)



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The Tallahassee Community Chorus
André J. Thomas, Artistic Director

In partnership with the Big Bend Hospice

Tickets Available:
online @ tcchorus.org or
call Beethoven & Company
(850) 894-8700
General: \$20
Seniors (62+): \$15
Students: \$5

FELIX MENDELSSOHN'S
ELIJAH

Sponsored in part by
COCCI
TALLAHASSEE

Sunday, April 26, 2015, 4:00 p.m.
Ruby Diamond Concert Hall, Florida State University

Felix Mendelssohn's Elijah

The Tallahassee Community Chorus
@ Ruby Diamond Concert Hall
Sunday, April 26



"Elijah," the most popular of all Mendelssohn's compositions, was finished in 1846, and was first performed August 18 of that year, at the Birmingham (England) Festival. The prominent scenes treated in the oratorio are the drought prophecy, the raising of the widow's son, the rival sacrifices, the appearance of the rain in answer to Elijah's appeal, Jezebel's persecution of Elijah, the sojourn in the desert, his return, his disappearance in the fiery chariot, and the Finale, which reflects upon the meaning of the sacred narrative.

[More Info](#)

Weekend with MEBA

@ Meek-Eaton Black Archives
Apr 23 - 25

"Pastor Hall"

The Holocaust Education Resource Council & Tallahassee Film Society
@ All Saints Cinema



The Meek-Eaton Black Archives is excited to present its April "Weekend with MEBA" events in an ongoing effort to raise development dollars needed to convert historic papers, photographs, and other resources housed at MEBA into digital files for worldwide access. On April 23, there will be a complimentary private, guided tour of the Meek-Eaton Black Archives and signature cocktails during the "Sip and See." On April 24, guests will get an exclusive "Paint with M.E." experience instructed by Martistic Expressions. Participants will take home their own custom MEBA-inspired design. Rounding out the weekend, on April 25, local professionals will discuss parenting strategies at "The Parent 'Hood."

- Weekend with MEBA: [More Info](#)
- Sip & See: [More Info](#)
- Paint with M.E.: [More Info](#)
- The Parent 'Hood: [More Info](#)

Thursday, Apr 23

Page 40 of 136



"What did Americans know and understand about Nazism in the years before and during WWII?" Four movies have been chosen of the era so that you can make your own determinations about just what Americans knew and understood about Nazi policy. "Pastor Hall" is loosely based on the story of Rev. Martin Niemoller who challenged Nazism from his pulpit and was sent to Dachau as an example to other religious resisters.

[More Info](#)

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In Performance with
THE TALLAHASSEE BALLET

Paquita
 and other works

DANCE for SPRING
 MAY 1-5, 2015
 Artistic Director: Tyrone Brooks

Carnival of the Animals
 An Original Ballet for Young Audiences
 Abbreviated Children's Matinee
 Sat, May 2 @ 10:30am

Performed at Nancy Smith Fichter Dance Theatre, FSU
 850.224.6917, Ext. 21 TallahasseeBallet.org

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FORGOTTEN COAST
en plein air
America's Great Paint-Out

Where nationally acclaimed artists gather to capture natural beauty, character and local culture in the plein air tradition.

Quickdraw

Saturday, May 2 in Historic Apalachicola.
More than \$12,000 in prizes will be awarded!

Sign up online at Greatpaintout.com

CELEBRATE EN PLEIN AIR
10th Anniversary
MAY 1-11, 2015



2015 Tallahassee Writers Conference - Write on Target

Tallahassee Writers Association
@ Four Points Sheraton in Tallahassee FL
April 24 - 26



The three-day event will feature over twenty workshops with eleven presenters including keynote speakers Rob MacGregor and Trish MacGergor. The conference will bring in world class talent covering topics ranging from mysteries, non-fiction, and young adult literature to marketing and promotion in the modern age of publishing.

[More Info](#)

COCA Profile: [Nic Stoltzfus](#)

Courtney Jones
Council on Culture & Arts

Writer and documentarian Nic Stoltzfus likes to think of his work as a sort of "crash course" on Florida — for both Florida natives and newcomers. It's a task he's well-suited for, considering that while he was working on his first documentary, Stoltzfus effectively sold himself on the Florida life.

Stoltzfus was born and raised in Blountstown, which he describes as "a small, one red-light town about an hour west of Tallahassee." He attended Florida State University and graduated with a bachelor's degree in communication in 2012. After graduating, Stoltzfus moved to Japan to teach English to primary school children, eager to begin his exploration of life outside of Florida. After a year of working in Japan, Stoltzfus' father offered him a position as a communications specialist with his company, Stoltzfus Media, back in Florida, wanting to enlist his son's help with a new nature documentary project. Stoltzfus took the job, and somewhat reluctantly came back to Florida.

"I love Florida, I was born and raised in Florida, but I kind of got tired of it, and after graduation I thought, I don't know if I want to stay here or not," he said. "It's a bit much sometimes. But when I came back and started working on the documentary, I saw that there's a real need to tell these stories about the environment and Florida, and to let other Floridians know what's out there."

Stoltzfus' father is Elam Stoltzfus, another graduate of FSU's school of communication. The elder Stoltzfus is a longtime cinematographer and environmentalist, who had previously produced five documentaries for public television. His sixth and most recent documentary, "Coastal Dune Lakes: Jewels of Florida's Emerald Coast," is Nic's first. The docu-



This is a sunset over Western Lake, a coastal dune lake in Grayton Beach State Park.



PROVIDED BY NIC STOLTZFUS
Nic Stoltzfus is a writer and documentarian.

mentary focuses on a chain of lakes found within a 30 mile stretch between Destin and Panama City, and compares them to those found in New South Wales, Australia.

Nic researched and wrote the script for the documentary, and wrote and compiled a companion book consisting of photos taken during filming, as well as corresponding blog posts and articles.

The "Coastal Dune Lakes" documentary isn't the first Stoltzfus Media production to have a companion book, but the first done by another Stoltzfus. It's a trend Nic is glad to keep in the family for future projects.

"Books and the print medium, and documentaries and the video medium, they're very different from each other," he said. "But they complement each other very well, so it makes for a very dynamic and strong story." This weekend, Stoltzfus will be at the 2015 Tallahassee Writers



60 ANNUAL CULTURE & ARTS

IF YOU GO

What: Tallahassee Writers Conference 2015

Where: Four Points Sheraton, 376 Tennessee St. Tallahassee

When: April 24-26

Cost: For registration prices and more information on conference events, visit <https://www.wildapscoc.org/event-172252>

Contact: Bruce Ballister, 850-322-9090 or ballister@comcast.net

Conference, hosted by the Tallahassee Writers Association. The conference will consist of more than 20 workshops and 11 different presenters. On the heels of his first book, Stoltzfus is eager to promote "Coastal Dune Lakes" as he is to expand his skill and knowledge of the art form and network with other local writers.

"I'm a bit of a neophyte to all of this, but that's exciting, to con-

tinue to learn and grow," he said. "Even though I'm not in school getting a formal education, I'm still continuing the process of learning from other people, and I love learning. It's a cool opportunity to get to do that with other writers who are older than me and can hopefully give me some advice about whatever I'll be writing next."

As for that next project, Stoltzfus and his father are considering a biographical documentary on fine art nature photographer Clyde Butcher, well known for his expansive black and white photographs of Florida landscapes. The Choctawhatchee River, which flows from southern Alabama to the Florida Panhandle, is another possible subject.

Regardless of Stoltzfus's next and future projects, readers (and viewers) can expect the focus to remain on Florida's natural resources. Stoltzfus hopes to ignite, or reignite, in others the same love for Florida he's rediscovered.

"Florida's gorgeous," he said. "Don't be afraid to go outside and try to connect with it."



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Every Sunday, COCA profiles an artist in our community who is featured in or is part of an upcoming arts and cultural event. Catch Nic this weekend as part of the [Tallahassee Writers Conference](#)

advertisement

Pas de Vie Ballet

Spotlight Dance


Saturday, May 9th - 8 pm
Sunday, May 10th - 2:30 pm

Ruby Diamond Concert Hall
Florida State University

FSU Fine Arts Ticket Office
tickets.fsu.edu
515-520

850-644-6500

PasdeVieBallet.com



Monticello Opera House

Southern Music Rising

Southern Music Rising
Saturday, April 25th

Sarah Mac Band

Wild Ponies
Gatorbone Band & Many more...



Also This Week

from events posted on



ART EXHIBITS

[Sip & See](#)

Thursday, Apr 23
@ Meek-Eaton Black Archives

[TCC Annual Juried Student Art Exhibit](#)

Thru Apr 23
@ TCC Fine Art Gallery at Tallahassee Community College
(Fine and Performing Arts Building)

[Paint with M.E.](#)

Friday, Apr 24
@ Meek-Eaton Black Archives

[Weekend with MEBA](#)

Apr 23 - Apr 25
@ Meek-Eaton Black Archives

[Tallahassee Craftapalooza](#)

Saturday, Apr 25
@ Cross Creek Square (Old Big Lots Parking Lot)

[You Make It, You Grow It Market](#)

Saturday, Apr 25
@ 607 McDonnell Drive

[Art of the Abandoned and Fusion](#)

Thru Apr 25
@ LeMoyné Center for the Visual Arts
LeMoyné Center for the Visual Arts

[Borrowed Bodies](#)

Thru Apr 25
@ 621 Gallery

[Coastal Art Showcase](#)

Thru Apr 25
@ Rio Carrabelle Gallery
Carrabelle Artist Association

[Ansel Adams and Allan Ross Photography Exhibition](#)

Thru Apr 30
@ Thomasville Center for the Arts

[The Art of John Roberge](#)

Thru Apr 30
@ Picture Frames Unlimited

[Celebration of an Artist's Life - Paintings by Peter Murdock](#)

Thru Apr 30
@ Jefferson Arts Gallery

[Exhibition - Spring Graduating Artists](#)

Thru Apr 30
@ FSU Museum of Fine Arts

HISTORY & HERITAGE

[Pigmania](#)

Friday, Apr 24
@ Goodwood Museum & Gardens

[St. Peter's English Fayre](#)

Saturday, Apr 25
@ St. Peter's Anglican Church

[Custom Knife Show & Sale](#)

Saturday, Apr 25
@ Panhandle Pioneer Settlement

[Pioneer Breakfast](#)

Saturday, Apr 25
@ Tallahassee Museum

[FSU Coastal & Marine Laboratory Open House](#)

Saturday, Apr 25
@ FSU Coastal & Marine Laboratory

[The Parent 'Hood](#)

Saturday, Apr 25
@ Meek-Eaton Black Archives

[94th Annual Rose Show and Festival](#)

Apr 23 - Apr 25
@ Downtown Thomasville, GA
Thomasville Main Street Office

[Frenchtown Heritage Market](#)

Saturdays
@ Frenchtown Heritage Market

[Open Hours for the Future Site of the Shrine of the Martyrs of La Florida](#)

Sundays
@ The Shrine of the Martyrs of La Florida

[Capital City Loop Hop-on Hop-off Tours](#)

Ongoing
@ Greater Tallahassee
Guided Tours in Florida's Capital

MUSIC

["Loud"](#)

Monday, Apr 20
@ The Junction @ Monroe

[Capitol Bells in Concert at Holy Comforter](#)

Tuesday, Apr 21
@ Holy Comforter Episcopal Church & School
Capitol Bells Community Handbell Choir

[FSU Baroque Ensemble and Harpsichord Studio Recital](#)

Tuesday, Apr 21
@ Dohnányi Recital Hall
FSU College of Music

[Intergenerational Rock Concert](#)

Tuesday, Apr 21
@ Tallahassee Senior Center

[Lauren's Kids "Buddy Bash" Finale](#)

Wednesday, Apr 22
@ South Adams Street

[A Sportsman en plein air: C.D. Clarke](#)

Thru Apr 30
@ Pebble Hill Plantation

[Art Exhibit at the Black Dog Cafe](#)

Thru Apr 30
@ Black Dog Cafe

[Insurgence](#)

Thru May 3
@ Insurgence
Paintings by Audrey Peaty

[Wildlife Photography Exhibit](#)

Thru May 12
@ Tallahassee Senior Center for the Arts
Tallahassee Senior Center

[Art Potpourri](#)

Thru May 15
@ Tallahassee Senior Center for the Arts

[Creative Tallahassee 2015](#)

Thru May 25
@ City Hall Gallery
The Council on Culture & Arts (COCA)

[Sketchcrawl in' at the Museum Exhibit](#)

Thru May 31
@ Tallahassee Museum

[Miniature art quilts](#)

Thru Jun 1
@ Northeast Branch Library
Sew Arty

[2015 South Region Juried Exhibition](#)

Thru Jun 20
@ Gadsden Art Center
American Society of Marine Artists

[Arthur Dillard: Remember When?](#)

Thru Jun 20
@ Gadsden Arts Center

[Temporary Closure of Museum of Florida History](#)

Thru Jul 1
@ Museum of Florida History

[LeRoy Collins' Legacy: The Politics of Constructive Change and Leadership](#)

Thru Mar 10, 2016
@ LeRoy Collins Leon County Public Library

[Highwaymen Painting Tours](#)

Fridays
@ Museum of Florida History

[Downtown Marketplace](#)

Saturdays
@ Tallahassee Downtown Market - Ponce de Leon Park

[Artisans and Growers Market](#)

Sundays
@ Wirick-Simmons House Garden

DANCE

[Le Salon de Hip Hop: Framing French Hip Hop in a Globalized World](#)

Tuesday, Apr 21
@ Montgomery Hall (FSU Campus)
Florida State University School of Dance

The Lauren's Kids Foundation

[Jim Crozier with Steffi Tassos](#)

Wednesday, Apr 22
@ Bird's Aphrodisiac Oyster Shack

[Singularity: Carnegie Hall Preview Concert](#)

Wednesday, Apr 22
@ The Leaf Theater
Singularity

[Open Mic at J@M](#)

Wednesday, Apr 22
@ The Junction @ Monroe

[President's Concert featuring the FAMU Wind Symphony Ensemble](#)

Wednesday, Apr 22
@ Lee Hall Auditorium
FAMU Department of Music

[Food Truck Thursday Featuring Wanderfoot](#)

Thursday, Apr 23
@ Lake Ella Park
The Tallahassee Food Truck Association and the Lake Ella Merchants

[Cocktails and Camo](#)

Thursday, Apr 23
@ Flightline
Capital Area Chapter of the American Red Cross

[Inuksuit Tallahassee](#)

Friday, Apr 24
@ Recreation Area at Maclay Gardens

[Benefit Recital- Veronique Shaftel and Claire Gunter](#)

Friday, Apr 24
@ Lawton Chiles High School Auditorium

[Early Music](#)

Friday, Apr 24
@ Waterworks
FSU Early Music

[Grant Peeples with Videographer Pete Winters for an Internet Concert with Live Audience](#)

Friday, Apr 24
@ The Collection at Southside

[Singer/Songwriter Coffeehouse](#)

Friday, Apr 24
@ Northside Stage

[4th Annual Midtown Idol Competition](#)

Friday, Apr 24
@ Krewe de Gras
Midtown Merchants Association

[Classical Indian Music](#)

Friday, Apr 24
@ B Sharps Jazz Society and Club

[Rene Marie and Her Trio](#)

Saturday, Apr 25
@ B Sharps Jazz Society and Club

[Southern Music Rising](#)

Saturday, Apr 25
@ Monticello Opera House

[Due South 2015](#)

Saturday, Apr 25
@ Thomasville Center for the Arts Studio 209
Thomasville Center for the Arts

[Fete de la Musique](#)

Saturday, Apr 25

[Contra Dance](#)

Friday, Apr 24
@ Tallahassee Senior Center, 2nd Floor Ballroom
Tallahassee Community Friends of Old Time Dance'

[African Drum & Dance Ensemble, End of Year Performance](#)

Friday, Apr 24
@ Turner Auditorium, Tallahassee Community College

[Paint Around Auction and Gala](#)

Saturday, Apr 25
@ William Johnston Building
FSU School of Dance and Allies4Art

[Backstage at The Ballet](#)

Saturday, Apr 25
@ The Tallahassee Ballet

[Clogging with the Red Hills Cloggers](#)

Mondays
@ St. Paul's United Methodist Church

[Mainstream and Plus level square dancing](#)

Mondays
@ Tallahassee Senior Center
Capital Twirlers Square Dance Club

[Tango Tuesday](#)

First and third Tuesdays
@ 5th Avenue Tap Room
Argentine Tango Society of Tallahassee

[Swing, Two-Step, and Line Dancing](#)

Saturdays
@ Riverfront Country Dance Saloon

FILM

[Celebrate Earth Day with "Planetary"](#)

Wednesday, Apr 22
@ All Saints Cinema
The Tallahassee Film Society at All Saints Cinema

["Pastor Hall"](#)

Thursday, Apr 23
@ All Saints Cinema
The Holocaust Education Resource Council & Tallahassee Film Society

["Kumiko, The Treasure Hunter"](#)

Saturday, Apr 25
@ All Saints Cinema
The Tallahassee Film Society at All Saints Cinema

[Slavery By Another Name](#)

Saturday, Apr 25
@ Knott House Museum

["Queen and Country"](#)

Apr 23 - Apr 26
@ All Saints Cinema
The Tallahassee Film Society at All Saints Cinema

[Walking with Dinosaurs: Prehistoric Planet 3D](#)

Thru Jul 17
@ Challenger Learning Center of Tallahassee

[Humpback Whales 3D](#)

Ongoing
@ Challenger Learning Center of Tallahassee

[Tiny Giants 3D](#)

Ongoing
@ Challenger Learning Center of Tallahassee

@ Tallahassee Downtown Market- in Ponce de Leon Park

[Downtown Marketplace](#)

Saturday, Apr 25
@ Tallahassee Downtown Market - Ponce de Leon Park

[Healthy Communities Festival](#)

Saturday, Apr 25
@ Cascades Park
City of Tallahassee

[Jazz and Blues Festival](#)

Apr 25 - 26
@ Tallahassee Museum

[Lari White and Friends Wakulla Homecoming: A Heritage Event](#)

Saturday, Apr 25
@ Wakulla High School
Wakulla County Historical Society

[TSO Jazz - Your Capital City Big Band](#)

Saturday, Apr 25
@ Cascades Park Amphitheater
Tallahassee Symphony Orchestra

[Riverfront Country Dance Saloon - Saturday Nights](#)

Saturday, Apr 25
@ Riverfront Country Dance Saloon

[TYO Student Board Gently Used Book Sale](#)

Apr 25 - Apr 26
@ FSU College of Music
Tallahassee Youth Orchestras

[Felix Mendelssohn's Elijah](#)

Sunday, Apr 26
@ Ruby Diamond Concert Hall

[Sunday Funday at the Front Porch Restaurant](#)

Sunday, Apr 26
@ The Front Porch
The Front Porch

[The Artist Series of Tallahassee presents Bella Hristova, Violin](#)

Sunday, Apr 26
@ Opperman Music Hall
The Artist Series of Tallahassee

[Donald L Tucker Civic Center Presents: Celtic Woman](#)

Sunday, Apr 26
@ Donald L. Tucker Civic Center at FSU

[30th Annual Chefs' Sampler](#)

Sunday, Apr 26
@ The Centre of Tallahassee (formerly Tallahassee Mall)
Children's Home Society of Florida

[Capital City Amphitheater Presents: Wilco](#)

Sunday, Apr 26
@ Capital City Amphitheater at Cascades Park

[Singularity: Carnegie Hall Preview Concerts](#)

Apr 26, 28, & 30, 2015
FSU College of Music

[Open Mic Night](#)

Tuesdays
@ Skyline Motor Lounge

[Friday Night Jams](#)

Fridays
@ Skyline Motor Lounge

[Karaoke - Friday night](#)

Fridays
@ What ? Cafe

[Sunday Funday](#)
Sundays
@ The Front Porch

THEATRE & LITERATURE

[Tellin' Tales Comedy Tour](#)
Friday, Apr 24
@ Monticello Opera House

[Somewhere That's Green](#)
Friday, Apr 24
@ Young Actors Theatre

[Real Live Flesh](#)
Apr 24 - Apr 25
@ FSU Oglesby Student Union Art Gallery

[Evita](#)
Apr 23 - 26
@ Theatre Tallahassee

[Dearly Departed ... A Drop Dead Comedy](#)
Apr 24 - Apr 26
@ Leon Performing Arts

[2015 Tallahassee Writers Conference - Write on Target](#)
Apr 24 - Apr 26
@ Four Points Sheraton in Tallahassee, FL
Tallahassee Writers Association

[Anne of Green Gables](#)
Apr 25 - 26, May 1 - 3
@ TOSAC Storefront Theatre
Thomasville on Stage and Company

[Black on Black Rhyme Poetry Night](#)
Tuesdays
@ Nefetari's Fine Cuisine
Keith Rodgers and the Back Talk Poetry Troupe

[Black Dog Literary Night](#)
Sundays
@ Black Dog Cafe



For consideration in the More Than You Thought This Week email events must be listed on www.morethanyouthought.com by Thursday at 5 PM on the previous week.

For more information about getting your event listed, click [here](#).

Questions? Comments? Contact us!
erica@cocanet.org ~ 850.224.2500
www.cocanet.org



COCA / Council on Culture & Arts
816 S. MLK Jr. Blvd. / Tallahassee / FL / 32301



COCA, the Council on Culture & Arts for Tallahassee/Leon County, is the local arts agency designated by the city, the county, and the state to ensure that arts and culture are available to everyone. For over 25 years, COCA has championed local arts and culture, working to find innovative and enduring ways to make the arts and culture a part of our community, bringing inspiration to our citizens and visitors.



COCA's programs are sponsored in part by the City of Tallahassee, Leon County the State of Florida, Department of State, Division of Cultural Affairs, and the Florida Council on Arts and Culture.

COCA does not endorse any artists, organizations, or programs listed herein, nor imply stature through their inclusion in this newsletter. While we have made every effort to insure that this information is correct, we cannot guarantee the accuracy, completeness, or timeliness of the information.

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COCA's Monthly Arts in Education Newsletter for March 2015

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[MoreThanYouThought.com](#)

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[Join Our Mailing List!](#)



COCA Announcements

Got Summer Camp Info? We'll promote it for FREE!



It only takes a few minutes to send us information about your arts related summer camps, after-school and/or weekend programming, private lessons and birthday party services.

We'll help you promote them to parents, grandparents, and caregivers for free through COCA for Kids, our one stop shop for your arts education programming that occurs outside of school hours!

[Enter your info here.](#)



[COCA for the Classroom livens up learning!](#)

COCA invites math, science, social studies, language arts, foreign language as well as arts teachers to explore this resource guide, an in-depth look at the arts in education programs that the area has to offer.

We hope you will use this information to enhance your regular classroom programming through supplemental arts and cultural partnerships in the region.



For lots of arts fun and upcoming family-friendly events, check COCA's [MoreThanYouThought.com events calendar](#).

Be sure to add your arts related school events there also! We'll promote them for FREE!

If you have any questions, please feel free to contact Amanda Karioth Thompson at amanda@cocanet.org or (850) 224-2500.

Opportunities



VSA Playwright Discovery Competition (Deadline: April 13)

Young writers with and without disabilities are encouraged to submit a one-act script of any genre. Entries may be the work of an individual student or a collaboration by a group of up to five students. The

competition has three divisions: grades 6-7, grades 8-9, and grades 10-12 (or equivalents). A panel of theater professionals selects division winners. For more information, [click here](#).

THE HERMITAGE artist retreat



STAR: State Teacher Artist Residencies (Deadline: April 25)
The STAR program is designed to honor and

nourish the artist in the educator by providing five public school educators from Florida with the opportunity to pursue their artistic work in the inspiring environment of the prestigious Hermitage Artist Retreat. Four-week residencies will be offered to two visual artists; two writers (fiction/non-fiction/poetry/playwriting); and one composer from July 12 - August 9, 2015. [Click here](#) for more details.



Florida Folklife Program Seeks Master Artists and Apprentices (Deadline: May 15)

The Florida Folklife Apprenticeship Program provides an opportunity for qualified apprentices to study traditional arts for an extended period with

recognized master folk artists. Expert practitioners of traditional arts and people with a strong commitment to learning and preserving Florida folk arts are encouraged to apply. Traditions supported by the program to date have included Seminole patchwork, Irish fiddling, Afro-Caribbean percussion, and many more. For an application or additional information, contact Amanda Hardeman at 850.245.6333 or 800.847.PAST. [Click here](#) to learn more and fill out the application.



FAAE Arts Integration Symposium (registration now open)

2015 marks the sixth year of the successful Florida Alliance for Arts Education Arts Integration Symposia Series. The Series provides professional

development and training for teachers, teaching artists, and community arts partners. Each Symposium offers a single day of outstanding sessions delivered by local and statewide exemplar practitioners of arts integration. Sessions are designed to launch or extend your successful implementation of arts integration strategies, provide up-to-date information on State and National Standards as well as tips on making the arts accessible to all of your students. To learn more, visit the [FAAE web site](#).



Crayola Invites Proposals for 2015 Creative Leadership Grants (Deadline: June 22) The program will award up to twenty grants of \$2,500 each for creative leadership team-building programs within elementary schools. In addition, each program will receive an in-kind grant of Crayola products valued at \$1,000. Applications will only be accepted

from principals who are members of NAESP. For complete program guidelines and application instructions, see the [Crayola web site](#).

Around Town



COCA for Kids Call for Summer Camp Info It only takes a few minutes to send us information

about your arts related summer camps, after-school and/or weekend programming, private lessons and birthday party services. We'll help you promote them to parents, grandparents, and caregivers for free through [COCA for Kids](#), our one stop shop for your arts education programming that occurs outside of school hours! [It's so quick and easy to enter your info here.](#)



YAM Art Exhibition at the Main Library March is designated as Youth Art Month (YAM) and through collaboration of the Leon County Elementary Art Teachers, a month long student art exhibition will be on display at the LeRoy Collins Leon County Public Library. Participating elementary schools will host two opening receptions on March 10 & 11

from 5-7pm at the library's main branch. The exhibition will be on view through March 31 and it is free and open to the public during regular library hours.



Hartsfield Elementary School Blast from the Past Benefit Dinner Concert
March 12 & 13 at Hartsfield Elementary School at 5:30pm
Blast from the Past is an annual benefit concert held for the Hartsfield Elementary

Chorus. The members of the chorus will perform lip sync acts from the 1960s to modern day such as Supremes, Beatles, Jackson 5, Whitney Houston, Brittany Spears, Beyonce and many more... Dinner is included and all proceeds will go toward the Hartsfield Chorus Southern Star Music Festival Competition. For more details and to purchase your tickets, [click here](#).



Call for Student and Adult Musicians (Deadline extended for students through March 13)
Tallahassee Music Week, Inc. is seeking soloists and ensembles

of all ages and all musical genres to perform for 1 hour blocks at unconventional locations from April 4th through April 10th in the Tallahassee area. Example spaces include cafes, public spaces and high foot-traffic areas. While the project is non-profit, its organizers are offering \$25 per person, per 1 hour block of performance time at selected venues. Musicians who perform for Tallahassee Music Week will be promoted throughout the Big Bend area via an extensive regional marketing plan. Any lyrical content must be appropriate for all ages. Space is limited. [Click here](#) for more information, and [contact Amanda Thompson](#) to express an interest in participating.



Springtime Tallahassee Festival Artwork Contest (Deadline: March 15)
High School artists in the Tallahassee area are invited to participate in the Springtime Tallahassee Festival artwork contest. All art must be original and embrace the theme of Springtime Tallahassee, which is "Sweet Home Tallahassee," depicting the "charm of Tallahassee." Entries should be designed with the intention of the artwork being used for a collector's item. For more

info, contact Sarah Smith at intern@springtimetallahassee.com or at (850) [904-499-4000](tel:904-499-4000)

224-5012 or [visit here to enter.](#)



JOHN G. RILEY CENTER / MUSEUM

FREE Riley's Kids Spring Break Day Camp (March 16-19)
The "Self Discovery through the Arts" Spring Break Day Camp at the John G. Riley Center/Museum is a FREE four day program from 10:00 a.m.-1:00 p.m. It provides youth with an enriching experience and opportunity to enhance their analytic, art, culture and

entrepreneurial skills. The camp combines the best of history, culture, and fine arts with fun hands-on activities for a camp that is all that and more. If you are interested, [click here](#) to fill out the registration form.



The Holocaust Education Resource Council annual Art/Essay Contest (Deadline: March 27, 2015)

This contest is open to all students in grades 4-12 in Leon, Wakulla, Gadsden, Franklin, Jefferson, Taylor and Madison counties. This year's theme is the 70th anniversary of the liberation of the concentration camps. Scholarships are awarded to the top winning essayists and art students ranging from \$25 to \$250. For more information please visit the [HERC web site](#) or contact [Barbara Goldstein](#).



HERC seeking Judges for Annual Essay Contest
The Holocaust Education Resource Council of Tallahassee (HERC), is

seeking judges to read and review essays for the HERC 2015 Holocaust Essay Contest of the Big Bend Area. The theme is the 70th anniversary of the liberation of the concentration camps. A large volume of essays is expected this year and volunteer assistance would be much appreciated. Judges will read and score essays online so judges do not need to be located in Tallahassee. All judging is blind. The majority of essays will be 400-600 words and written by middle school students. For questions and to volunteer as a judge, please contact [Barbara Goldstein](#).



Young Marine Artists Search at the Gadsden Arts Center (Deadline: March 31)
Students of the Big Bend region ages 16-23 are invited to participate in the Young Marine Artists Search, an exhibition in conjunction with the American Society of Marine Artists exhibition. A panel of judges will jury original

marine art by students, and award three winners ASMA memberships and prizes. For more information, [click here](#).

The Tallahassee BALLET

The Tallahassee Ballet Company Auditions (April 14 and 15) The Tallahassee Ballet, a semi-professional non-profit Company, consists of local dancers with professional experience and talented

dancers drawn from the area's universities and dance schools. Our repertoire includes classical ballets, neoclassical and modern works. Auditions will be held for dancers ages 9 and up. For more details, dates, and times, [click here](#) or contact Lauren Owen at lauren@tallahasseeballet.org or (850) 224-6917.



FASA Student Exhibition Opportunity The Florida Association of School Administrators (FASA) office in downtown Tallahassee is currently in search of student artwork to display on our walls. The artwork can be a drawing, painting, sculpture or any medium students in your school or district are

working with (no larger than 24" x 36"). You can decide if there will be a competition or if an art teacher will select someone's work. We ask that you send them to us as soon as possible so we can frame them and put them on display. Please include the artist's name, grade, school, district, the title of the project, and medium used. All artwork will be returned to the student in one calendar year. Email [Michele White](#) with any questions.



CLC Offer Free Screening of Humpback Whales 3D to Title 1 Schools The Challenger Learning

Center has received funding from the MacGillivray Freeman Films Educational Foundation to provide tuition waivers (for students attending area Title I schools) to see "Humpback Whales 3D." To learn more about how your students can see this film for FREE, [click here](#).



Raa's Willy Wonka Jr. production searches for "Grandparents" On March 12 and 13, Raa Middle School will perform a version of Charlie and the Chocolate Factory. To add a community connection that relates back to the play's emphasis on

grandparents, Raa is seeking some volunteer "grandpas and grandmas" to participate in the rehearsal and preparation process. The goal is to partner with some of our community's older thespians to bring the production to

life and reawaken a love for the theater in our students as well as in the volunteer grandparents. The matinee performance on Thursday, March 12th will be FREE for any senior citizen who would like to travel to a "world of pure imagination." If you would like to help with this production or know of someone who might, please contact [Lea Noblin Marshall](#), Raa's Theater Arts Teacher at 850-488-6287.



Call for Arts Mentors at Raa Middle School. Local visual artists, musicians, dancers, and theater professionals are sought to provide mentoring to middle school arts students in Raa's Magnet Program. These students know they want a life filled with arts experiences and you can show them how. If the arts have been an important part of your life and you want to pass that on, this is the perfect opportunity

for you. The commitment is very low, just one hour per week, and Leon County Schools takes care of all the rest at no cost to you. Support these students by helping them develop communication and social skills, positive relationships with adults, as well as a life-long love of the arts. If you are interested or want more details, click here or contact Raa's Magnet Coordinator, Sam Thompson at thompsons2@leonschools.net or 488-7495.

Job Opportunities



Springwood Elementary School seeking local artist for special project. The Painted Piano project highlights the importance of visual arts, music, and community service for the Springwood Owls. The school would like to hire a local artist to create an abstract design. The outline of this design will be transferred onto a piano currently owned by the school. During the school's annual Spring Festival, students and family members will be invited to paint a

section of the design as their contribution to the Painted Piano Project. The piano will then be tuned and located on Springwood's "Brita Darling" stage, so named in honor of the school's 2nd principal who lost her battle with cancer three years ago. To express your interest, please contact [Principal Christopher L. Small](#).



Tallahassee Museum

Tallahassee Museum Call for Summer Camp Teachers (Deadline: May 1)

Seeking enthusiastic summer camp teachers for Tallahassee Museum summer camps. Teachers must enjoy the outdoors, science, the arts, and working to inspire and educate tomorrow's leaders. A clean driving record and level 2 Federal background screening are required. We offer a healthy balance of indoor and outdoor activities in a 52 acre classroom of wild

habitats, historic buildings, exhibit space, nature trails, lakes, and shared forestry land. To apply, [click here](#) and follow instructions the instructions. Please, no phone calls.

In the News



Seven Leadership Skills Fostered in Arts Education By Stacey Goodman

"The arts are a great way to teach students these leadership skills. While science and mathematics seek to quantify the world, and history and language give us the tools to understand the world from a human perspective, these disciplines are all based on rational

discourses about the world as it is. We turn to the arts to help us understand and gain perspective on what remains: our emotions, our unanswerable questions, and the general mysteries of being alive. Here are seven ways that working in the arts can give students the skills to become great leaders." [Read the rest of the Edutopia article here.](#)



Early Education: You're never too young to get a start in the arts

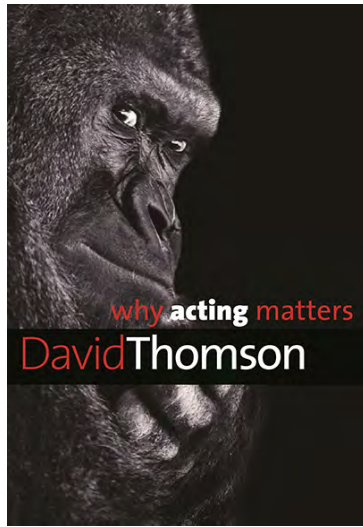
By Sara Keating

"Interest in early-years arts - targeting children before formal education - is growing in Ireland. As research

reveals the enormous benefits to the development of children's brains from cultural activity, and psychologists stress the importance of the first three years of life, the arts have become an integral part of early childcare."

[Read the rest of the Irish Times article here.](#)

Products and Resources



Why Acting Matters by David Thomson (Released Feb. 17, 2015) "Does acting matter? David Thomson, one of our most respected and insightful writers on movies and theater, answers this question with intelligence and wit. In this fresh and thought-provoking essay, Thomson tackles this most elusive of subjects, examining the allure of the performing arts for both the artist and the audience member while addressing the paradoxes inherent in acting itself. He argues that acting not only "matters" but is essential and inescapable." To learn more and order the book, [click here](#).



PBS LearningMedia™ Free to all Florida teachers! Just enter your zip code and get access to thousands of classroom-ready, curriculum-targeted digital resources. Resources are aligned to Common Core and national standards and include videos and interactives, as

well as audio, documents, and in-depth lesson plans. Browse by standards, grade level, subject area, and special collections. Plus you can save, download and share resources; discover local content; access storyboard, quiz maker and lesson builder tools; and participate in exclusive events, sweepstakes and giveaways. [Click here](#) to access.



NGAkids Art Zone The National Gallery of Art has come out with an interactive app that helps kids explore more than 300 years of art history. Kids can learn about the art techniques of some history's best artist. Recreate the works of Vincent van Gogh, Robert

Rauschenberg, Mark Rothko, and many more. You and your kids can create collages with land and seascapes, explore color theory, express your creativity through action painting, and even create "selfies" inspired by American folk paintings. When sharing your art, don't forget to tag them with #NGAkids so you can show the National Gallery of Art your creations. [Click here](#) to learn more and download.

Kudos



Congratulations to Danae
Sion one of Rickards High School's advanced chorus students! Danae recently learned that she was one of about 100 students to be selected for a national honor choir that will perform in New York City at Carnegie Hall.



Sealey Elementary School Art Teacher, Mrs. Natalie Hyder, recently received a scholarship for graduate school in the Art and Art History Department at the University of Florida.

The scholarship is funded by the Allison Wyatt Foundation. Allison Wyatt was a young student who was killed during the Sandy Hook Elementary school shooting. She wanted to be an art teacher.

Did You Know?



A watercolor on the back of a page of the original On the Origin of Species manuscript.

Through the Darwin Manuscripts Project, some notable finds have been uncovered including doodles and paintings that Darwin's children made on the back of his handwritten pages of On the Origin of Species. Because the manuscript was already being published, the old pages themselves held little importance to Darwin; only 45 handwritten pages of the Origin manuscript are known to exist out of almost 600 original pages. David Kohn, director of the Darwin Manuscripts Project, says "Darwin was done with those pages - he was

throwing away sections of his draft and not caring about it because the book was published. But the family valued the drawings, and in the end that's what saved them." To learn more, [click here](#).

Amanda Karioth Thompson
Education and Exhibitions Director
Council on Culture and Arts
phone: 850-224-2500
fax: 850-224-2515
amanda@cocanet.org

To submit listings for COCA's Arts in Education Monthly Newsletter, send a description of 50 words or less to Amanda Karioth Thompson at amanda@cocanet.org. COCA reserves the right to include or exclude any listing at its discretion and to determine the content and placement of all listings. Deadline for submission is 5:00pm on the fourth Monday of the month.

COCA does not endorse any artists, organizations, or programs listed herein, nor imply stature through their inclusion in this newsletter. While we have made every effort to insure that this information is correct, we cannot guarantee the accuracy, completeness, or timeliness of the information.



COCA's programs are sponsored in part by the City of Tallahassee, Leon County the State of Florida, Department of State, Division of Cultural Affairs, and the Florida Council on Arts and Culture.

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COCA | 816 S ML King Jr Blvd | Tallahassee | FL | 32301

FY15 Art in Public Places Exhibit Schedule

Photofest 2014 at the Artport Gallery
Annual fine art photography exhibition
November 19, 2014 - January 19, 2015

The *2014 Winter Festival* at the City Hall Art Gallery
Annual Youth Art Exhibition
November 5 - January 12, 2015

COCA's *30 for 30 Invitational Exhibition* at the City Hall Art Gallery
Recognizes 30 of the area's most accomplished artists
January 14 - March 23, 2015

Creative Tallahassee 2015 at the City Hall Art Gallery
Annual, multi-media, juried exhibition
March 25 - May 25, 2015

Wakulla's Working Waterfronts at the City Hall Art Gallery
A tribute to those who make their living working the waters of Wakulla
May 27 - July 6, 2015

The TOWN Show at the City Hall Art Gallery
Annual exhibit featuring the artwork of current & retired Tallahassee employees
July 8 - August 17, 2015

2015 Brush Strokes at the City Hall Art Gallery
The annual Tallahassee Watercolor Society Members Exhibition
August 19 – September 28, 2015

COCA's *30 Under 30 Juried Exhibition*
Recognizes 30 of the area's emerging artists
September 30-November 16, 2015



Art is for everyone
& that includes kids!

COCA's *Art Exhibit Treasure Hunt* is entertaining and educational for little ones and parents alike. There are so many fun things to discover and talk about, together. Each question gives children a purpose for looking more closely at the artwork and lets kids use their curiosity and imaginations. Go ahead, get lost in an artistic adventure. Just remember, art explorers use their eyes not their hands. Good luck and happy hunting!

Can you find...

- | | |
|--|--|
| • A tiny gold piano? | • Train tracks? |
| • An FSU fan? | • Furry friends playing pool? |
| • A lady with crazy hair? | • Glass flowers? |
| • Downtown Tallahassee? | • An artwork with birds in it? How many birds can you count? |
| • An artwork with shells in it? How many shells can you count? | • A fancy elephant? |
| • A house built in 1853? | |

- What's your favorite artwork in the whole exhibit?
- What do you like about it?
- What kind of story can you tell about it?



COUNCIL ON CULTURE & ARTS
FOR TALLAHASSEE/LEON COUNTY

Phone: (850) 224-2500

Fax: (850) 224-2515

E-Mail: kevin@cocanet.org

Website: <http://www.cocanet.org/grant-program>

Cultural Grant Program FY16

Administered under contract with the
City of Tallahassee & Leon County



Guidelines & Application



The Council on Culture & Arts

COCA, the Council on Culture & Arts, is a non-profit organization that serves as the facilitator and voice for the arts and cultural industry in Florida's capital area. We play a dual role: providing information and promoting the arts and culture to citizens and visitors.

Designated to serve as the local arts agency for Tallahassee and Leon County, COCA is the capital area's only umbrella agency for arts and culture, and works with and for those who produce, invest in, and enjoy the arts and culture in the area.

COCA is not a government entity, but works hand-in-hand with city, county, state, and local school districts as their cultural industry partner.

COCA designs and administers a grant program under contract with the City and County and in annual collaboration with a community task force and citizen review panel.

COCA staff is available to assist you at any stage of the application process. Please call 850-224-2500 or email Kevin Carr at kevin@cocanet.org to discuss eligibility requirements, schedule a courtesy technical review, or ask questions about completing your application.

We're here to help!

Want to know more about COCA's many other programs that support our local cultural partners? Visit COCA online at www.cocanet.org.

While you are exploring the COCA site, make sure you sign up for the COCA Opportunities email, which goes out on Thursdays to over 5000 subscribers. Learn about funding sources, professional development, calls to artists of all disciplines, job opportunities, and more.

Grantees will also want to check out COCA's Marketing Resources and Media guide at www.cocanet.org/media-guide.

Don't forget to post your events on www.morethanyouthought.com for inclusion in our Monday "This Week" email of arts, culture, and heritage events that goes to over 8000 weekly recipients.

And, don't forget to post your events and activities free on



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FY16 COCA Grant Program Calendar

- Applications Available:** **May 15, 2015**
Available online at www.cocanet.org/grant-program or at COCA offices.
- Grant Workshops:** **May 21 (5:30-7:30pm) and May 22, 2015 (12-2pm)**
COCA Offices (816 South ML King Jr Blvd)
Organizations interested in applying for a grant are encouraged to attend one of these two free overview sessions to learn more about writing and meeting the requirements of this specific grant program. Both workshops are identical.
- Courtesy Consultations:** **May 15, 2015 through July 3, 2015**
Make an appointment to meet with COCA staff for individual assistance. Even if this is not your first time applying for a grant, we urge you to take advantage of these consultations. If this is your first time, please contact us immediately so we can help orient you to the process.
- Panelist Nomination Deadline:** **June 5, 2015**
We need your help to recruit qualified and objective reviewers. Nominations are accepted year-round for future grant cycles. A nomination form can be found at the end of this booklet (p. 42) and online at www.cocanet.org/grant-program.
- Courtesy Review Deadline:** **July 3, 2015**
- | | |
|------------------------------|--|
| Application Deadline: | Friday, July 10, 2015
COCA Offices (816 S ML King Jr Blvd), 5 PM
Late applications will not be accepted under any circumstances. If mailed, applications must be postmarked by 11:59 PM on 7/7/15. |
|------------------------------|--|
- Panelist Orientation:** **July 17, 2015**
- Panel Review Meeting:** **August 28, 2015**
COCA's Offices (816 S ML King Jr Blvd), 9 AM – 2 PM
Applicants are encouraged to send at least one representative who is familiar with your organization and its grant application. Grant awards should not be considered final until local government budgets are finalized.
- City & County Budgets Finalized:** **September 30, 2015**
No grants should be considered awarded until the City and County have finalized their budgets for FY15.
- Disbursement of Grant Funds:** **October, 2015 and April, 2016**
Distribution of grants will be made in two payments, fall and spring. Spring payments will not be disbursed until the organization's interim grant report has been received and accepted by COCA. There will be no early distribution of funds.
- Interim Report Due:** **April 15, 2016***
- Final Report Due:** **November 2, 2016***

**Reports must be physically received in COCA's offices by 5:00 PM on the date indicated in order to avoid penalties on future applications. If you mail reports, we urge you to confirm receipt with COCA well in advance of the deadline.*

About COCA's Cultural Grant Program

Please review all of the following information carefully. Each year, COCA offers free grant workshops. We also offer one-on-one consultations as questions arise, and we provide courtesy technical reviews to help you check your final draft for any errors up until one week prior to the final deadline.

If any questions pop up at any point in the process, you can always **contact us for help**. You can email the Grants Program Manager, Kevin Carr, at kevin@cocanet.org or call 850-224-2500. Our COCA staff is always happy to help you through the process. Also, these guidelines and the grant application forms are always available online at www.cocanet.org/grant-program.

This year, a grant workshop specifically geared to writing this grant will be held on May 21 from 5:30-7:30pm and May 22 from 12noon-2pm. These sessions will be identical. You are encouraged to attend one of these identical sessions. The workshops will take place at the COCA offices, 816 South Martin Luther King, Jr. Blvd. If you have never participated in this grant program, we urge you to contact us immediately so that we can orient you to the process.

Where Do the Funds Come From?

Successful applicants will receive awards that will be funded by either the City of Tallahassee, Leon County, or a combination of both.

Recipients of City funds--from general fund revenue--will have demonstrated dedication to creating broader public access, benefit, and participation in arts and cultural activities in our community, enhancing both quality of life and our local economy.

Recipients of County funds--from tourist development tax revenue--will have demonstrated efforts to enhance Leon County's tourism impact.

Who Decides Who Gets Funded?

COCA staff members do not make recommendations for who gets funded.

Volunteer citizen panelists are recruited every year to review and score grants and make recommendations for funding. The panel meeting where those recommendations are announced is open to the public and you are encouraged to attend. The meeting is chaired by a COCA Board Member who does not score the grant proposals or make any recommendations for funding. Before the recommendations are submitted to the City and County, the COCA Board of Directors votes to adopt them and to ensure that all of the rules were followed.

Am I Eligible to Apply?

In order to be eligible for the COCA Cultural Grant, you must be able to answer “yes” to questions 1-11. (You must answer “yes” to **either** Question 1 or 1A below). If you are unsure, just call us at 850-224-2500.

1. Is your organization a not-for-profit Florida corporation with at least 60% of your operating cash budget originating from earned income and classified by the IRS as a 501(c) 3, sub-class “public charity”?*

Yes No

“Operating cash” refers to expenses related to day-to-day operations. It includes programs, overhead and administration, **but not** capital campaigns, endowment funds, cash reserves or contingency funds.

“Earned income” shall include admissions, contract services, corporate contributions, sponsorships, foundation grants, competitive government grants from federal, state, city or county governments, including TDC and CHSP grants. Earned income does not include operating cash from government sources such as government-paid staff and expenses, and government contracts.

If more than 40% of your operating cash comes from non-competitive government sources, you may still be eligible to apply under the special designation of State Partner (See 1A).

An organization whose primary purpose is to channel resources (financial, human, or other) to an affiliated organization is **not eligible** to apply if the affiliated organization submits its own application. This prohibition applies even if each organization has its own 501(c) 3 status. For example, the “Angels for The Theatre” may not apply if the “The Theatre” applies.

OR

1A. Is your organization a department, museum, or other organization working under the FEID number of a part of the State of Florida, Florida State University, Florida A&M University, or Tallahassee Community College?

Yes No

If you qualify under this provision, you must apply as a State Partner. Please see page 9 for more details.

Fundraising organizations affiliated with state supported cultural organizations, such as Friends of, Foundations, and Citizens Support Organizations, and K-12 schools themselves **are not eligible** to apply for this grant. Instead, the state supported cultural organization itself, including college or university schools, departments, or other officially recognized entities, may be eligible to apply for a grant under the special designation of State Partner (see above).

**COCA will confirm not-for-profit status with the IRS and/or the Florida Division of Corporations. If we cannot confirm your status, you will be asked to provide proof of current not-for-profit status.*

2. Does your organization have arts and/or history activity as its primary purpose?

Yes No

The broad range of activities funded by this grant includes: visual, performing & literary arts, arts education, historic destinations, media arts, and museums.*

***State of Florida, Division of Cultural Affairs**

Eligibility statement re: Museums To be an eligible museum, the organization must be open to the public for at least 180 days each year, own or utilize works of art, historical artifacts, or other tangible objects, whether animate or inanimate; care for these works of art, historical artifacts, or other tangible objects; exhibit these works of art, historical artifacts, or other tangible objects to the public on a regular schedule.

Even if an organization presents occasional arts or history programming, if its mission is not primarily arts and/or history, then funding should be sought elsewhere. This includes organizations with civic, educational, social service, environmental, health related, religious, political, journalistic, athletic, or multifaceted missions.

3. Has your organization been providing programming in your discipline for at least 3 complete fiscal years?

Yes No

“Programming” refers to public events and activities, not simply fundraising activities.

4. Do the majority of your activities take place in Tallahassee/Leon County?

Yes No

5. Do you have a professional staff?

Yes No

May be paid or volunteer, as long as staff members are qualified, competent and regularly available during normal business hours to administer a grant.

6. Do you have a governing Board of Directors that meets regularly and operates under a set of by-laws?

Yes No

7. Can you demonstrate the receipt of community support through subscriptions, memberships, earned income, foundation grants and/or other private fundraising (including in-kind support)?

Yes No

8. Can you show evidence of institutional/organizational planning (long range plans, visioning, etc.)

Yes No

9. Does your organization have multiple-event cultural programming that is regularly available to the public and is produced throughout the year?

Yes No

Note: An organization whose mission is to produce seasonal events or festivals does not qualify to apply for this grant.

10. Do you have documented statistics on attendance and participation for your programs and/or facility (paid or free) that represent a broad community impact?

Yes No

11. Is your organization committed to and does it have a plan in place to provide for accessibility for people with disabilities, including compliance with the ADA?

Yes No

If you answered YES to all of the questions above, your organization is eligible to submit an application for a grant. Still unsure? Call us at 850-224-2500.

How Much Funding Can I Apply For?

There is a maximum allowable request for every applicant. Organizations are encouraged to request an award amount appropriate for the scope of your proposal. In some cases, this may be less than your maximum allowable request. Use your best judgment to ensure that your request is competitive.

For the purpose of calculating your allowable funding request, “allowable operating income” is operating cash earned during your **most recently completed fiscal year for which you have submitted a 990/990-N** and can include a maximum of 15% in-kind income.

For the purpose of determining how much you can request, it may help to first complete the budget page (pg. 27) of your application and check to be sure that your “allowable operating income” **is equal to column B, line 10** on the budget form in Section 4 of your application; it does not include cash received for capital or endowment campaigns, or debt incurred to resolve operating deficits. See Section 4 instructions (pgs. 27-28) for full details.

<p>If your annual income is \$1.5 million or more</p>	<p>If your annual income is less than \$1.5 million</p>
<p>GROUP 2 or GROUP 3</p>	
<p><i>To qualify in GROUP 1, you must be able to answer “yes” to the questions below.</i></p> <ol style="list-style-type: none"> 1. Are you eligible to apply? (see pgs. 6-7 above) Yes <input type="checkbox"/> No <input type="checkbox"/> 2. Is the allowable operating income for your most recently completed fiscal year for which you have submitted a 990/990-N \$1.5 million or more (per the instructions for Section 4, column B, line 10 on pg. 29)? Yes <input type="checkbox"/> No <input type="checkbox"/> 3. Can you provide a copy of a full audit of your organization’s finances (for FY13) prepared by an independent accountant? Yes No <p>GROUP 1 applicants may request up to 18% of your cash operating budget with a cap of \$325,000 in grant funds.</p>	<p><i>To qualify in GROUP 2, you must be able to answer “yes” to the questions below.</i></p> <ol style="list-style-type: none"> 1. Are you eligible to apply? (see pgs. 6-7 above) Yes <input type="checkbox"/> No <input type="checkbox"/> 2. Is the allowable operating income for the most recently completed fiscal year for which you have submitted a 990/990-N less than \$1.5 million (per the instructions for Section 4, column B, line 10 on pg. 29)? Yes <input type="checkbox"/> No <input type="checkbox"/> 3. Do you have a cash operating budget of \$500,000 or more? Yes <input type="checkbox"/> No <input type="checkbox"/> <p>GROUP 2 applicants may request up to 10% of that budget for the most recently completed fiscal year for which they have submitted a 990/990N. There is no cap for this group.</p> <p><i>To qualify in GROUP 3, you must be able to answer “yes” to the questions below.</i></p> <ol style="list-style-type: none"> 1. Are you eligible to apply? (see pgs. 6-7 above) Yes <input type="checkbox"/> No <input type="checkbox"/> 2. Is the allowable operating income for the most recent completed fiscal year for which you have submitted a 990/990-N less than 1.5 million (per the instructions for Section 4, column B, line 10 on pg. 29)? Yes <input type="checkbox"/> No <input type="checkbox"/> 3. Do you have a cash operating budget of less than \$500,000? Yes <input type="checkbox"/> No <input type="checkbox"/> <p>GROUP 3 applicants may request up to 20% of the budget for the most recently completed fiscal year for which they have submitted a 990/990N with a cap of \$50,000.</p>

State Partners

If you answered “yes” to question 1A on page 6, you may be eligible to apply as a State Partner. There are two categories of State Partners: “General/ Educational” and “Destination.”

State Partner – General or Educational

General or Educational Partners can apply for projects which demonstrate efforts to enhance Leon County tourism or which create broader public access, benefit, and participation in arts and cultural events in our community. Educational projects will be designed for and presented to general public, K-12, or lifelong learning but not be primarily for university-enrolled students. **Applicants may request up to a maximum of \$15,000 in grant funding.**

State Partner -- Destination

A Destination is a permanent facility and/or site that is open to the public at least 180 days per year that has regular programming directed to the general public and tourists and has a documented impact on tourist visitation. If the applicant is eligible to apply as a State Partner Destination as defined above, and has less than 60% of its annual operating cash budget originating from earned income, applicants may request up to \$15,000. An eligible State Partner Destination that has more than 60% of its operating cash budget originating from earned income may qualify for the appropriate GROUP category level of funding at the total level of that private cash funding, not the total operating budget. For a definition of “earned income” and “operating cash”, see p. 6 (1).

For university affiliated applicants, the figures provided in Section 4: Operating Budget are related to the specific department, division, or program applying for the grant—not the entire school’s or foundation’s budget.

To qualify as a State Partner, you must be able to answer “yes” to the questions below.

If you answer “no” to any of these questions, your organization does not qualify as a State Partner. You may be qualified in another category (see pg. 8).

1. Are you eligible to apply? (See pgs. 6-7) Yes No

2. If applying as a State Partner -- Destination, can you provide evidence of outside review of your organization’s finances either through an accountant’s statement or independent audit that will verify the level of private funding? Yes No

Note: No more than 15% of the total funds for COCA’s Cultural Grant Program in a given year will be awarded to State Partner applicants. See page 15 for details on funding order.

How Do I Apply?

1. Determine if you are eligible.

If you can answer YES to all of the questions (1-11) on pages 6-7 (You must be able to answer "YES" to **either** question 1 or 1A), then you are eligible to apply. If you do not meet these requirements, please do not apply for a grant.

2. Determine which group you qualify for and how much funding you can apply for.

Refer to the specific guidelines on page 8 to determine which group you will apply in, and find out your allowable request amount.

3. Read instructions and tips for each section.

Before you begin your application, it is important to know:

- how much funding you can apply for
- how you can and can't spend grant funds
- when you can spend the grant funds
- what rules you are going to have to agree to
- how your application is going to be scored

4. Complete your grant application.

Each section has its own instructions; please read and follow these instructions carefully. There are tips in each section to assist you as well. Application forms can be found at www.cocanet.org/grant-program.

5. Check your application against the checklist on page 40.

Go down the list and be sure you have everything and that it is in the order indicated. Technical points are deducted from your score for missing, incorrect or incomplete information. Please see pages 14-15 for an explanation of technical points.

6. Bring a complete draft of your application to COCA for a courtesy technical review (optional).

COCA offers optional, individual technical reviews to all applicants by appointment. These reviews help you identify and correct technical errors in the final draft of your application so you can earn a perfect technical score. If there are errors to correct after the first technical review, feel free to resubmit another complete draft(s) for additional review(s). The most effective technical review occurs when an organization submits a complete draft of the

application in hard copy. When only some of the items are submitted, there may be other errors that are impossible to identify. You must bring a hard copy of your application to your technical review. We strongly recommend that you take advantage of this opportunity.

Appointments may be scheduled **through July 3, 2015** (one week prior to application deadline).

7. Make 1 collated copy of your entire application including copies of support materials.

You must submit the original application (must contain the original signature, and must be clearly labeled ORIGINAL on the front cover). **Please bind your application** securely and be sure to include copies of all print or multimedia support material. We strongly recommend and prefer that you submit your application in a binder with no larger than a one inch thickness. Also, we prefer that you write the name of your organization on the front and the spine of your binder.

8. Make 1 electronic copy of your entire application including support materials.

Please follow the instructions for creating and submitting the electronic copy of the application on p. 41.

9. Submit both your bound, paper copy of the application along with your electronic copy of the application to the Council on Culture & Arts (COCA) by 5pm on July 10, 2015.

Our address is 816 South ML King Jr Blvd, Tallahassee, FL 32301. Applications must be received in COCA's offices by Friday, July 10, 2015 by 5:00pm. **Late applications will not be accepted.** Applications submitted by mail must be postmarked no later than 11:59 pm on Monday, July 6, 2015. COCA does not accept grant applications by fax or e-mail.

Electronic copies may be submitted to COCA via a USB flash drive (or "thumb" drive) or emailed (via "Dropbox") to kevin@cocanet.org.

10. Submit the Economic Impact Survey using the online form at www.cocanet.org/economic-impact-survey.

This year, you will be required to submit an Economic Impact Survey online. The online survey can be found at www.cocanet.org/economic-impact-survey. The survey must be submitted by the grant application deadline, July 11, 2014 at 5pm

How Can Grant Funds Be Spent?

Grant Program Goals

- There may only be one request per year for funds to benefit any single organization.
- All funds must be spent within the grant activity period of October 1, 2015 through September 30, 2016. Funds that are not spent within this timeframe (or for the specific programs and expenses described in your application) are subject to repayment.
- Applicants will detail how grant funds, if awarded, will be used to support and/or promote up to two of the organization's programs, publications, events, or other public activities.
- Each program request will receive a unique score in the panel review process.
- City policy requires that all events and activities funded by this grant be for the public and not be intended for an exclusive target group only. Any fees charged to participate should be reasonable and not so high as to effectively exclude a large group of people.

Please refer to the Sample Panelist Score Sheet on page 17 for more details on the criteria used to evaluate your grant proposal.

Please be certain that panelists have enough information in your application to evaluate your programs based on each of the scoring criteria.

Programs selected for funding should share at least one of the goals of this grant program:

- ***Produce arts, history and/or cultural programming with exemplary standards:*** Programs that enrich the community with attention to the highest standards within a cultural discipline.
- ***Provide educational opportunities in arts, culture, and history for young people or adults:*** Programs that feature learning opportunities for young and/or life-long learners.
- ***Provide a special population, meet a unique need, or fill a unique niche.*** Programs that offer a unique service in arts, culture and history not otherwise provided in the community; Programs that provide distinctive arts, history and cultural offerings; Programs that highlight cultural diversity and/or access for persons with disabilities; Programs that bring arts, cultural and historic exhibits or events to underserved areas
- ***Contribute to the tourism development of our area:*** Programs will be funded that have the potential to attract and retain tourists in Leon County. For the purpose of this grant program TOURIST means "a person who participates in trade or recreation activities outside the county of his or her permanent residence or rents or leases transient accommodations." (See page 40 for helpful resources in developing cultural tourism strategies; refer to Florida Statutes 125.0104 for more details about the use of tourist development tax).

Allowable Expenses & Non-Allowable Expenses

Examples of allowable expenses include:

- marketing and promotion
- royalties
- exhibit rentals
- guest artists, technicians or teachers
- a percentage of salaries as they directly relate to programs
- printing and graphic design
- exhibit costs
- sets and costumes
- lumber, supplies and equipment
- postage and freight
- a percentage of facility costs as they directly relate to programs
- any other expenses directly attributable to programs (except for non-allowables that follow)

Grant funds may not be used for capital

expenses. For the purposes of this grant, capital expenses include building projects, acquisitions, renovations, land acquisition, and other permanent improvements to physical plant (i.e. new roof, air conditioning systems, security fence, lighting grid). Capital expenses also include the purchase of equipment that is not directly related to the production of events or exhibits.

For example, a projector for closed captioning, stage lights, film projector, artwork for a permanent collection, or interpretive items for an exhibit are allowable. A copy machine or a delivery van is not.

Grant funds may not be used for general overhead that is unrelated to programming

and/or promotion (i.e. financial audit, board retreats, decorating the facility, etc.) Keep in mind that some grant funds may be used on a portion of administrative costs that directly relate to programming and/or promotion (payroll, insurance, rent, office supplies, postage, etc.).

Grant funds may also not be used for:

- private or exclusive entertainment (i.e. parties, receptions or benefits that are not open and accessible to the general public)
- bad debts, contingencies, fines and penalties, interest, and other financial costs
- re-granting
- contributions and donations
- religious projects
- operation of privately owned facilities (i.e. studios, homes)
- third-party grant administration (indirect costs)
- lobbying or attempting to influence federal, state or local legislation
- or any other expenditure not authorized by Chapter 112 of the Florida Statutes.

Both the City and the County discourage line item requests if you are eligible to apply to this grant fund or others.

If you have a project receiving a Special Events Grant from Visit Tallahassee, CHSP (Community Human Services Partnership), or the CRA (Community Redevelopment Agency), that project **WILL NOT** be eligible to receive County support through COCA's Cultural Grant Program during the same grant year.

How Are Applications Reviewed?

Technical Review Process:

Your applications will first be reviewed by COCA staff to confirm eligibility. If eligible, the application must also meet certain technical standards. (See "scoring" section on pgs. 14-15).

To avoid technical errors, applicants are urged to take advantage of COCA's Courtesy Review Process. Make an appointment to bring a hard copy draft of your application to COCA for a complimentary technical review on or before July 3, 2015. If you request a second or third review, we don't mind a bit. Our goal is to help you to write the most competitive grant possible.

Panel Review Process:

COCA uses a citizen review panel process, similar to both the State and NEA grant programs, to make recommendations for funding. Panels are composed of non-profit business people, tourism professionals, community leaders, artists, educators, experts in cultural disciplines and others as deemed appropriate for review criteria. Nominations for panelists are welcomed year-round by COCA. A panelist nomination form is included on page 42.

In appointing panel members, COCA gives consideration to geographic representation, minority representation, professional acumen, objectivity, and diverse aesthetic, institutional, and cultural viewpoints. All panelists must comply with the Standards of Conduct for Public Officers and Employees of Agencies as set forth in F.S. Section 286.012. Panelists are instructed to recuse themselves from the discussion and scoring of any application from an organization in which they:

- serve as a board or staff member
- serve as a key volunteer
- serve as a paid consultant
- have any other formal association or other experience which will give the appearance of a conflict

Applicants attending panel meetings will be available to answer questions asked by panel members but not be allowed to elaborate on their grant beyond those questions. All panel proceedings are open to the public.

A member of the COCA Board of Directors will chair each panel meeting but doesn't review or score the applications. Members of COCA's staff will be present to provide technical assistance.

The panel's recommendations will be reported to the COCA Board of Directors which approves all recommendations before forwarding to the City and County.

The COCA Board is authorized to amend such recommendations based on new information not made available to the panel. Examples of new information are: a panelist's conflict of interest not disclosed at the panel meeting; misinformation presented at the panel meeting by someone other than a designated applicant representative; COCA staff error discovered after the panel meeting; bankruptcy or other fiscal concerns; or changes in the applicant's staff or operations that would impair implementation of the proposed grant activity.

Applicants will be notified of the final outcome of the grants review. **No award is final, however, until the City and County Commissions approve their annual budget.**

Scoring: Technical and Quality Points

Your entire application will receive a single **technical** score. Each of your separate program requests will receive its own **quality** score.

Technical and quality scores will be combined for a final total score for each program request (maximum of 100 points).

Technical Scoring

Applicants can earn a maximum of 50 technical points. Technical points will count towards 40% of your final scores. These points are objective and unrelated to the quality of the information presented.

For example, if you do not submit a required attachment, the technical reviewer will automatically deduct 5 technical points.

If you do submit the required attachment, no points will be deducted. The technical reviewer does not judge or evaluate your attachment in any way. The merits of materials will be evaluated by the panelists and reflected in your quality score.

Technical deductions and their point values are as follows:

- Reports were late during the cycle in which funding was last awarded (5 points).
- Organization failed to acknowledge COCA funding in grant-funded programming and promotional materials. (See page 18 “Funding Recognition” for requirements). Grantees will be required to provide proof of acknowledgement in FY15 final report (5 points).
- Items on forms are left blank (1 point each)

- Responses to narrative questions are omitted (5 points each).
- Required items, forms, or attachments are omitted (5 points each).
- Technical points (1 point each) will be deducted for line item category totals which do not add up correctly and for mathematical, typographical, or other errors.
- Your budgets must balance. If not, **ten technical points will automatically be deducted** from your technical score.
- Make sure the full grant amount you are requesting in this application appears on pg. 29, line 7f, Column D. If not, **one technical point will be deducted**.
- Don't forget to include the starting and ending dates of your fiscal year. **Two technical points** will automatically be deducted if either is left blank.
- Make sure all of your numbers are rounded to the nearest dollar. **One technical point will be deducted if you fail to round**.
- Be sure your total in-kind is no more than 15% of your total operating expenses for any single fiscal year. **One technical point** will be deducted for each instance of in-kind exceeding 15%.

Applications earning fewer than 20 technical points will not be considered for funding.

Technical tips are provided throughout the application to help you earn a maximum technical score. We will gladly help you identify and resolve any technical errors before you submit your final draft.

Quality Scoring

Each program for which you are seeking funding will receive an individual quality score. Panelists will review your application and award up to 50 quality points per program request.

See the *Sample Panelist Score Sheet* on page 17 for information on specific evaluation criteria.

The high and low quality scores for each program request will be dropped, and the remaining scores averaged.

Those averages (out of 50 points) will count towards 60% of the final grant scores for each program request.

Calculation of Final Score(s):

Quality points count more towards your final score (60%) than technical points (40%).

This means that a program request with a technical score of 44 and a quality score of 49 will earn a higher total score than a program request with a technical score of 49 and a quality score of 44.

Example #1: Higher Quality Score

Technical Score: The technical reviewer deducts a total of 6 points for a technical score of 44.

Quality Score: The panelists award your program request an average score of 49.

*Total Score:
44/50 (technical) x 40%= 35.20
Plus
49/50 (avg. quality) x 60%=58.80
Equals
94.00 (total score)*

Example #2: Higher Technical Score

Technical Score: The technical reviewer deducts a total of 1 point for a technical score of 49.

Quality Score: The panelists award your program request an average score of 44.

*Total Score:
49/50 (technical) x 40%= 39.20
Plus
44/50 (avg. quality) x 60%=52.80
Equals
92.00 (total score)*

Funding Formula

Below are examples of the funding formulas used to determine the recommended maximum funding for requests. Keep in mind, these formulas are guidelines, not guarantees. They may require adjustment at the discretion of COCA's Board of Directors in response to changes such as local government funding of the grant program.

<i>Total Score</i>	<i>Maximum Funding</i>
95 – 100	100% of request
90 – 94.9	90% of request
85 – 89.9	80% of request
80 – 84.9	70% of request

For one exception to this formula, please see #1 under "Funding Order" below.

Applications scoring less than 80 will not be funded.

When determining the final scores for funding purposes, numbers will be rounded to one decimal place only and not to the whole number. For example, 91.9 will not be rounded to 92.

Funding Order

Once all program requests have been scored, funding will be recommended as follows:

1. Program requests from organizations requesting a total grant award of \$7,000 or less that score 92 or higher will be recommended first for funding.
2. Next, funding will begin with the highest scoring program request, and continue down until it is no longer possible to fund the next highest-scoring program request at the formula level due to exhaustion of funds.

3. The remaining funds will be allocated to the next highest scoring program request. (If this amount is insufficient to carry out the proposal, the applicant may decline the funding, and the remaining funds will be given to the next applicant).

In case of a tied score, the organization with the higher quality score will be ranked higher. In the case of a continuing tie, the remaining funds will be pro-rated between all tied applicants based on their amount requested.

No more than 15% of the grant program's total funds in a given year will be awarded to State Partner applicants. Their programs will be ranked with all applicants in the process described above, but only the top scoring State Partner programs will receive funding if the 15% threshold is reached before the total grant funds are exhausted.

Because each program request is scored and ranked individually, it is possible that a single organization may have some of their requests recommended for funding while others may fall below the funding threshold.

Appeals

Any applicant wishing to appeal the outcome of a funding recommendation (technical score, panel review, or final funding allocation) must contact the COCA Board in writing within 72 hours of the grant panel meeting.

In addition, suggestions regarding the grant program's policies and guidelines are welcomed year-round. The grant program is reviewed annually with the collaboration of a public task force and all applicants are encouraged to participate in the process.

Sample Panelist Score Sheet

After reviewing your application, panelists will use the following tool to assign a quality score of 1-50 for each of your program requests. Written comments will also be provided.

Organization Name:		
Program Goals Section		
This grant, if awarded, will fulfill one or more of the following goals (check all that apply for each project):		
(Check all that apply for each project, no numbers entered here)	Project A	Project B
This project contributes to the appeal of Leon County as a visitor destination by offering popular, ongoing, and/or unique activities or events as described in the Statutes.		
This project provides educational opportunities to young people or adults.		
This project produces arts and/or history programming that serves as a model for other communities.		
This project serves a special population or meets a unique need.		
Note: If any <u>project</u> has no check marks, cease scoring for that project and enter a zero for its total score.		
Scoring Section		
A. Organizational Capacity as expressed in Application	Please circle your score	
Scoring Criteria: 5=excellent 4=very good 3=good 2=fair 1=poor		
The applicant has demonstrated support for the organization through other sources of funding, volunteer efforts, program partnerships and documented participation data.	1 2 3 4 5	
The organization's planning shows realistic and appropriate future programming plans.	1 2 3 4 5	
This organization's artistic, education, and/or administrative personnel (paid or volunteer) have the ability to carry out its programs effectively.	1 2 3 4 5	
The applicant exhibits sound fiscal management and administration as evidenced by the grant's narrative and the organization's past and current operating budgets.	1 2 3 4 5	
	Project A	Project B
B. Project scores -please enter the appropriate score for EACH project		
This project reflects the mission of the organization.		
This project serves an appropriate number of people for the amount requested (<i>taking into account any special needs of the population it targets or distinctive niche the organization fills</i>).		
The scope of this project is feasible to implement in timeline provided and resources allocated (<i>facilities, staff/volunteers, funding, etc.</i>).		
There is a clearly articulated and useful method of evaluating and documenting the success of this project (<i>that extends beyond attendance figures</i>).		
The marketing plan described for this project is sound and feasible. For the project to be eligible for Tourism funding as an activity or event it's promotional plan should demonstrate tourism marketing. See definition of Tourism Marketing in the Tourism Resources (pg. 39).		
Whether serving a large constituency or a unique niche, this project's impact on and/or service to the community is a good use of public funding.		
Total score for each project (out of 50): (will be the sum of Section A total added to the Section B individual Project total)		
Panelists will also provide comments on separate page		

Important Information for All Applicants

Grant Period: All grant funds must be spent between 10/1/15 and 9/30/16. There can be only one application per grant period for funds to benefit any single organization.

Non-Discrimination: By submitting this application, applicants agree they do not discriminate:

- On the grounds of race, color, or national origin (including limited English proficiency), in accordance with Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.).
- On the grounds of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and the Americans with Disabilities Act of 1990 ("ADA") (42 U.S.C. 12101-12213).
- On the basis of age, in accordance with the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).
- On the basis of sex, in any education program or activity, in accordance with Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.).
- On the basis of sexual orientation or gender identity in accordance with the City of Tallahassee's Anti-Discrimination and Anti-Harassment Policies and Procedures.

Should there be a discrimination concern regarding a grantee, a copy of COCA's Civil Rights Complaint Policy is available upon request.

For further information and copies of the nondiscrimination regulations identified above, contact the National Endowment for the Arts' Office of Civil Rights at 202/682-5454 or 202/682-5695 Voice/T.T., or link to them through their web site at www.arts.gov. COCA will also gladly provide assistance with accessibility

planning. Call us at 850-224-2500 to arrange a consultation.

Intellectual Property Rights: It is the responsibility of applicants to hold the rights for any intellectual property (scripts, images, music, etc.) used in programs funded by this grant.

Funding Recognition: Grant recipients are **required** to include the following statement in all publicity materials (including programs, posters, flyers, and website) for any programming related to this grant:

"This program sponsored in part through COCA's Cultural Grant Program funded by the City of Tallahassee and Leon County"

and to include City of Tallahassee, Leon County and COCA logos along with the above acknowledgement where space allows. All logos are available online at <http://www.cocanet.org/logos> or by calling COCA at 850-224-2500.

Grantees which fail to acknowledge COCA, Leon County, and the City of Tallahassee in their marketing materials during the FY15 grant cycle will have 5 technical points deducted on the following year's grant application.

Grantees will be required to submit copies of proof of grant acknowledgement at the time of the final report.

Changes to Projects: Grant funds may be used only for those programs or purposes specified in the application and approved by the grant review panel. Any significant changes in the organization or its programs (i.e. budget, schedule, scope, personnel, etc.) must be submitted as an amendment at the time the changes take place, and approved in advance in writing by COCA.

Grant Reports: Each grantee will submit an interim report (in April) and final report (in October) of all funds disbursed to their organization using forms provided by COCA. See *page 4 for specific deadlines. Forms are available for download at <http://www.cocanet.org/grant-program>.*

An applicant must demonstrate that they:

- implemented the program(s) for which they received funding
- spent the grant funds on allowable expenses and as indicated in their application
- spent all grant funds within the grant activity period

Failure to do so, or failure to do so in a timely manner, will require the applicant to fully repay any funds received and become ineligible for future funding.

Late, incomplete or inaccurate reports will result in a loss of technical points on the organization's next funding application.

Penalties will be assessed at the rate of five points in the first week following a deadline, and one point for every additional week the report is late or incomplete. In extreme/unusual circumstances, an organization may request an extension from the COCA Board of Directors.

The Application

Instructions and Technical Tips:

- Please use the form provided on page 21. Current, electronic copies of all forms are also available on COCA's website at <http://www.cocanet.org/grant-program>.
- Each item on this form is required - **do not leave any blanks**. Technical points will be automatically deducted from your technical score for each unanswered question or for incorrect information. See pg. 14 for Technical scoring guidelines. If a field doesn't apply to you, mark it "not applicable" or use the checkbox provided.
- Double check your grant request figure. Applicants sometimes revise budget forms but forget to update the number on the final draft of the basic information form.
- Be sure you correctly calculate, and are eligible for, the total grant amount requested. Two technical points will be deducted for errors.
- Include the Grant Checklist as the first page of your "Original" Application packet (see page 40).

Definitions:

Applicant Name: Use your organization's legal name and address (*the ones that match your IRS determination letter of tax-exempt status*). If you use a popular name that is different, you may note it in parenthesis after the legal name. *Example: A.B.Coleman Resources, Inc. (ABC Gallery)*

Contact Information: Enter a name, title, and contact information for the person with full authority and responsibility for providing information and documentation on all activities, services and expenditures associated with this grant request. *If this information changes during the grant period, please update COCA immediately.*

Federal ID#: Also known as "Employer Identification Number." Enter the 9-digit number that was assigned by the IRS.

Proposal Summary:

Briefly describe each of the programs for which you are requesting funding. Remember, applicants may have up to two programs. State Partners and applicants requesting a total of \$7,000 or less may describe a single program. Examples:

- *Tallahassee Puppet Theatre will engage residents and tourists in the art of puppetry through its Marionette Series (5 full-length plays), Geppetto's Workshops (year-round educational opportunities), and by hosting the 5th Annual Puppetpalooza Regional Conference in Tallahassee.*
- *Haiku-By-You will publish, promote and distribute its 18th annual international juried compilation of Haiku poetry. In addition, Haiku-By-You will coordinate with local K-12 teachers to create a series of lesson plans featuring Haiku and culminating with a downloadable chapbook of student work.*

- *Crescendo! will bring a music education consultant to Tallahassee for a faculty intensive and a master class for our area's professional string musicians. Crescendo! will also contract with a webmaster to complete a long overdue update of its online promotional presence and electronic resource kits.*
- *Thompson Valley Museum will design and distribute promotional materials to tour operators within a 200-mile radius; fabricate and debut a new exhibit featuring the role of Native Americans in the evolution of Thompson Valley; and implement interpretive tools to enhance the experiences of its hearing and visually impaired visitors.*

Grant Category: Use pages 8-9 to determine your grant category and be certain you qualify in that category. COCA staff will not re-categorize your grant. **If you are not qualified in the category you select, your application will not be accepted.** *Please contact COCA if you need help determining the correct category for your organization.*

Amount of Grant Request:

This amount must be within the maximum grant request amount for a grant category. This number (in almost all cases) will match the grant request shown on pg. 29, Column D, line 7(f) of your operating budget (Section 4) and must match the sum of grant requests shown in section 6 of your application. *If a grant request exceeds the maximum allowable amount for a grant category, COCA will modify your request amount.*

Facility: The facility or facilities where the majority of events/activities funded by a grant will take place. If more than one, write "Multiple" and include them in your proposal narrative.

Read the instructions before filling out this form. **Do not leave any blanks.**

Applicant Name (official IRS name):	
Mailing Address: <i>(Applicant must be based in Tallahassee/Leon County)</i>	Street Address: <i>(Applicant must be based in Tallahassee/Leon County)</i>
<input type="checkbox"/> <i>If checks or correspondence must be routed through a foundation or other support organization, please check and attach instructions.</i>	
Organization website:	no website <input type="checkbox"/>
Contact (check one): Mr. <input type="checkbox"/> Ms. <input type="checkbox"/> Dr. <input type="checkbox"/> Name: Title:	Daytime phone: Fax: no fax <input type="checkbox"/> E-Mail: no e-mail <input type="checkbox"/>
Incorporation/Founding Date:	Federal ID#:
Proposal Summary (50 words or less):	
Grant Category (check one): GROUP 1 <input type="checkbox"/> GROUP 2 <input type="checkbox"/> GROUP 3 <input type="checkbox"/> STATE PARTNER GENERAL/EDUCATION <input type="checkbox"/> STATE PARTNER DESTINATION <input type="checkbox"/>	
Number of years doing business in Tallahassee as a cultural organization:	Amount of Total Grant Request:
Facility where grant-funded events/activities will take place (if request is approved):	

Instructions and Technical Tips:

- This page must be completed, signed and dated, or your grant application will not be accepted.
- Include this form with an original signature (in ink) in the copy of your application marked ORIGINAL. You may use a photocopy of the signed page in the other seven copies of the application.
- Current, electronic copies of all forms are available on COCA's website at <http://www.cocanet.org/grant-program>.

I, _____, the presiding officer of _____,

hereby attest to all the information in this application being factual, including all attachments and supporting materials. I also attest that my organization meets the eligibility criteria and will abide by all legal, financial, and reporting requirements, such as interim and final reports, for all grants received from COCA on behalf of the City of Tallahassee and/or Leon County. *(See pages ... for details on non-discrimination, intellectual property rights, funding recognition, changes to programs, and grant reporting.)*

By applying for a COCA Cultural Grant, my organization consents to the examination and audit of our financial records by the City of Tallahassee, Leon County and/or COCA. My organization understands and agrees to the payment schedule for grant awards. *(See the calendar on page ... of the application guidelines for details.)*

To the best of my knowledge, I certify that my organization's facilities and programs are accessible to persons with disabilities as required by all applicable sections of the ADA. *(See page ... of the application guidelines for details.)*

False statements shall be punishable in accordance with the applicable provisions of Florida Statute 837.

Signature of Presiding Officer:
(or Agency Head, Division Director, Dean, Department Chair or University Supervising Official)

(please sign original in blue ink)

Printed Name:

Title:

Date:

Grant application prepared by:

Title:

Instructions and Technical Tips:

- Do not skip any of the required items. Each skipped narrative item will result in an **automatic deduction of five (5)** technical points from your score. If an item doesn't apply to your organization, write "not applicable" or briefly explain why.
- Do not reduce font size below 10 points. For the greatest impact, use an easy to read font and plenty of white space on the page (e.g. one-inch margins, bulleted information, spaces between paragraphs).
- NOT ALL QUESTIONS REQUIRE LENGTHY ANSWERS. You may use a **maximum of twelve pages** to answer all narrative items (a-j). Panelists welcome succinct answers. Do not feel obligated to fill all twelve pages. Panelists often prefer bulleted information to long, flowery prose. If you exceed the page limit, panelists will not be given the additional pages. Keep your language fun and engaging. You want to make readers as excited about your programs as you are.
- Your institutional/organizational planning document (long range plans, visioning, etc. is required, but is not included in the page limit identified above. A missing document will result in an **automatic deduction of five (5)** technical points.
- Contingent items (see page 25) only apply to certain applicants. If they do not apply, you may disregard. If they do apply, any missing items will reduce your technical score by **five (5) points** for each item.
- COCA recommends that you include optional materials to document the quality of your organization to the panelists, but there will be no automatic point deductions if material is not included. **Please focus on quality and not quantity of materials.**
- Make sure all material is positive and easy to read. Don't include negative reviews, muddied photocopies, or tiny print. If materials are in a language other than English, include a translation.

a) State the mission and/or purpose of your organization. Briefly state the guiding purpose for your organization's existence. (*Example: The mission of Puppetry Tallahassee is to produce high-quality puppet theatre*).

b) Provide a brief overview of all your organization's current and upcoming programs, activities and services. Include core programming, workshops and classes, internship programs, outreach initiatives, special events and fundraisers, etc. Include attendance and participation figures for each program. Think of this like an overview/introduction "brochure" to your organization. The projects you are requesting funds for will be described in more detail in section (J).

c) List your organization's board of directors and summarize their relationship to your organization. Is your Board a policy Board or a day to day management Board? How often does the board meet (i.e. weekly, monthly, etc.)? What types of responsibilities do Board members have (i.e. fundraising, policy, etc.)? Include professional affiliations of each board member and any requirements your By-Laws may stipulate for those affiliations.

d) Identify and provide brief bios for your organization's key personnel (paid or volunteer). Include titles and briefly describe the responsibilities for each position. (*Examples: Artistic Director, Marketing*

Director, Visitor Services Director, Education Director, Executive Director, artists (staff or guest), directors, designers, conductor, curator, actors, writers, workshop presenters. If you want to include select resumes, you may do so as a part of your optional supplementary materials.)

The purpose here is to give the panelists an idea of the caliber of your personnel, not to document your entire staff. *(If you have many participating artists, please provide a sampling of bios rather than all of them.)*

e) Describe the sources, types and levels of community support received by your organization.

Describe efforts to sustain or increase this support.

(Examples: membership drives, annual fund drives, capital or endowment campaigns, corporate sponsors, partnerships, season ticket packages, volunteerism, donations, etc.)

f) Explain any special fiscal circumstances that may exist for your organization at this time. Explain any significant change in annual operations (growth or decline), reasons for any deficits, and plans to resolve them. If there are no special circumstances at this time, write “not applicable.”

g) Explain your organization’s efforts to serve culturally diverse or special constituencies, and explain how your facilities, programs and events are accessible to persons with disabilities.

Suggested information to include in your answer:

- the current demographic composition of your board, staff, volunteer pool, and audience;
- any past and planned efforts to broaden outreach and increase involvement across ethnicity, ability, age, economic status and gender;
- explain how these efforts relate to your particular artistic/cultural discipline.

Involvement includes audience members, program participants (artists, performers, educators, etc.), and program planners (board or advisory board members, staff, etc.).

Access for people with disabilities includes (but is not limited to) physical access such as ramps, elevators, wheelchair seating, and accessible restroom and parking facilities, as well as communications access such as sign language interpreters, audio description, and Braille labels or programs.

h) Provide any additional information about your organization that you feel is relevant to panelist review. *(Examples: Status of accreditation, plans to acquire a new location, recent achievements, significant awards, community partnerships, exciting near-future initiatives, branding campaigns or recent awareness/perception surveys, etc.)* If there is no additional information to share, write “not applicable.”

i) Further describe the projects for which you are requesting funding from this grant. *These are the projects you will be completing budget pages for in section 6. Remember to identify up to two projects included in your overview more briefly (narrative question B). (State Partners and applicants requesting a total of \$7,000 or less may identify a single program.)*

For each project, include:

- Activities and timelines
- Goals and anticipated outcomes *(what do you hope to accomplish not just do)*
- Relevance to the organization’s mission
- Number of events and expected participation and/or attendance
- Fees charged to participants

- Marketing plans (*if certain elements apply to all of your programs, feel free to describe them once and make it clear they are applied globally. Don't forget if this project is related to tourism please focus your description on tourism marketing*)
- Impact on tourism (*for those programs with tourism impact, include strategies, outcomes, and data on the program's past and projected impact on tourism*)
- How you will measure success (*i.e. specific milestones for attendance/participation, enrollment or sales figures; independent third party review; audience/member surveys or focus groups; pre and post tests; etc.*). (For advice on measurement tools, see "Program Evaluation Resources" under "Advice for Grantwriters" at www.cocanet.org/grant-program).
- Other information you believe is important for the panelists to use in evaluating your programs.

Note: Panelists will depend heavily on this information when evaluating your application and determining your quality score.

j) (OPTIONAL) If your project has a tourism focus, how does your organization attract tourists and/or lengthen tourist stays in Leon County? Some organizations are more relevant to tourism than others.

- Include cooperative relationships with other organizations (*cultural, travel, hospitality, retail, media, convention services, tour booking, visitor bureaus, etc.*). Describe promotional efforts designed specifically to impact tourism. *Do you piggyback on other events in order to lengthen the stay of visitors? Do you plan events in a traditionally "off season"?*
- How do you measure and document tourist participation and attendance including but not limited to the number of tourists served, tour groups hosted, the number of hotel/motel nights generated as a result of your programs, etc. Provide data for your most recently completed year, if available. (*See page 37 for a definition of hotel/motel bed nights*).

C. Organizational Plan, Contingent Items and Support Letters

ORGANIZATIONAL PLAN:

a) **Provide your organization's institutional planning or "visioning"**. This plan should cover at least 3-5 years into the future, and include program as well as financial considerations. This should indicate sustainability not necessarily growth.

CONTINGENT ITEMS

a) **Partnership acknowledgement (if applicable)**. Required only if your funding proposal is contingent on the participation of a key partner(s). Commitment can be documented through letters, emails, or signed contracts. (For example, Puppetry Tallahassee will team with ABC Gallery to host nationally-known artist Julie Taymor for a local exhibit and performance. Without a commitment from ABC Gallery and confirmed interest from Julie Taymor's agent, the proposal is not viable.)

b) **Letter of support from the Agency Head, Division Director, Dean, Department Chair or University Supervising Official of the applicant**. Required of State Partner applicants only.

c) **Current support letters**. Correspondence from people who benefit directly from programs related to your proposal (participants, students, audience members, tourists, tourism partners, etc.) and/or letters of support from collaborating organizations or individuals show evidence of support. **Limited to four pages**. Please note: Letters from public officials are not generally useful unless the officials are personally familiar with your organization.

In order to avoid the appearance of a conflict of interest, no support correspondence should be included that is written by COCA staff or board members (see <http://www.cocanet.org/coca-people> for a current list). If so, those letters will be removed from your application prior to panel review.

d) **List of productions, exhibitions, concerts and/or publications your organization has recently produced / presented**. Consider including the total attendance/participation figures for each event (audience, artists, and volunteers). *To calculate these numbers, you may use "instances of participation" – each visit to your facility by a single person (i.e. multiple visits count as multiple instances of participation.)*

Instructions:

Budgets provided on this form are based on your organization's fiscal year.

Figures in the “completed” columns A & B are subject to verification by the City of Tallahassee, Leon County, and/or COCA.

Lines 1-23 of this budget are intended to show your organization's fiscal activities as they relate to day-to-day operations.

Include information relating to programs, overhead, and administration.

Do not include activity related to capital campaigns or capital expenses (such as purchasing, building or renovating a facility), endowment funds, or any other funds restricted from general operating use. Report these fund balances on p. 30, lines 26-28 instead and, if you think it would be helpful for the panelists, attach a brief description of each fund.

Do not include activity related to depreciation of fixed assets.

Technical Tips:

- Use the forms provided in this application. Current, electronic copies of all forms are available on COCA's website at <http://www.cocanet.org/grant-program>. These forms have built-in formulas and have been locked for your protection. **If you choose to unlock and alter the form please be very careful.**
- Double check your work. **One technical point will be deducted for line item category totals that do not add up correctly and for mathematical, typographical, or other errors.**
- Your budgets must balance. **If not, ten technical points will automatically be deducted from your technical score.**
- Make sure the full grant amount you are requesting in this application appears in line 7f. If not, **one technical point will be deducted.**
- Don't forget to include the starting and ending dates of your fiscal year. **Two technical points** will automatically be deducted if either is left blank.
- Make sure all of your numbers are rounded to the nearest dollar. **One technical point will be deducted if you fail to round.**
- Be sure your total in-kind is no more than 15% of your total operating expenses for any single fiscal year. **One technical point will be deducted for each instance of in-kind exceeding 15%.**
- It's a good idea to anticipate any questions panelists may have about your budgets. You can provide answers in section 3, question (f) of your application, and/or attach additional information in section 5.
- Do not enter cents into the form. While the spreadsheet will automatically round to the nearest dollar, the cents will still be recognized in the background and may cause your budget to be out of balance.

Definitions:

Completed Years – Your organization's two most recently completed fiscal years. Column A and B will include actual numbers as documented in your accounting records for the full 12-month periods. Round to the nearest dollar, but do not estimate. *Figures in these columns are subject to verification by audit.*

Current Year – The budget your organization is using to guide its current fiscal year. *Column C will include budgeted estimates for the full 12-month period.*

Next Year – The budget your organization will use to guide its next fiscal year. *Column D will include budget estimates for the full 12-month period. In most cases, this is the fiscal year in which you would receive this grant.*

Contracted Services Revenue – Revenue earned through sale of services. *Include workshops, tuition, government contracts for specific services, performance or residency fees, booking fees for tours, etc.*

Government Support – Include grants (requested or received) from COCA's City or County Cultural Grant programs on line 7(f) only. Include the full amount of this grant request in column D, line 7(f) as projected income.* Include past awards received from the City of Tallahassee or Leon County's cultural grant programs through COCA in columns A-C. **If grant disbursements fall across dual fiscal years, report them accordingly. Note: Since this budget should not include capital expenses, any grants for capital projects will not be included here.*

Cash From Savings – If your total operating expenses are greater than your total operating income, you will have a deficit for the year. Enter the portion of that deficit that was covered from your savings account, restricted funds, advances on grants or contracts, and/or other internal sources of cash.

Cash Borrowed – If your total operating expenses are greater than your total operating income, you will have a deficit for the year. Enter the portion of that deficit that was covered by a bank loan, second mortgage, and/or other sources of cash borrowed from a third-party.

In-Kind – Materials, services, discounts, pro bono consulting and volunteer time donated by individuals or organizations. The value of non-cash donations, including volunteer time, should be calculated at verifiable fair-market value. In-kind may not exceed 15% of the total operating budget. Please note: In-kind totals must be listed in both the income and expense sections of the budget.

Donations given to other entities by your organization are not generally included in your operating budget (scholarships, materials, ticket giveaways, etc.). Only the donations your organization RECEIVES are to be included here.

Personnel – Payment for salaries, wages, fees, and benefits to people considered permanent employees of your organization (full or part-time). Include payroll taxes, benefits and other related expenses here. *You may prorate an individual's personnel expenses over multiple line items if he/she performs multiple roles. Personnel responsible for history programming should be included under "Personnel-Artistic/Curatorial."* (Note: These are generally individuals who receive a W-2 at year-end.)

Outside Fees & Services – Payment to firms or individuals that are not normally considered permanent employees of your organization (i.e. per show staff, freelance artists, accountant, lawyer, consultants, etc.). (Note: These are generally firms you contract with or individuals who receive a 1099 at year-end.)

Exhibit/Production/Event Expenses & Educational Programs & Materials – Report all personnel, outside fees & services, facilities, travel, and promotion/marketing under those corresponding line items. Report any **remaining** expenses directly related to your programs here.

Remaining Expenses – Report expenses here that don't correspond to other line items and are not directly related to your exhibits, productions, events or educational programs.

Remaining Cash/Transfer to Other Fund – If your total operating income is greater than your total operating expenses, you will have a surplus for the year. Enter that difference here to show remaining cash, or to indicate deposit of cash to a savings account, capital or endowment account, additional (unscheduled) debt repayment, etc.

Working Cash Reserves – Savings accounts, cash reserves or investments available to spend on general operations or programs. Report the ending balance for each year. *Do not include reserves that are restricted from general use such as endowment, capital or other restricted funds. Report those on lines 26-28 instead.*

Accumulated Organization Debt – Amount due at the end of year on lines of credit including bank loans, mortgages, etc.

Please read instructions thoroughly before completing this form. Operating budget attachments are required – see Section 5 for details.

Our fiscal year is (month/day) to (month/day)

	A. Completed Year (FY13 Actual)	B. Completed Year (FY14 Actual)	C. Current Year (FY15 Budget)	D. Next Year (FY16 Budget)
1. Admissions				
a. Paid Individual Admissions (walk-in)	0	0	0	0
b. Paid Memberships	0	0	0	0
<i>Total Paid Admissions</i>	0	0	0	0
2. Contracted Services				
a. Workshops/Classes/Summer Camp	0	0	0	0
b. Government/School Board Contracts	0	0	0	0
c. Other Contracted Services	0	0	0	0
<i>Total Contracted Services</i>	0	0	0	0
3. Other Revenue				
a. Gift Shop Sales/Concessions	0	0	0	0
b. Fundraising/Special Events	0	0	0	0
c. Interest Earned	0	0	0	0
d. Interest from Endowment	0	0	0	0
e. Space Rental	0	0	0	0
f. Miscellaneous Earned Revenue	0	0	0	0
<i>Total Other Revenue</i>	0	0	0	0
4. Corporate Contributions/Sponsorships	0	0	0	0
5. Foundation Grants	0	0	0	0
6. Other Private Contributions (Cash)				
a. Individuals	0	0	0	0
b. Affiliated Organizations (guild, angels, etc.)	0	0	0	0
<i>Total Other Private Contributions</i>	0	0	0	0
7. Government Support				
a. Federal/Regional	0	0	0	0
b. State of Florida				
i. Division of Cultural Affairs	0	0	0	0
ii. Division of Historical Resources	0	0	0	0
iii. Department of Education	0	0	0	0
iv. Legislative Appropriation	0	0	0	0
v. Other State Sources	0	0	0	0
c. Leon County				
i. County Commission (excluding this grant)	0	0	0	0
ii. Tourist Development Council	0	0	0	0
iii. Leon County School Board	0	0	0	0
iv. Other County Sources	0	0	0	0
d. City of Tallahassee				
i. City Commission (excluding this grant)	0	0	0	0
ii. Other City Sources	0	0	0	0
e. CHSP/CDBG	0	0	0	0
f. COCA Grant (this grant; City/County combined)	0	0	0	0
<i>Total Government Support</i>	0	0	0	0
8. In-Kind (max. 15% of line 12)	0	0	0	0
9. Cash from Savings	0	0	0	0
10. Subtotal (Allowable Operating Income)	0	0	0	0
11. Cash Borrowed	0	0	0	0
12. Total Operating Income (must match line 23)	0	0	0	0

Please read instructions thoroughly before completing this form. Operating budget attachments are required – see p. 31 for details.

Expenses	A. Completed Year (FY13 Actual)	B. Completed Year (FY14 Actual)	C. Current Year (FY15 Budget)	D. Next Year (FY16 Budget)
13. Personnel (include salary, taxes & benefits)				
a. Administrative	0	0	0	0
b. Artistic/Curatorial	0	0	0	0
c. Education	0	0	0	0
d. Technical	0	0	0	0
<i>Total Personnel</i>	0	0	0	0
14. Outside Fees & Services				
a. Artistic	0	0	0	0
b. Other	0	0	0	0
<i>Total Outside Fees & Services</i>	0	0	0	0
15. Exhibit/Production/Event Expenses				
a. Exhibit Rental/Royalties	0	0	0	0
b. Printing and Graphic Design	0	0	0	0
c. Other Exhibit/Production Expenses (acquisitions, supplies/materials, freight, etc.)	0	0	0	0
<i>Total Exhibit/Production Expenses</i>	0	0	0	0
16. Educational Programs & Materials (classes, workshops, camp, etc.- excluding staff)	0	0	0	0
17. Facilities				
a. Rent or Mortgage	0	0	0	0
b. Repair and Maintenance	0	0	0	0
c. Utilities	0	0	0	0
d. Other Facility Costs	0	0	0	0
<i>Total Facility Expenses</i>	0	0	0	0
18. Travel	0	0	0	0
19. Promotion/Marketing (excluding staff)	0	0	0	0
20. Remaining Expenses				
a. Fundraising (excluding staff)	0	0	0	0
b. Postage	0	0	0	0
c. Equipment Rentals/Purchase	0	0	0	0
d. Supplies/Materials	0	0	0	0
e. Insurance	0	0	0	0
f. Gift Shop/Concessions (excluding staff)	0	0	0	0
g. Scheduled debt repayment	0	0	0	0
h. Other	0	0	0	0
<i>Total Remaining Expenses</i>	0	0	0	0
21. Remaining Cash/Transfer to Other Fund	0	0	0	0
22. In-Kind (must match line 8)	0	0	0	0
23. Total Operating Expenses (must match line 12)	0	0	0	0
24. Working Cash Reserves (list accumulated year-end balance of all organization funds excluding endowment, capital or other restricted funds; if none, write 0)	0	0	0	0
25. Accumulated Organization Debt (list accumulated year-end balance; if none, write 0)	0	0	0	0
26. Endowment Balance (list accumulated year-end balance; if none, write 0)	0	0	0	0
27. Capital Fund Balance (list accumulated year-end balance; if none, write 0)	0	0	0	0
28. Other Restricted Funds Balance (list accumulated year-end balance of any remaining restricted funds; if none, write 0)	0	0	0	0

Instructions and Technical Tips:

- Up to five technical points will be deducted for each missing or incomplete required attachment.
- Make sure all of your numbers are rounded to the nearest dollar. One technical point will be deducted if you fail to round.
- Double check that all your columns and totals add up correctly. Errors are subject to technical point deductions (1-2 points).
- Discrepancies between budget forms and attachments will be considered errors subject to technical point deductions (1 point each). Please double check your figures.
- Any change in line items between fiscal years that are 25% or more and greater than \$2,500 must be explained on the attachment. Further explanation can be addressed in Section 3(f) (see p. 24). One technical point (maximum of five points) will be deducted for each change that is not explained.
- Some applicants find it helpful to attach optional information such as a detail of in-kind donations (especially those in excess of the 15% allowed on the operating budget form).

Required attachments:

a) FY14 Revenue and Expense Detail – List income sources and include amounts that total the number for each of the following line items in your operating budget’s column B only (FY14):

- Line 2.b – Government/School Board Contracts
- Line 2.c – Other Contracted Services
- Line 3.f – Miscellaneous Earned Revenue
- Line 4 – Corporate Contributions/Sponsorships
- Line 5 – Foundation Grants
- Line 7.a – Federal/Regional
- Line 7.b.v – Other State Sources
- Line 7.c.iv – Other County Sources
- Line 7.d.ii – Other City Sources

Example:

Government Support – Federal/Regional	
South Arts	10,000
<u>Institute of Museums and Library Services</u>	
<u>15,000</u>	
TOTAL	25,000

Also, list expense types and include amounts that total the number for each of the following line

items in your operating budget’s column B only (FY12):

- Line 14.a – Outside Artistic Fees & Services
- Line 14.b – Outside Other Fees & Services
- Line 15.c – Other Exhibit/Production Expenses
- Line 17.d – Other Facility Costs
- Line 20.h – Remaining Expenses (Other)

Example:

Outside Other Fees and Services

Accounting Fees	10,000
Legal Fees	6,000
<u>Strategic Planning Consultant</u>	<u>3,000</u>
TOTAL	19,000

For your convenience, a starter spreadsheet is included in the forms available for download at <http://www.cocanet.org/grant-program/>. Feel free to use it and simply delete any line items that do not require explanation. You may also build your own document, if you prefer.

b) Explanation of 25% or More Change – If any line item changes 25% or more from one year to the next, explain each change that is \$2,500 or

more. A suggested format is provided on the next page. *This applies to expenses, income and in-kind as well as the fund balances on lines 24-28.*

For your convenience, a starter spreadsheet is included in the forms available for download at <http://www.cocanet.org/grant-program>. Feel free to use it and simply delete any line items that do not require explanation. You may also build your own document, if you prefer.

c) Financial Verification –

If your operating budget is under \$500,000

(Group 3): Attach a copy of your most recent 990 or a 990 NE postcard. There is no need for it to be prepared by a CPA or for these applicants to provide a certification letter from a CPA.

If your operating budget is between \$500,000 and \$1.5 million (Group 2):

attach a copy of your most recent 990 (prepared by a CPA, submitted with a certification letter). The intent of this requirement is to show the panelists that an independent agency reviews your finances.

If your operating budget is \$1.5 million or more (Group 1):

attach a copy of your most recent independent audit. It may not be necessary to include all the pages of your audit; the intent of this requirement is to show the panelists that an independent agency reviews your finances. Please use your judgment.

State Partners may be required to provide evidence of outside review of your organizations finances.

This format is suggested when explaining 25% or more changes in your operating budgets.

EXAMPLE:

Section 5: Explanation of 25% Shifts in Operating

Please read the instructions thoroughly before completing this form.

Line Item	A. Completed (FY11 Actual) \$	B. Completed (FY12 Actual) \$	C. Current (FY13 Budget) \$	D. Next (FY14 Budget) \$	Explanation of 25% (or more) Changes
Revenue					
1a. Paid Individual Admissions	251,000	353,000	256,000	249,000	In FY12, we produced three musicals which were especially well attended. Two of them were held over for additional performances.
7a. Federal/Regional	0	0	25,000	25,000	In FY13, we were awarded an NEA grant to expand the reach of our touring company. We have applied again for FY14. If the funds are not awarded, we will reduce the touring company expenses accordingly.
7bi. FL Division of Cultural Affairs	17,500	12,000	2,500	0	We consistently receive high grant scores, but the funds provided by the Legislature continue to be reduced.
7f. COCA Grant	20,000	30,000	30,000	40,000	In FY11, we did not apply for a County grant. For FY13, our revenues had grown large enough to qualify for a higher award than in past years.
8. In-Kind	40,500	60,000	40,000	43,000	In FY12, Lamar and Comcast provided generous in-kind promotional services.
Expenses					
13a. Administrative Personnel	65,000	66,000	85,000	87,000	Our Managing Director was promoted from part-time to full-time in FY13.
15a. Exhibit Rental/Royalties	12,000	22,000	14,000	12,500	Royalties for musicals are significantly more expensive than non-musicals. In FY12 we produced three musicals when we usually produce one.
15c. Other Exhibit/Production Expenses	75,000	140,000	69,000	73,000	Remaining production expenses were also higher in FY12 for the musicals (musicians, costumes, special effects, large casts, etc).

E. Grant Request Detail

Technical Tips:

- Use the forms provided in this application. Current, electronic copies of all forms are available on COCA's website at <http://www.cocanet.org/grant-program>.
- Remember, you may request funding for up to two projects. Applications not following this guideline will not be accepted. (State Partners and applicants requesting a total of \$7,000 or less may request funding for a single program).
- Make sure all of your numbers are rounded to the nearest dollar. **One technical point will be deducted** if you fail to round.
- Be sure to describe each line item that has grant dollars attributed to it. **One technical point will be deducted for each missing description.**
- Double check that all your totals add up correctly. **Two technical points will be deducted for errors.**
- It's a good idea to anticipate any questions panelists may have about your budgets. You can provide answers here as an attachment rather than wait for inevitable questions at the panel meeting.

Instructions:

- Applicants must show how grant funds, if awarded, will be applied to the (up to two) projects identified in section 3, question (j). *Exception: State Partners and applicants requesting a total of \$7,000 or less may apply grant funds to a single program.*
- Complete a separate form for each project to be funded with this grant and identify the project at the top of each form.
- Budget figures for your Grant Request Detail are based on the grant program's fiscal year (October 1, 2015 through September 30, 2016).
- Identify the total estimated cost of the program (grant funds plus applicant cash). Do not include in-kind. *If your expected in-kind contributions significantly change the percentage of the program to be funded with grant funds, feel free to add a footnote and explain.*
- Identify the amount of grant funds being requested to apply to the total cost of this program.
- Detail the expected use of grant funds by line item and include brief descriptions of specific expenditures.
- All figures should be limited to costs and staffing directly associated with your proposal. *You may include percentages of your staff time and overhead only to the extent that they apply specifically to your proposal.*
- Except in rare circumstances, no line items on these Grant Report Details should total higher than the corresponding line item in the FY16 column (D) of your operating budget (see p. 29).
- See the operating budget instructions (pg. 28) for definitions of specific line items.
- See page 35 for examples of completed Grant Request Detail forms.

Grant Request Detail -continued

Completed examples of Grant Request Detail forms:

Program Name: Marionette Series	
	Allocation of Grant Funds
Personnel (include salary, taxes & benefits)	
a. Administrative	7,000
b. Artistic/Curatorial	7,000
c. Education	0
d. Technical	0
Outside Fees & Services	
a. Artistic	2,000
b. Other	0
Exhibit/Production Expenses	
a. Exhibit Rental/Royalties	4,000
b. Printing and Graphic Design	0
c. Other Exhibit/Production Expenses (acquisitions, supplies/materials, freight, etc.)	2,000
Educational Programs & Materials (classes, workshops, camp, etc. - excluding staff)	0
Facilities	
a. Rent or Mortgage	4,500
b. Repair and Maintenance	0
c. Utilities	1,000
d. Other Facility Costs	0
Travel	0
Promotion/Marketing	3,000
Remaining Expenses	
a. Fundraising (excluding staff)	0
b. Postage	0
c. Equipment Rentals/Purchase	0
d. Supplies/Materials	0
e. Insurance	0
f. Gift Shop/Concessions (excluding staff)	0
g. Other	0
Grant Funds Requested for this Program:	\$ 30,500.00
Total Program Cost (including grant funds):	\$ 126,400.00

Program Name: Puppetpalooza	
	Allocation of Grant Funds
Personnel (include salary, taxes & benefits)	
a. Administrative	0
b. Artistic/Curatorial	0
c. Education	0
d. Technical	0
Outside Fees & Services	
a. Artistic	0
b. Other	0
Exhibit/Production Expenses	
a. Exhibit Rental/Royalties	0
b. Printing and Graphic Design	0
c. Other Exhibit/Production Expenses (acquisitions, supplies/materials, freight, etc.)	0
Educational Programs & Materials (classes, workshops, camp, etc. - excluding staff)	0
Facilities	
a. Rent or Mortgage	0
b. Repair and Maintenance	0
c. Utilities	0
d. Other Facility Costs	0
Travel	0
Promotion/Marketing	13,250
Remaining Expenses	
a. Fundraising (excluding staff)	0
b. Postage	0
c. Equipment Rentals/Purchase	0
d. Supplies/Materials	0
e. Insurance	0
f. Gift Shop/Concessions (excluding staff)	0
g. Other	0
Grant Funds Requested for this Program:	\$ 13,250.00
Total Program Cost (including grant funds):	\$ 65,000.00

Grant Request Detail -continued

Please read instructions thoroughly before completing this form. No more than two forms may be submitted per application. (Note: State Partners and applicants requesting a total of \$7,000 or less may submit a single form.)

Program Name:

--

Allocation of Grant Funds **Description of Expense(s)**

Personnel *(include salary, taxes & benefits)*

a. Administrative	0
b. Artistic/Curatorial	0
c. Education	0
d. Technical	0

Outside Fees & Services

a. Artistic	0
b. Other	0

Exhibit/Production/Event Expenses

a. Exhibit Rental/Royalties	0
b. Printing and Graphic Design	0
c. Other Exhibit/Production Expenses <i>(acquisitions, supplies/materials, freight, etc.)</i>	0

Educational Programs & Materials

<i>(classes, workshops, camp, etc.- excluding staff)</i>	0
--	---

Facilities

a. Rent or Mortgage	0
b. Repair and Maintenance	0
c. Utilities	0
d. Other Facility Costs	0

Travel

0

Promotion/Marketing

0

Remaining Expenses

a. Fundraising <i>(excluding staff)</i>	0
b. Postage	0
c. Equipment Rentals/Purchase	0
d. Supplies/Materials	0
e. Insurance	0
f. Gift Shop/Concessions <i>(excluding staff)</i>	0
g. Other	0

Grant Funds Requested for this Program:

\$ -

Total Program Cost *(including grant funds):*

\$ -

F. Supplemental Materials (Optional)

You may include any supplemental material that you feel will be helpful to panelists in evaluating the overall quality and impact of your organization. Please focus on quality and material that helps to tell your story particularly as related to the projects for which you are requesting funding. You may submit up to 6 items of supplemental materials. The intent of limiting the number of support materials is to help the grant panelist review an appropriate amount of materials, with a consistent number provided from each applicant.

Supplemental material might include programs, catalogues, publicity material, press coverage, photographs, audio-visual material, organizational chart, brief history of the organization, etc. Panelists will not be able to review audio-visual materials at the panel meeting.

Applicants must submit a hard copy and an electronic copy of all supplemental materials. For instructions on submitting an electronic copy of supplemental materials, please see page 41.

The Local Economic Impact Survey is designed to capture information on the local economic impact of arts and cultural organizations. This survey is required as part of your application for FY15 funding and you will be reporting on your FY13 data. All numbers indicated in the survey reflect dollars spent in Tallahassee/ Leon County only. The survey captures attendance, volunteerism, and tourism figures. This year, for the first time, this data will be collected online as part of the grant application process. Please visit <http://www.cocanet.org/economic-impact-survey> to complete the survey. The online survey must be completed prior to the grant application deadline of July 11, 2014 at 5pm.

The information in these surveys is combined with that of other applicants and used for research purposes only. It is not shared with grant review panelists and does not impact an applicant's quality score. Our goal is to help promote the arts within and outside of our community with this information. Feel free to incorporate local economic impact figures into your narrative as you state your organization's case for funding.

Definition of Hotel/Motel Bed Nights

If reporting hotel/motel bed nights generated from your activities, keep in mind that one person spending three nights in a hotel is equal to three bed-nights. Two people spending three nights each in a hotel is equal to six bed-nights.

Helpful Hints

When Preparing Your Application...

- Give yourself plenty of time to study the instructions and prepare and proofread your application.
- Make absolutely certain your budgets balance. Check and double-check all arithmetic. Use asterisks and footnotes to clarify anything the panelists might find confusing or questionable.
- Have someone else read your grant application for content and clarity, as well as for proofreading purposes.
- Pretend you are panelist and complete the sample panelist score sheet (pg. 18). Are you able to justify a high score for your application?
- Avoid unnecessary verbiage. A short, clear paragraph is better than a full page of flowery description.
- Be sure to discuss and document your previous successes. Remember, the grant panelists may not be familiar with your organization.
- Submit your grant application in the order specified in the checklist at the end of this document. Panelists may miss vital information and you may lose technical points if pages or answers are out of order.
- Schedule a courtesy technical review.
- Submit your grant application securely bound or in 3-ring, one-inch binders. Pages are easily lost from applications in folders or fastened with binder clips, envelopes, or staples. Include copies of all support materials (print or multimedia) in each copy of the application. Make sure to include the name of your organization on the front cover and the spine of your application binders.

Common Mistakes to Avoid...

- Leaving items blank. If a question does not pertain to you, write "not applicable."
- In-kind amount too high. (*Limited to 15% of operating budgets.*)
- Incorrect grant request total on Basic Information Form. (*Remember, if you revise your budget forms, you must also revise your Basic Information Form.*)

- Mathematical errors in budgets AND in budget details. (*Points will be deducted for errors in budget details as well as in budget forms.*)

At the Panel Meeting...

- The public panel meeting for this grant will be held at 9:00 a.m. on August 26, 2014 at COCA's offices (816 S ML King Jr Blvd). All applicants are encouraged to send representatives to this meeting. Representative(s) should be able to answer questions about any portion of the grant application.
- Applications are addressed in numerical order, but there is no way to predict the pace of the discussions or determine what time your application will be reviewed. If your representative arrives after your application has been reviewed, the panelists will not be able to re-address it.
- When your application number is called, come to the podium and introduce yourself. Bring a copy of your grant application in case you need to refer to it.
- You may only speak to answer questions asked by the panelists. You may not give a presentation, update, or otherwise comment during the discussion of your application. Time is set aside for general public comment at the end of the day.
- Try to answer questions as briefly and directly as possible. The panelists will ask you to elaborate if they need more information.
- While a panel meeting can feel intimidating to newcomers, try not to be defensive when answering questions. Panelists may ask about your programs or application, but those questions do not necessarily indicate that they dislike your programs – they are merely asking for clarification. Remember, everyone in the room has the same goal – to distribute the limited funding as fairly as possible.
- If possible, stay for all the reviews, not just your own. Listening to the panelists' comments (positive and negative) about other applications is often the most valuable way to improve your own grant writing.
- Panelist score sheets are public record. You may request copies of your score sheets from COCA beginning the day after the panel meeting.

Please take advantage of the COCA courtesy review process, which will check your application for technical errors before you submit it. Technical errors can cost valuable points that translate into grant dollars lost. E-mail kevin@cocanet.org or call 850-224-2500 to make an appointment before July 3, 2014

Cultural Tourism Resources

Definition of Tourism Marketing as provided by Visit Tallahassee:

Efforts in advertising, research, public relations, direct sales, digital and social media to promote an attraction, venue, event or activity designed to attract tourists as they are defined in Chapter 125.0104, (2), (b), (2), Florida Statutes.

The following resources may be helpful in your cultural tourism development efforts. If you know of other resources, please pass them along for COCA to share with your colleagues. Email us at kevin@cocanet.org.

Visit Tallahassee (Leon County's Tourist Development Department) enhances the local economy and quality of life through benefits associated with a strong visitor industry: maximizing the number, length of stay, and economic impact of visitors to Leon County.

Visit Tallahassee provides a variety of services for visitors including a full service visitor center, free brochures from attractions, detailed maps and suggested itineraries and walking tours of Tallahassee, plus a souvenir/gift shop. Visit Tallahassee also offers complimentary planning assistance to groups such as conventions, reunions, weddings, motor coach and cultural and sporting events. For more information, call 850-606-2300 or go to www.visittallahassee.com.

COCA can help your efforts in promoting your destination and events via radio, television, newspapers, information bureaus, magazines, or on-line with our media guide and other resources. Our Media Guide is regularly updated and expanded to reflect the ever-changing media climate, expose new publicity trends, identify regional resources, and assist you with your marketing efforts. Included in this section are marketing handouts from COCA and Visit Tallahassee that can be used to help promote your events. Visit www.cocanet.org/media-guide to view the media guide and other COCA marketing resources.

Suggested ideas to promote tourism include:

- Use COCA's Media Guide (linked above) to include regional media when submitted press releases
- Use event calendars in Tallahassee and Leon County, as well as those in surrounding counties
- Use social media platforms that can extend your reach outside of our local area
- Include COCA's website (www.cocanet.org) and COCA's MoreThanYouThought event calendar (www.morethanyouthought.com) on your websites (Contact COCA for logos)
- Include the Visit Tallahassee website (www.visittallahassee.com) in your organization's website, so visitors can look for hotel and dining ideas
- Use trade publications where appropriate to promote and market your local activities
- Update your listings in local visitor's guides
- Provide promotional materials to Visit Tallahassee (Visitor's Bureau) and COCA.

COCA will provide individual consultations on marketing, organizational, programming and tourism strategies. Call COCA anytime at 850-224-2500 to set up an appointment.

Grant Checklist

You must include the following items in your application packet as appropriate to your grant category. Please see instructions for individual sections (or contact COCA) if you are unclear about any item on this checklist. Please consult the Instructions for Electronic Submission (p. 41) for instructions regarding this year's electronic submission process. We recommend that you number all pages for the narrative section.

Basic Information

- Basic Information Form
- Statement of Certification & Compliance

Narrative:

- Narrative Items a – j (*not to exceed twelve (12) pages*)

Organizational Plan and Support

- Institutional Planning documents
- Partnership Acknowledgement (*only if relevant*)
- Correspondence examples of Support (*limited to four pages*)
- Letter of support from the Agency Head, Division Director, Dean, Department Chair or University Supervising Official (State Partners ONLY)
- List of recent activity/production/exhibit History

Operating Budget and Attachments

- Revenues
- Expenses
- FY14 Revenue and Expense Detail
- Explanation of 25% or More Change
- Financial Verification GROUP 1- copy of independent audit.
GROUP 2 and GROUP 3- a copy of 990 or 990 NE postcard.

Grant Request Detail

- Project 1
- Project 2

Supplementary

- Supplementary Materials (*optional – not to exceed six (6) items*)

Also required this year

Local Economic Impact Survey (online) Please complete survey at www.cocanet.org/economic-impact-survey.

Instructions for Electronic Submission

This year, COCA will require applicants to submit one (1) complete copy of their grant application electronically (along with a complete, bound hard copy as well). The following guidelines will be helpful in preparing to submit your application electronically. If you have any questions about the electronic submission process, please don't hesitate to contact Kevin at 850-224-2500 or via email at kevin@cocanet.org.

1. Download and complete the required application forms from the COCA website (www.cocanet.org/grant_program).
2. Save your other application materials as .pdf documents (narrative, organizational plan, etc.)
3. Once your application forms and materials are completed, you should save the following six sections as separate PDF documents. (Please see the checklist on page 40 for a complete list of all items that should be submitted in each section.)

A. Basic Information:

Basic Information Form and Statement of Certification and Compliance
(previously Section 1 and 2)

B. Narrative:

Narrative (items a-j)
(previously Section 3)

C. Org Plan and Support:

Organizational Planning/Contingent Items/Support Letters
(previously Section 3)

D. Budget:

Operating Budget and Attachments
(previously Section 4 and 5)

E. Grant Details:

Grant Request Detail(s)
(previously Section 6)

F. Supplementary:

Supplementary Materials (Optional)
(previously Section 3)

Do not exceed a maximum of **6 supplemental items**.

Please include a complete list (and brief description, if applicable) of your six items.

Please save and attach each supplemental item separately. (You may save all six supplemental items in a folder marked "Supplementary.") Please label each item separately as Supplementary1, Supplementary 2, Supplementary 3. You may also include pdf's, sound, or video files as supplemental materials. Please try to limit your supplemental materials to 250MB.

Please label and submit each of the above sections according to the following file format:

SectionTitle_Grant Year_NameofOrganization
i.e. BasicInformation_2016_TallahasseeMuseum

Please do not abbreviate the name of the section, or the name of your organization in any file name.

4. Once you have completed and saved the documents, please submit the following files to COCA via a USB drive ("thumb" drive), or you can email your files to Kevin@cocanet.org via "Dropbox." The electronic copy of your application (along with a single bound copy of your application) must be received by COCA no later than 5pm on Friday, July 10th, 2015.

Grant Panelist Nomination Form

Please use the form provided here. Current, electronic copies of all forms are available on COCA's website at <http://www.cocanet.org/grant-program>.

COCA's ability to recruit qualified and objective reviewers depends on your recommendations. Nominations are accepted year-round for consideration during the appointment process. Send them to:

Council on Culture & Arts
816 S ML King Jr Blvd
Tallahassee, FL 32301
Fax: (850) 224-2515
kevin@cocanet.org

Your Name:

Your Organization:

Phone: E-Mail:

Please provide the following information and a brief resume or bio (if available) for each individual nominated to serve. Please try to nominate individuals who will not have to recuse themselves from reviewing more than one grant due to close affiliation with applicant organizations.

ABOUT THE PERSON YOU WISH TO NOMINATE:

Name: Mr. Ms. Dr.

Address:

Phone: E-Mail:

Occupation/Professional Affiliation:

Please describe what qualifies this nominee to serve as a grant panelist:

Is this nominee: Asian Black or African American Hispanic or Latino
 White Native American Other

I have have not already discussed panel service with this nominee.

Rev. 5.22.15

Prepared by



COUNCIL ON CULTURE & ARTS
FOR TALLAHASSEE/LEON COUNTY

816 S ML King Jr Blvd · Tallahassee, FL 32301 · (850) 224-2500 · www.cocanet.org

*This publication is available in alternate formats upon request.
Please call the number listed above for more information.*

COCA is sponsored in part by the City of Tallahassee; Leon County; State of Florida, Department of State, Division of Cultural Affairs; Florida Council on Arts and Culture; and the National Endowment for the Arts.



FY16 COCA Cultural Grant Panelists

Ruben Arana, Scene Designer/Professor of Theatre, Florida Agricultural and Mechanical University

Michele Arwood, Executive Director, Thomasville Center for the Arts

Randi Atwood, Engagement Editor, Tallahassee Democrat

Sam McKay, General Manager/VP Operations, Staybridge Suites, Tallahassee

Brien Schmauch, Sales Manager, Hotel Aloft, Tallahassee

Noble Sissle, Professor of Visual Arts, Florida Agriculture and Mechanical University

Tim Storhoff, Grants and Outreach Coordinator, Florida Department of State

FY15 COCA Cultural Grant Awards

Administered on behalf of the City of Tallahassee and Leon County

African Caribbean Dance Theatre

Grant #2015-07

\$35,503.30 Total Award

Supports the 18th Annual Florida African Dance Festival and year-round classes, workshops and performances.

Project 1 - Dance Festival

\$10,000 (City funds)

Project 2 - Year-round Programs

\$25,503.30 (City funds)

The Artist Series of Tallahassee

Grant #2015-16

\$23,190 Total Award

Supports a professional concert season by world-class chamber music ensembles and solo instrumentalists, and supports educational outreach programs to youth and life-long learners throughout the Big Bend area.

Project 1 - Public Concert Series

\$16,290 (City funds)

Project 2 - Artist in Residence Series

\$6,900 (City funds)

Challenger Learning Center

Grant #2015-11

\$83,040 Total Award

Supports the curriculum and instruction of the Center to facilitate hands-on learning experiences that emphasize the link between science and imagination for business travelers, teachers and students; and supports the operation, maintenance and expanded programming of the IMAX 3D Theatre.

Project 1 - Imax Programming

\$61,272 (County funds)

Project 2 - Igniting Imagination

\$21,768 (County funds)

Florida State Opera

Grant #2015-03

\$13,500 Total Award

Support for live performances and educational materials to create engaging and impactful experiences for students in the Leon County school system.

Project 1 - FSU Opera Outreach

\$13,500 (City funds)

FSU Museum of Fine Arts

Grant #2015-01
\$15,000 Total Award

Historical and contemporary art exhibits and events impacting Tallahassee/ Leon County's citizens, visitors, and special needs groups.

Project 1 - Public Exhibitions and Events *\$15,000 (County funds)*

Goodwood Museum and Gardens

Grant #2015-27
\$21,223.70 Total Award

Assistance with diverse programming intended for citizens and visitors of all ages with additional focus on increased marketing and awareness of the historic property within local, regional and national markets.

Project 1 - Educational Programs/Exhibits *\$10,000 (City funds); \$11,223.70 (County funds)*

John Gilmore Riley Center/Museum

Grant #2015-12
\$50,000 Total Award

Supports the Statewide Florida Network Conference and the Smokey Hollow Reunion Weekend.

Project 1 - Smokey Hollow Reunion and Book Unveiling *\$21,000 (County funds)*

Project 2 - Florida Statewide Network Conference *\$29,000 (County funds)*

LeMoyne Center for the Visual Arts

Grant #2015-13
\$57,533 Total Award

Supports LeMoyne's Chain of Parks Fine Art Festival and year-round Art Education Program providing diverse classes and programs for adults and children.

Project 1 - Art Education Program *\$28,533 (City funds)*

Project 2 - Chain of Parks Art Festival *\$29,000 (County funds)*

Mickee Faust Alternative Performance Community

Grant #2015-23
\$9,878.40 Total Award

Supports community-based live theatre projects, "Queerer than Ever" and Spring cabaret performances of "Faust: Too Big to Fail."

Project 1 - Mickee Faust: Too Big to Fail *\$4,275 (City funds)*

Project 2 - "Queerer than Ever" *\$5,603.40 (City funds)*

Opening Nights

Grant #2015-26

\$13,500 Total Award

Support for the K-12 educational outreach arm of the Opening Nights Festival which presents a wide range of internationally celebrated artists.

Project 1 - Education Concert Series

\$13,500 (City funds)

Tallahassee Bach Parley

Grant #2015-04

\$6,713 Total Award

Supports three professional concerts of Baroque music performed on period instruments, and the "Kids Go for B'roque" program, a competition and honors concert featuring young musicians playing pieces of the Baroque era.

Project 1 – Concert Series

\$5,963 (City funds)

Project 2 – Kids Go for B'roque

\$750 (City funds)

Tallahassee Ballet

Grant #2015-02

\$61,872 Total Award

Supports the Tallahassee Ballet's season of performances, education programs, and youth outreach programs including DanceChance.

Project 1 – 2014-15 Performance Season

\$30,936 (City funds)

Project 2 - Cultural Opportunities for Youth

\$30,936 (City funds)

Tallahassee Civic Chorale

Grant #2015-05

\$4,134.60

Supports the Tallahassee Civic Chorale's 28th season of concert and choral programs.

Project 1- Silent Night (Fall Concert, 2014)

\$2,067.30 (City funds)

Project 2 – Musique Francaise (Spring Concert, 2015)

\$2,067.30 (City funds)

Tallahassee Community Chorus

Grant #2015-18

\$25,750 Total Award

Support for the Masterworks season of choral music, educational opportunities associated with singing in the chorus, and outreach opportunities for youth.

Project 1 - Masterworks Series

\$19,000 (County funds)

Project 2 - Unity Concert

\$6,750 (City funds)

Tallahassee Museum of History and Natural Sciences

Grant #2015-28

\$325,000 Total Award

Supports the collection, conservation and interpretation the region's natural and cultural history; educational programs to audiences of all ages; activities that contribute to the area's economic and tourism development efforts.

Project 1 - Collection, Research and Exhibition

\$69,975.20 (City funds); \$129,962.80 (County funds)

Project 2 - Education and Cultural Events

\$125,062 (County funds)

Tallahassee Symphony Orchestra

Grant #2015-06

\$69,500 Total Award

Supports the Tallahassee Symphony Orchestra's classical concerts and educational/outreach series.

Project 1 - Subscription Series

\$42,211.50 (County funds); \$19,788.50 (City funds)

Project 2 - Family/Educational Concert

\$7,500 (City funds)

Tallahassee Writer's Association

Grant #2015-20

\$4,500 Total Award

Supports the 2015 Tallahassee Writer's Conference and Book Fair.

Project 1 - Tallahassee Writer's Conference and Book Fair

\$4,500 (City funds)

Tallahassee Youth Orchestras

Grant #2015-10

\$25,000 Total Award

Supports a comprehensive orchestral training program offering educational programs to young musicians.

Project 1 - Educational Programs

\$ 16,000 (City funds)

Project 2 - Collaborative Performances

\$9,000 (City funds)

COCA Board of Directors as of 10/1/2015

Suffix	First Name	Last Name	Position/Seat	Professional Affiliation
Officers of the Board				
Dr.	Wes	Singletary	Treasurer (History/Heritage, City)	Executive Director for Big Bend Habitat for Humanity. Has a Ph.D. in American History from Florida State University
Ms.	Rosanne	Wood	Vice Chair (At Large, County)	President and Education Consultant at Reform Works, Inc.; retired as Principal of SAIL High School
Mr.	Spencer	Ingram	Treasurer (Finance, City)	Owner of Ingram Accounting & Consulting LLC
Ms.	Beth	LaCivita	Secretary (Tourism, County)	Owner of Historic Florida Consulting, LLC. that provides of Guided Tours in Florida's Capital, the Forgotten Coast and Capital City Loop Tours
Ms.	Veronique	George	At Large (At Large, City)	Digital Strategist, The Zimmerman Agency
Board Members				
Mr.	Ramon	Alexander	At Large (City)	State Director of the Florida African-American and Caribbean Empowerment Alliance
Ms.	Faith	Clark	Business (City)	Director, Agricultural and Environmental Development Institute
Ms.	Claudia	Davant	At-Large (County)	Founding Partner, Adams Street Advocates
Ms.	Lucia	Fishburne	Marketing (Leon County)	Communications Consultant and Program Administrator at FSU
Mr.	Stephen	Hogge	At Large (County)	Owner of Stephen Hogge Consulting, a full-service government relations and public affairs firm
Mr.	John	Lawrence	History/Heritage (County)	CEO of consulting firm JVL Education, Inc.
Dr.	Louise	Reid Ritchie	Practicing Artist (County)	
Mr.	David	Self	At-Large (City)	Associate General Counsel at Florida A&M University
Mr.	Del	Suggs	Practicing Artist (City)	Singer/songwriter and guitarist. He has released five solo albums and been a featured artist on seven compilation albums.
Dr.	Adriene	Wright	Volunteer (Leon County)	Managing Principal/President, Abelita LLC
Ex Officio Members				
Dr.	Marge	Banocy-Payne	TCC (non-voting)	Dean of Communications and Humanities at Tallahassee Community College
Comm.	Mary Ann	Lindley	County	County Commissioner
Dr.	Valencia	Matthews	FAMU (non-voting)	Director of Theatre and Assistant Dean for the College of Arts and Sciences at Florida Agricultural and Mechanical University
Mr.	Chris	Heacox	FSU (non-voting)	Director of FSU's Opening Nights Performing Arts
Ms.	Alva	Striplin	LCSB (non-voting)	Leon County School Board member; Interim CEO of Big Brother/Big Sisters of the Big Bend
Comm.	Nancy	Miller	City	City Commissioner
Staff Contact				
Dr.	Audra	Pittman	Executive Director	COCA
Ms.	Amanda	Karioth Thompson	Exhibitions and Education Director	COCA
Ms.	Erica	Thaler	Marketing Director	COCA
Mr.	Nick	Pavlovik	Interim Finance Director	COCA
Dr.	Kevin	Carr	Grant Programs Manager	COCA

Middle school art teacher inspires new generation

By Courtney Jones
Council on Culture & Arts

As a middle school art teacher, Donald Sheppard knows firsthand the importance of inspiring young, creative minds — it's the same kind of encouragement that led him to where he is today.

Born and raised in Quincy, Sheppard's own art education began at an early age. Even when he was as young as 5, his family and members of their church would comment on Sheppard's talent for drawing.

One of the defining moments in Sheppard's life as a young artist came when he was in third grade. He contracted the mumps, and was out from school for a week. While he was out, he drew a self-portrait of himself with the mumps and had his mother take it to the school.

"When I got back to my class, my picture was up on the wall," he said. "And all the kids were coming up to me saying they saw my picture. That reinforcement really pushes you on and on."

Sheppard's art education was threatened when Gadsden County took art out of the schools the year he entered middle school. He had been especially looking forward to working with a specific art teacher, Tom Harris. Luckily, as a way to make up for the loss of art in school, Harris began offering weekly classes for the kids in the community. Sheppard's mother didn't hesitate to sign him up.

"I learned so much in those little classes," he said. "Some of those classes were real turning points, and I think about that often. I think that's why I'm so drawn to middle school kids now, because I remember how my whole world opened up and



Donald Sheppard is an art teacher at Montford Middle School.

my passion for art grew in those classes. And I realize today that middle schoolers have that same capability and opportunity to just blossom. And I get a lot of joy from bringing that to them."

This is Sheppard's fifth year teaching art at Montford Middle School after teaching at Griffin Middle School for 15 years. After 20 years of teaching in the community, Sheppard has started to receive a different kind of reinforcement — recognition from past students, often with jobs and families of their

own now. It's a phenomenon that occurs more and more frequently over time.

"On those rough days, you kind of realize, this is why I keep doing this," he said. "It just kind of compounds itself, the love for teaching. It just increases and snowballs as you continue."

Sheppard likes to inspire his students to not only be passionate about their art, but about their community, too. For the kids at Montford, that could mean something as simple as using the canopy roads they see

every day to teach them a lesson about perspective and converging lines.

"I'm really interested in communities, and how art is not really separate from where we are and the context in which we do it," he said. "It's a part of us, and it's not this thing that we just aside in a corner and go and pay a couple of dollars to look at. It's involved in our everyday lives."

As part of that philosophy, Sheppard also considers it important that his students have the experience to see their own art on display

— and he doesn't mean on the refrigerator. He wants his students to have the ability to see their art exhibited, just as a mature artist would.

"It's very important that you follow through to that presentation part of art, because it's the completion of the whole process," he said. "It's important that the kids see that, that they get to that point, that they see the fullness of it."

One of the ways his students — and others — experience this is by having their art displayed during the annu-

al Winter Festival Youth Art Exhibition hosted by the Council on Culture & Arts (COCA).

"It is such a quality show and such a great opportunity for parents and students to see their artwork in a professional way," he said. "And to see the looks on the kids' faces; the show affects them, and I'm sure it's something they remember for the rest of their lives."

Courtney Jones is the feature writer for the Council on Culture & Arts. COCA is the capital area's umbrella agency for arts and culture. For more information visit www.cocanet.org.



IF YOU GO

What: The Winter Festival Youth Art Exhibition 2014
When: 8 a.m. to 5:30 p.m., Monday to Friday through Jan. 12. Reception and awards ceremony from 6 to 7:30 p.m. Dec. 5.
Where: City Hall Gallery, 300 S. Adams St.
Contact: 224-2500 or visit www.cocanet.org

Presented by
Tallahassee Democrat
Tallahassee.com

The Region's Most Treasured
Holiday Shopping Tradition
Dec. 6 & 7, North Florida Fairgrounds

Market Days
A premier, juried arts & crafts show
300 of the finest artisans
from around the country

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THE TALLAHASSEE BALLET & ORCHESTRA

Wintercracker

November 24, 2014 5:45pm
Posted at 3:00 PM on February 29, 2016

Getting the hang of zheng

Haiqiong Deng will be playing the ancient Chinese instrument at Tallahassee Music Week festival

Courteney Jones
Council on Culture & Arts

Haiqiong Deng, an award winning performer and the director of Florida State University's Chinese Music Ensemble, started her own musical education at a young age, when she was three years old, to be exact. Her father, an amateur musician, began teaching her to play the violin.

"He never had a chance to have formal music training, but I still think his passion got passed on to me," she said.

Though the passion remained, Deng didn't last long on the violin.

"At the age of 6 I stopped because I played horribly," she said. "I could not endure it any more."

At that point, Deng started taking lessons on the hammered dulcimer, another string instrument. The lessons were given to Deng for free, from one of her father's friends.

Deng considers herself fortunate that she had people like her father and his friend to teach her music at such a young age — lessons were not something available to most Chinese residents at the time.

"It was early in the 1980s, when China had just opened their door to the world, so almost every family had a similar income: very, very limited," she said. "You don't have luxury. And learning music was a luxury."

Still, Deng's lessons didn't come easy. Her childhood weekends involved taking a two-hour bus out of her hometown of Lanzhou, a city in Northwest China, to take a two-hour class on ear training. After that, she would visit her instructor's apartment for an individual lesson before another long bus ride home.

The hard work paid off, and at the age of 8, she was selected to enroll in an elite school for music in her hometown. While at the school, Deng began playing her current instrument, the zheng.

"When I started, my mom chose the zheng for me, but actually she did not know what the zheng looked like," she said. "None of us had

seen the instrument, the physical instrument, before. My mom thought it was a harp."

As it turned out, the zheng was not a harp, but an ancient Chinese instrument that consists of many strings and bridges stretched across a thin, flat piece of wood.

When Deng was 12, she left her hometown to study the zheng at the Shanghai Conservatory of Music's six-year secondary school.

"I think the sole purpose of the conservatory, at that time, was to train concert musicians, so they only selected one or two students per major instrument, nationwide," she said. "It was very competitive."

Deng studied for 10 years, eventually receiving her bachelor's in zheng performance. She then began teaching and performing as a concert musician.

In 2000, a Chinese music ensemble in New York City was looking for a zheng player, and a friend recommended Deng. After sending them a video, she was invited to join them for a half-year tour. Though initially Deng had never considered leaving China, her first venture to America was, quite literally, life changing.

"That's the first time I got in touch with a lot of contemporary pieces composed by American composers for Chinese music instruments and ensemble music that included Chinese instruments," she said. "That was a very eye-opening experience. So after a half-year, I thought, okay. If I want to come here again, I want to study."

Deng didn't know of Florida State; she didn't really know about any Western schools. But a classmate during her conservatory days had always dreamed of attending FSU, and suggested she do the same.

After her acceptance at FSU, Deng first earned a master's degree in arts administration, then a second in ethnomusicology. Currently, she's taking a break and focusing



Haiqiong Deng is pictured with her zheng, an ancient Chinese instrument that consists of strings and bridges stretched across a flat piece of wood. PROVIDED BY HAIQIONG DENG

on teaching, continuing to tour as a concert musician, and raising her two young children with her husband, Liu Nan, a fellow Chinese immigrant and FSU alumnus who teaches visual art at Florida A&M University. She plans to start pursuing her Ph.D. in the fall.

On April 3, Deng will help kick off the inaugural Tallahassee Music Week festival with a concert — one of the few she's given in town not related to the university. Tallahassee Music Week is a 10-day event featuring numerous performances at various venues in town by local musicians, many of whom are nationally and internationally renowned artists such as Deng.

"I think it's great for the local community, and I feel the cultural vibration in Tallahassee is getting bigger and bigger," Deng said of

COUNCIL ON CULTURE & ARTS
FOR TALLAHASSEE/LEON COUNTY

IF YOU GO

What: Tallahassee Music Week presents: Haiqiong Deng

When: Friday, April 3, at 6:30 p.m.

Where: Mickee Faust Club Theater, 623 McDonnell Drive, Tallahassee

Contact: For more information on this and other Tallahassee Music Week events, visit Tallahassee-MusicWeek.com

the event, and her performance.

To commit yourself to a career as anything, even a musician, at the age of three might seem trying, but for Deng, she couldn't see herself any other way.

"I never hated being a musician, or regret it, or say it wasn't my choice," she said. "It's in me, from when I was young; I just didn't realize it then. It's a natural part of me. I cannot separate it."

Turkey

Continued » 1E

With flames coming out the exhaust ports, the rockets propelled a net up and over the turkeys as they attempted flight. They came to a rest as they hit the ends of their staked lines. The net fell and the turkeys were captured.

I don't remember flipping the blind over my head, but that is surely what happened as I scrambled to get to the turkeys. I called for backup as I covered the turkeys with pillow cases to calm them. One by one, we carefully took measurements. Aluminum leg bands and small, lightweight GPS units, that fit and look like little turkey backpacks, were also attached to each bird. As we finished processing each turkey, we turned them loose and watched them sail back into the woods. My patience had paid off.

The turkey trapping, part of my master's degree project, is a collaborative effort between the Florida Fish and Wildlife Conservation Commission, Tall Timbers Research Station & Land Conservancy, and the University of Tennessee.

We are looking at how supplemental feed for quail impacts wild turkey movement ecology. The attached GPS units will give us insight into how turkeys are using the landscape. By tracking the female turkeys, we will be able to identify when the majority of them are nesting. Additionally, strategically placed sound recording devices will be used to identify when the peaks of turkey gobbling activity are occurring. I am investigating the relationship between peaks in gobbling activity and peaks in nest incubation, as well as the relationship between gobbling activity and hunter pressure.

This research is significant because it will provide wildlife biologists valuable data to assist in setting hunting regulations and understanding how land management decisions affect wild turkeys. So the next time you're driving down County Road 12 and see a wild turkey, slow down and look to see if it is wearing a tiny backpack. You just might catch a glimpse of research in motion.

Aaron Griffith is a graduate student from the University of Tennessee. In his free time he enjoys hunting and fishing. Exploring the Red Hills Region is a blog sharing stories of the ecological, historical, and cultural wonders of the Red Hills Region.



FY15 COCA Cultural Tourism Marketing Extension Grant Administered on behalf of Leon County

621 Gallery (\$3000 TOTAL AWARD)

Funding for graphic design and printing of annual calendar (for distribution outside of Leon County), radio advertisement/underwriting with WFSU, newspaper advertisements with Capital City Villager and Tallahassee Democrat, and social media advertising.

African Caribbean Dance Theatre (\$3000 TOTAL AWARD)

Funding for webpage development and maintenance, radio advertisement with Cumulus Radio (96.1 FM) and design of brochure for national distribution

Anhinga Press (\$3000 TOTAL AWARD)

Funding for print advertisements in national magazines: Poets & Writers, The Writer's Chronicle, and New Pages

Artist Series of Tallahassee (\$3000 TOTAL AWARD)

Funding for radio, social media, and targeted direct mail advertising outside of Leon County

Challenger Learning Center (\$3000 TOTAL AWARD)

Funding for billboard advertisement as well as targeted web advertising with Lin Digital

FSU Museum of Fine Arts (\$3000 TOTAL AWARD)

Funding for magazine advertisements in Tallahassee Magazine and OnView Magazine

Goodwood Museum and Gardens (\$3000 TOTAL AWARD)

Funding for print advertisement in the Official Visit Tallahassee Visitor's Guide, as well as social media (Facebook) advertising

John G. Riley Center/Museum (\$3000 TOTAL AWARD)

Funding for print advertisement with Visit Florida, social media advertisement with Facebook, Twitter, and Trip Advisor, as well as distribution of print advertisements outside of Leon County

LeMoyne Center for the Visual Arts (\$3000 TOTAL AWARD)

Funding for radio and television advertisement/underwriting with WFSU

Mickey Faust (\$3000 TOTAL AWARD)

Funding for radio advertisement/underwriting with FSU, print and online advertising with the Tallahassee Democrat, as well as targeted LGBTQ regional publications such as Gainesville Iguana, LGBT/JAX, Mark's List, Tampa Bay Gay, and Fenuxe Magazine

Opening Nights Performing Arts (\$2121.35 TOTAL AWARD)

Funding for targeted direct mail campaign outside of Leon County

Tallahassee Civic Chorale (\$3000 TOTAL AWARD)

Funding for radio advertisements with WFSU and Print advertisements with the Tallahassee Democrat

Tallahassee Ballet (\$3000 TOTAL AWARD)

Funding for branding and website development

Tallahassee Bach Parley (\$3000 TOTAL AWARD)

Funding for radio advertisement/underwriting with WFSU, as well as print advertisement in Early Music America, as well as targeted social media marketing, website improvements and brochures

Tallahassee Film Society (\$3000 TOTAL AWARD)

Funding for radio advertising/underwriting with WFSU.

Tallahassee Symphony Orchestra (\$3000 TOTAL AWARD)

Funding for print advertisement in Tallahassee Magazine

Tallahassee Museum (\$3000 TOTAL AWARD)

Funding for direct mail, social media, online and billboard advertising

Tallahassee Community Chorus (\$3000 TOTAL AWARD)

Funding for print advertisements with the Dothan Eagle, Thomasville Times-Enterprise, as well as radio advertisements with Capital Outlook and WTAL Radio, and print advertisement with Visit Tallahassee

Tallahassee Youth Orchestras (\$3000 TOTAL AWARD)

Funding for radio advertisement/underwriting with WFSU, print advertisement with the Tallahassee Democrat, and Tallahassee Magazine, and social media advertising on Facebook

Tallahassee Writers Association (\$3000 TOTAL AWARD)

Funding for print and online advertising in Tallahassee Magazine and the Tallahassee Democrat

Theatre Tallahassee (\$3000 TOTAL AWARD)

Funding for print advertisement with Tallahassee Magazine

Young Actors Theatre (\$3000 TOTAL AWARD)

Funding for radio and television advertisement/underwriting with WFSU, as well as graphic design, and social media advertising on Facebook.

Total Funding for FY15 Cultural Tourism Marketing Extension Grant: \$65,121.35

A small selection of COCA Kudos, received in the current fiscal year

"I could not be any prouder of the gallery space that you've created in the Mayor-City Commission Conference Room. I walked in this morning, took a casual glance into the conference room and was literally stopped in my tracks. Not only are the individual pieces stunning, but the layout of the pieces is perfect. Thank you for taking time to bring a little life into the City Commission suite."

-Andrew D. Gillum, Mayor of the City of Tallahassee

"We have such a wonderful community!! COCA is a huge part of what makes Tallahassee and its region simply terrific!"

-Michelle Rehwinkel Vasilinda, Florida House of Representatives

"I don't know if COCA organized it, or just promoted it, but I want to thank you for Tallahassee Music Week 2015 and I hope we will see it again year after year. I've been saying for years that Tallahassee has a lot of under-appreciated musical talent, and I think this week probably did a lot to bring much-deserved attention to those people."

-Tim Hare, local arts enthusiast

"YOU are the BEST!

I was looking through the COCA weekly Blast email on Monday and just marveling at:

- 1. How much there is to DO in Tallahassee compared with when I first arrived in 1991, and*
- 2. How readily available the information is put at our fingertips... I don't have to wait for the Limelight to come out on Friday!"*

-Barb Davis, art teacher at Florida State University School

"I am so glad I contacted COCA concerning the children's library I have for the kids of Seminole Manor Neighborhood. With our insurance about to be cancelled and seemingly no one able to write us a policy I called Erica hoping we were similar enough to some of the small arts institutions that rely on COCA to get some good advice--and I did! Erica put me in touch with Bobby Bacon of the Earl Bacon Agency and he found us an insurer that will cover, not only the library, but other functions of our neighborhood association and for a very reasonable price. Thanks for all you do for the arts and the community."

-Adrian Fogelin, local author and creator of the Front Porch Library

"Amanda- Let me say how much I enjoyed your talk this morning and your enthusiastic passion for the arts in our community. Thanks again for your support and all that you do with the Council on Culture & Arts!!"

-Rocky Hanna, Leon County Schools Divisional Director

"Thanks, Kevin. I appreciate the effort you and the rest of the COCA staff put into preparing us for submitting our grants, and I'll definitely continue to use COCA as a resource."

-Aja Roache, Gallery Director of Foster Tanner Fine Arts Gallery, FAMU

“What an event you conducted--and everything was done so well! What teamwork and coordination, and what a crowd, all appreciating your work and COCA. Excellent.”

-Mary Sterner Lawson, local artist

“Wanted to pass along a picture of our painted windows for Tiny Giants 3D. A FAMU art professor, Noble Sissle, saw the ad in the COCA opportunities e-blast and contacted me. A success story of the e-blast hooking up artists with those who can provide opportunities to showcase their work and get paid for it. Thanks to COCA for providing this opportunity to get the word out to artists.”

-The Challenger Learning Center

“Amanda, you are so amazing!! I just love all the important work you are doing for the arts community... they (we 😊) are so very lucky to have you!”

- Tasha Weinstein, WFSU Education & Outreach Manager

“Thanks again for hosting another fun an informative discussion. I was so happy to see my students so engaged. You gave them lots of great perspective on many fronts.”

-Samuel Rosenstein, FSU Arts Administration doctoral candidate and teaching assistant

“Amanda, you were an amazing spark of light in City Hall today. You do such a great job presenting artwork. It's mesmerizing!”

-Johanna Money, President of the Williams Group

“To my trained eye the photography in Creative Tallahassee is the best of the last several years; many very strong well done images. To my untrained eye, overall, this is the best Creative Tallahassee I can recall. Like sports officiating the best curators are able to display an exhibition in such a way that no one notices; everything just flows. Well, almost no one - I noticed that the arrangement really worked, don't know why but know the feel was great as I walked the exhibition twice in different directions.”

-Roger Raepple, local photographer

“I am glad the 30 for 30 Invitational Exhibition prompted the extra research through my dusty archives because in doing so, I was reminded that it was COCA (actually, then called CRC-- Cultural Resources Commission) who awarded the venue for my very first solo exhibition in 1986! That was such a pivotal time in my career. Now, I can once again express thanks for all the wonderful ways COCA has helped encourage my life as an artist over all these years. This 30/30 exhibition feels very much like coming full circle, coming back to my roots.”

-Beth Appleton, local artist

"Thanks to a COCA email notification, I learned of FIVE BY FIVE 2014, an annual fundraiser of the Arts Council of Hillsborough County held at the Tampa Museum of Art on 10/17. My artwork, 'Orange Crush' is going in the mail today, headed to Tampa!"

-Daniel Taylor, local painter

"Thank you so much for all your hard work you put into assembling the 2014 Photofest. It always makes me happy when art is in public places."

-Nic Stoltzfus, local photographer

"Thank you so much for taking the time to come and talk to us students about your job. It was very entertaining to learn about your role at COCA and all the creative things you do!"

-Maclay High School Students

"Thank you for giving me an opportunity to volunteer with COCA. Your kindness helped me acquire professional experience outside of the private sector and facilitated my search for a better career. Thank you for your continued support of the arts community. "

-Melissa Hardin, COCA volunteer

"Thank you Amanda Karioth Thompson of the Council on Culture & Arts and Kyle Dunn of Stringfest for donating a violin to a member of one of LSSNF's (Lutheran Social Services of North Florida) InnBetween families. This family lost almost everything when they became homeless, including a cherished violin."

-appeared in the Lutheran Social Services of North Florida newsletter

"I want to thank you from the bottom of my heart!!! You have been a huge blessing to this family. I thank you for creating such a memorable Holiday season for us and you have been initiated as a part of this family for the rest of our lives. I am so humbled and grateful to have met you, and I will never be able to put into words how much you mean to us. Thank you and God Bless!!

-Shalonda Stevens and family, (COCA "adopted" the Stevens family and provided arts experiences and other items)

"I love you guys—you do a great job. Kevin did an amazing job, esp. considering it was his first go-around. Thank you!!!"

-Anonymous reply to survey question relating to Cultural Grant process satisfaction

"I'm so glad I discovered COCA -- I think it will be instrumental in reaching out goal of 500 children at the Buddy Bash! COCA is such a great utility -- The huge number of links and resources is immensely helpful. Thanks for all your help!"

-Evans Prater, Lauren's Kids Foundation

TALLAHASSEE – LEON COUNTY CULTURAL
RESOURCES COMMISSION
D/B/A COUNCIL ON CULTURE AND ARTS

Tallahassee, Florida

FINANCIAL STATEMENT

Years Ended September 30, 2015 and 2014



Certified Public Accountants & Business Advisors

TALLAHASSEE – LEON COUNTY CULTURAL
RESOURCES COMMISSION
D/B/A COUNCIL ON CULTURE AND ARTS
Tallahassee, Florida
Years Ended September 30, 2015 and 2014

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Independent Auditors' Report

Board of Directors of
Tallahassee – Leon County Cultural Resources Commission
d/b/a Council on Culture and Arts
Tallahassee, Florida

We have audited the accompanying financial statements of Tallahassee – Leon County Cultural Resources Commission d/b/a Council on Culture and Arts (a non-profit organization) which comprise the statements of financial position as of September 30, 2015 and 2014, and the related statements of activities and changes in net assets, and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting polices used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Tallahassee – Leon County Cultural Resources Commission d/b/a Council on Culture and Arts as of September 30, 2015 and 2014, and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Other Information

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedules of functional expenses are presented for purposes of additional analysis and are not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated February 16, 2016, on our consideration of Tallahassee – Leon County Cultural Resources Commission d/b/a Council on Culture and Arts' internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Tallahassee – Leon County Cultural Resources Commission d/b/a Council on Culture and Arts' internal control over financial reporting and compliance.



SANDERS, HOLLOWAY & RYAN
Certified Public Accountants
February 16, 2016

TALLAHASSEE – LEON COUNTY CULTURAL RESOURCES
COMMISSION D/B/A COUNCIL ON CULTURE AND ARTS

Tallahassee, Florida

STATEMENTS OF FINANCIAL POSITION

September 30, 2015 and 2014

	<u>ASSETS</u>	
	<u>2015</u>	<u>2014</u>
<u>ASSETS</u>		
Cash and Cash Equivalents	\$ 542,401	\$ 176,696
Accounts Recievable	1,517	-
Grant Recievable	36,060	120,228
Deposits	3,401	3,401
Prepaid Expenses	5,579	-
Property and Equipment, net	4,948	7,216
Website Development Costs	61,776	-
	<u>61,776</u>	<u>-</u>
<u>TOTAL ASSETS</u>	<u>\$ 655,682</u>	<u>\$ 307,541</u>
	<u>LIABILITIES AND NET ASSETS</u>	
<u>LIABILITIES</u>		
Accounts Payable	\$ 3,737	\$ 279
Deferred Revenue	266,939	90,171
Total Liabilities	<u>270,676</u>	<u>90,450</u>
<u>NET ASSETS</u>		
Unrestricted:		
Designated by the Board		
for Contingency Reserve Fund	10,177	-
Designated by the Board		
for Staff Retirement Fund	15,000	-
Undesignated	359,829	217,091
Total Unrestricted	<u>385,006</u>	<u>217,091</u>
<u>TOTAL LIABILITIES AND NET ASSETS</u>	<u>\$ 655,682</u>	<u>\$ 307,541</u>

TALLAHASSEE – LEON COUNTY CULTURAL RESOURCES
COMMISSION D/B/A COUNCIL ON CULTURE AND ARTS
Tallahassee, Florida
STATEMENTS OF ACTIVITIES AND CHANGES IN NET ASSETS
Years Ended September 30, 2015 and 2014

<u>SUPPORT AND REVENUE</u>	<u>2015</u>	<u>2014</u>
Grants:		
County Grants	\$ 673,621	\$ 504,500
City Contract	192,036	192,036
County Contract	150,000	150,000
State LAA Grants	102,190	30,057
Total Grants	<u>1,117,847</u>	<u>876,593</u>
In-kind Contributions	24,550	24,825
Membership Fees	13,574	13,488
Advertising Revenue	17,418	6,004
Contribution	1,533	183
License Plate Fees	6,860	7,231
Other Revenue	4,148	6,686
Interest Income	707	113
Total Support and Revenue	<u>1,186,637</u>	<u>935,123</u>
<u>EXPENSES</u>		
Program Expenses	928,236	833,963
Management & General	90,486	30,335
Total Expenses	<u>1,018,722</u>	<u>864,298</u>
<u>CHANGE IN NET ASSETS, UNRESTRICTED</u>	167,915	70,825
<u>NET ASSETS, OCTOBER 1</u>	<u>217,091</u>	<u>146,266</u>
<u>NET ASSETS, SEPTEMBER 30</u>	<u>\$ 385,006</u>	<u>\$ 217,091</u>

TALLAHASSEE – LEON COUNTY CULTURAL RESOURCES
 COMMISSION D/B/A COUNCIL ON CULTURE AND ARTS
 Tallahassee, Florida
 STATEMENTS OF CASH FLOWS
Years Ended September 30, 2015 and 2014

	<u>2015</u>	<u>2014</u>
<u>CASH FLOWS FROM OPERATING ACTIVITIES</u>		
Change in Net Assets	\$ 167,915	\$ 70,825
Adjustments to Reconcile Change in Net Assets to Net Cash Provided by Operating Activities:		
Depreciation and Amortization	2,268	1,634
Changes in Assets and Liabilities:		
(Increase) Decrease in Accounts Receivable	(1,517)	2,769
(Increase) Decrease in Grant Receivable	84,168	(94,926)
(Increase) Decrease in Prepaid Expenses	(5,579)	-
Increase (Decrease) in Accounts Payable	3,458	(1,434)
Increase (Decrease) in Deferred Revenue	176,768	90,171
	<u>427,481</u>	<u>69,039</u>
<u>CASH FLOWS FROM INVESTING ACTIVITIES</u>		
Purchase of Fixed Assets	-	(4,232)
Website Development Costs	(61,776)	-
	<u>(61,776)</u>	<u>(4,232)</u>
<u>NET CHANGE IN CASH AND CASH EQUIVALENTS</u>	365,705	64,807
<u>CASH AND CASH EQUIVALENTS, OCTOBER 1</u>	<u>176,696</u>	<u>111,889</u>
<u>CASH AND CASH EQUIVALENTS, SEPTEMBER 30</u>	<u>\$ 542,401</u>	<u>\$ 176,696</u>
<u>SUPPLEMENTAL DISCLOSURES</u>		
Interest Paid	<u>\$ -</u>	<u>\$ -</u>

TALLAHASSEE – LEON COUNTY CULTURAL RESOURCES
COMMISSION D/B/A COUNCIL ON CULTURE AND ARTS
Tallahassee, Florida
NOTES TO FINANCIAL STATEMENTS
September 30, 2015 and 2014

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Nature of the Organization - The Tallahassee – Leon County Cultural Resources Commission was created by the authority of Section 265.32, *Florida Statutes*, the October 18, 1985 inter-local agreement between the Tallahassee City Commission (the City) and the Board of County Commissioners of Leon County (County), and the 1985 Resolution of the Board of the County Commission of Leon County to serve as the designated local arts agency for the City and the County for all purposes set out in the statutes and the organizational documents as follows:

- Stimulate greater governmental and public awareness and appreciation of the importance of the arts to the people of Tallahassee/Leon County;
- Encourage and facilitate greater and more efficient use of governmental and private resources for the development of the arts;
- Encourage and facilitate opportunities for Tallahassee/Leon County residents to participate in artistic activities;
- Promote the development of resident artists, art institutions, and community organizations sponsoring art activities and audiences.
- Survey and assess the needs of the arts, artists, art institutions, and community organizations sponsoring art activities and people of Tallahassee/Leon County relating to the arts;
- Support and facilitate the preservation and growth of the state’s artistic resources;
- Contract for artistic services, performances, and exhibits;
- Develop a center or complex of physical facilities for the use of arts;
- Provide financial and/or technical assistance to the artists, art institutions, and audiences;
and
- Otherwise serve the citizens of Tallahassee and Leon County in the realm of the arts.

Effective October 1, 2006, the Leon County Cultural Resources Commission began operating under the fictitious name Council on Culture and Arts (the Council).

Basis of Accounting and Presentation - The Council’s books are maintained on the accrual basis of accounting.

Financial statement presentation follows the recommendations of the Financial Accounting Standards Board in its Statement of Financial Accounting Standards. In accordance with accounting principles generally accepted in the United States of America, the Council is required to report information regarding its financial position and activities according to three classes of net assets: unrestricted net assets, temporarily restricted net assets, and permanently restricted net assets. The Council had no temporarily or permanently restricted net assets as of September 30, 2015 and 2014.

Cash and Cash Equivalents – For purposes of the statement of cash flows, the Council considers all highly liquid investments available for current use with an initial maturity of three months or less to be cash equivalents.

NOTES TO FINANCIAL STATEMENTS (Continued)

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Accounts Receivable – Accounts receivable are stated at net realizable value, and accounts deemed uncollectible by management are expensed as bad debts. There is no material difference between the direct write-off method used by the Council and the allowance method required by accounting principles generally accepted in the United States.

Property and Equipment – Property and equipment are recorded at cost. Contributed assets are reported at fair market value as of the date received. All property and equipment are depreciated using the straight-line method over the estimated lives of the assets.

Estimates – The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Actual results may differ from those estimates.

Promises to Give – Unconditional promises to give are recognized as assets and as revenues or gains in the period received. Conditional promises to give are recognized only when the conditions on which they depend are substantially met and the promises become unconditional.

Grants and Contracts – Unconditional grants and contracts are recognized as revenue in the period received. Conditional grants and contracts are recognized when the contract requirements are substantially met. Amounts earned but not received are reported as grants receivable. Amounts awarded but not earned are reported as deferred revenue.

Restricted and Unrestricted Revenues and Other Support – Support that is restricted by the donor is reported as an increase in unrestricted net assets if the restriction expires in the reporting period in which the support is recognized. All other donor-restricted support is reported as an increase in temporarily or permanently restricted net assets, depending on the nature of the restriction. When a restriction expires (that is, when a stipulated time restriction ends or purpose restriction is accomplished), temporarily restricted net assets are reclassified to unrestricted net assets and reported in the statements of activities as net assets released from restrictions. If donor-imposed restrictions are met in the year in which the contribution is received, the contribution is reported as unrestricted support.

Volunteer Services and Donated Property – During the years ended September 30, 2015 and 2014, the Council received donated office space and miscellaneous items of \$24,550 and \$24,825, respectively, which met the criteria for recognition in accordance with accounting principles generally accepted in the United States of America, and are therefore reflected in the accompanying statement of activities.

Functional Allocation of Expenses – The costs of providing the various programs and other activities have been summarized on a functional basis in the Statements of Activities and Changes in Net Assets. Accordingly, certain costs have been allocated among the programs and supporting services benefited. For the years ended September 30, 2015 and 2014, total expenses were comprised of ninety-one (91%) and ninety-six (96%) program service expenses, respectively, and nine (9%) and four percent (4%) management and general expenses, respectively.

NOTES TO FINANCIAL STATEMENTS (Continued)

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Advertising Costs - The Council incurs marketing and advertising costs to promote special events. These costs are expensed as incurred and totaled \$7,076 and \$3,509 for the years ended September 30, 2015 and 2014, respectively. Additionally, the Council recorded in-kind contributions of \$2,550 and \$6,625 to recognize the fair market value of donated advertising goods and services for the years ended September 30, 2015 and 2014, respectively.

Grants and Awards - Grants and awards are recorded as program expenses at the time of unconditional approval by the Council. The Council administers the cultural grant programs on behalf of the City and County. Grant administration includes reviewing applications, making awards, monitoring grantee performance and submitting periodic reports of the grant programs to the City and County. Distributions under the City and County grant program are made by the Council on a semi-annual basis and are reflected in the accompanying financial statements as program expenses. One-half of the grant funds are distributed at the time of initial approval of the award, and the remaining funds are distributed upon receipt and approval of interim reports from the grantees. For the year ended September 30, 2014, grants awarded under the City grant program were distributed directly by the City. The Council recommended awards totaling \$403,338 under the City grant program for the year ended September 30, 2014. The aforementioned awards did not flow through the Council and, accordingly, are not reflected in the accompanying financial statements.

Income Taxes - The Council is exempt from state and federal income taxes under Section 501(c)(3) of the Internal Revenue Code and has been classified as an organization that is not a private foundation under Section 509(a). There was no unrelated business income for fiscal years 2015 and 2014 and no provision is made for federal income taxes.

NOTE 2 – FAIR VALUE MEASUREMENTS

The Council follows the provisions of the Financial Accounting Standards Board's Accounting Standards Codification Topic 820, *Fair Value Measurements and Disclosures* (ASC 820). ASC 820 establishes a common definition for fair value to be applied to U.S. generally accepted accounting principles requiring use of fair value, establishes a framework for measuring fair value, and expands disclosures about fair value measurements. The standard establishes a fair value hierarchy about the assumptions used to measure fair value and clarifies assumptions about risk and the effect of a restriction on the sale or use of an asset. This standard does not require any new fair value measurements, but rather applies to all other accounting pronouncements that require or permit fair value measurements. ASC 820 defines fair value as the exchange price that would be received for an asset or paid to transfer a liability (or exit price) in the principal or most advantageous market for the asset or liability in an orderly transaction between market participants on the measurement date. ASC 820 also establishes a fair value hierarchy which requires an entity to maximize the use of observable inputs and minimize the use of unobservable inputs when measuring fair value. The standard describes three levels of inputs that may be used to measure fair value:

Level I: Observable inputs such as quoted prices (unadjusted) in active markets that are accessible at the measurement date for identical, unrestricted assets or liabilities.

NOTES TO FINANCIAL STATEMENTS (Continued)

NOTE 2 – FAIR VALUE MEASUREMENTS (Continued)

Level 2: Inputs other than quoted prices included within Level I that are observable for the asset or liability either directly or indirectly. These include quoted prices of similar assets or liabilities in active markets; quoted prices for identical or similar assets or liabilities in markets that are not active; or other inputs that are observable or can be corroborated by observable market data for substantially the same term of the assets or liabilities.

Level 3: Unobservable inputs that are supported by little or no market activity and that are significant to the fair value of the assets or liabilities.

The fair value of financial instruments including cash and cash equivalents, accounts and grant receivables, deposits, accounts payable, and refundable advance approximates carrying value, principally because of the short maturity of those items.

While the Council believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different estimate of fair value as of the reporting date.

NOTE 3 – GRANT RECEIVABLE

For the fiscal years beginning July 1, 2015 and 2014, the State awarded the Council \$40,079 and \$120,228, respectively, to cover a portion of salaries for certain employees. The cash distributions are based upon the cost reimbursement method. The Council submits expense reports on a quarterly basis disclosing the portion of salary paid for by the State award. The State reimburses the Council for those costs. As of September 30, 2014, the amount of salary expense expected to be reimbursed by the State was \$30,057. The remaining \$30,060 and \$90,171 of the award is recorded as deferred revenue since those funds have yet to be earned as of September 30, 2015 and 2014, respectively.

NOTE 4 - PROPERTY AND EQUIPMENT

Property and equipment consisted of the following as of September 30:

	<u>2015</u>	<u>2014</u>
Computer and Equipment	\$ 22,652	\$ 22,652
Less: Accumulated Depreciation	<u>(17,704)</u>	<u>(15,436)</u>
	<u>\$ 4,948</u>	<u>\$ 7,216</u>

The amount of depreciation expense recognized for the years ended September 30, 2015 and 2014 was \$2,268 and \$1,634, respectively.

NOTE 5 – WEBSITE DEVELOPMENT COSTS

During the fiscal year ended September 30, 2015, the Council began developing a new website. Costs incurred for website application and infrastructure development have been capitalized. Website development costs will be amortized using the straight-line method over a 3 year period. The Council will begin amortizing the website development costs once the website launches to the public. As of September 30, 2015, the Council has incurred website development costs of \$61,776. Estimated amortization expense is \$20,592 for each of the next three fiscal years.

NOTES TO FINANCIAL STATEMENTS (Continued)

NOTE 6 – OPERATING LEASES

The Council leases office space and equipment under operating leases expiring through 2016. Future minimum payments required under the non-cancelable equipment lease as of September 30, 2015 are as follows:

Year Ending September 30	
2016	1,263
	<u>\$ 1,263</u>

Rent expense for the years ended September 30, 2015 and 2014 totaled \$57,336. This includes in-kind contributions of \$18,000 for the years ended September 30, 2015 and 2014.

NOTE 7 – IN-KIND CONTRIBUTIONS

In-kind contributions consisted of the following during the years ended September 30:

	2015	2014
Office Space Rental	\$ 18,000	\$ 18,000
Furniture	-	200
Marketing and Advertising	2,550	6,625
Professional Services	4,000	-
	<u>\$ 24,550</u>	<u>\$ 24,825</u>

NOTE 8 – CONCENTRATION OF CREDIT RISK

The Council maintains cash balances at a financial institution. Accounts are insured by the Federal Deposit Insurance Corporation up to \$250,000 per financial institution as of September 30, 2015 and 2014. The Council had no uninsured cash balances as of September 30, 2015 and 2014.

A substantial amount of the Council's budget is derived from local government funds. This revenue, including grants paid to local organizations, represents ninety-four percent (94%) of total revenues for the years ended September 30, 2015 and 2014. The revenue, excluding County grants passed-through to local organizations, represents forty-six percent (46%) and forty percent (40%) of total revenues for the years ended September 30, 2015 and 2014, respectively. With the exception of special projects, the Council requests these funds on an annual basis and the level of funding is not guaranteed.

NOTE 9 – LINES OF CREDIT

The Council maintains a \$50,000 line of credit with a financial institution, which is payable on demand and bears interest at a variable rate based on the prime rate (5.50% as of September 30, 2015). The line of credit matures in August 2016 and, subject to certain conditions, may be renewed. The available balance on the line of credit was \$50,000 as of September 30, 2015.

NOTES TO FINANCIAL STATEMENTS (Continued)

NOTE 9 – LINES OF CREDIT (Continued)

The Council maintains a line of credit with an office supply vendor in the amount of \$1,625. The annual percentage rate is 23.99%. The available balance on the line of credit was \$1,625 and \$1,448 as of September 30, 2015 and 2014, respectively.

The Council maintains a credit card with a financial institution with a limit of \$15,000. The annual percentage rate is 6.15%. The available balance on the line of credit was \$14,324 and \$14,459 as of September 30, 2015 and 2014, respectively.

NOTE 10 - UNCERTAIN TAX POSITIONS

Management is not aware of any activities that would jeopardize the Council's tax-exempt status, and believes it has no uncertain tax positions that qualify for either recognition or disclosure in the financial statements. The Council is subject to routine audits by taxing jurisdictions; however, there are currently no audits in progress for any tax periods. The Council believes it is no longer subject to income tax examinations for fiscal year ending prior to September 30, 2012.

NOTE 11 – EVALUATION OF SUBSEQUENT EVENTS

The Council has evaluated subsequent events through February 16, 2016, the date which the financial statements were available to be issued.

TALLAHASSEE – LEON COUNTY CULTURAL
RESOURCES COMMISSION
D/B/A COUNCIL ON CULTURE AND ARTS

Tallahassee, Florida

OTHER INFORMATION

Years Ended September 30, 2015 and 2014

TALLAHASSEE – LEON COUNTY CULTURAL RESOURCES
COMMISSION D/B/A COUNCIL ON CULTURE AND ARTS

Tallahassee, Florida

SCHEDULE OF FUNCTIONAL EXPENSES

Year Ended September 30, 2015

	Program Expenses	Management & General	Total
	<u> </u>	<u> </u>	<u> </u>
County Grant Payments	\$ 569,621	\$ -	\$ 569,621
Salaries	226,009	58,045	284,054
Office Space Rental	45,622	11,714	57,336
Direct Program Cost	10,100	-	10,100
Payroll Taxes	17,489	4,491	21,980
Insurance	11,638	2,988	14,626
Professional Services	12,306	3,159	15,465
General Office Expenses	14,131	3,628	17,759
Supplies	1,672	429	2,101
Equipment	4,913	1,262	6,175
Public Meetings/Events	2,901	745	3,646
Depreciation	1,805	463	2,268
Finance and Bank Charges	-	987	987
Marketing and Advertising	7,659	1,967	9,626
Travel and Hospitality	2,370	608	2,978
Total Functional Expenses	<u>\$ 928,236</u>	<u>\$ 90,486</u>	<u>\$ 1,018,722</u>

TALLAHASSEE – LEON COUNTY CULTURAL RESOURCES
COMMISSION D/B/A COUNCIL ON CULTURE AND ARTS
Tallahassee, Florida
SCHEDULE OF FUNCTIONAL EXPENSES
Year Ended September 30, 2014

	Program Expenses	Management & General	Total
	<u> </u>	<u> </u>	<u> </u>
County Grant Payments	\$ 504,500	\$ -	\$ 504,500
Salaries	195,939	17,811	213,750
Office Space Rental	52,558	4,778	57,336
Payroll Taxes	17,047	1,549	18,596
Insurance	18,756	1,705	20,461
Professional Services	13,149	1,195	14,344
General Office Expenses	13,044	1,186	14,230
Supplies	2,607	237	2,844
Equipment	3,560	324	3,884
Public Meetings/Events	1,778	162	1,940
Depreciation	1,144	490	1,634
Finance and Bank Charges	592	53	645
Marketing and Advertising	9,289	845	10,134
Total Functional Expenses	<u>\$ 833,963</u>	<u>\$ 30,335</u>	<u>\$ 864,298</u>

REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON
AN AUDIT OF FINANCIAL STATEMENTS PERFORMED
IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

Board of Directors of
Tallahassee - Leon County Cultural Resources Commission
d/b/a Council on Culture and Arts
Tallahassee, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of Tallahassee – Leon County Cultural Resources Commission d/b/a Council on Culture and Arts (a nonprofit organization), which comprise the statements of financial position as of September 30, 2015 and 2014, and the related statements of activities and changes in net assets, and cash flows, for the years then ended, and the related notes to the financial statements, and have issued our report thereon dated February 16, 2016.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered Tallahassee – Leon County Cultural Resources Commission d/b/a Council on Culture and Arts’ internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purposes of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Council’s internal control. Accordingly, we do not express an opinion on the effectiveness of the Council’s internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity’s financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of the internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Council's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Council's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Council's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



SANDERS, HOLLOWAY & RYAN
Certified Public Accountants
February 16, 2016

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT (“Agreement”) made and entered into this 10 day of DECEMBER, 2014, by and between the City of Tallahassee, a Florida municipal corporation, created and existing under the laws of the State of Florida (“City”), and LEON COUNTY, a political subdivision of the State of Florida (“County”).

RECITALS

WHEREAS, the County and the City recognize that the Council on Culture and Arts (“COCA”) was created to stimulate greater governmental and public awareness and appreciation of the arts in the Leon County community; encourage and facilitate greater opportunities for County and City residents to participate in artistic activities; promote the creative development of local artists, art institutions, and community organizations which sponsor artistic activities; and to assess the needs of the community in regard to the arts, artists, art institutions and community organizations sponsoring arts activities; and provide financial and technical assistance to artists, art institutions and audiences; and

WHEREAS, the Cultural Plan Review Committee adopted the Capital Area Cultural Plan on December 16, 2013, which was accepted by the County on February 25, 2014 and the City on February 12, 2014; and

WHEREAS, the County and City wish to enter into an agreement that will ensure that appropriate levels of funding are made available to support COCA in its mission to serve the community in the realm of the arts and to support programming designed to enhance economic development through tourism; and

WHEREAS, the County and City desire to enter into an agreement to accomplish the public purposes set forth in these recitals.

NOW, THEREFORE, in consideration of the following mutual promises and covenants, and other good and valuable consideration, the sufficiency of which is being acknowledged, the County and City hereby agree as follows:

1. Term and Effective Date.

The Term of this Agreement shall commence on October 1, 2014 and shall continue until September 30, 2021. This Agreement shall be effective upon full execution by the Parties hereto.

2. County Obligations.

The County has the following obligations under this Agreement:

a. For five (5) fiscal years, beginning with fiscal year 2014-15 and ending with fiscal year 2019-20, the County shall collect and allocate for use by COCA

one and twenty-five one hundredths (1.25) cent of the five (5) cent Tourist Development Tax imposed by the County. The funds shall be utilized by COCA for the support of the cultural grant program and implementation of the Cultural Plan. Any such expenditures must be authorized as provided under and in accordance with section 125.0104, Florida Statutes.

The funds comprising one (1) cent of the Tourist Development Tax shall be available for the use by or on behalf of COCA in the fiscal year the funds are collected.

The funds comprising twenty-five one hundredths (0.25) cent of the Tourist Development Tax shall be available for the use by or on behalf of COCA in the fiscal year immediately following the year in which the funds are collected. For example, the funds comprising twenty-five one hundredths (0.25) cent of the Tourist Development Tax collected in fiscal year 2014-15, shall be disbursed to or on behalf of COCA in fiscal year 2015-16.

b. For five (5) fiscal years, beginning with fiscal year 2014-15 and ending with fiscal year 2019-20, the County shall budget and allocate not less than One Hundred Fifty Thousand Dollars (\$150,000.00) per annum from its general revenue fund for use by COCA for its operational expenses and implementation of the Cultural Plan.

3. City Obligations.

The City shall have the following obligations under this Agreement:

For five (5) fiscal years, beginning with fiscal year 2014-15 and ending with fiscal year 2019-20, the City shall budget and allocate not less than One Hundred Fifty Thousand Dollars (\$150,000.00) per annum from its general revenue fund for use by COCA for its operational expenses and implementation of the Cultural Plan.

4. Tourist Development Council.

Upon the request of COCA, the Tourist Development Council shall offer and provide guidance on the eligibility of expenditures of Tourist Development Tax funds in support of cultural grant program funding by COCA.

5. Termination.

If either Party fails to comply with any of the terms or conditions of this Agreement or defaults in any of its obligations under this Agreement and shall fail, within thirty (30) calendar days after written notice from the other Party, to correct such default or noncompliance, the non-defaulting Party may, at its option, upon compliance with the provisions set out in Section 5, terminate its performance and any duties arising under this Agreement.

6. Conflict Resolution.

a. The Parties shall attempt to resolve all disputes that arise under this Agreement in good faith and in accordance with this section. The provisions of the "Florida Governmental Conflict Resolution Act" shall not apply to disputes under this Agreement, as an alternative dispute resolution process is hereby set forth in this section. The aggrieved Party shall give notice to the other Party in writing, setting forth the name of the Party involved in the dispute, the nature of the dispute, date of occurrence (if known), and proposed resolution, hereinafter referred to as the "Dispute Notice."

b. Should the Parties be unable to reconcile any dispute, the City Manager and County Administrator, or their designees, shall meet at the earliest opportunity, but in any event within ten (10) days from the date that the Dispute Notice is received, to discuss and resolve the dispute. If the dispute is resolved to the mutual satisfaction of the Parties, they shall report their decision, in writing, to the City Commission and Board of County Commissioners. If the City Manager and County Administrator, or their designees, are unable to reconcile the dispute, they shall report their impasse to the City Commission and Board of County Commissioners, who shall then convene a meeting at their earliest appropriate opportunity, but in any event within forty-five (45) days following receipt of a Dispute Notice, to attempt to reconcile the dispute.

c. If a dispute is not resolved by the foregoing steps within forty-five (45) days after receipt of the Dispute Notice, unless such time is extended by mutual agreement of the Parties, then either Party may require the dispute to be submitted to mediation by delivering written notice thereof (the "Mediation Notice") to the other Party. The mediator shall meet the qualifications set forth in Rule 10.100(d), Florida Rules for Mediators, and shall be selected by the Parties within ten (10) days following receipt of the Mediation Notice. The mediator shall also have sufficient knowledge and experience in the subject of the dispute. If agreement on a mediator cannot be reached in that ten (10) day period, then either Party can request that a mediator be selected by an independent conflict resolution organization, and such selection shall be binding on the Parties. The costs of the mediator shall be borne equally by the Parties.

d. If an amicable resolution of a dispute has not been reached within sixty (60) calendar days following selection of the mediator, or by such later date as may be mutually agreed upon by the Parties, then, upon the agreement of both Parties, such dispute may be referred to binding arbitration; otherwise, each Party may pursue whatever remedies may be available at law, in equity, or otherwise. If the dispute is so referred, such arbitration shall be conducted in accordance with the Florida Arbitration Code (Chapter 682, Florida Statutes).

1. Such arbitration shall be initiated by delivery, from one Party (the "Claimant") to the other Party (the "Respondent"), of a written demand therefore

containing a statement of the nature of the dispute and the amount, if any, involved. The Respondent, within ten (10) days following its receipt of such demand, shall deliver an answering statement to the Claimant. After the delivery of such statements, either Party may make new or different claims by providing the other(s) with written notice thereof specifying the nature of such claims and the amount, if any, involved.

2. Within ten (10) days following the delivery of such demand, each Party shall select an arbitrator and shall deliver written notice of that selection to the other. If either Party fails to select an arbitrator within such time, the other Party may make application to the court for such appointment in accordance with the Florida Arbitration Code. Within ten (10) days following delivery of the last of such written notices, the two arbitrators so selected shall confer and shall select an additional arbitrator.

3. The arbitration hearing shall be commenced in Leon County, Florida within sixty (60) days following selection of the additional arbitrator. Except as may be specifically provided herein, the arbitration shall be conducted in accordance with Rules R-23 – R-48 of the Commercial Arbitration Rules of the American Arbitration Association.

7. Indemnification.

To the extent permitted by law and subject to the limitations, conditions, and requirements of Section 768.28, Florida Statutes, which the Parties do not waive, each Party agrees to indemnify, defend and hold harmless the other Party, their officials, officers, and employees, from and against all liabilities, damages, costs and expenses, resulting from or arising out of any acts or omissions by the indemnifying Party, or its officials, officers, or employees, relating in any way to performance under this Agreement.

8. General Provisions.

- a. Governing Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Any action to enforce any of the provisions of this Agreement shall be maintained in Tallahassee, Leon County, Florida.
- b. Waiver. Failure to insist upon strict compliance with any term, covenant or condition of this Agreement shall not be deemed a waiver of it. No waiver or relinquishment of a right or power under this Agreement shall be deemed a waiver of that right or power at any other time.
- c. Modification. This Agreement shall not be extended, changed or modified, except in writing duly executed by the Parties hereto.

- d. Binding Effect. This Agreement shall be binding upon the successors and, subject to below, assigns of the Parties hereto.
- e. Assignment. Because of the unique nature of the relationship between the Parties and the terms of this Agreement, neither Party hereto shall have the right to assign this Agreement or any of its rights or responsibilities hereunder to any third Party without the express written consent of the other Party to this Agreement, which consent shall not unreasonably be withheld.
- f. Entire Agreement. This Agreement constitutes the entire agreement between the Parties with respect to the matters contained herein, and all prior agreements or arrangements between them with respect to such matters are superceded by this Agreement.
- g. Headings. Headings in this Agreement are for convenience only and shall not be used to interpret or construe its provisions.
- h. Ambiguity. This Agreement has been negotiated by the Parties with the advice of counsel and, in the event of an ambiguity herein, such ambiguity shall not be construed against any Party as the author hereof.
- i. Public Bodies. It is expressly understood between the Parties that the City is a public body corporate under the laws of the State of Florida and that the County is a political subdivision of the State of Florida. Nothing contained herein shall be construed as a waiver or relinquishment by either of the Parties to claim such exemptions, privileges or immunities as may be provided to that Party by law.
- j. Force Majeure. A Party shall be excused from performance of an obligation under this Agreement to the extent, and only to the extent, that such performance is affected by a "Force Majeure Event" which term shall mean any cause beyond the reasonable control of the Party affected, except where such Party could have reasonably foreseen and reasonably avoided the occurrence, which materially and adversely affects the performance by such Party of its obligation under this Agreement. Such events shall include, but not be limited to, an act of God, disturbance, hostility, war, or revolution; strike or lockout; epidemic; accident; fire; storm, flood, or other unusually severe weather or act of nature; or any requirements of law.
- k. Costs and Attorney Fees. In the event of litigation between the Parties to construe or enforce the terms of this Agreement or otherwise arising out of this Agreement, the prevailing Party in such litigation shall be entitled to recover from the other Party its reasonable costs and attorneys fees incurred in maintaining or defending the subject litigation. The term litigation shall include appellate proceedings.
- l. Severability. It is intended that each Section of this Agreement shall be viewed as separate and divisible, and in the event that any Section, shall be held to be

invalid, the remaining Sections and parts shall continue to be in full force and effect.

IN WITNESS WHEREOF, the Parties hereto, through their duly authorized representative, have executed this Interlocal Agreement as of the date set forth above.

LEON COUNTY, FLORIDA

CITY OF TALLAHASSEE, FLORIDA

By: Mary Ann Lindley
Mary Ann Lindley, Chairman
Board of County Commissioners

By: Andrew D. Gillum
Andrew D. Gillum, Mayor



ATTEST:
Bob Inzer
Clerk and Comptroller
Leon County, Florida

ATTEST:

By: John Stott, Deputy Clerk

By: James O. Cooke, IV
James O. Cooke, IV
City Treasurer-Clerk

Approved as to Form:
Leon County Attorney's Office

Approved as to Form:

By: Herbert W. A. Thiele, Esq.
Herbert W. A. Thiele, Esq.
County Attorney

By: Lewis E. Shelley
Lewis E. Shelley, City Attorney

**Leon County
Board of County Commissioners**


Notes for Agenda Item #34

Leon County Board of County Commissioners

Cover Sheet for Agenda #34

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of Staff Review of the Canopy Roads Citizen Committee and Recommendations to Improve Development Review Efficiency and Increase Proactive Canopy Road Management, Education, and Outreach

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator David McDevitt, Director, DSEM Tony Park, Director, Public Works Benjamin H. Pingree, Director, Planning, Land Management & Community Enhancement
Lead Staff/ Project Team:	Cherie Bryant, Planning Manager Barry Wilcox, Planning Division Manager Katherine G. Burke, Director of Engineering Services John P. Kraynak, Director of Environmental Services Division

Fiscal Impact

This item has no fiscal impact to the County. The existing urban forester position recommended for reassignment is currently budgeted.

Staff Recommendation

1. Accept staff's report and direct staff to continue to support the Canopy Road Citizen Committee (CRCC) in updating and implementing the Canopy Roads Management Plan and public outreach and education efforts.

(Recommendations continued on next page)

Title: Acceptance of Staff Review of the Canopy Roads Citizen Committee and Recommendations to Improve Development Review Efficiency and Increase Proactive Canopy Road Management

March 8, 2016

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2. Direct staff to prepare ordinance amendments to further improve development review efficiency that:

a) Clarifies the CRCC's advisory role to the review of new road connection and intersection project proposals;

b) Adds a requirement for review of all proposed infrastructure projects, including utilities installation and sidewalks in the CRPZ, by formalizing a technical staff committee with membership from Public Works, Planning, and Development Services and Environmental Management (DSEM) to be called the Canopy Road Protection Interdepartmental Committee.

c) Includes the establishment of more objective criteria for the evaluation of projects impacting the CRPZ.

3. Direct staff to reassign the County Urban Forester position as dedicated support staff to the expanded protection of the Canopy Road System.

4. Direct staff to amend all necessary documents for purposes of:

a. Modifying the Composition of the Canopy Roads Committee membership to the following: Twelve total members; five appointed by the County and five appointed by the City of which one County and one City appointee shall live on a canopy road; the remaining two members shall be approved by the County and City appointees: a business leader nominated by the Greater Tallahassee Chamber of Commerce and a certified arborist.

b. Requiring the CRCC to meet at least once annually and on an as needed basis as determined by staff for purposes of updating and implementing the Canopy Roads Management Plan and for specific project review.

Report and Discussion

Background:

On October 13, 2015, while considering two appointments to the CRCC, the Board passed a motion to table the appointments and directed staff to conduct a review of the CRCC. Specifically, the Board directed staff to evaluate the overall performance and efficiency of the CRCC and related processes to maximize canopy road protection (noting there are other departments and professional staff that work to address canopy road issues).

This topic is related to the following FY2012-FY2016 Strategic Initiatives that the Board revised at the January 27, 2015 meeting:

- Provide canopy road protections

This particular Strategic Initiative aligns with the Board's Strategic Priority:

- Promote orderly growth which protects our environment, preserves our charm, maximizes public investment, and stimulates better and more sustainable economic returns.

This agenda item provides a review of the community's holistic efforts to protect canopy roads, including a review of County actions taken to date and a detailed analysis of the official and historical role of the CRCC. This agenda item includes recommendations to maximize efficiencies while insuring and expanding future canopy road protection efforts.

Specifically, the following topics are reviewed within this item:

- Development Process Review and Improvement Along Canopy Roads
 - Current CRCC Role as Defined in the Bylaws and Code
 - Role of County Development Support and Environmental Management (DSEM)
 - Proactive Canopy Roads Management Role of the CRCC
 - Opportunity to Reduce Delays to the Development Review Process While Ensuring Protections
 - Options to More Strategically Define Roles
- Current and Historical Staffing in Support of Proactive Canopy Roads Management
- CRCC Membership
- Continued Coordination with the City of Tallahassee

Analysis:

Developed naturally, cultivated over centuries and providing a unique, identifiable hallmark of Florida's Capital Region, Leon County's canopy road network is a tremendous value to our community, natural ecosystem, and collective identity. Accordingly, the stewardship and protection of our canopy roads has long been a priority to citizens and government alike. Canopy road designations in Leon County go back more than four decades; with Code

Title: Acceptance of Staff Review of the Canopy Roads Citizen Committee and Recommendations to Improve Development Review Efficiency and Increase Proactive Canopy Road Management

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requirements for specific protection established by County ordinance in 1975 (more information can be found at <http://www.talgov.com/planning/planning-environ-environ.aspx>).

Canopy Road Citizen Committee Overview

As the programs, processes, infrastructure, and public investment related to the canopy road system have grown, the Board's focus upon protecting this natural asset has expanded. In 1991, the Board established a citizen's advisory committee (the CRCC) as an ad hoc committee to facilitate development and implementation of a management plan for canopy roads. The creation of this management plan was a requirement of the newly formulated Comprehensive Plan, which had been formally adopted the previous year.

The resulting Canopy Roads Management Plan (CRMP) was adopted by both City and County Commissions in 1992, and was ultimately amended and approved by the MPO in 1993 (*note*: a recommendation to further strengthen canopy road protections by updating the CRMP, to be led by the CRCC, is included in this item). Additionally, in 1992, the Board adopted an ordinance establishing new regulations that remain the foundation of current canopy roads protection.

After adoption of the CRMP and the major code requirements, the CRCC was made a joint, standing committee by both City and County Commissions in 1993. The eight-member committee is, and always has been, comprised of volunteers serving in an advisory capacity. The Board of County Commissioners appoints four CRCC members and the Mayor of the City of Tallahassee appoints four members.

The CRCC currently makes recommendations to staff regarding development applications that could affect Canopy Roads. They also make recommendations to the County and City Commissions, respectively, related to the management and promotion of canopy roads. Initially, as defined in the bylaws, the CRCC's role was one of active promotion, education, and outreach. As will be discussed further, development review authority was not included as an initial charge of the CRCC, but was added by the County and City Commissions, respectively, in 2004 and 2008.

In 2004, the City granted the CRCC development review authority as a component of a larger environmental regulation update. The County granted the same authority in 2008 in response to concerns over the design and appearance of fences on private property within the Canopy Road Protection Zone (CRPZ). It is important to note, the land development code revisions associated with the aforementioned actions were solely intended to memorialize an already existing process by which staff would request a recommendation from the CRCC regarding proposed projects and improvements within the CRPZ.

Development Review Process within the CRPZ

As stated earlier, the code requirements adopted in 1992 remain the foundation of current canopy roads protection. These regulations establish the Canopy Road Protection Zone (CRPZ) as being 100 feet from the centerline of a canopy road on both sides. Fundamental components of the current regulations include:

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March 8, 2016

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- No structures shall be built in the CRPZ,
- Repair or maintenance of existing, lawfully established fences and structures in the CRPZ may be permitted pursuant to applicable criteria and standards in the Code,
- No clearing of vegetation or removal of trees may occur in the CRPZ, unless authorized for health, safety or welfare of the public,
- A full analysis of the impact of a development on the affected canopy road shall be submitted by the applicant at the time of development review,
- Joint access to canopy roads shall be required unless there is no alternative. New curb cuts on canopy roads shall be designed to serve more than one development, and
- If the site is accessible by roads other than the canopy road, it shall not have direct access to the canopy road.

The full Code provisions for the County and City are lengthy but are included as Attachment 1 (NOTE: For ease of use, Attachment 1 lists the topics covered, then provides citations and pdf links) to the applicable sections of either County or City Code. Staff and applicants, as well as the CRCC, adhere to these standards when reviewing development requests within the CRPZ.

A short review of the timeline for the history of the CRCC's involvement in the development review process is included as Attachment 2. A full County Attorney's Office review of changes to canopy road related ordinances since the creation of the CRCC is included as Attachment 3.

Current CRCC Role as Defined in the Bylaws and Code

The CRCC by-laws (Attachment 4) were approved by the County and City Commissions to provide additional guidance to the CRCC as well as further detail their role and responsibilities. These bylaws establish a two part purpose for the Committee:

- To function as a standing committee that will make recommendations to the County and City Commissions on matters related to Canopy Road Preservation.
- Assist in coordinating the efforts of government, private sector, civic groups, and individuals in an effort to protect, maintain, enhance and where applicable, re-evaluate canopy roads.

The by-laws further clarify that "the Canopy Roads Citizens Committee has no authority other than to serve in an advisory capacity to the City and County Commissions."

As previously mentioned, in 2004, the City approved an ordinance requiring CRCC review of project proposals which impacted, or had the potential to impact, the CRPZ. The County followed suit in 2008. Unfortunately, the CRCC bylaws were not simultaneously updated, inadvertently creating an inconsistency between key guiding documents for the CRCC.

Prior to 2008, County staff took most projects to the Committee for review, but it was not a codified requirement. Based on this information, it appears the CRCC acted primarily as an

Title: Acceptance of Staff Review of the Canopy Roads Citizen Committee and Recommendations to Improve Development Review Efficiency and Increase Proactive Canopy Road Management

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advisory committee to the City and County staff for over a decade before the Commissions formalized their role in the development review process in 2004 and 2008.

Countywide Minimum Standards were amended in 2010 to bring consistency between City and County codes for canopy road protection. Two canopy road code provisions were modified as part of this amendment. The first was a provision for repair and maintenance of existing, lawfully established structures and fences. The second was to allow for the construction of sidewalks along canopy roads within the County, a provision which was already in existence in City code.

Canopy road protection requirements are established in Section 10-4.202, and Section 10-4.206 of the County's land development code. These sections provide additional requirements for the removal of trees and for the repair and maintenance of existing structures and fences (Attachment 5). Section 10-4.206 includes the statement, "All applications pursuant to this section shall undergo review by the Canopy Roads Citizen Committee". Further clarification of the CRCC role is limited and includes largely subjective regulatory phrases such as "visually intrusive," "canopy road effect," and a requirement for mitigation of "both the visual and vegetational impacts identified." For the purpose of providing certainty and consistency of development review, staff recommends that the code be amended to include objective criteria for the evaluation of projects impacting the CRPZ.

Role of County Development Support and Environmental Management (DSEM)

DSEM is responsible for the review of development proposals that may impact the CRPZ. Staff is tasked with determining the proposals compliance with code requirements and ensuring impacts are minimized to the greatest extent possible.

The DSEM review process begins with a site visit. In general, staff reviews site planning details, such as the placement of infrastructure (often driveways) to avoid impacts to trees and their root zones. They also consider alternative construction methods which minimize root impacts and look for opportunities to mitigate any unavoidable impacts through tree planting or arboricultural mitigation techniques.

More specifically:

- All trees proposed for removal and all trees with critical protection zone (CPZ) impacts are identified on a site plan and verified by staff during the site visit.
- Adequate site distance is checked for safety purposes. Culvert size and pavement material is reviewed for compliance with the driveway manual requirements.
- Property frontage on the canopy road is inspected to determine if the proposed location is the least intrusive to the canopy coverage and viewshed.
- All building structures are checked to ensure that they are located outside the CRPZ.

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- Tree credits are reviewed for mitigation of any removed trees. Appropriate locations for the replanting of trees are determined. Trees provided for replanting are checked to ensure that they are native species.
- If trees remain, but have their CPZ impacted, staff checks to make sure they have a mitigation plan provided by a certified arborist.
- Staff inspects for invasive species in the canopy and works with the property owner for removal.

During a prior review of the Countywide Minimum Environmental Standards, the County Code was modified to be consistent with the City's code provisions on the above noted tree mitigation techniques. Section 10-4.363(e)(6) of the County Code now provides consistent arboricultural mitigation techniques when impacting the critical protection zone of protected trees being saved. These standard techniques have been used by Arborists in formal landscape plans for several years and have been tried and proven effective. As presented above, DSEM is the lead regulatory review agency responsible for insuring these code requirements for canopy road protection, inclusive of all above noted steps, are met by applicants.

In summary, DSEM plays a significant, lead role in ensuring development proposals within the CRPZ meet the requirements of the code and result in the greatest level of protection for our canopy roads.

Proactive Canopy Roads Management Role of the CRCC

While the bylaws direct the CRCC to take a proactive role in the maintenance and enhancement of the Canopy Roads, the majority of their time in recent years, as well as staff support time, has been devoted to development review activities. This resource allocation was done to avoid additional delays to public and private project proposals within the Canopy Road Protection Zone, and as the CRCC undertook development review actions during most of the past decade.

That said, the CRCC recently developed a scope of work to update the 1992 Canopy Roads Management Plan and to draft a Canopy Road Design Manual providing guidelines and best practices for the most common types of projects along Canopy Roads. Both efforts are identified in the bylaws as duties of the Committee. A draft document from the CRCC outlining these is included as Attachment 6. This activity by the advisory CRCC aligns with overarching long term and strategic protections of our canopy roads. Actual development of a management plan update and the design manual will require significant staff support, which is not currently available to the Committee. Providing for those staffing needs and the refocusing of the CRCC upon this overarching canopy road protection activity is discussed in later sections.

Opportunity to Reduce Delays to the Development Review Process While Ensuring Protections

The current review process requires applicants to complete a request form and submit materials three weeks prior to the next scheduled bimonthly meeting of the CRCC. Upon review and processing by staff, materials are then provided by staff to the CRCC one week prior to the scheduled meeting, and applicants present their project proposals and request for review at the

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CRCC meeting. The CRCC reviews the project and passes a motion, which is documented in a memo by planning staff and sent to the applicant and DSEM.

While staff-led development review work, outlined in earlier sections and responsible for full compliance of development proposals to all current regulations, occur each business day, the CRCC review and meeting process is less frequent. The CRCC currently meets every other month and review by the CRCC is an additional step for all project applicants within the CRPZ. As length of time to the next CRCC meeting varies, as does the size and complexity of the proposed project, it is difficult to state precisely how much time this additional step adds. Generally, the added time burden will be larger for small, less complicated projects that would otherwise flow quickly through compliance review. Larger and more complex projects have more opportunity (and need) to seek expanded review concurrently while completing other permitting requirements. Under the current process, if the CRCC requests review of a proposal multiple times, significant delays within the project schedule may occur.

Failure to have a quorum of five voting members has also caused periodic delays for applicants. The CRCC has failed to have a quorum three times in the past three years with a total of 24 meetings (13% no quorum). Two of the meetings without quorum were regularly scheduled meetings and one was a special meeting.

The bylaws indicate that a member is removed from the CRCC if they are absent from three consecutive, regularly scheduled meetings in a given calendar year. Absences for emergency or specially called meetings are not recorded against a member in calculating absenteeism. No members of the CRCC have been removed from service due to absenteeism issues. The CRCC has also preselected special meeting dates for 2016 to help ensure availability of a quorum when it is necessary to call a special meeting.

Staff conducted a review of the CRCC development review actions for the past three years. Observations from the review follow.

- 26 Projects were reviewed by the CRCC in the past three years
 - 20 Projects were in the City of Tallahassee (77%)
 - 6 Projects were in Unincorporated Leon County (23%)
- 15 of the projects were privately initiated and 27% of these took more than one CRCC meeting to review and process
- 11 of the projects were publicly initiated and 45% of these took more than one CRCC meeting to review and process

A detailed analysis of public and private projects reviewed more than one time during the past three years by the CRCC is included as Attachment 7.

Going forward, there is an opportunity to more strategically define the development review role of the CRCC to increase efficiency, maintain/expand canopy road protections, and empower the

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members to fulfill the CRCC's original mission, as outlined in the bylaws. A staff recommendation regarding this point is presented as Option 2, below.

Options to More Strategically Define Roles and Increase Efficiency

DSEM analysis reflects that most of the development applications received along canopy roads is small and relatively simple. In these cases, an applicant's adherence to the Code requirements and related canopy road protection regulations provides strict guidelines for the protection of the canopy roads. Moreover, a complete processing of these applications, by staff, to determine full compliance to canopy road protection regulations is expedient, thorough, and substantial. In most cases, the additional step of development review conducted by the advisory CRCC at times appears duplicative of the professional staff review provided by DSEM.

On occasion, larger development proposals occur along our canopy road network. These projects have the potential to significantly affect the canopy and therefore call for a higher level review. When such projects have occurred in the past, staff from all related departments have worked together to develop strategies to reduce impacts, and those strategies have been ultimately accepted by the CRCC. However, the membership and process of this ad hoc interdepartmental review for large, complex development applications within the CRPZ has not previously been formally structured. Staff recommends that such structure and process should be formalized, including provision of public notice (and access) for such meetings similar to the Development Review Committee that reviews all developments for code compliance.

In accordance with the above finding, and to better serve the ongoing protection of our canopy roads, staff recommends the creation of a new staff Canopy Road Protection Interdepartmental Committee (CRPIC). The currently utilized interdepartmental coordination is imperative to minimizing canopy impacts and has a proven record of success. Formal establishment of the CRPIC for expert, technical review of development applications with representatives from Public Works, Planning, and DSEM is anticipated to expand public access, interdepartmental efficiency and insure canopy road protections. Meetings of the CRPIC would be open to the public and have an opportunity for public input. In addition to new road and intersection projects, CRPIC would review proposals such as utilities installation and sidewalks.

In summary, DSEM staff review of smaller projects ensures strict compliance with canopy road protection regulations and is done in a consistent, timely fashion; existing review by the CRCC can at times appear redundant to the applicant and cause unnecessary delays. However, larger projects may require greater scrutiny to ensure their impacts are appropriately minimized and/or mitigated. To this end, staff proposes that new road and intersection projects should still be reviewed by the CRCC to ensure the integrity of the canopies over time. These new road connections will typically be the result of large subdivisions being built along a Canopy Road. Staff is confident that the CRCC's continued advisory involvement in review of these larger, more complex, and (normally) more time consuming applications is beneficial for our community's governing bodies at the City and County, respectively, as well as by staff.

Therefore, to gain efficiency, reduce unnecessary duplication of review, and enhance overall canopy road protections, staff recommends consideration of the following:

Recommended Option 1:

Accept staff's report and direct staff to continue to support the Canopy Road Citizen Committee (CRCC) in updating and implementing the Canopy Roads Management Plan and public outreach and education efforts.

Recommended Option 2:

Direct staff to prepare ordinance amendments to further improve development review efficiency that:

- a) Clarifies the CRCC's advisory role to the review of new road connection and intersection project proposals;*
- b) Adds a requirement for review of all proposed infrastructure projects, including utilities installation and sidewalks in the CRPZ, by formalizing a technical staff committee with membership from Public Works, Planning, and Development Services and Environmental Management (DSEM) to be called the Canopy Road Protection Interdepartmental Committee.*
- c) Includes the establishment of more objective criteria for the evaluation of projects impacting the CRPZ.*

Current and Historical Staffing in Support of Proactive Canopy Roads Management

Currently, the joint Tallahassee-Leon County Planning Department provides administrative support to the CRCC, with technical support provided by County DSEM, City Growth Management, County Public Works, City Underground Utilities and Public Infrastructure, the County Attorney's Office, and the City Attorney's Office. The County and City also both employ Certified Arborists to run budgeted programs that address hazard tree identification and removal on roads throughout the jurisdiction, including canopy roads.

In 1994, a Canopy Road Interlocal Agreement was established between the County and City for providing consistency in how the canopy road system was serviced. That Agreement offered a joint approach and a division of duties between the City Urban Forester and the County Canopy Road Coordinator. The County's Canopy Road Coordinator, located in Public Works, would implement all maintenance and management activities while the City's Urban Forester, located in Planning, would review and comment on all plans for development or other impacts along canopy roads and assume primary responsibility for coordinating public participation. This Interlocal Agreement has expired and was not reauthorized. The County Canopy Road Coordinator and the City Urban Forester positions no longer exist and these proactive functions are being addressed by two other positions allocating approximately 10% each to canopy roads. A full review of the Public Works canopy road program since its inception in 1990 is included as Attachment 8.

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Implementation of the Canopy Roads Management Plan, public outreach, education, tree plantings and CRCC support work would ideally be done by at least one dedicated staff member. This staff member could research and draft best management practices that the CCRC could then incorporate into an update for the Canopy Roads Management Plan and a Design Manual. The staff would then be responsible for completing the actions outlined in those documents, such as replanting along the roads, invasive species control, and other maintenance and education/outreach activities in coordination with the CRCC. This position would also be available to assist the County Division of Tourism in the promotion of the canopy roads as part of our overall marketing and promotion strategies for drawing tourist to the community. Staff recommends reassigning the County Urban Forester position, currently vacant, for handling these duties.

Recommended Option 3:

Direct staff to reassign the County Urban Forester position as dedicated support staff to the expanded protection of the Canopy Road System.

CRCC Membership

As stated previously, the CRCC consists of eight members, four members appointed by the City and four members appointed by the County. According to the by-laws, updated as of 2005 (Attachment 4), membership should consist of a balance of persons who have expertise in the fields of forestry, local history, live along a canopy road, or have demonstrated a willingness to serve for enhancement of the community. Members are presently eligible to serve for two consecutive three-year terms.

Three of the four County appointed seats are currently up for appointment. Two County seats are vacant and the third seat is up for reappointment and is eligible for a second term. Information on the current membership of the CRCC is included as Attachment 9. The process for amending the by-laws includes review by the CRCC and approval by both the Board and the City Commission.

An additional opportunity exists to further strengthen the CRCC by addition of important viewpoints, professional representatives, and stakeholders, adding to the strength of the CRCC as an advocacy and educational entity. To further facilitate a balanced spectrum of viewpoints and technical expertise, staff recommends the composition of the Committee be as follows:

- A committee of twelve members, consisting of the following:
 - Five appointments by the County and Five appointments by the City
 - One each of the County and City appointments must be a property owner on the canopy road
 - One business representative; a recommendation shall be made by the Greater Tallahassee Chamber of Commerce for approval by the 10 City and County appointees
 - One Certified Arborist for approval by the 10 City and County appointees

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Staff also recommends that the CRCC be required to meet at least once annually and on an as needed basis as determined by staff for purposes of updating and implementing the Canopy Roads Management Plan and specific project review.

Recommended Option 4:

Direct staff to amend all necessary documents for purposes of:

a. Modifying the Composition of the Canopy Roads Committee membership to the following: Twelve total members; five appointed by the County and five appointed by the City of which one County and one City appointee shall live on a canopy road; the remaining two members shall be approved by the County and City appointees: a business leader nominated by the Greater Tallahassee Chamber of Commerce and a certified arborist.

b. Requiring the CRCC to meet at least once annually and on an as needed basis as determined by staff for purposes of updating and implementing the Canopy Roads Management Plan and for specific project review.

Continued Coordination with the City of Tallahassee

As stated previously, the CRCC is a joint City/County committee. While the City does maintain code requirements for canopy roads protection, Leon County is responsible for setting the minimum environmental standards for canopy roads protection based on a charter amendment approved by voters in 2010. During implementation of the minimum environmental standards charter amendment, differences between the County and City requirements were evaluated and the County Code was updated to include an existing City provision regarding the process and design for sidewalks and tree mitigation techniques for projects that impact tree roots.

As the County sets the minimum standards and the City can choose to be more restrictive, if the County updates the development review process and the duties of the CRCC, the City Commission has the authority to modify City regulations as well. Staff will continue all collaboration efforts with the City of Tallahassee to share County Commission actions, to maximize development review process and staffing efficiencies, increase the focus on the development of long term strategic goals and management planning by the CRCC, and ensure protection of our community's canopy roads.

Summary

Leon County has a systematic, long-standing, proven, and highly detailed regulatory process balanced toward protecting our community's historic canopy roads: a hallmark of our community's shared ecosystem and natural identity. For the past four decades the County has implemented significant enhancements for canopy road protections, involved volunteer leadership, and provided responsive professional staff management. A new opportunity now exists to increase regulatory efficiencies, expand public participation, and broaden the protection of our canopy roads. The recommendations provided achieve those improvements within current funding levels and are anticipated to improve the protection and vibrancy of the canopy roads.

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Options:

1. Accept staff's report and direct staff to continue to support the Canopy Road Citizen Committee (CRCC) in updating and implementing the Canopy Roads Management Plan and public outreach and education efforts.

2. Direct staff to prepare ordinance amendments to further improve development review efficiency that:

a) Clarifies the CRCC's advisory role to the review of new road connection and intersection project proposals;

b) Adds a requirement for review of all proposed infrastructure projects, including utilities installation and sidewalks in the CRPZ, by formalizing a technical staff committee with membership from Public Works, Planning, and Development Services and Environmental Management (DSEM) to be called the Canopy Road Protection Interdepartmental Committee.

c) Includes the establishment of more objective criteria for the evaluation of projects impacting the CRPZ.

3. Direct staff to reassign the County Urban Forester position as dedicated support staff to the expanded protection of the Canopy Road System.

4. Direct staff to amend all necessary documents for purposes of:

a. Modifying the Composition of the Canopy Roads Committee membership to the following: Twelve total members; five appointed by the County and five appointed by the City of which one County and one City appointee shall live on a canopy road; the remaining two members shall be approved by the County and City appointees: a business leader nominated by the Greater Tallahassee Chamber of Commerce and a certified arborist.

b. Requiring the CRCC to meet at least once annually and on an as needed basis as determined by staff for purposes of updating and implementing the Canopy Roads Management Plan and for specific project review.

5. Board direction

Recommendation:

Options #1 through #4

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Attachment(s)

1. Comparison of City and County Regulations by Topic
2. Short Review of the Timeline for the CRCC Development Review History
3. County Attorney's Office Review of Canopy Road Regulation Changes
4. CRCC By-Laws
5. Leon County Land Development Code Section 10-4.202 and 10-4.206
6. Draft outline from the CRCC for potential components for the canopy roads management plan update and the canopy roads design manual
7. Analysis of Public and Private Projects Reviewed More Than One Time by the CRCC
8. Historical Overview of Public Works Canopy Road Program Since 1990
9. Current CRCC Membership Information

Canopy Road Related Code Provisions in the City of Tallahassee and Leon County Updated February 2013

This document provides the principal City and County regulations related to designated Canopy Roads. The regulations have been grouped by topic area for both the City and the County to facilitate use by individuals that may work in both jurisdictions. This intended to be a useful guide and is not a substitute for directly referring to the relevant land development code. If you have any questions, please contact Brian Wiebler at 891-6400. [Click on the Sections below to link to the referenced regulation.](#)

Definitions Designating Road Segments and Protection Zone Locations

City Sec. 5-12. - Definitions.	County Sec. 10-1.101. - Definitions.
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Standards for Development on Designated Canopy Roads

City Sec. 5-81. - Conservation and preservation area development standards.	County Sec. 10-4.202. - Pre-development environmental analysis reviews.-Standards for the protection of natural features- Conservation areas
City Sec. 10-302. - Canopy roads overlay district.	County Sec. 10-6.707. - Canopy roads overlay district.

Impact Analysis and Permit Requirements on Designated Canopy Roads

City Sec. 5-55. - Environmental impact analysis.	County Sec. 10-4.206. - Application requirements for the removal of trees, generally; and, for the repair and maintenance of existing lawfully established structures and fences for lands within the canopy road protection zone.
City Sec. 5-56. - Environmental management permit.	

Tree Protection Requirements on Designated Canopy Roads

City Sec. 5-83. - Tree protection and removal standards.	County Sec. 10-4.362. - Protected trees.
	County Sec. 10-4.363. - Tree protection requirements.
	County Sec. 10-4.364. - Removal of protected trees

Subdivision Design Standards on Designated Canopy Roads

City Sec. 9-112. - Subdivision design standards.	County Sec. 10-7.502. - General layout design standards.
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Commercial Site Location Standards on Designated Canopy Roads

City Sec. 10-174. - Commercial site location standards.	County Sec. 10-6.619. - Commercial site location standards.
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Off-Site Advertising Signs on Designated Canopy Roads

City Sec. 7-64. - Off-site advertising signs.	County Sec. 10-9.106. - Canopy roads.
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Communication Towers and Antennas

City Sec. 10-425. - Communication antennas and communication antenna support structures.

Additional Leon County Specific Code Provisions

- Sec. 10-6.305. - Supplemental nonconformity regulations.
- Sec. 10-7.202. - Revised 2.1.9 Family Heir Subdivision Standards.
- Sec. 10-4.326. - Vegetation removal.
- Sec. 10-4.328. - Best management practices for conservation and preservation areas.
- Sec. 10-6.815. - Rural small-scale plant nurseries.

Sec. 10-1.101. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

...

Canopy road or canopy road tree protection zones shall include all lands within the unincorporated county within 100 feet of the centerlines of the following roads hereby declared to be canopy road tree protection zones:

- (1) Meridian Road from its intersection with Seventh Avenue to the state line.
- (2) Magnolia Drive--Centerville Road--Moccasin Gap Road from their intersection with Seventh Avenue to State Road 59.
- (3) Miccosukee Road from its intersection with Capital Circle to Moccasin Gap Road.
- (4) Old St. Augustine Road from its intersection with East Lafayette Street to W. W. Kelley Road.
- (5) Old Bainbridge Road from its intersection with Raa Avenue to Capital Circle.
- (6) Sunny Hill Road from its intersection with Thomasville Road to Old Centerville Road.
- (7) Old Centerville Road from its intersection with Centerville Road to the state line.
- (8) Pisgah Church Road from Bradfordville Road to the end of the County maintained right of way east of Centerville Road.

Certified arborist means an arborist certified by the International Society of Arboriculture.

Critical protection zone (CPZ) shall mean that area surrounding a tree within a circle described by a radius of one foot for each inch of the tree's diameter at breast height (DBH).

Crown shall mean the main point of branching or foliage of a tree or plant, or the upper portion of a tree or plant.

Crown spread shall mean the distance measured across the greatest diameter of the crown of a plant or a tree.

DBH, diameter at breast height means the diameter of a tree measured at a height of 54 inches above the naturally occurring ground level. Trees with gross abnormalities or buttressing at breast height should be measured above and immediately adjacent to the irregularity. Trees that fork at breast height should be measured below breast height and recorded as a single trunk.

Trees that fork below breast height will be recorded as separate DBH for each stem.

Exceptional specimen shall mean an individual tree which is in very good to good condition as evidenced by less than ten percent upper crown dieback, few epicormic branches, absence of signs or symptoms of virulent disease, or other characteristics commonly employed to measure tree health, and which exhibits characteristics of size, species, age, form, historical significance, or other qualities which make it of such greater value than individuals of the same species usually found in the county as to warrant special consideration as a biological and social resource to be preserved for the benefit of the general public. Such a determination shall be made by the County Administrator or designee pursuant to these criteria in cases of doubt.

Patriarch tree shall mean a tree designated as a patriarch or state champion tree by the state division of forestry, or an exceptional specimen shade tree of 36 inches DBH or larger.

Protected tree shall mean a tree which may not be removed without a permit from the county, pursuant to Article IV.

Shade tree shall mean any self-supporting woody plant of a species that is generally well-shaped, well-branched, and well-foliated which normally grows to an overall minimum height of 35 feet with a minimum average mature crown spread of 30 feet, and which is commonly accepted by local horticultural and arboricultural professionals as a species which can be expected to survive for at least 15 years in a healthy and vigorous growing condition over a wide range of environmental conditions. A listing of suggested shade trees shall be maintained by the director of growth and environmental management.

Sight triangle shall mean the length of road visible to a driver on a side street or driveway to observe oncoming objects on the main street, measured from a point on the side street or driveway at least 20 feet from the edge of the major road pavement and from a height of 3.5 feet on the side street or driveway to a height of 4.25 feet on the major road. The vehicular site distance varies by operating speed of vehicles on the roadway and the grade of the main street, as referenced in City of Tallahassee, or the county, driveway and street connection regulations.

Silviculture management plan shall mean a plan prepared by a qualified forester, or by the state division of forestry, outlining the particular proposed silviculture management system and ultimate management goals of a silviculture operation.

Silviculture practice or operation shall mean a process following accepted forest management principles whereby the crops constituting forests are tended, harvested, and reforested.

Structure shall mean anything constructed, installed or portable, the use of which requires a location on a parcel of land. This term also includes billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs.

Tree shall mean any self-supporting woody plant having at least one well-defined stem a minimum of two inches DBH, and which normally grows to a minimum height of 25 feet in the

county area.

Tree credit or debit shall mean a numerical representation of the value of a two-inch DBH eight-foot high tree, used to assign values to trees of various sizes to calculate either credit against reforestation requirements, as in the case of trees protected during the development process, or debit to determine the extent of replanting required, as in the case of removal of protected trees.

Tree pit shall mean a pit that is minimum three feet by three feet opening through an impervious surface which provides an unconfined growing space and suitable rooting environment to support planted material, as consistent with established horticultural practices to provide aeration, drainage, and other conditions necessary for healthy root growth.

Tree removal shall include the following acts and incidences constituting tree removal as regulated under this chapter:

- (1) The actual removal of a live tree;
- (2) Any unmitigated encroachment within a distance of three-fourths of the radius of the critical protection zone of a protected tree;
- (3) Any damage to 30 percent or more of the crown of a protected tree within the vertical projection of its critical protection zone; or
- (4) Any other action or activity likely to significantly damage or cause a premature death of a protected tree.

Underbrushing shall mean the removal of understory vegetation, either by hand or with the use of equipment, which neither disturbs the soil nor causes the destruction of any tree.

Urban forest, as defined outside of the incorporated areas of Leon County, shall mean an association of trees and other woody and herbaceous vegetation which may not be recognizable as a forest natural community type, but which now provides a visual counterpoint to urbanization by creating a forested effect along roadways, buffering development along roadways, providing wildlife areas and corridors, and buffering between and within developed areas, and which has the following characteristics:

- (1) An association of trees which provides a forest-like visual appearance with large, medium, and small species and individuals in a natural-like setting.
- (2) Remnant planted or naturally regenerated pines, hardwoods, or other native tree species.

Vines shall mean any group of woody or herbaceous plants which may climb by twining, or which normally require support to reach mature form.

Sec. 10-4.202. Pre-development environmental analysis reviews.

...

(2) *Standards for the protection of natural features.* If an application contains one or more of the preservation/conservation areas and/or special development zones listed in subsection (1) above, the applicant shall propose measures to mitigate the adverse affects of the development on such areas, using as a minimum, the standards and guidelines set forth below. Details of the proposed mitigation for on-site preservation/conservation areas must be supplied with the environmental impact analysis application.

...

b. *Conservation areas.* Development activity is permitted within conservation areas provided that it is specified in the document establishing the conservation area and is consistent with the following criteria:

...

8. *Canopy road.* The canopy road protection zone includes all lands within 100 feet from the centerlines of the roadways. The uses permitted in the canopy road protection zone are those uses permitted in the underlying zoning district. Canopy road citizens' committee review is required when development is proposed within the canopy road tree protection zone. The following special restrictions shall apply within the canopy road protection zone:

- (a) All structures shall be set back a minimum of 100 feet from the centerline of the canopy road;
- (b) Any structure which exceeds 40 feet in height must be set back an additional one foot for every one foot in excess of 40 feet in height;
- (c) No development may occur in the canopy road protection zone unless authorized for health, safety or welfare of the public;
- (d) Any part of the canopy road protection zone that is cleared or has trees removed from it must be widened in some other location by the same amount that was removed and shall be replanted if necessary, with native, non-invasive canopy trees, understory trees and shrubs;
- (e) A full analysis of the impact of a development on the affected canopy road as described in Section 10-4.206(b) shall be submitted by the applicant as a component of the environmental impact analysis;
- (f) Joint access to canopy roads shall be required unless there is no alternative. New curb cuts on canopy

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- roads shall be designed to serve more than one property;
- (g) If the site is accessible by roads other than the canopy road, it shall not have direct vehicular access to the canopy road.
 - (h) The canopy road tree protection zone shall be placed in a conservation easement.
 - (i) No removal of understory vegetation (underbrushing) shall be allowed within the canopy road tree protection zones, except as specified in a vegetation management plan, submitted to and approved by the County Administrator or designee, which outlines specific planting and maintenance operations designed to restore or maintain the natural vegetation component of a specific canopy road section, and is consistent with the objectives of this chapter.
 - (j) Repair and maintenance of existing lawfully established structures and fences shall meet the requirements in Sec. 10-4.206.
 - (k) Sidewalks shall be a maximum of 6 feet in width. The County Administrator or designee can allow up to a maximum of 10 feet in width if mitigation is sufficient to offset the negative impacts to the canopy. In determining whether a sidewalk will be permitted in the canopy road overlay, the impacts to other conservation/preservation areas will be considered. A natural feature inventory/environmental impact analysis shall be submitted for assessment and determination of placement of the sidewalk. In cases where the proposed sidewalk would detrimentally impact other conservation/preservation areas in the canopy road overlay, as determined during the environmental impact analysis, the sidewalk shall not be permitted. Emphasis shall be on placing the sidewalk such that impacts to trees and native vegetation are minimized.

Sec. 10-6.707. - Canopy roads overlay district.

(a)

Purpose and intent. The purpose and intent of the canopy roads overlay district is to ensure the preservation and protection of the canopy road trees on the following roads:

(1)

Meridian Road from its intersection with Seventh Avenue to the state line.

(2)

Magnolia Drive—Centerville Road—Moccasin Gap Road from their intersection with Seventh Avenue to State Road 59.

(3)

Miccosukee Road from its intersection with Capital Circle to Moccasin Gap Road.

(4)

Old St. Augustine Road from its intersection with East Lafayette Street to W.W. Kelley Road.

(5)

Old Bainbridge Road from its intersection with Raa Avenue to Capital Circle.

(6)

Sunny Hill Road from its intersection with Thomasville Road to Old Centerville Road.

(7)

Old Centerville Road from its intersection with Centerville Road to the state line.

(8)

Pisgah Church Road from Bradfordville Road to the end of the county maintained right-of-way east of Centerville Road.

(b)

Allowable land use. The uses permitted in the canopy road overlay district are those uses permitted in the underlying zoning district.

(c)

Development standards. The canopy road overlay includes as all lands within 100 feet from the centerlines of the roadways. The following special restrictions shall apply within the canopy road overlay:

(1)

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All structures shall be set back a minimum of 100 feet from the centerline of the canopy road except that a permit may be issued by Leon County for the repair or maintenance of an existing, lawfully established fence, pursuant to any and all applicable criteria and standards set out in [section 10-4.206](#)

(2)

Any structure which exceeds 40 feet in height must be set back an additional one foot for every one foot in excess of 40 feet in height.

(3)

No clearing may occur in the canopy road overlay, (100 feet from the centerline of the road) unless authorized for health, safety or welfare of the public.

(4)

Any part of the canopy road overlay that is cleared or has trees removed from it must be widened in some other location by the same amount that was removed.

(5)

A full analysis of the impact of a development on the affected canopy road shall be submitted by the applicant at the time of development review.

(6)

Joint access to canopy roads shall be required unless there is no alternative. New curb cuts on canopy roads shall be designed to serve more than one development.

(7)

If the site is accessible by roads other than the canopy road, it shall not have direct access to the canopy road.

Sec. 10-4.206. Application requirements for the removal of trees, generally; and, for the repair and maintenance of existing lawfully established structures and fences for lands within the canopy road protection zone.

(a) *Scope.* Any request to remove or relocate any protected tree shall be made through submission of an environmental management permit application, unless a general permit, a right-of-way placement permit, or a vegetation management plan has been issued as provided for in section 10-4.201.

(b) *Canopy road tree protection zone tree or vegetation removal applications.*

(1) *Required information.* All permits for removal or relocation of trees, for the repair and maintenance of existing lawfully established structures and

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fences, or for pruning or vegetation management, within the canopy road protection zone (unless such activity is conducted under an approved general permit), shall be obtained by making application to the county administrator or designee, providing the same material to be submitted for permits for other protected trees as set forth in subsection (c). All applications pursuant to this section shall undergo review by the Canopy Roads Citizen Committee. Emergency repairs to existing fences that are necessary due to public health, welfare and safety issues, as approved by the County Administrator or designee, are exempt from permitting requirements if the repairs do not impact protected trees, do not increase the encroachment within the canopy road protection zone, and the fence material is the same or less visually intrusive than that used to construct the original fence.

- (2) *Mitigation requirements.* The permit application for removal of trees or vegetation in the canopy road tree protection zone must be accompanied by a mitigation plan which shall include at a minimum, the following:
 - a. An analysis documenting the purpose which necessitates the tree removal and explaining why the project cannot be modified to avoid the need for the tree removal.
 - b. An analysis of the canopy road section to be impacted by the proposed activity within the canopy road tree protection zone. The analysis shall include a narrative description of the affected roadway section together with other material helpful in assessing the impact of the intrusion on the existing canopy road effect. Such characteristics as understory density and species composition, tree species and size distribution, high bank areas and opacity should be included as appropriate.
 - c. A replanting and management plan designed to mitigate the visual and vegetational impacts identified in Subsection (b)(2)a.
- (3) *Inspection.* Prior to determination on a permit application, the county administrator or designee shall conduct an on-site inspection.
- (4) *Application review.* Only the board shall have power to grant or deny permit applications for removal of trees within a canopy road tree protection zone, except that the county administrator or his or her designee shall have the power to grant or deny permit applications for the removal of trees or other vegetation under the additional conditions listed in subsection d below. The following standards must be met at a minimum in order to receive permit approval:
 - a. Applicant must show that the proposed clearing or tree removal is

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necessary for protection of the health, safety, and welfare of the public.

- b. As part of the proposed mitigation plan, any part of the canopy road tree protection zone that is cleared or has trees removed from it must be widened by the same amount that was removed, with such replacement area to be replanted in a manner sufficient to reestablish the canopy effect and the understory density, species composition, and species and size distribution of the impacted area within a reasonable time, and to be protected by a conservation easement.
- c. The applicant must show that any proposed cut into the canopy road will be designed and dedicated to serve more than one property unless the applicant can show that such joint access would be impossible under the circumstances of the specific site.
- d. In addition to the standards above, the county administrator or his or her designee shall grant permit applications for the removal of trees or other vegetation only when one of the following conditions exist:
 1. *Diseased or pest-infested trees.* Necessity to remove a diseased or pest-infested tree to prevent the spread of the disease or pest. The need to remove trees because of insect and disease damage must be determined by a forester with a B.S. degree or higher, from a Society of American Foresters accredited college or by an arborist certified by the International Society of Arboriculture.
 2. *Good forestry/silviculture practices.* Activities associated with a bona fide silvicultural operation on land that has received an agricultural exemption from the Leon County Property Appraiser is exempt from the provisions of this section.
 3. *Reasonable access.* Removal of protected trees may be allowed under this section, if the proposed single-family residential development activity is found to be in compliance with the special restrictions as defined under Subsection 10-6.708 (c) Development standards.
 4. *Repair and maintenance of existing lawfully established structures and fences.* Repair and maintenance of existing lawfully established structures and fences may be allowed if there is no substantial impact to protected trees. The

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Canopy Roads Citizen Committee shall evaluate such applications and may provide a positive recommendation upon finding in the affirmative in regard to the following factors: a) that the application is not in conjunction with a change of use of the subject property; b) that, if the application is in conjunction with a fence, that the application proposes repair with the same or less visually intrusive materials as the fence was originally constructed; c) that the application does not represent a negative change in the visual impacts to the canopy road protection zone; and, d) that application proposes methods and techniques for repair and maintenance that will not be detrimental to canopy road protection zone resources. In determining whether to approve, deny, or approve the application subject to conditions, the County Administrator or designee shall consider the Canopy Roads Citizen Committee's recommendation.

The Board of County Commissioners (or the county administrator or his or her designee in cases of tree removal or other vegetation removal applications) shall make its determination on the permit application, or the county administrator or his or her designee shall request additional information from the applicant, within 20 working days after receipt of the application. In the event the director requests additional information, the permit application shall be granted or denied by the Board of County Commissioners (or the county administrator or his or her designee in cases of tree removal or other vegetation removal applications) within ten working days after the receipt of the requested information, or, if the request is not complied with by the applicant within 14 calendar days after mailing, the application shall be deemed withdrawn. If the application is denied, the reason for such action shall be specified and provided to the applicant in writing. If no additional information is requested and no final action is taken within the required 20 working days, the application shall be deemed to have been approved to the extent that it is in compliance with the requirements of this article, provided no stop work order is in effect on the site.

- e. The Board of County Commissioners (or the county administrator or his or her designee in cases of tree removal or other vegetation removal applications) shall make its determination to approve, deny, or approve the permit application subject to condition, within 20 working days after receipt of the application or request that additional information from the applicant as is necessary to allow such determination to be made. In the event the director requests

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additional information, the permit application shall be granted or denied by the Board of County Commissioners (or the county administrator or his or her designee in cases of tree removal or other vegetation removal applications) within ten working days after the receipt of the requested information, or, if the request is not complied with by the applicant within 14 calendar days after mailing, the application shall be deemed withdrawn. If the application is denied, the reason for such action shall be specified and provided to the applicant in writing. If no additional information is requested and no final action is taken within the required 20 working days, the application shall be deemed to have been approved to the extent that it is in compliance with the requirements of this article, provided no stop work order is in effect on the site.

- (5) *Removal applications affecting city right-of-way or city property.* If a patriarch or canopy road tree protection zone tree which is proposed for removal is located on a right-of-way or other property belonging to the City of Tallahassee but located outside of the incorporated area of the city, any permit for removal shall be conditioned upon the applicant obtaining approval of the removal from the city commission.

- (c) *Other protected tree removal, patriarch tree removal, and vegetation management applications.*
 - (1) *Required information.* Permits for removal or relocation of protected trees, other than trees located within a canopy road tree protection zone, and applications for vegetation management plan approval for areas other than those located within a canopy road tree protection zone, shall be obtained by making application for permit to the county administrator or designee. Applications for vegetation management plan approval shall be accompanied by a diagram depicting the area to be subject to the plan and the existing vegetation therein, and a description of the nature and purpose of the plan. The application for tree removal shall be accompanied by a written statement indicating the reasons requiring removal or relocation of each protected tree and an area map indicating the location of trees to be removed or relocated and any existing and proposed structures or vehicular use areas. In addition, the application shall contain a signed acknowledgment by the applicant verifying that no protected trees will be removed on the site except as noted on the approved application and permit. If the proposed tree removal is associated with development requiring a stormwater management application as part of the environmental management permit application, the written statement and area map mentioned above shall include, at a minimum, the following:
 - a. Written, detailed justification for the proposed removal of each

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protected tree, which shall reference the development area where the trees are to be removed. Each tree that is 36-inch DBH or greater and any dogwood 4-inch DBH or greater must be shown on the required development area map by map number designation for each such tree.

- b. The locations and dimensions of all existing and proposed vehicular use areas and other improvements, including finished elevations for each.
 - c. Significant natural site features.
 - d. Existing and proposed site contours.
 - e. If the applicant chooses the option of obtaining credit for preserved trees onsite instead of replanting the developed area with 40 trees per acre, the preserved trees must be identified on the plans. Existing protected or required trees to remain on-site, and protected trees proposed to be removed, shall be indicated by a number assigned to each tree and noting DBH, species and critical protection zone. Indication of the general location of the trees, including blocks of trees, may be acceptable depending on-site conditions and provided that a listing of individual trees by species and size is submitted.
 - f. Existing and proposed utilities, underground and overhead, and location of any other known man-made on-site features, such as underground tanks or old building foundations.
 - g. Building and other setbacks.
 - h. Protected trees on adjacent property which may be affected by proposed development activity within the critical protection zone of such trees.
 - i. All applicable land use requirements pertaining to property use or restrictions, including easements, zoning, rezonings, site and development plan or plat reviews and development orders.
- (2) *Inspection.* Subsequent to application, but prior to the issuance of a permit for tree removal or relocation, the county administrator or designee shall conduct an on-site inspection.
- (3) *Application review.* The county administrator or designee shall have 20 working days after receipt of a complete application filed pursuant to this subsection to approve or deny the requested permit, or to request

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additional information from the applicant, unless the application is accompanied by a short-form application as part of the environmental management permit, in which case approval, denial, or request for additional information shall be made according to the short-form timelines. Where additional information is requested, the county administrator or designee shall grant or deny the permit request within ten working days after the information is provided by the applicant. If the applicant fails to provide such information within 14 days of the request, the application shall be deemed to have been withdrawn. In the event the county administrator or designee denies an application, the county administrator or designee shall specify to the applicant in writing the reason for such action. If no additional information is requested and no final action with respect to a complete application is taken within the required 20 working days, the application shall be deemed to have been approved to the extent that it is in compliance with the requirements of this article, provided that no stop work order is in effect on the site.

Sec. 10-4.362. Protected trees.

(a) *Intent.* It is the intent of this division to facilitate a holistic approach to development which incorporates trees suitable for integration into urban development, regardless of size, and which utilizes urban forest areas. It is also the intent to protect and maintain wildlife habitat areas and the forested character of the community through management of development impact and reforestation requirements.

(b) *Scope and applicability.* The following trees are protected and shall not be removed or damaged without permit approval pursuant to sections 10-4.364 and 10-4.206:

- (1) General Standard. Any tree having a diameter of 18 inches DBH or greater.
- (2) Lot Perimeter Zone. Any tree with a DBH of four inches or greater which is located in the lot perimeter zone of any development site except for sites being developed for detached single-family residential use. The lot perimeter zone is the area of a development site which falls between a property line and the minimum building setback corresponding to that property line as required by Article VI (Zoning).
- (3) Canopy Roads. Any tree within a canopy road tree protection zone.
- (4) Required Tree Plantings. Any tree planted to meet the replanting, reforestation, or landscaping requirements of this chapter. Planted tree specimens with a DBH of less than 2" are protected if planted to meet replanting, reforestation or landscaping requirements.

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- (5) Environmental Features. Any tree located within a special development zone, conservation or preservation area as described in section 10-4.202.
 - (6) Official Trees. Any Longleaf Pine tree (*Pinus palustris*) or Live Oak tree (*Quercus virginiana*) of 12 inches DBH or greater. Any dogwood (*Cornus florida*) tree of four inches DBH or greater.
 - (7) Exceptional Specimens. Any exceptional specimen trees identified by the County Administrator or designee.
 - (8) Pre-development. Any tree of two inches DBH or greater.
- (c) *Exemptions.* The following shall be exempt from subsection (b) and the tree removal permit requirements of this division:
1. Single-family detached residential dwelling units meeting the following requirements:
 - a. Within the Urban Services Area: Removal of trees which are less than 36 inches DBH on lots developed with single-family detached residential units during development and post-development.
 - b. Outside the Urban Services Area: Removal of trees which are less than 36 inches DBH on lots upon which there is an existing, lawfully occupied, single-family detached dwelling (or mobile home).
 - c. Mitigation of adverse stormwater impacts may still be required for clearing activity consistent with Section 10-4.201.
 - d. Trees proposed for removal shall meet the following criteria:
 - (1) Are not located within a wetland or floodplain area;
 - (2) Are not located within a canopy road tree protection zone;
 - (3) Are not located within a required buffer, preservation area, conservation area, special development zone or easement area; and
 - (4) Are not a patriarch or exceptional specimen tree.
 2. Nursery Trees: The removal of any tree planted and grown in the ordinary course of business of a lawful plant or tree nursery.
 3. Emergency: The removal of any tree during or following an emergency or an act of nature, when the county administrator or designee determines that permitting requirements will hamper

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private or public work to restore order to the county.

4. Safety Hazard: The removal of any tree which the county administrator or designee finds to be in such a hazardous or dangerous condition as to endanger the public health, welfare, or safety and therefore to require immediate removal.
5. Bona Fide Silviculture: Activities associated with a bona fide silvicultural operation on land that has received an agricultural exemption from the Leon County Property Appraiser are exempt from the provisions of this Article.
6. Archaeological Project: Limited excavation activity within the critical protection zone of any protected tree when necessary in association with an archeological project approved by and performed under the direction of the state's department of state, provided that a plan for mitigating the impact upon affected trees is submitted with the exemption application and approved by the county administrator or designee.
7. Diseased or pest-infested trees: The removal of a diseased or pest-infested tree for the purpose of preventing the spread of the disease or pests upon verification by the County Administrator or designee. When required by the County Administrator or designee, the need to remove trees because of disease or pest-infestation may need to be determined by a forester with a B.S. degree or higher from a Society of American Foresters accredited college or by a certified arborist.
8. Invasive/Exotic trees: The removal of invasive/exotic trees identified on Leon County's List of Invasive Plant Species, upon verification by the County Administrator or designee.

Sec. 10-4.363. Tree protection requirements.

(a) *Location of protected trees.* All protected trees, including those located outside of the development site, which may be impacted within 75 percent of their critical protection zone or by activity within a distance of three-fourths of the radius of the critical protection zone (measured from the trunk of the tree) by proposed development activities shall be physically located on-site and shown on a site plan submitted as part of the tree removal request in an environmental management permit application. In any portion of the project area where there are groups of trees or large numbers of protected trees, tree protection areas may be designated on the site plan and labeled as an "area not to be disturbed," in lieu of individual tree identification.

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(b) *Critical protection zone preservation.* During the development activity, all areas surrounding the tree trunk within a minimum of 75 percent of the radius of the critical protection zone of every protected tree not permitted for removal shall be protected from activities that may injure the tree, (such as cut and fill activities, building pad placements, road bed construction, construction material storage, driving or parking of heavy equipment, or trenching, etc.), except:

- (1) Roadway and utility construction shall require protection of a reduced minimum of 60 percent of the radius of the critical protection zone.
- (2) Where adequate mitigation is provided, as determined by the county administrator or designee, for any additional encroachment.
- (3) Where specific analysis is provided by the applicant or when tree characteristics or site conditions, such as previous disturbances, are such to indicate that there is no basis to assume adverse impact as a result of additional encroachment.

(c) *Barriers required.* During development, including installation of irrigation systems or any other underground installations, protective barriers shall be placed around each protected tree not permitted for removal to prevent the destruction or damaging of roots, stems or crowns of such trees. The barriers shall remain in place and intact until such time as approved landscape operations begin; however, barriers may be removed temporarily to accommodate construction needs, provided that the manner and purpose for such temporary removal will not harm the tree and is approved by the county administrator or designee. The following are minimum requirements for barrier types:

- (1) Protective posts shall be placed so as to protect all areas within a minimum of 75 percent of the distance from the trunk to the critical protection zone boundary (i.e., three-fourths of the radius of the critical protection zone), for each tree not permitted for removal, except in right-of-way or utility placement areas, where posts shall be placed so as to protect a minimum of 60 percent of the radius of the critical protection zone where approved by the county administrator or designee.
- (2) Posts shall be of nominal two inches by four inches or larger wooden post, two inches outer diameter or larger pipe, or other post material of equivalent size; shall be strung with at least one one-inch by four-inch wooden stringer; and shall be clearly flagged.
- (3) Posts shall be implanted deep enough in the ground to be stable and to extend to a minimum height of four feet above ground.
- (4) Where the county administrator or designee determines that individual protective barriers are not needed in some areas for tree protection, such areas shall instead be clearly staked and flagged with readily visible

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markers.

- (5) Where development activity is permitted to occur within the radius of the critical protection zone of a protected tree, the county administrator or designee may require a protective girdling of at least the bottom four feet of the tree trunk base along with fencing or other approved techniques.

(d) *Tree protection techniques.* Tree protection techniques found in the publication titled "A Technical Guide to Preservation of Trees During Land Development", or its successor, published by the International Society of Arboriculture, or equivalent techniques approved by the county administrator or designee, shall be used and shall be indicated in the environmental management permit application or site plan.

(e) *Tree credit availability.* Credit towards tree replanting requirements of Subsection 10-4.364 (b) may be given for the preservation of an existing tree, provided that the protection criteria set forth in the foregoing subsections are met, and:

- (1) The tree shall not be damaged from skinning, barking, bumping and the like.
- (2) There shall be no evidence of active disease or insect infestation potentially lethal to the tree.
- (3) A minimum of 75 percent of the radius of the critical protection zone of each preserved tree shall be protected during development activities and maintained during and after development in a landscaped or natural state.
- (4) There shall be no impervious area or grade change within 75 percent of the radius of the critical protection zone of the tree.
- (5) Debris and invasive or exotic vegetation shall be removed by hand within 75 percent of the critical protection zone of the tree.
- (6) *Tree mitigation Techniques.* It is the intent of this subsection to preserve mature trees and to promote tree safety. As an incentive to preserve existing trees, when the following arboricultural mitigation techniques are employed in their entirety, the County Administrator or designee may defer the tree replacement requirements. No credit will be given and no debits will be charged for successfully mitigated trees. Additional arboricultural mitigation techniques not specified below may be approved when supported with scientific documentation. Documentation supporting proposed mitigation measures shall be submitted with the application for an environmental management permit. The information shall be reviewed and approved by the County Administrator or designee. The mitigation plan shall be prepared and administered by the permittee's registered landscape architect or certified arborist. Documentation detailing the

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mitigation efforts prepared by the landscape architect or certified arborist shall be included in the environmental management plan compliance report prepared in accordance with section 10-4.208(b), by the permittee's landscape professional. Reconciliation of the deferred tree replacement requirements shall occur at time of submittal of the compliance report. If the arboricultural mitigation techniques are deemed sufficient by the County Administrator or designee, the deferred tree replacement requirements shall be waived. The arboricultural mitigation techniques shall include, but not necessarily be limited to, the following:

(i) *Site monitoring.* All tree protection procedures and activities shall be monitored and approved throughout the construction period by a registered landscape architect or certified arborist. Pesticide applications require a state commercial applicators license. Proof of application shall be available upon request to the county's environmental inspector.

(ii) *Watering.* All protected trees shall be watered at a minimum rate equivalent to one inch of rainfall per week. Rate shall be dependent upon soil type. For trees that require root pruning, watering shall commence as far in advance as possible, prior to development activity, and shall continue through the completion of the project. Watering shall be adjusted as required by weather conditions. Care shall be taken to prevent water from soaking the base of trees and root collars. Soaker hoses are an acceptable method of irrigation during construction. Installed mechanical irrigation shall be on grade or placed parallel to the radial roots of the tree so as not to damage the trees root system.

(iii) *Mulching.* Mulching shall be used throughout the project within the critical protection zone (CPZ) of protected trees to the greatest extent possible. Where construction machinery or vehicular traffic has to pass within the critical protection zone (CPZ), a layer of four to six inches of organic mulch shall be placed within the drive areas within the critical protection zone (CPZ). Additionally a minimum of $\frac{5}{8}$ -inch plywood shall be placed over the mulch material positioned where vehicular traffic is proposed. Where possible, within the limits of the project, all critical protection zones (CPZs) of protected and desirable trees should be covered with a two- to three-inch layer of organic mulch or ground cover, as opposed to the placement of sod.

(iv) *Root pruning.* Root pruning shall occur as far in advance as possible prior to site grading, earthwork, excavation or any other activity which may damage the roots of a tree proposed for mitigation, in all areas where demolition or new construction requires removal of existing roots (i.e. excavation/construction of footings, retaining walls, curbs, paving and base). Roots shall be cut with a mechanical trenching device to a minimum depth of 18 inches. Where possible, all trenching within the

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critical protection zone (CPZ) shall be done by hand or an air spade and followed immediately by a clean-cut hand pruning of all roots greater than ¾-inch diameter. Where it is not possible to hand trench, mechanical trenching may be approved by the city's environmental inspector. All pruned/cut roots shall be covered as soon as possible with topsoil, mulch, or other organic medium. Any root-pruning areas that cannot be protected by immediate backfill replacement shall be covered with burlap and wetted to retard soil/root dehydration. The cutting of all major support roots or roots greater than six inches diameter or within ten feet of the trunk collar, shall be reviewed in the field by the county's environmental inspector, a landscape architect or a certified arborist. This inspection shall determine if a tree designated to remain, may have to be removed due to the size of the cut and the possibility of the tree becoming a future liability.

(v) *Fertilization.* Prescribed fertilization, if indicated through soil analysis, shall occur as far in advance of root pruning as possible (six to twelve months is most desirable). Commercial fertilizer applications shall be in accordance with the requirements of chapter 10, article XIV of the Land Development Code regarding fertilizer use, and performed by an individual holding a city county approved best management practice training certificate.

(vi) *Soil aeration.* Where soil compaction has occurred within the critical protection zone (CPZ) of protected and desirable trees on site, an aeration method, approved by the County Administrator or designee or a certified arborist shall be required. The soil aerating method used shall be applied to a depth no less than eight to ten inches, below original grade and spaced no greater than 24-inches, staggered spacing. Based on soil analysis and compaction, it may be necessary to recommended that a high nitrogen (3-1-1 ratio) slow release fertilizer mixed with peat moss and gypsum or peat moss and sand (1-5-2 ratio) mix be back filled into the aeration holes. Commercial fertilizer applications shall be in accordance with the requirements of chapter 10, article XIV of the Land Development Code regarding fertilizer use, and performed by an individual holding a county approved best management practice training certificate.

(vii) *Pruning.* Pruning and crown clearing shall be performed by a certified arborist in accordance with the currently adopted ANSI A300 Standards. Pruning and crown cleaning shall consist of the removal of all dead and diseased limbs as well as heavy concentrations of moss and vines that compete with crown foliage. Branch collar cuts over eight inch diameter should be avoided but may be allowed to raise limbs in order to accommodate construction traffic, equipment and structures, as advised by a certified arborist.

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(f) *Understory protection in canopy road tree protection zones.* No underbrushing or other removal of understory vegetation shall be allowed within the canopy road tree protection zones, except when approved for legal access (provided no alternative exists) or for health, safety, or welfare of the public as specified in a vegetation management plan, submitted to and approved by the county administrator or designee, which outlines specific planting and maintenance operations designed to restore or maintain the natural vegetation component of a specific canopy road section. Each vegetation management plan shall be consistent with the objectives and intent of this article. Seven poisonous or noxious species shall be exempt from the requirements of this article. They shall be kudzu (*Pueraria lobata*), Chinese tallow (*Sapium seberiferum*), Silktree/Mimosa (*Albizia julibrissin*), chinaberry (*Melia azedarach*), Coral ardisia (*Ardisia crenata*), Heavenly bamboo (*Nandina domestica*) and poison ivy/oak (*Toxicodendron radicans/toxicarium*). As a condition of the approval of a vegetation management plan, a satisfactory plan shall be presented by the applicant for the successful replacement of understory vegetation equal to the square footage of the area cleared. If protected understory vegetation is removed without an approved vegetation management plan or otherwise in violation of this chapter, the square footage of the required replant may be increased up to twice the size of the vegetation removal area at the discretion of the County Administrator or designee. All removal and replanting shall be in conformance with the Canopy Roads Management Plan. In cases where the applicant can show that an area was maintained by mowing, pruning or other techniques on a regular basis, prior to January 15, 1990, such person may obtain approval of a vegetation management plan that may include continued maintenance of such existing lawn and shrubbery by submitting a letter of request to the county administrator or designee which includes a verified statement and description of the area to be subject to such a plan and the history of maintenance upon which the request is based. Minimal public road safety maintenance practices which must occur within canopy road tree protection zones shall not require a vegetation management plan if carried out pursuant to an approved general permit.

(g) *Governmental approval.* No development shall occur within 100 feet of the centerline of a canopy road without the express approval of the local government.

Sec. 10-4.364. Removal of protected trees.

(a) *Criteria for protected tree removal.* The County Administrator or designee shall approve a permit or exemption for removal of a protected tree, as defined in Sec. 10-1.101 and 10-4.362, if the applicant demonstrates the presence of one or more of the following conditions:

- (1) *Safety hazard.* Necessity to remove a tree which poses a safety hazard to pedestrians or other persons, buildings or other property, or vehicular traffic, or which threatens to cause disruption of public services. When a tree is removed for safety hazard reasons that were created as a result of development activity, debits shall accrue and an environmental permit

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shall be required. When a tree is removed for safety reasons not associated with development activity, an environmental permit shall not be required and debits shall not accrue.

- (2) *Diseased or pest infested trees.* Necessity to remove a diseased or pest infested tree to prevent the spread of the disease or pests. When required by the County Administrator or designee, the need to remove trees because of disease or pest-infestation may need to be determined by a forester with a B.S. degree or higher from a Society of American Foresters accredited college or by an arborist certified by the International Society of Arboriculture. Debits shall not accrue for trees deemed by the County Administrator or designee to be diseased or pest infested.
- (3) *Good forestry practices.* Necessity to reduce competition between trees or to remove exotic species and replace them with native species.
- (4) *Reasonable and permissible use of property.* Tree removal which is essential for reasonable and permissible use of property, or necessary for construction of essential improvements, resulting from:
 - a. Construction access around structure. Need for access immediately around the proposed structure for essential construction equipment, limited to a maximum width of 20 feet from the structure.
 - b. Construction access to building site. Limited access to the building site essential for reasonable use of construction equipment.
 - c. Essential grade changes. Essential grade changes are those grade changes needed to implement safety standards common to standard engineering or architectural practices, and reference to a text where such standards are found shall be required.
 - d. Permanent improvements. Location of driveways, buildings or other permanent improvements. Driveway-aisles shall be consistent with other applicable standards.
- (5) *Compliance with other ordinances or codes.* Necessity for compliance with county codes, such as building, zoning and site and development plan, subdivision regulations, health provisions, and other environmental ordinances.
- (b) *Tree replanting requirements.*

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(1) *Replanting schedule.* As a condition of the issuance of a permit for removal of a protected tree, a satisfactory plan shall be presented by the applicant for the successful replacement of trees to be removed. Two options are available for replacement of trees as follows:

- a. The first option is to replant the developed area at 40 tree credits per acre, except for public roadway projects, which can replant the developed area at 20 tree credits per acre. If there are protected trees that are 36-inch DBH or greater and the minimum replacement tree credits for these 36-inch DBH trees exceed 40 tree credits per acre, the replacement credits will be calculated based on the schedule in subsection b. below.
- b. The second option for replacement of trees to be removed shall be based on the following schedule:

Diameter (DBH) Tree Removed (inches)	Minimum Replacement Tree Credits
Over 60	40
49--60	28
43--48	24
37--42	20
31--36	16
25--30	10
19--24	8
13--18	6
7--12	4
4--6	2
2--3	1

*Tree trunk diameter shall be rounded off to the nearest inch.

- 1. If protected trees are removed without permit or otherwise in violation of this article, this second option must be used and the number of required replacement tree credits in the schedule shall be doubled.

(2) *Enhanced credit availability for replanting with trees exceeding minimum size requirement.* In order to promote planting of larger size replacement trees, the number of two-inch diameter trees (tree credits) that must be replanted as determined by the table above may be reduced when replanted trees are of a larger size than two-inch DBH, according to the following table:

Diameter (Caliper) of Tree Replanted	Number of Tree Credits
For each 3-inch tree	2
For each 4-inch tree	4
For each 5-inch tree	7
For each 6-inch tree	10

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- (3) *Off-site replanting agreements.* If the total number of trees to be replanted based on the tree replanting schedule in subsection (b)(1) exceeds that which may be reasonably planted on the development site, the applicant may enter into an agreement with the county, as approved by the county administrator or his designee, to plant the excess trees on an approved public site or to provide the monetary equivalent to the county for use in public landscaping projects and which may, upon proper application be provided for organizations for the purpose of wildlife protection and preservation, however, in no event shall greater than 50 percent of the funds received after the effective date of this section be allocated to organizations for the purpose of wildlife protection and preservation. Further, monies collected prior to the effective date of this section, may only be used in public landscaping projects.
- (4) *Minimum guarantee for trees for which credit given.* If any tree for which credit was given under this section or subsection 10-4.349 (b) in relation to a project other than a single-family residential project is not alive and growing three years after all associated development activity on the property is completed, it shall be removed and replaced by the permittee with trees of at least the size which originally would have been required to be planted if such credit had not been allowed.

Sec. 10-7.502. - General layout design standards.

...

(c) No direct driveway access shall be permitted to a canopy road or, inside the urban service area, to a major collector or arterial roadway from any newly created residential subdivision lot, unless a variance is granted by the county. New residential lots created pursuant subsection 10-6.617(a)(4) may have direct driveway access to a major collector or arterial roadway as long as the adverse impacts to the transportation network are mitigated as provided in subsection 10-6.617(a)(4).

Sec. 10-6.619. - Commercial site location standards.

...

(3)

Community commercial.

a.

Major function: Same functions of neighborhood commercial but on a large scale, provide for sale of retail goods such as clothing, variety items, appliances and furniture, hardware and home improvement items.

b.

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Leading tenants: Supermarket, drug store, minor department store, home improvement center, variety or discount center.

c.

Location: Within one-quarter mile of the centerline of the intersection of arterials. Prohibited on designated **canopy** roads.

d.

Radius of trade area: Five miles or 15 to 20 minutes driving time. Service distinct geographical quadrants of three or more combinations of neighborhoods within community.

(4)

Regional commercial.

a.

Major function: Same functions of community center, provide full range and variety of shopping goods for comparative shopping such as general merchandise apparel, furniture and home furnishings.

b.

Leading tenants: One or more full time department stores.

c.

Location: Integrated into local transportation system and accessible by combination of arterials, major collectors, expressways and interstate highways. Potential on-site and off-site transportation improvements needed to provide adequate ingress and egress. Prohibited on designated **canopy** roads.

d.

Radius of trade area: Regional.

e.

Site area: Minimum 35 acres.

f.

Range of gross floor area: Over 200,000 up to 1,000,000 square feet.

Sec. 10-9.106. - Canopy roads.

No person shall erect or maintain any off-site or advertising signs on any canopy road designated by the comprehensive land use map of the county; in addition, no person shall allow any of their off-site or advertising signs to be visible from any canopy road for a distance of 200 feet.

Sec. 10-6.305. - Supplemental nonconformity regulations.

...
(c)

Nonconforming uses of land.

...
(2)

A nonconforming use shall not be moved in whole or in part to any other portion of the parcel occupied by such use which it became nonconforming, except fences located within the canopy road overlay zone as of April 8, 2008.

Fences located within the canopy road overlay zone as of April 8, 2008, may be moved in whole or in part to any other portion of the parcel located outside of the canopy road overlay zone, pursuant to any and all applicable criteria and standards set out in section 10-4.206.

(d)

Nonconforming buildings and structures.

...
(2)

All other uses.

...
h.

Any fence located within the canopy road overlay zone as of April 8, 2008, may be:

1.

Moved in whole or in part to another portion of the parcel occupied by such use which it became nonconforming so long as such relocation is outside of the canopy road overlay zone;

2.

Continued indefinitely; or,

3.

Repaired and maintained, regardless of the cost of the materials and labor; if, and only if, a permit for that fence is issued by Leon County, pursuant to any and all applicable criteria and standards set out in section 10-4.206.

Sec. 10-7.202. - Revised 2.1.9 Family Heir Subdivision Standards.

...

(b) In those instances where subdivision pursuant to this section would result in the requirement of a new access connection to a designated **canopy** road or the removal of any protected tree and/or vegetation within the **canopy** road protection zone the subdivision application shall be subject to the review and approval requirements of the Type B site and development plan application process including, mandatory pre-application and technical staff meetings, at the expense of the applicant.

Sec. 10-4.326. - Vegetation removal.

Underbrushing or other removal of vegetation within any unaltered or naturally vegetated floodplain or wetland, within any area covered primarily by high quality successional or native forests, within any area designated as a canopy road corridor, or within any area containing any threatened, endangered, or special concern species, shall not be undertaken prior to submission, and approval by the county administrator or designee, of a vegetation management plan. Such a submission may be made as part of a stormwater management short-form application where criteria of subsection 10-4.204(a)(1) are met. Each vegetation management plan shall be prepared by an appropriately qualified professional. Vegetation management plans shall conform to the objectives and intent of this article, and to all other requirements of this article which are applicable in light of the nature and extent of the proposed activity.

Sec. 10-4.328. - Best management practices for conservation and preservation areas.

Best management practices shall be used in conjunction with all new development and all redevelopment in areas within designated canopy road corridors or within 25 feet of any floodplain, floodway, wetland, waterbody, natural watercourse, high quality successional forest, native forest, active karst feature, habitat area of any endangered, threatened, or special concern species, or any other environmentally sensitive area as identified in the Tallahassee-Leon County Comprehensive Plan, conservation element. The best management practices are as follows:

(1)

Leon County Regulations

Buffering, which may include vegetated berms along the lower contours of lots, so as to provide or improve wildlife habitat and to improve water quality. Berms or buffers shall be vegetated with natural indigenous vegetation suitable for soil and hydrology of the site.

(2)

Restricted use of pesticides, herbicides, and fertilizers to those materials which have rapid decomposition characteristics, are labeled for aquatic use, and are used at the lowest possible label rates. Fertilizer constituents should have at least 50 percent slow release characteristics, be applied at the lowest labeled rate per application, be a non-phosphorous or low phosphorous analysis, and be formulated for good slope retention characteristics.

(3)

Preservation or revegetation of natural wetlands, floodways and watercourses.

(4)

Use of native, low-fertilization, and low-maintenance vegetation.

(5)

Regular maintenance and upgrading, as necessary, of septic tanks and approved discharges from washing machines and garbage disposals.

(6)

Soil conservation service approved conservation practices, including erosion and sediment control and water quality practices for all agricultural operations.

Sec. 10-6.815. - Rural small-scale plant nurseries.

Nurseries and establishments selling plants and/or produce may be allowed as follows: 1) in compliance with general regulations for retail nursery or produce establishments; 2) on the same property as a residential or agricultural operation, when the plants and/or produce are grown on or within 50 miles of the site. This section establishes regulations and minimum standards for rural plant nurseries established in association with a residential or agricultural use.

(1)

Minimum standards for establishment. Rural small-scale plant nurseries within subclass (d) [subsection] 2), above, shall comply with the following minimum standards:

Leon County Regulations

...
d.

Access. Access may be allowed from a public street, or private street under the ownership or control of the owner of the property where sales are conducted, except that, in no instance, shall the sole route of access be through a street located within the Residential Preservation (RP) zoning district in accordance with the following: A plan of vehicular access to and from the site shall demonstrate that traffic associated with the business will not travel on that portion of a local street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use, with the exception that when such use is established on a corner lot, and access is precluded from one street, access may be provided via the other adjoining street, opposite a residential use; and, wherein access shall not be provided directly via a canopy road, as designated in the Comprehensive Plan.

Sec. 5-12. - Definitions.

Canopy road tree protection zones means all lands within 100 feet of the center lines of the following roads within, or which later come within, the corporate limits of the city are hereby declared to be canopy road tree protection zones:

- (1) Meridian Road from its intersection with Seventh Avenue to the state line;
- (2) Magnolia Drive-Centerville Road-Moccasin Gap Road from their intersection with Seventh Avenue to State Road 59;
- (3) Miccosukee Road from its intersection with Capital Circle to Moccasin Gap Road;
- (4) Old St. Augustine Road from its intersection with East Lafayette Street to W.W. Kelley Road;
- (5) Old Bainbridge Road from its intersection with Raa Avenue to Capital Circle.

Certified arborist means an arborist certified by the International Society of Arboriculture.

Critical protection zone (CPZ) means that area surrounding a tree within a circle described by a radius of one foot for each inch of the tree's DBH.

Crown means the main point of branching or foliage of a tree or plant, or the upper portion of a tree or plant.

Crown spread means the distance measured across the greatest diameter of the crown of a plant or a tree.

DBH, diameter at breast height means the diameter of a tree measured at a height of 54 inches above the naturally occurring ground level. Trees with gross abnormalities or buttressing at breast height should be measured above and immediately adjacent to the irregularity. Trees that fork at breast height, should be measured below breast height and recorded as a single trunk. Trees that fork below breast height, will be recorded as separate DBH for each stem.

Patriarch tree a tree designated as a patriarch or state champion tree by the state division of forestry.

Shade tree means any self-supporting woody plant of a species that is generally well-shaped, well-branched, and well-foliated which normally grows to an overall minimum height of 35 feet with a minimum average mature crown spread of 30 feet, and which is commonly accepted by local horticultural and arboricultural professionals as a species which can be expected to survive for at least 15 years in a healthy and vigorous growing condition over a wide range of environmental conditions.

Shrub means a woody perennial plant differing from a perennial herb by its persistent and woody stems and from a tree by its low stature and habit of branching from the base.

Sight triangle means the length of road visible to a driver on a side street or driveway to observe oncoming objects on the main street, measured from a point on the side street or driveway at least 20 feet from the edge of the major road pavement and from a height of 3.5 feet on the side street or driveway to a height of 4.25 feet on the major road. The vehicular sight distance varies by operating speed of vehicles on the roadway and the grade of the main street, as referenced in city, or Leon County, Driveway and Street Connection regulations.

Silviculture management plan means a plan prepared by a qualified forester outlining the particular proposed silvicultural management system and ultimate management goals of a silviculture operation.

Silviculture practice or operation means a process following accepted forest management principles whereby the crops constituting forests are tended, harvested, and reforested.

Structure means anything constructed or erected which requires a permanent location on the ground or attachment to something having a permanent location on the ground, including a mobile home as defined in the Tallahassee Land Development Code.

Tree means any self-supporting woody plant having at least one well-defined stem a minimum of two inches DBH, and which normally grows to a minimum height of 25 feet in the city area.

Tree credit means a numerical representation of the value of a two inch caliper eight-foot high tree, used to assign values to trees of various sizes to calculate the credit against the replanting/reforestation requirements for trees protected during the development process.

Tree debit means a negative tree credit, used to assign values to trees of various sizes which are removed during the development process to determine the extent of replanting required.

Tree pit means a minimum three feet by three feet opening through an impervious surface which provides access to an unconfined growing space and suitable rooting

environment large enough to support planted material, as consistent with established horticultural practices, and providing aeration, drainage, and other conditions necessary for healthy root growth.

Tree protection means protection of the critical protection zone of a tree.

Tree removal means the actual removal of a tree; any unmitigated development impact to the critical protection zone of a protected tree; any damage to 30 percent or more of the crown of a protected tree within the vertical projection of its critical protection zone; or any other action or activity likely to damage a protected tree.

Underbrushing means the removal of understory vegetation, either by hand or with the use of equipment, which neither disturbs the soil nor causes the destruction of any tree.

Urban forest means all protected healthy trees six inches and greater DBH and associated vegetation in an urban area, exclusive of invasive vegetation. Urban forest area shall be measured using the critical protection zone (CPZ), tree protection requirements and tree removal criteria found in this chapter.

View trimming means the selective removal of tree branches by means of proper pruning, to view a distant objective while maintaining a viable canopy.

Vines means any group of woody or herbaceous plants which may climb by twining, or which normally require support to reach mature form.

Sec. 5-81. - Conservation and preservation area development standards.

(a)

Development standards. If a subject site contains any of the conservation or preservation areas listed below, the applicant shall propose measures to mitigate the adverse effects of the development on such areas, using as a minimum, the standards and guidelines set forth below:

...

(2)

Conservation areas (altered wetlands, altered floodplains, closed basins, significant grade areas, high quality successional forest, active karst features, canopy roads and special development zones). Development activity may be permitted in conservation areas and conservation easements may be required in accordance with the criteria set forth in subsections (a)(2)a.—h. below. In all cases, the transfer to non-environmentally sensitive areas is preferable. Density transfer shall be within a parcel, no off-site transfer is permitted. Development density or intensity can be transferred at the same maximum density or intensity allowed by the future land use designation set forth in the comprehensive plan. Except for high-quality successional Forests, if there is no area suitable for density transfer, development can be allowed for one residential dwelling unit or 4,000 square feet of disturbance per acre. In no case can the density be allowed more than double the allowed density on the developable portion of the site. The amount of density or intensity may also be limited by other applicable requirements and ordinances such as the requirements for stormwater retention or detention, preserved urban forest and landscaping, buffers, setbacks, off-street parking, transportation access, and any concurrency requirements. This may result in substantially less density or intensity than the maximum density or intensity allowed by the future land use category set forth in the comprehensive plan. A management plan may be approved to remove invasive exotic vegetation or to provide for passive recreation provided the activity does not interfere with the ecological functioning of the conservation area and the activities are limited to designs that minimize impacts to the vegetative cover (e.g., boardwalks that limit access versus random hiking trails).

...

g.

Canopy roads. Canopy road citizens' committee review is required when impact is proposed within the canopy road tree protection zone. Development can be permitted at a density consistent with the density allowed by the existing land use, provided the following are done:

1.

No clearing may occur in the canopy road zone (100 feet from centerline of the road) unless authorized for legal access (provided no other alternatives exist), health, safety or welfare of the public, or for linear sidewalk improvements when practical given the unique attributes of the particular site as approved by the director and the city traffic engineer provided they meet the following criteria:

A.

Sidewalks shall be a maximum of six feet in width. The city manager or designee can allow up to a maximum of ten feet in width if mitigation is sufficient to offset the negative impacts to the canopy. In determining whether a sidewalk will be permitted in the canopy road overlay, the impacts to other conservation/preservation areas will be considered. A natural feature inventory/environmental impact analysis shall be submitted for assessment and determination of placement of the sidewalk. In cases where the proposed sidewalk would detrimentally impact other conservation/preservation areas in the canopy road overlay, as determined during the environmental impact analysis, the sidewalk shall not be permitted. Emphasis shall be on placing the sidewalk such that impacts to trees and native vegetation are minimized. Temporary construction easements may be utilized during construction; in no case shall the sidewalk and temporary construction easement exceed a total of ten feet in width.

B.

In determining whether a sidewalk will be permitted in the canopy road overlay, the impacts to other conservation/preservation areas will be considered. A natural feature inventory/environmental impact analysis shall be submitted for assessment and determination of placement of the sidewalk. In cases where the proposed sidewalk would detrimentally impact other conservation/preservation areas in the canopy road overlay, as determined during the environmental impact analysis, the sidewalk shall not be permitted.

2.

Any part of the canopy road zone that is cleared or has trees removed from it must be widened by the same amount that was removed and shall be replanted if necessary, with native, non invasive canopy trees, understory trees and shrubs.
3.

A full analysis of the impact of a development on the affected canopy road as described in subsection 5-55(b)(10) must be submitted at the time of development review.
4.

Joint access to canopy roads will be utilized unless there is no alternative. New cuts into canopy roads must be designed to serve more than one property development.
5.

No removal of understory vegetation (underbrushing) shall be allowed within the canopy road tree protection zones, except as specified in a vegetation management plan, submitted to and approved by the director, which outlines specific planting and maintenance operations designed to restore or maintain the natural vegetation component of a specific canopy road section, and is consistent with the objectives of this chapter.
6.

The canopy road tree protection zone shall be placed in a conservation easement.

Sec. 10-302. - Canopy roads overlay district.

(a)

Purpose and intent. The purpose and intent of the canopy roads overlay district is to ensure the preservation and protection of the canopy road trees on the following roads:

(1)

Meridian Road from its intersection with Seventh Avenue to the State Line;

(2)

Magnolia Drive — Centerville Road — Moccasin Gap Road from their intersection with Seventh Avenue to State Road 59;

(3)

Miccosukee Road from its intersection with Capital Circle to Moccasin Gap Road;

(4)

Old St. Augustine Road from its intersection with East Lafayette Street to W. W. Kelley Road;

(5)

Old Bainbridge Road from its intersection with Raa Avenue to Capital Circle.

(b)

Allowable land use. The uses permitted in the canopy road overlay district are those uses permitted in the underlying zoning district.

(c)

Development standards. The canopy road overlay includes all lands within 100 feet from the centerlines of the roadways. The following special restrictions shall apply within the canopy road overlay:

(1)

All structures shall be set back a minimum of 100 feet from the centerline of the canopy road;

(2)

Any structure which exceeds 40 feet in height must be set back an additional one foot for every one foot in excess of 40 feet in height;

(3)

No clearing may occur in the canopy road overlay, (100 feet from the centerline of the road) unless authorized for health, safety or welfare of the public;

(4)

Any part of the canopy road overlay that is cleared or has trees removed from it must be widened in some other location by the same amount that was removed;

(5)

A full analysis of the impact of a development on the affected canopy road shall be submitted by the applicant at the time of development review;

(6)

Joint access to canopy roads shall be required unless there is no alternative. New curb cuts on canopy roads shall be designed to serve more than one development;

(7)

If the site is accessible by roads other than the canopy road, it shall not have direct vehicular access to the canopy road.

(Code 1984, ch. 27, § 10.4(A); Ord. No. 95-O-0025AA, 9-13-1995)

Sec. 5-55. - Environmental impact analysis.

(a)

Applicability. An environmental impact analysis must be submitted and approved by the director for any project that contains preservation or conservation areas, as set forth in [section 5-81](#) of this article. An environmental impact analysis shall be submitted after approval of the natural features inventory and shall be submitted concurrently with a PUD concept plan, site plan or subdivision application. An environmental impact analysis will not be accepted unless a natural features inventory has been approved by the growth management department. For projects not required to submit a PUD concept plan, site plan, or subdivision application, an environmental impact analysis application shall be submitted to the director as a stand-alone application. In all cases, an environmental impact analysis shall be approved prior to permit application. Subject sites that are granted an exemption by the director from submitting a natural features inventory shall also be exempt from submitting an environmental impact analysis.

(b)

Required information. The property owner and/or applicant are responsible for submitting an environmental impact analysis in the application forms prescribed by the city to the director along with the applicable fee. The application shall contain the necessary narrative and graphic information to evaluate the impact of the proposed development activity on all conservation and preservation areas that were identified in the natural features inventory. An environmental impact analysis shall consist of an overlay of the proposed development activity and an analysis of its impact on the conservation or preservation areas identified in the natural features inventory. An environmental impact analysis shall be based upon standard scientific, engineering or environmental practices and at a minimum must address the following items:

(1)

- (2) A project narrative describing the scope of work.
- An environmental impact analysis overlay is a plan sheet or series of plan sheets that show both the boundaries of the conservation and preservation areas and the proposed development activity.
- (3) The site plan or plan sheets should include:
- a. Boundary delineation of all conservation or preservation areas.
 - b. Labeled conservation easements.
 - c. Location of all protected trees.
 - d. A drainage basin map.
 - e. Typical site plan information, including contours, existing and proposed improvements, existing and proposed utilities, including electrical services, etc.
- (4) An environmental impact analysis describes and quantifies the project's impact from the proposed development activities on the natural features identified in the natural features inventory. This narrative must also discuss and quantify how the project has complied with the development standards and guidelines found in this chapter.
- (5) A mitigation narrative describes the measures taken to prevent or mitigate the adverse effects of the proposed development on the conservation and preservation areas identified in the natural features inventory. For example, if fill is proposed within an altered floodplain, compensating volume must be provided. In order to demonstrate that adverse effects of development on conservation and preservation areas have been mitigated, it may be necessary for the applicant to provide measures that exceed the minimum criteria set forth in this chapter. Additional measures may include forested or vegetated buffers, additional water quality treatment, special construction techniques or sequences.
- (6) Supporting information can include drainage calculations, soil borings, geotechnical information, retaining wall designs, photographs, other

environmental narratives, wetland hydrocycle information, habitat management plans for listed species, vegetation management plans, canopy road tree protection zone impact analysis and mitigation plan, etc.

(7)

Other environmental narratives, habitat conservation/management plans or vegetation management plans. For example, a wetlands hydrocycle protection narrative is required when wetlands, waterbodies, and watercourses exist on or adjacent to the site. Included in this methodology shall be: A delineation of the different types of wetlands occurring on the site, a discussion of the existing and proposed water input sources (estimated water budget), and a discussion of the additional nutrient and contaminant loading expected to result from the project.

(8)

A habitat conservation/management plan is required for development activity that affects listed species. Identify the location of any known threatened, endangered or species of special concern on all plan sheets.

(9)

Vegetation management plans are required when an applicant desires to selectively remove or manage vegetation in any conservation area. The purpose of a management plan is to allow selective use of the conservation area, while at the same time protecting the overall purpose of the conservation area/easement. Conservation easements for the various conservation and preservation areas are split into two categories; those that are to remain undisturbed and those that have approved management plans. While all conservation easements allow the removal of invasive noxious vegetation, management plans can also provide an opportunity for the passive recreational use of the conservation area. Mulched, walking paths or hiking trails and picnic tables are examples of common management plan activities.

(10)

A canopy road tree protection zone impact analysis and mitigation plan is required when impact is proposed within the canopy road tree protection zone. Review by the canopy roads citizen committee is required. Review by the citizens committee is performed after the environmental impact analysis has been submitted and prior to submitting for an environmental management permit. The canopy road tree Protection Zone analysis shall:

a.

Clearly document the purpose of the tree removal and shall include an explanation as to why the project cannot be modified so as to avoid the tree and or vegetation removal;

- b. Describe both the vegetation and the roadway section affected;
- c. Include characteristics such as understory density and species composition, opacity, tree species and their corresponding diameter at breast height;
- d. Indicate whether high bank areas are present.

Provide other materials (photographs, cross sections, etc.) useful in assessing the impact of the proposed development activity on the existing canopy road tree protection zone. The mitigation plan must mitigate the visual and vegetational impacts identified in the canopy road tree protection zone impact analysis. Trees removed from the canopy road tree protection zone must be mitigated or compensated for through additional plantings or donation to a replanting fund. Canopy road tree protection zone mitigation shall include understory vegetation (shrubs and groundcover) replacement.

(11)

The director may require additional technical information to demonstrate that the proposed development meets the development standards set forth in article IV of this chapter. Examples of supporting information include, but shall not be limited to, conceptual stormwater systems designs, drainage calculations, soil borings, geotechnical information, retaining wall designs, photographs, management plans, etc.

Sec. 5-56. - Environmental management permit.

(a)

Applicability.

(1)

Generally. Except as set forth in subsections (2) and (3) below, prior to engaging in any development activity either the property owner or property owner's authorized agent proposing to engage in such activity shall first apply for and obtain an environmental management permit or obtain a permit waiver. The director shall make a final determination if a question arises as to whether an environmental management permit is required. Requests for approval of development activity shall be made through a completed environmental management permit application along with all required

information, pursuant to this section and other applicable sections of this chapter.

(2)

Single-family, two-family or three-family structures. The construction of one single-family detached structure, one two-family structure (duplex), or one three-family structure (triplex) or any other development activity which in the opinion of the director, are associated with these types of structures (i.e. accessory structures, driveways, etc.), are not required to submit a separate application for an environmental management permit. In these cases, the submittal and approval of a building permit application will satisfy the requirements of this section, provided the following information is included with the building permit application:

a.

A general location map of the site upon which any and all portions of the development will be located;

b.

Two copies of a site plan drawn to an appropriate engineering scale to fit on 8.5" x 11", 8.5" x 14" or 11" x 17" size paper;

c.

Street name, lot dimensions, setback dimensions, north arrow and all easements and restrictions must be shown on the site plan;

d.

All protected trees (this generally includes 12" diameter or larger) must be shown on the site plan with an indication of whether they are to be removed or to remain;

e.

The proposed limits of clearing and placement of all sediment and erosion controls;

f.

All existing and proposed structures labeled accordingly;

g.

Existing and proposed two-foot contour lines;

h.

The corners of the lot and the location of the house have been clearly flagged on the lot;

i.

Grading or other methods of stormwater conveyance to an approved stormwater management facility.

(3)

Site investigation activities. Notwithstanding the above requirements, limited clearing of an essential access necessary to conduct site investigation activities (such as soil borings and topographic and boundary surveys) shall be permissible without obtaining an environmental management permit provided the boundaries of conservation and preservation areas are depicted and the location of the proposed soil borings are shown on a topographic map. However, if the clearing activity is of a nature that requires use of power equipment, then written notice shall be filed and approval obtained from the director at least 24 hours prior to commencing any such clearing activity. The notice shall identify the site location, the purpose, limits and nature of clearing activity proposed as well as the name, address and phone number of the owner of the site and of the person to be performing such clearing.

(b)

Required information. It is the responsibility of the applicant to provide sufficient information for the director to evaluate the environmental characteristics of the affected areas, the potential and predicted impacts of the proposed activity on the site, the surrounding and downstream property, and the effectiveness and acceptability of those measures proposed by the applicant for reducing adverse impacts. The applicant shall provide maps, charts, graphs, tables, calculations, design summary reports, photographs, narrative descriptions and explanations, and citations to supporting references, as appropriate to communicate the information required by this section. All application information required herein, and other information filed by the applicant to support the application, shall become part of the application.

(c)

Components of environmental management permit. An environmental management permit application shall consist of the following components: stormwater, landscaping, and tree removal. Most applications for an environmental management permit will contain all three components. However, depending on the characteristics of each property and proposed development activity, some applications may only contain one or two components.

...

(3)

Tree removal component. A tree removal plan shall be submitted upon application for an environmental management permit for the removal of any protected tree, as set forth in [section 5-83](#) of this chapter. The tree removal plan shall be submitted to the director and shall include adequate technical data and analysis including the following:

a.

Canopy road tree protection zone and patriarch tree removal applications.

1.

The permit application for removal of trees and vegetation in the canopy road tree protection zone must be accompanied by a mitigation plan, which shall include, at a minimum, the following:

A.

An analysis documenting the purpose that necessitates the tree removal and explaining why the project cannot be modified to avoid the need for the tree removal.

B.

Canopy Road Citizens' Committee Review is required when impact is proposed within the canopy road tree protection zone. The canopy road tree protection zone analysis shall 1) clearly document the purpose of the tree removal and shall include an explanation as to why the project cannot be modified so as to avoid the tree and or vegetation removal; 2) describe both the vegetation and the roadway section affected; 3) include characteristics such as understory density and species composition, opacity, tree species and their corresponding diameter at breast height; 4) indicate whether high bank areas are present. Provide other materials (photographs, cross sections, etc.) useful in assessing the impact of the proposed development activity on the existing canopy road tree protection zone. The mitigation plan must mitigate the visual and vegetation impacts identified in the canopy road tree protection zone impact analysis. Trees removed from the canopy road tree protection zone must be mitigated or compensated for through additional plantings or donation to a replanting fund. Canopy road tree protection zone mitigation shall include understory vegetation (shrubs and groundcover) replacement.

C.

A procedure to be used to mitigate the visual and vegetative impacts identified in subsection (c)(3)a.1. above.

2.

All permits for removal of protected trees, or for pruning for the purpose of maintenance of utility lines, within the canopy road tree protection zone unless such activity is conducted under an approved general permit, and all permits for removal of patriarch trees, shall be obtained by making application to the director, providing the same material to be submitted for permits for other protected trees as set forth in subsection (c)(3)b. below.

3.

Prior to issuance of a permit the director shall conduct an on-site inspection.

4.

If a patriarch or canopy road tree protection zone tree which is proposed for removal is located on right-of-way or other property belonging to the city, any permit for removal shall be conditioned upon the applicant obtaining approval of the removal from the commission.

b.

All other protected trees.

1.

Permits for removal of protected trees, other than patriarch trees or trees located within a canopy road tree protection zone, shall be obtained by making application for permit to the director. The application shall be accompanied by a written statement and an area map including at a minimum, the following:

A.

A written, detailed justification for the proposed removal of each protected tree, which shall reference each tree on the required area map by map number designation for each such tree;

B.

The locations and dimensions of all existing and proposed vehicular use areas and other improvements, including finished elevations for each;

C.

Significant natural site features;

D.

Existing and proposed site contours;

E.

Existing protected or required trees to remain on site, and protected trees proposed to be removed, shall be indicated by a number assigned to each tree and noting DBH, species and critical protection zone. Indication of the general location of the trees, including blocks of trees, may be acceptable depending on site conditions and provided that a listing of individual trees by species and size is submitted;

F.

Existing and proposed utilities, underground and overhead, and location of any other known man-made on-site features, such as underground tanks or old building foundations;

G.

Building and other setbacks;

H.

Protected trees on adjacent property which may be affected by proposed development activity within the critical protection zone of such trees; and

I.

All applicable land use requirements pertaining to property use or restrictions, including easements, zoning, rezonings, plat reviews, and development orders;

c.

On-site inspection. Prior to the issuance of a permit for tree removal or relocation, the director shall conduct an on-site inspection.

Sec. 5-83. - Tree protection and removal standards.

(a)

Official trees. The live oak (*Quercus virginiana*) shall be the official shade tree, and the dogwood (*Cornus florida*) shall be the official flowering tree, of the city.

(b)

Applicability. The following requirements shall apply to all new development and redevelopment in the city except as specified in subsection (c) below. Information required by this section shall be provided as part of the environmental management permit application.

(c)

Exemptions. Tree removal under one or more of the following circumstances shall not require a permit and replanting/debits shall not be required:

(1)

Nursery trees. The removal of any tree planted and grown in the ordinary course of business of a lawful plant or tree nursery;

(2)

Emergency situation. The removal of any tree during or following an emergency or an act of nature, when the director determines that permitting requirements will hamper private or public work to restore order to the city;

(3)

Single-family detached residential dwelling units. The removal of non-patriarch trees up to 36 inches in diameter at breast height, located on lots developed with single-family detached residential units during development and post-development;

(4)

Safety hazard. The removal of any tree which the director finds to be in such a dangerous condition or pose such an imminent hazard as to endanger the public health, welfare, or safety and therefore to require immediate removal;

(5)

Diseased or pest-infested trees. The removal of a diseased or pest-infested tree for the purpose of preventing the spread of the disease or pests;

(6)

Approved silvicultural activities complying with requirements found in [section 5-84](#) Tree removal, except for patriarch tree or any tree in a canopy road tree protection zone, necessary for a project which the director has determined is a bona fide agricultural use provided that an environmental management permit for the project has been approved by the director pursuant to [section 5-56](#) of this chapter;

(7)

Noxious invasive trees. Upon verification by the city urban forester, or city growth management department, land use and environmental services division:

- a. Chinese Tallow;
- b. Mimosa;
- c. Tung Oil;
- d. Chinese Umbrella Tree;
- e. China Berry;
- f. Trees listed in the Florida Exotic Pest Plant Council Invasive Plant List (Class I and II species) or other accepted list as approved by the director;

(8)

Existing utility easements. Upon approval by the director, the removal of any tree, that is the result of voluntary growth, within any utility easement or utility right-of-way that is required to inspect, maintain and construct improvements to the existing utility infrastructure within the easement or right-of-way. This provision does not apply to trees that were retained from prior permits. This provision applies only to work performed by or under the direction of a city-owned utility, and will not be considered exempt unless approved by the director on a case-by-case basis. This provision is intended to allow the continued operation of existing utilities and is not to be used to extend infrastructure where no infrastructure currently exists. This provision shall not be applied to conservation and preservation areas.

(d)

Protected trees. The following trees are protected and shall not be removed, impacted or damaged without receiving an approved environmental management permit complying with the requirements of the chapter:

(1)

Pre-development. Any tree of two inches DBH or greater.

(2)

During development and post-development.

a.

Any dogwood (*Cornus florida*) tree of four inches DBH or greater;

- b. Any hardwood or long leaf pine tree of 12 inches DBH or greater;
- c. Any tree of 18 inches DBH or greater;
- d. Any tree four inches DBH or greater which is located in the lot perimeter zone of any development site except for sites being developed for detached single-family dwellings. The lot perimeter zone is the building set back or 20 feet, whichever is less;
- e. Any patriarch tree;
- f. Any tree within a canopy road tree protection zone;
- g. Any tree in a wetland;
- h. Any tree planted to meet the replanting, reforestation, or landscaping requirements of this chapter;
- i. Any exceptional specimen trees, identified by the city urban forester, certified arborist or city environmental biologist.

(e)

Removal of protected trees. The preservation of protected trees shall be encouraged. An applicant shall be required to give priority to preserving the more enduring protected tree species, inclusive of current health, size and form. Protected trees may be removed only in accordance with the debit criteria set forth in this section. However, even if an applicant can demonstrate compliance with the debit criteria, final determination of whether a protected tree shall be permitted for removal shall be made by the director. The decision of the director shall be based on balancing the preservation of the more enduring tree species, inclusive of current health, size, and form and the ability to develop a site at the intensity or density permitted by the comprehensive plan and the implementing land development regulations. In cases where the applicant chooses to appeal the director's decision, the Environmental Board shall have the authority to conduct appeal hearings related to the decision of protected tree removal.

(1)

Criteria for protected tree removal. The director shall approve a permit for removal of a protected tree if the applicant demonstrates the presence of one or more of the following conditions:

Safety hazard. Necessity to remove a tree which poses a safety hazard to pedestrians or other persons, buildings or other property, or vehicular traffic, or which threatens to cause disruption of public services. When a tree is removed for safety hazard reasons that were created as a result of development activity, debits shall accrue and an environmental permit shall be required. When a tree is removed for safety reasons not associated with development activity, an environmental permit shall not be required and debits shall not accrue in accordance with subsection 5-83(c)(4).

a.

Disease or pest-infested trees. Necessity to remove a diseased or pest-infested tree to prevent the spread of disease or pests. Debits shall not accrue for trees deemed by the director to be diseased or pest infested.

b.

Good forestry practices. Necessity to reduce competition between trees or to remove exotic species and replace them with native species.

c.

Reasonable and permissible use of property. Tree removal which is essential for reasonable and permissible use of property, or necessary for construction of essential improvements resulting from:

1.

Need for access immediately around the proposed structure for essential construction equipment, limited to a maximum width of 20 feet from the structure.

2.

Limited access to the building site essential for reasonable use of construction equipment

3.

Essential grade changes. Essential grade changes are those changes needed to implement safety standards common to standard engineering or architectural practices, and reference to a text that includes such standards shall be included in the permit application.

4.

Location of driveways, buildings or other permanent improvements. Driveway aisles shall be consistent with other applicable standards.

5.

Compliance with other ordinances or codes. Necessity for compliance with other city or Leon County codes, such as building, zoning, subdivision regulations, health provisions, and other environmental ordinances.

(f)

Reforestation requirements. All sites, except for individual lots being developed with one single-family, duplex, or triplex, and residential subdivisions that do not exceed four dwelling units per acre shall provide, upon completion of development activities, a minimum number of trees equivalent to a ratio of 40 tree credits for each acre proposed for development; i.e., total tree preservation credits plus tree replanting credits shall be equal to or greater than 40 credits per acre proposed for development. If the total number of trees to be replanted exceeds that which may be reasonably planted on the development site, the applicant may enter into an agreement with the city, as approved by the director, to plant the excess trees on an approved public site or to provide the monetary equivalent to the city for use in public landscaping projects.

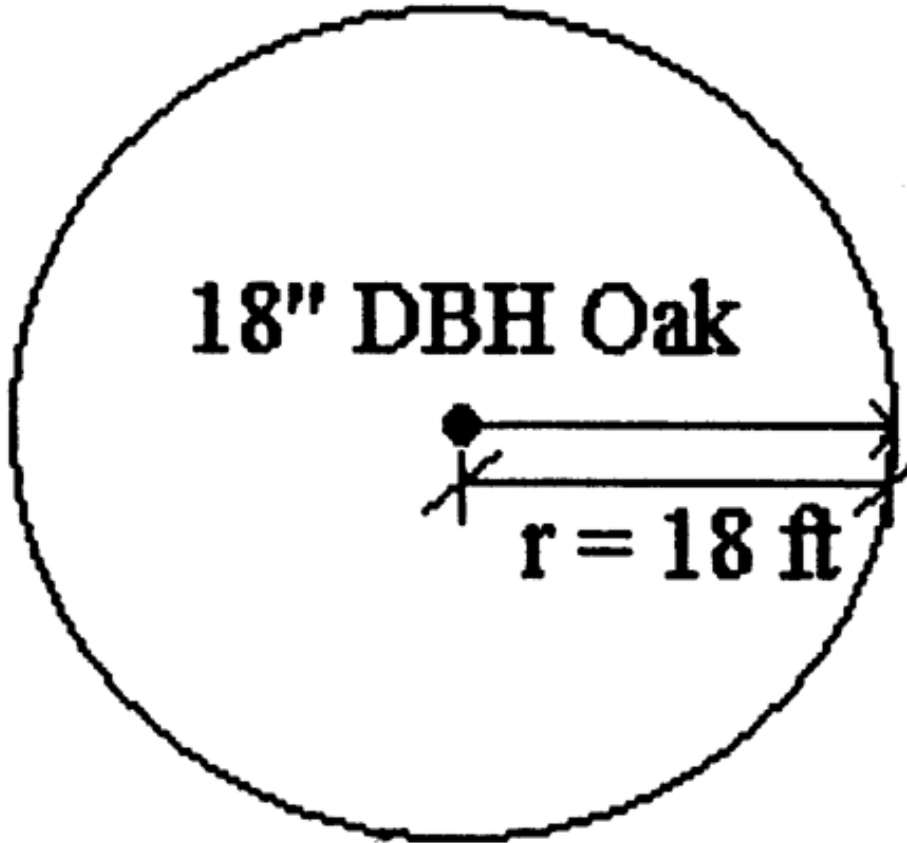
(g)

Tree protection requirements. It is the intent of this subsection to preserve the community's existing native tree canopy and vegetative understory. In order to maintain the integrity of existing trees, it is necessary to protect the root systems of individual trees that are contained within the critical protection zone (CPZ) from impacts associated with development activity. It is also the intent of this subsection to give priority to preserving the more enduring tree species, inclusive of current health, size and form. The following requirements shall apply:

(1)

Critical protection zone preservation. The critical protection zone of every protected tree not permitted for removal shall be protected from activities that may injure the tree, including, but not limited to, cut and fill activities, building pad placements, road bed construction, construction material storage, driving or parking heavy equipment, or trenching. Except as set forth in subsection (g)(6), if impact to the critical protection zone occurs, the tree shall be considered removed and shall require compensation in accordance with subsections (i) and (j).

Critical protection zone. That area surrounding a tree within a circle described by a radius of one foot for each inch of the tree's diameter at breast height.



Critical Protection Zone (CPZ)

(2)

Location of protected trees. All protected trees on-site and adjacent to the site, if the critical protection zone extends to within the project site, shall be physically located and depicted on the site plan submitted as part of the environmental management permit application. On sites with dense vegetation or numerous trees, tagging and numbering of some protected trees shall be provided for on site orientation. Numbers should correspond to those shown on the site plan.

(3)

Centerline of proposed roadways. The centerline of proposed roadways and other improvements shall be physically tagged or flagged on-site, and shall include station designations corresponding to a proposed site plan.

(4)

Tree protection barriers. Tree protection barriers shall be installed at the perimeter of the critical protection zone (CPZ) of each protected tree prior to the initiation of development activity to prevent root and soil compaction, resulting from vehicular traffic, equipment storage or material stockpiling. The barriers shall remain in place until such time as approved landscape

operations begin; however, barriers may be removed temporarily to accommodate construction needs, provided that the manner and purpose for such temporary removal is approved in advance by the director. The following are minimum requirements for barrier types:

a.

Protective posts shall be placed so as to protect the critical protection zone (CPZ) for each tree not permitted for removal.

b.

Posts shall be of nominal two inches by four inches or larger wooden post, two inches outer diameter or larger diameter pipe, or other post of equivalent size; shall be strung with at least one one-inch by four-inch (1" × 4") wooden stringer; and shall be clearly flagged.

c.

Posts shall be implanted deep enough in the ground to be stable and to extend to a minimum height of four feet above the ground.

d.

When the director determines that individual protective tree barriers are not needed in some areas for tree protection, such areas shall be staked and flagged with readily visible markers.

e.

Where development activity is permitted to occur within the critical protection zone (CPZ) of a protected tree, the director may allow the temporary removal of the tree protection barriers and shall require protective girdling of at least the bottom four feet of the trunk to avoid bruising or scraping of the trunk base, along with fencing or other approved techniques.

f.

All grading for drainage occurring within the CPZ of the trees shall be done by hand or as directed on-site by the permittee's certified arborist.

(5)

Tree protection techniques. Tree protection techniques found in the "Trees and Development, A Technical Guide to Preservation of Trees During Land Development," by Nelda Matheny and James R. Clark or equivalent techniques approved by the director, shall be used and shall be indicated in the environmental management permit application or site plan.

(6)

Tree mitigation techniques. It is the intent of this subsection to preserve mature trees and to promote tree safety. As an incentive to preserve existing trees, when the following arboricultural mitigation techniques are employed in

their entirety, the director may defer the tree replacement requirements. No credit will be given and no debits will be charged for successfully mitigated trees. Additional arboricultural mitigation techniques not specified below may be approved when supported with scientific documentation. Documentation supporting proposed mitigation measures shall be submitted with the application for an environmental management permit. The information shall be reviewed and approved by the director in consultation with a certified arborist. The mitigation plan shall be prepared and administered by the permittee's registered landscape architect or certified arborist.

Documentation detailing the mitigation efforts prepared by the landscape architect or certified arborist shall be included in the landscaping and urban forest compliance report prepared in accordance with [section 5-64](#), by the permittee's landscape professional seven days prior to requesting a final environmental inspection. Reconciliation of the deferred tree replacement requirements shall occur at time of submittal of the compliance report in accordance with subsection (j). If the arboricultural mitigation techniques are deemed sufficient by the director, the deferred tree replacement requirements shall be waived. The arboricultural mitigation techniques shall include, but not necessarily be limited to, the following:

a.

Site monitoring. All tree protection procedures and activities shall be monitored and approved throughout the construction period by a registered landscape architect or certified arborist. Pesticide applications require a state commercial applicators license. Proof of application shall be available upon request to the city's environmental inspector.

b.

Watering. All protected trees shall be watered by mechanical irrigation at a minimum rate equivalent to one inch of rainfall per week. Rate shall be dependent upon soil type. For trees that require root pruning, watering shall commence as far in advance as possible, prior to development activity, and shall continue through the completion of the project. Watering shall be adjusted as required by weather conditions. Care shall be taken to prevent water from soaking the base of trees and root collars. Soaker hoses are an acceptable method of irrigation during construction. Installed mechanical irrigation shall be on grade or placed parallel to the radial roots of the tree so as not to damage the trees root system.

c.

Mulching. Mulching shall be used throughout the project within the critical protection zone (CPZ) of protected trees to the greatest extent

possible. Where construction machinery or vehicular traffic has to pass within the critical protection zone (CPZ), a layer of four to six inches of organic mulch shall be placed within the drive areas within the critical protection zone (CPZ). Additionally a minimum of 5/8-inch plywood shall be placed over the mulch material positioned where vehicular traffic is proposed. Where possible, within the limits of the project, all critical protection zones (CPZs) of protected and desirable trees should be covered with a two- to three-inch layer of organic mulch or ground cover, as opposed to the placement of sod.

d.

Root pruning. Root pruning shall occur as far in advance as possible prior to site grading, earthwork, excavation or any other activity which may damage the roots of a tree proposed for mitigation, in all areas where demolition or new construction requires removal of existing roots (i.e. excavation/construction of footings, retaining walls, curbs, paving and base). Roots shall be cut with a mechanical trenching device to a minimum depth of 18 inches. Where possible, all trenching within the critical protection zone (CPZ) shall be done by hand or an air spade and followed immediately by a clean-cut hand pruning of all roots greater than 3/4-inch diameter. Where it is not possible to hand trench, mechanical trenching may be approved by the city's environmental inspector. All pruned/cut roots shall be covered as soon as possible with topsoil, mulch, or other organic medium. Any root-pruning areas that cannot be protected by immediate backfill replacement shall be covered with burlap and wetted to retard soil/root dehydration. The cutting of all major support roots or roots greater than six inches diameter or within ten feet of the trunk collar, shall be reviewed in the field by the city's environmental inspector or a certified arborist. This inspection shall determine if a tree designated to remain, may have to be removed due to the size of the cut and the possibility of the tree becoming a future liability.

e.

Fertilization. Prescribed fertilization, if indicated through soil analysis, shall occur as far in advance of root pruning as possible (six to twelve months is most desirable). Commercial fertilizer applications shall be in accordance with the requirements of the chapter 9, article V, of the Code of General Ordinances regarding fertilizer use, and performed by an individual holding a city approved best management practice training certificate.

f.

Soil aeration. Where soil compaction has occurred within the critical protection zone (CPZ) of protected and desirable trees on site, an aeration method, approved by a certified arborist shall be required. The soil aerating method used shall be applied to a depth no less than eight to ten inches, below original grade and spaced no greater than 24 inches, staggered spacing. Based on soil analysis and compaction, it may be necessary to recommended that a high nitrogen (3-1-1 ratio) slow release fertilizer mixed with peat moss and gypsum or peat moss and sand (1-5-2 ratio) mix be back filled into the aeration holes. Commercial fertilizer applications shall be in accordance with the requirements of the chapter 9, article V, of the Code of General Ordinances regarding fertilizer use, and performed by an individual holding a city approved best management practice training certificate.

g.

Pruning. Pruning and crown clearing shall be performed by a certified arborist in accordance with the currently adopted ANSI A300 Standards. Pruning and crown cleaning shall consist of the removal of all dead and diseased limbs as well as heavy concentrations of moss and vines that compete with crown foliage. Branch collar cuts over eight inch diameter should be avoided but may be allowed to raise limbs in order to accommodate construction traffic, equipment and structures, as advised by a certified arborist.

(h)

Underbrushing. No removal of understory vegetation (underbrushing) shall be allowed within a conservation or preservation area. Exceptions to this may be allowed, provided the applicant demonstrates to the satisfaction of the director that underbrushing will provide an ecological benefit to the conservation or preservation area or can demonstrate that such a dangerous condition exists which poses an imminent hazard so as to endanger the public health, welfare or safety. The director may approve a permit for underbrushing a site that contains conservation or preservation areas, provided that a Natural Features Inventory has been performed and the following requirements have been met:

(1)

Vegetation management plan. A management plan outlining the proposed activity shall be submitted with the environmental management permit application. The project narrative shall include a description of the operation, size of parcel to be underbrushed, mechanical methods of underbrushing, and description of best management practices (BMPs) used to control stormwater.

(2)

Site plan. The application shall include a site plan depicting property boundary lines, conservation or preservation areas on or adjacent to the site, access roads, areas requiring best management practices (BMP), and location of underbrushing activity.

(i)

Credit for tree preservation. Credit may be given for the preservation of an existing tree provided that the following criteria are met:

(1)

The critical protection zone of each preserved tree shall be protected during development activities and maintained during and after development in a natural state, in a vegetative landscape material covering;

(2)

There shall be no impervious area or grade change within the critical protection zone of the tree. The critical protection zone is defined as that area surrounding a tree within a circle described by a radius of one foot for each inch of the tree's diameter at breast height;

(3)

The tree shall not be damaged from skinning, barking, bumping and the like;

(4)

There shall be no evidence of active disease or insect infestation potentially lethal to the tree;

(5)

Trees within urban forest areas are preserved pursuant to subsection 5-85(d);

(6)

Hand clearing shall be required when necessary to remove debris, noxious or invasive vegetation;

(7)

Tree protection requirements of this chapter are fulfilled;

(8)

Tree debit and tree credit are used to represent the taking or the preservation of a two-inch diameter at breast height tree or larger. Credit for preserved trees shall be tabulated as follows:

a.

Calculate the number of credits for protected trees (trees preserved) by selecting the proper category in which the specific species is found. The size (DBH) within its category shall correspond to the number of credits within the credit column, (see chart below). Tree trunk diameter measurements shall be rounded off to the nearest

inch. (Note: trees listed by the Florida Exotic Pest Plant Council in either the Class I or Class II list of invasive species shall not be included in any tabulation of debits or credits. Debits and credits for tree species, not listed in this chapter, will be determined by the director of growth management. Credits and debits for trees listed by scientific name supercede listings by genus found in the tables, i.e., *Acer rubrum* is credited and debited on plant list A instead of under *Acer* in plant list B. A debit/credit worksheet is included as Attachment #1.

Diameter of Tree	Credits	Credits	Credits	Credits
Preserved (inches DBH)	Category A	Category B	Category C	Category D
2—3	1	3	5	6
4—6	2	5	6	8
7—12	3	6	8	16
13—18	5	8	10	19
19—24	6	10	11	22
25—30	8	16	<u>24</u>	
<u>31</u> —36	13	21	<u>29</u>	
<u>37</u> —42	16	<u>24</u>	<u>32</u>	
43—48	19	<u>27</u>	35	
<u>49</u> —60	22	<u>30</u>	38	

60—70	<u>32</u>	40	<u>48</u>	
70—80	40	50	60	
>80	50	62	75	

(j)

Tree replanting requirements. The removal of any protected tree shall comply with the following requirements:

(1)

Replanting plan. A plan shall be presented by the applicant based on the tree debits and reforestation requirements of this section.

(2)

Off-site replanting. If the total number of trees to be replanted exceeds that which may be reasonably planted on the development site, the applicant may enter into an agreement with the city, as approved by the director, to plant the excess trees on an approved public site or to provide the monetary equivalent to the city for use in public landscaping projects. This option can only be utilized if the minimum reforestation requirements of subsection (f) are met on site.

(3)

Replacement of tree for which credit was given. If any tree for which credit was given under this section is not alive and growing after all associated development activity on the property is completed, it shall be removed and replaced with trees that originally would have been required to be planted.

(4)

Tree removal without a permit. If protected trees are removed without a permit or otherwise in violation of this chapter, the number of replacement trees shall be up to three times the amount which would have been required for removal for the first offense and five times for every offense thereafter and the applicant shall be charged twice the normal application fee for tree removal.

(5)

Tree replacement. Removal of protected trees shall require compensation. Tree compensation shall be determined using tree debits and tree credits.

Tree debits and tree credits are terms used to represent the taking or the preservation of a two-inch diameter at breast height (DBH) tree or larger. Tree replacement (debits) shall be tabulated on species type and categorized as per their designated values as follows:

a.

Calculate the number of debits (required replants) for protected trees proposed for removal by selecting the proper category in which the specific species is found. The size (DBH) within its category shall correspond to the number of debits within the debit column, (see chart below). Tree trunk diameter measurements shall be rounded off to the nearest inch. (Note: trees listed by the Florida Exotic Pest Plant Council in either the Class I or Class II list of invasive species shall not be included in any tabulation of debits or credits). Debits and credits for tree species, not listed in the this chapter, will be determined by the director of growth management. Credits and debits for trees listed by scientific name supercede listings by genus found in the tables, i.e., *Acer rubrum* is credited and debited on plant list A instead of under *Acer* in plant list B. A debit/credit worksheet is included as Attachment #1.

Diameter of Tree	Debits	Debits	Debits	Debits
Removed (inches DBH)	Category A	Category B	Category C	Category D
2—3	1	4	6	8
4—6	2	6	8	10
7—12	4	8	10	20
13—18	6	10	12	<u>24</u>
19—24	8	12	14	<u>28</u>
25—30	10	20	<u>30</u>	

<u>31</u> —36	16	<u>26</u>	<u>36</u>	
<u>37</u> —42	20	<u>30</u>	40	
43—48	<u>24</u>	<u>34</u>	<u>44</u>	
<u>49</u> —60	<u>28</u>	38	<u>48</u>	
60—70	40	50	60	
70—80	50	62	75	
>80	63	78	94	

(k)

Plant list A. Includes many native and selected non-native species, including species that rapidly colonize disturbed sites. These shall include the following:

PLANT LIST A

Common Name	Scientific Name
Sand pine	<i>Pinus clausa</i>
Shortleaf pine	<i>Pinus echinata</i>
Slash pine	<i>Pinus elliottii</i>
Loblolly pine	<i>Pinus taeda</i>

Red Maple	<i>Acer rubrum</i>
River birch	<i>Betula nigra</i>
Persimmon	<i>Diospyros virginiana</i>
Blueberry	<i>Vaccinium spp.</i>
Willow oak	<i>Quercus phellos</i>
Laurel oak	<i>Quercus hemisphaerica</i>
Water oak	<i>Quercus nigra</i>
Sweetgum	<i>Liquidambar styraciflua</i>
Sassafras	<i>Sassafras albidum</i>
Water-locust	<i>Gleditsia aquatica</i>
Honey-locust	<i>Gleditsia triacanthos</i>
Black-locust	<i>Robinia pseudoacacia</i>
Osage-orange; Bois D'arc	<i>Maclura pomifera</i>
Mulberry	<i>Morus spp.</i>
Sycamore	<i>Platanus occidentalis</i>

Southern crabapple	Malus angustifolia
Plum and Cherry	Prunus spp.
Willow	Salix spp.
Hackberry	Celtis spp.
Bradford Pear	Pyrus calleryana
Burford Holly	Ilex cornuta 'Burfordii'
Crepe Myrtle	Lagerstroemia indica
Fosters Holly	Ilex x attenuata 'Fosteri'

(l)

Plant list B. Qualitatively have similar characteristics as Category A, but are generally less common and more enduring. These shall include the following:

PLANT LIST B

Common Name	Scientific Name
Pond pine	Pinus serotina
Maple	Acer spp.
Hazel alder	Alnus serrulata

Catalpa	Catalpa bignonioides
Chinquapin	Castanea spp.
Bay	Persea spp.
Eastern cottonwood	Populus deltoides
Sawtooth Oak	Quercus acutissima
Elm (native and horticultural varieties)	Ulmus spp.

(m)

Plant list C. Desirable, long lived, more enduring species, native species that are unavailable commercially, includes more rare and uncommon species, many of these species are components of the unique native and natural communities found in Leon County and many are indicative of high quality successional and native forest types. These shall include the following:

PLANT LIST C

Common Name	Scientific Name
Eastern red cedar	Juniperus virginiana
Spruce pine	Pinus glabra
Longleaf pine	Pinus palustris
Cypress	Taxodium spp.

Winterberry	<i>Ilex verticillata</i>
Dahoon	<i>Ilex cassine</i>
Myrtle-leaved holly	<i>Ilex myrtifolia</i>
Possum-haw	<i>Ilex decidua</i>
Ironwood	<i>Carpinus caroliniana</i>
Buckwheat-tree	<i>Cliftonia monophylla</i>
Titi	<i>Cyrilla racemiflora</i>
Sourwood	<i>Oxydendron arboreum</i>
American beech	<i>Fagus grandifolia</i>
Oak	<i>Quercus</i> spp.
Black walnut	<i>Juglans nigra</i>
Hickory	<i>Carya</i> spp.
Tulip-tree; Yellow-poplar	<i>Liriodendron tulipifera</i>
Southern magnolia	<i>Magnolia grandiflora</i>
Sweetbay	<i>Magnolia virginiana</i>

Gum	Nyssa spp.
Ash	Fraxinus spp.
Carolina buckthorn	Rhamnus caroliniana
Wild-olive; Devilwood	Osmanthus americanus
Haw	Crataegus spp.
Swamp cottonwood	Populus heterophylla
Loblolly bay	Gordonia lasianthus
Basswood	Tilia americana
Water elm planer-tree	Planera aquatica

(n)

Plant list D. Includes midstory or understory native trees, which are generally uncommon or rare and may also, have desirable growth characteristics. Most have limited commercial availability; these trees generally do not exceed 12 DBH. These shall include the following:

PLANT LIST D

Common Name	Scientific Name
American holly	Ilex opaca

Devil's walking stick	<i>Aralia spinosa</i>
Eastern hophornbeam	<i>Ostrya virginiana</i>
Dogwood	<i>Cornus</i> spp.
Mountain-laurel	<i>Kalmia latifolia</i>
Witch-hazel	<i>Hamamelis virginiana</i>
Red buckeye	<i>Aesculus pavia</i>
Spicebush	<i>Lindera benzoin</i>
Redbud	<i>Cercis canadensis</i>
Magnolia (native)	<i>Magnolia</i> spp.
Fringe-tree	<i>Chionanthus virginicus</i>
Privet	<i>Forestiera</i> spp.
Downy serviceberry	<i>Amelanchier arborea</i>
Pinckneya/Fever-tree	<i>Pinckneya bracteata</i>
Buckthorn	<i>Bumelia</i> spp.
Silverbell	<i>Halesia</i> spp.

Horse-sugar	Symplocos tinctoria
Elm	Ulmus americana

(o)

Tree debits and credits in proposed residential subdivisions. When calculating tree debits and credits for residential subdivisions, debits shall be charged for all protected trees removed or impacted during construction of all infrastructure required for permitting the subdivision. Credits shall be given for all protected trees that will be preserved in the permitted subdivision, exclusive of the individual lots. Approved tree mitigation techniques, prepared by a certified arborist, or debits shall be required at the time of subdivision permitting, in accordance with subsection (g)(6), when the critical protection zone of any protected tree on the entire subdivision site is impacted. At the time of subdivision permitting, debits and credits shall not be applied to trees within the area proposed for individual lots, except protected trees impacted or removed for installation of the subdivision infrastructure. At the time of building permitting for an individual lot proposed for a single-family detached dwelling unit, tree debits shall only be charged if a tree that is greater than 36 inches is physically removed. Tree credits shall be given for trees preserved on the lot. An approved arboricultural mitigation, prepared by a certified arborist, may be required at the time of building permitting for an individual single-family dwelling unit if encroachment into the critical protection zone of any protected tree greater than 36 inches occurs. Prior to the issuance of a C.O. on an individual single-family dwelling unit, the preserved tree credits must be equal to or greater than the tree debits on the lot.

Sec. 9-112. - Subdivision design standards.

...

(c)

General principles of subdivision design.

...

(3) No new direct driveway access shall be permitted to a canopy road or inside the urban service area to a major collector or arterial roadway from any newly created subdivision lot.

...

(7) Lots:

...

b. There shall be no double-frontage residential lots except to provide separation of development from arterial streets or canopy roads or to overcome specific disadvantages of topography, orientation and property size.

e. No new subdivisions shall be permitted which would allow development to occur within 100 feet of the centerline of a canopy road without the express approval of the city commission.

Sec. 10-174. - Commercial site location standards.

The provisions of this section are not applicable to the following zoning districts: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, MR, OR-1, OR-2, OR-3, OA-1, C-1, C-2, CM, CP, all CU districts, UP-1, UP-2, M-1, IC, OS, PD, PUD, DRI and UT. Commercial sites are determined through the use of site location standards. The intensity of the commercial use is dependent upon the land use category of the potential site and the classification of the immediate adjacent roads. Individual road classifications are depicted on map 14 of the 2010 Comprehensive Plan. The site location standard is intended to group commercial land use toward intersections to provide access and prevent strip commercialization.

...

d.

Regional commercial:

1.

Major function: Same functions of community center, provide full range and variety of shopping goods for comparative shopping such as general merchandise apparel, furniture and home furnishings.

2.

Leading tenants: One or more full-time department stores.

3.

Location: Integrated into local transportation system and accessible by combination of arterials, major collectors, expressways and interstate highways. Potential on-site and off-site transportation improvements needed to provide adequate ingress and egress. Prohibited on designated canopy roads.

Sec. 7-64. - Off-site advertising signs.

...

(e) Additional requirements.

(1) No off-site advertising sign shall be permitted within 300 feet from the centerline of a canopy road regardless of the zoning district.

Sec. 10-425. - Communication antennas and communication antenna support structures.

...

b. *Canopy roads.* Communication antenna support structures, including camouflaged antenna support structures, shall not be located within a canopy road protection zone. Except as provided in subsection (c)(2)e of this section, communication antenna support structures shall not be located in areas more than 100 feet and less than 250 feet from the right-of-way of a designated canopy road.

Short Review of the Timeline for the Canopy Roads Citizen Committee (CRCC) Development Review History

1975- County approved ordinance establishing canopy roads protections

1990- City and County approved Comprehensive Plan policy calling for canopy road management plans

1991- City and County established the ad hoc CRCC

1992- City and County approved the canopy roads management plan

1992- City and County approved ordinances with modern canopy road regulations

1993- City and County established the CRCC as a standing Committee


2004- City approved ordinance requiring projects to be reviewed by the CRCC

2008- County approved ordinance requiring projects to be reviewed by the CRCC

BOARD OF COUNTY COMMISSIONERS

INTER-OFFICE MEMORANDUM

TO: Brian Wiebler, Principal Planner

FROM: Jessica Icerman, Esq., Assistant County Attorney 

DATE: November 4, 2015

SUBJECT: Changes to Canopy Road-Related Ordinances Since the Creation of the Canopy Roads Citizens Committee

Background

At the October 13, 2015 Board of County Commissioners regular meeting, Commissioner Dozier made a motion to table the consideration of full Board appointments to the Canopy Roads Citizens Committee ("CRCC") and to direct staff to evaluate the overall necessity of the CRCC and/or potential consideration to sunset the CRCC. This memorandum highlights the Leon County Code changes over the past several decades as relating to the canopy roads and the CRCC. However, since older agenda items and ordinances are difficult to search, this analysis may unintentionally omit information.

The CRCC was established as an ad hoc committee by the County Commission on October 8, 1991. The CRCC developed the Canopy Roads Management Plan, which was adopted by both City and County Commissions in 1992. The Canopy Roads Management Plan was ultimately amended and approved by the Metropolitan Planning Organization (now the Capital Region Transportation Planning Agency) in August 1993.

The CRCC was subsequently established into a joint standing committee by both City and County Commissions in 1993. Currently, the CRCC functions as an advisory committee and makes recommendations to the City and County Commissions on matters related to the preservation of canopy roads and assists in coordinating efforts of government, the private sector, civic groups and individuals in an effort to protect, maintain, enhance and where applicable, re-evaluate canopy roads. The CRCC is further given review authority under the Leon County Code of Laws regarding the maintenance and repair of fences and structures and all development within the canopy road protection zones.

Analysis

Canopy road designation goes back to at least 1972. Ordinance 72-114 designated five roads as canopy roads on the comprehensive land use map of Leon County. The canopy roads consisted of certain sections of the following roadways: Centerville Road; Meridian Road; Miccosukee Road; Old Bainbridge Road, and; Old St. Augustine Road. Additionally, the County prohibited the placement of off-site advertising signs on canopy roads. In 1975, Ordinance 75-3 established

canopy roads tree protection zones. These zones consisted of all lands within 35 feet of the centerline of the designated canopy roads. No trees within these zones could be removed and no improvements could be carried out within these zones without the express approval of the Board of County Commissioners ("Board"), with the exception of routine maintenance of existing roadways and existing drainage facilities. Ordinance 75-12 established setback and height restrictions along canopy roads. Specifically, all structures must be setback a minimum of 50 feet from the centerline of the canopy road and any structure exceeding 40 feet in height must be setback an additional foot for every additional foot in height.

Ordinance 82-46 expanded the canopy road tree protection zone from 35 feet to 50 feet from the centerline of the road. The Ordinance also added an additional explicit prohibition regarding the removal of trees for the purpose of maintaining utilities without the express written approval of the Board. The Ordinance set forth a procedure to obtain a permit for the removal or relocation of trees within the canopy tree protection zone for the purpose of maintaining utility lines.

The Tallahassee-Leon County Comprehensive Plan was adopted in 1990. Objective 3.4[C] states, "[l]ocal government shall protect, maintain and improve the designated canopy roads." Policies within this Objective required the development and implementation of management plans and mitigation requirements by certain timelines. The CRCC was created as an ad hoc committee in part to help achieve these policies.¹

Ordinance 92-3 established understory protection measures in canopy road tree protection zones and prohibited all development within 100 feet of the centerline of the canopy road without local government approval. Ordinance 92-10 imposed tree removal application requirements and mitigation requirements. Ordinance 92-10 also established a canopy road overlay district, consisting of all lands within 100 feet of the centerline of the canopy road. The canopy roads overlay district imposed restrictions in addition to the underlying district's restrictions, including:

- (a) All structures shall be set back a minimum of 50 feet from the centerline of the canopy road.
- (b) Any structure which exceeds 40 feet in height must be set back an additional one foot for every one foot in excess of 40 feet in height.
- (c) No clearing may occur in the canopy road overlay, (100 feet from the centerline of the road) unless authorized for health, safety or welfare of the public.
- (d) Any part of the canopy road overlay that is cleared or has trees removed from it must be widened in some other location by the same amount that was removed.
- (e) A full analysis of the impact of a development on the affected canopy road shall be submitted by the applicant at the time of the development review.
- (f) Joint access to canopy roads shall be required wherever possible; new curb cuts on canopy roads shall be designed to serve more than one development.

¹ This statement is an assumption. I cannot locate the original reasons for why the CRCC was initially created other than references in other documents.

(g) If the site is accessible by roads other than the canopy road, it shall not have direct access to the canopy road.

In 1993, the CRCC was established as a standing committee.

Ordinance 94-8 clarified that no new developments would be permitted within 100 feet of the centerline of the canopy road except for legal access, provided no alternative exists, or for health, safety, and welfare of the public and only with the approval of the Board.

Throughout the years, additional segments of the canopy roads were designated canopy road and thereby afforded the additional canopy road protection measures. In 2001, Sunny Hill Road was added to the list of canopy roads to be protected as a canopy road tree protection zone and canopy road overlay district. In 2002 and 2007, Old Centerville Road and Pisgah Church Road were added to the list of protected canopy roads respectively.

Ordinance 08-25 amended Section 10-4.206(b)(1). The Ordinance establishes a procedure for the removal of trees and the maintenance and repair of lawfully established structures and fences within the canopy road protection zone. All applications for the removal or relocation of trees, for the maintenance and repair of existing lawfully established structures and fences, and for the pruning or vegetation management **within the canopy road protection zone must undergo review by the CRCC**. The CRCC provides a recommendation to the County Commission or the County Administrator or designee, depending upon the requested action.

Ordinance 09-20 provided that no direct access to canopy roads shall be permitted to a canopy road without a variance from the County.

Ordinance 09-23 added Section 10-4.202(a)(2)(b)(8). This Section **authorizes the CRCC to review all development proposed within the canopy road tree protection zone**. It additionally sets forth special restrictions that apply within the canopy road tree protection zone. These restrictions are an expansion of the restrictions laid out in Section 10-6.707, canopy roads overlay district:

- (a) All structures shall be set back a minimum of 100 feet from the centerline of the canopy road;
- (b) Any structure which exceeds 40 feet in height must be set back an additional one foot for every one foot in excess of 40 feet in height;
- (c) No development may occur in the canopy road protection zone unless authorized for health, safety or welfare of the public;
- (d) Any part of the canopy road protection zone that is cleared or has trees removed from it must be widened in some other location by the same amount that was removed and shall be replanted if necessary, with native, non-invasive canopy trees, understory trees and shrubs;

(e) A full analysis of the impact of a development on the affected canopy road as described in subsection 10-4.206(b) shall be submitted by the applicant as a component of the environmental impact analysis;

(f) Joint access to canopy roads shall be required unless there is no alternative. New curb cuts on canopy roads shall be designed to serve more than one property;

(g) If the site is accessible by roads other than the canopy road, it shall not have direct vehicular access to the canopy road;

(h) The canopy road tree protection zone shall be placed in a conservation easement;

(i) No removal of understory vegetation (underbrushing) shall be allowed within the canopy road tree protection zones, except as specified in a vegetation management plan, submitted to and approved by the county administrator or designee, which outlines specific planting and maintenance operations designed to restore or maintain the natural vegetation component of a specific canopy road section, and is consistent with the objectives of this chapter;

(j) Repair and maintenance of existing lawfully established structures and fences shall meet the requirements in section 10-4.206;

Ordinance 12-07 added an additional restriction to apply within the canopy road protection zone:

(k) Sidewalks shall be a maximum of six feet in width. The county administrator or designee can allow up to a maximum of ten feet in width if mitigation is sufficient to offset the negative impacts to the canopy. In determining whether a sidewalk will be permitted in the canopy road overlay, the impacts to other conservation/preservation areas will be considered. A natural feature inventory/environmental impact analysis shall be submitted for assessment and determination of placement of the sidewalk. In cases where the proposed sidewalk would detrimentally impact other conservation/preservation areas in the canopy road overlay, as determined during the environmental impact analysis, the sidewalk shall not be permitted. Emphasis shall be on placing the sidewalk such that impacts to trees and native vegetation are minimized.

Ordinances 09-23 and 12-07, as discussed above, is how the Section 10-4.202(a)(2)(b)(8) currently reads today. Additionally, the canopy roads overlay district found in Section 10-6.707 currently reads:

(1) All structures shall be set back a minimum of 100 feet from the centerline of the canopy road except that a permit may be issued by Leon County for the repair or maintenance of an existing, lawfully established fence, pursuant to any and all applicable criteria and standards set out in section 10-4.206.

(2) Any structure which exceeds 40 feet in height must be set back an additional one foot for every one foot in excess of 40 feet in height.

- (3) No clearing may occur in the canopy road overlay, (100 feet from the centerline of the road) unless authorized for health, safety or welfare of the public.
- (4) Any part of the canopy road overlay that is cleared or has trees removed from it must be widened in some other location by the same amount that was removed.
- (5) A full analysis of the impact of a development on the affected canopy road shall be submitted by the applicant at the time of development review.
- (6) Joint access to canopy roads shall be required unless there is no alternative. New curb cuts on canopy roads shall be designed to serve more than one development.
- (7) If the site is accessible by roads other than the canopy road, it shall not have direct access to the canopy road.

Overall, Sections 10-4.206(b)(1) and 10-4.202(a)(2)(b)(8) provide explicit review authority to the CRCC regarding proposed tree removal, fence/structure repair and maintenance, and all development proposed within the canopy road protection zones. Section 10-6.707, canopy roads overlay district, provides additional development standards but does not give the CRCC any explicit authority. It appears that a version of Section 10-6.707 has been in existence since 1992.

The Tallahassee-Leon County Comprehensive Plan also discusses canopy road regulations. Specifically, Policies 10.1.3[L] and 10.1.5[L] limit canopy road access to residential traffic only if an alternative access cannot be secured and requires shared access points. Policy 1.3.2[C] addresses canopy roads and imposes additional limitations on development impacting a canopy road, such as:

- (1) No clearing may occur in the canopy road zone (cpz) (100 feet from center line of the road) unless authorized for legal access (provided no other alternative exists), or for the health, safety or welfare of the public or, for linear sidewalk improvements when practical given the unique attributes of the particular site as approved by the local government provided they meet the following criteria:
 - (a) Clearing in the canopy road zone will be kept to a minimum.
 - (b) A variety of surfaces will be evaluated for use in the sidewalk/pathway through the cpz based on impact to the resource (cpz trees and vegetation), location of the sidewalk/pathway, and anticipated use.
 - (c) Sidewalks may not always be required in the cpz given the impact to the cpz or encroachment on other conservation or preservation features.
- (2) Any part of the canopy road zone that is cleared or has trees removed from it must be widened by the same amount that was removed;
- (3) A full analysis of the impact of a development on the affected canopy road must be submitted at the time of development review;

(4) Joint access to canopy roads will be utilized unless there is no alternative. New cuts into canopy roads must be designed to serve more than one property [or] development.²

Conclusion

The canopy roads regulations have been amended several times over the recent decades. In 2008 and 2009, the Board gave specific authority to the CRCC to review proposed developments and the repair/maintenance of lawfully existing fences and structures within the canopy road protection zones. The CRCC provides recommendations to the Board and County Administrator in addition to the CRCC's other roles.

Please contact me if you would like more information or have additional questions.

JMI

cc: Herb Thiele, County Attorney
Wayne Tedder, Director of P.L.A.C.E.
Louis Norvell, Assistant City Attorney

² I am not sure when this policy first appeared in the Comprehensive Plan.

BY-LAWS OF THE JOINT CITY AND COUNTY CANOPY ROADS CITIZENS COMMITTEE

Article I – Name and Authorization

- A. The committee’s name shall be the Canopy Roads Citizens Committee.
- B. The committee was created by the City and County Commissions in 1991. They were subsequently made a standing committee by both commissions in January 1993.

Article II – Purpose and Duties

- A. Purpose of the Committee
 - 1. To function as a standing committee that will make recommendation s to the City and County Commissions on matters related to Canopy Road Preservation.
 - 2. Assist in coordinating the efforts of government, private sector, civic groups and individuals in an effort to protect, maintain, enhance and where applicable, re-evaluate canopy roads.
- B. Duties
 - 1. Assist in coordinating the efforts of the government, private sector, civic groups and individuals in an effort to maintain, protect and enhance existing canopy roads and incorporate new canopy roads.
 - 2. Oversee the re-evaluation of existing officially designated canopy roads segments.
 - 3. Make recommendations to the City and County Commissions on any item related to canopy roads that are referred to the committee by the elected officials.
 - 4. Assist both local governments through their designated Canopy Roads Coordinators to implement the Canopy Road Management Plan.
 - 5. Review and report annually to the full commissions regarding the progress of the Canopy Road Management Plan. Commission liaisons will receive quarterly status report from Chairperson.
 - 6. Help develop a Canopy Road Design Manual and Criteria for designating new canopy roads.
 - 7. Actively encourage participation from groups of individuals outside of the committee.

Article III – Guidelines

- A. By-laws will be reviewed by the Canopy Roads Citizens Committee and approved by both the City and County Commissions. The by-laws may be amended by the City and County Commissions at anytime, subject to the committee reserving the privilege to review and comment on the proposed changes.
- B. The Canopy Roads Citizens Committee has no authority other than to serve in an advisory capacity to the City and County Commissions.
- C. The Canopy Road Citizens Committee shall serve as advisors to the City and County Commissions to encourage citizen participation, present or discuss policies and programs affecting the preservation and maintenance of canopy roads, study issues, provide input on the values and goals of programs affecting canopy roads, and contribute continuous feedback and make recommendations regarding the preservation of canopy roads. Additional functions of the committee may be defined by the City and County Commissions.
- D. A quorum will consist of five voting members; decisions shall be made by a simple majority of members present. A tie vote (deadlock) will defeat a motion.

Article IV – Membership

- A. **Members.**
The committee will consist of eight members, four members appointed by the City and four members appointed by the County. Appointments by the elected officials shall be done in a manner determined by each commission.
- B. **Members should consist of a balance of persons who have expertise in the fields of forestry, local history, live along a canopy road, or have demonstrated a willingness to serve for enhancement of the community.**
- C. **An ex-officio member shall be included from the Apalachee Land Conservancy. Members of other groups may also be included as ex-officio members at the discretion of the committee. These members will have non-voting status.**
- D. **Appointments.**
Committee appointments will be made initially for one and two-year terms, after the initial appointments all terms will be for three-year terms. Committee appointees may not serve more than two consecutive terms.
- E. **Vacancies.**
A vacancy can be declared on the committee for any of the following causes:
 - 1. The member no longer resides in the City or County.
 - 2. A member is absent from three consecutive regularly scheduled meetings in a given calendar year. All absences will be recorded in the meeting summary.

Absences for emergency or specially called meetings will not be recorded against a member in calculating absenteeism.

3. A member resigns prior to the end of his term or for any other reason cannot serve the full term.

F. How Vacancies are Filled.

1. The Advisory Committee Chairperson shall immediately, upon receipt of a resignation or when advised of a vacancy, notify the Mayor for the City and the Chairperson for the County and their Community Relations staff person. It will be the responsibility of the City and County Commission to insure the appointment of a member within 30 days. If an appointment is not made within 30 days, the committee may request an appointment be agendaed for the next available commission meeting.
2. Vacancies will be advertised in the manner determined by the City and County policy.

Article V – Members Responsibilities

All members' votes are equal. Members' responsibilities include:

1. Attending one regularly scheduled meeting per month.
2. Being responsible for assigned tasks.
3. Making agenda requests.
4. Attending relevant public hearings and special committee meetings.
5. Listening to understand public opinion.
6. Actively expressing their concerns, questions and opinions at meetings and hearings.
7. Electing a chairperson from within the committee.
 - a) The chairperson's term shall be for one year, and shall serve at the pleasure of the committee. The chairperson may be elected for consecutive terms during his/her tenure on the committee.
 - b) The chairperson shall conduct all meetings.
 - c) The chairperson shall appoint a vice-chair to act in his/her absence.

Chairperson's responsibilities include:

1. Insuring that accurate records are kept.
2. Setting Agenda.
3. Filing reports with both Commissions and appropriate local governmental agencies and departments.
4. Scheduling public hearings and special business meetings.
5. Presenting formal requests and recommendations to the Commissions.
6. Assigning tasks to committee members.
7. Assisting the Canopy Roads Coordinator as a liaison coordinating governmental, private sector and civic group actions.
8. Serving as a contact person for the media and general public.

Article VI – Staff Responsibilities for the Committee

- A. Staff will have the responsibility of informing the committee of events, activities, policies, programs, etc. occurring within the scope of its functions and to make members aware of all City and County Commission requests for information or input.
- B. Upon being informed by the Chair, staff will inform the City and County of all vacancies, expiration of terms, changes in offices and any other changes to the committee relative to their jurisdiction.
- C. Staff will be responsible for continuous flow of information to the appropriate officials, City or County and appropriate community relations personnel. Such information shall include, but not limited to, a provision of by-laws, minutes of the committee meetings, membership, reports, actions, recommendations of the committee and non-compliance of the board or chairperson with the by-laws or statutes.
- D. The staff will coordinate with the City and County Attorney, or his/her designee, non-compliance issues by the chairperson of the statutes and by-laws. The City and County Attorney or their designee will be responsible for resolution of non-compliance issues.
- E. Staff will assemble information needed by the committee in order for them to perform their function.

Article VII – Role of City and County Commissioners

- A. The City and County Commissions shall appoint all members to the committee.
- B. The City and County Commissions shall designate City and County staff to provide clerical and technical support for committee business.
- C. The City and County Commissions shall each designate a Commissioner to act as a liaison to the committee.
- D. The City and County Commissions shall review, consider, and respond to all recommendations from the committee.

Leon County Land Development Code

Sec. 10-4.202. - Pre-development environmental analysis reviews.

(a) Every application for standard form permit, for subdivision approval, for conceptual or final PUD approval, for approval of any project which includes 40 percent or more area of the proposed site located in a conservation or preservation overlay district, for every required application for site and development plan approval, for all roadway projects on new locations, and all widening of existing roadways, shall be accompanied by an environmental analysis which shall become, upon approval, a part of the final development approval. The environmental analysis shall include the following components:

(1) Natural features inventory (NFI). The identification and mapping of conservation areas, preservation areas and special development zones, located on or adjacent to the property under review. A natural features inventory—No impact, may be submitted in lieu of a standard natural features inventory if the property under review is less than 20 acres in size and contains no conservation areas, preservation areas or special development zones. Conservation and preservation areas are defined as:

Conservation areas. Altered floodplains, altered floodways, altered watercourses, high quality successional forest, significant grades (10—20 percent), archaeological or historical sites, closed basins, and designated **canopy roads** protection zones.

Preservation areas. Wetlands, waterbodies, floodplains and floodways, watercourses, native forests, severe grades (greater than 20 percent slope), areas of environmental significance (springs and other active karst features), habitat for endangered, threatened, or species of special concern.

The natural features inventory will be performed by a qualified professional and shall include:

- a. Identification of all endangered and threatened species, all species of special concern, and their habitat, which are located on the property, and which are located adjacent to the property to the best of the applicant's knowledge after reasonable investigation. Wildlife corridors must also be identified, as well as habitats for species expected to occur on-site. Species identification shall include scientific names.
 1. Identification of species will be based on a visual survey of the site using appropriate methods and at times that maximize chances for species identification. Surveys shall focus on species known to occur on-site, adjacent off-site, or species known to use available habitat type found on-site. A narrative description of survey method used and a map of survey transect and/or point locations are required. Current survey guidelines or protocol provided by state and federal agencies shall be used where applicable. Where guidelines or protocol are not available from federal or state agencies, survey method shall be based on species biology and ecology. Limited survey designs that do not detect species presence should not be used to infer species absence, due to seasonal variations of the species and its habitat. Any signs of habitat use by the species, including evidence of feeding, tracks, trails, or scat shall be reported.
 2. An assessment of the species and its habitat will be based on the following factors provided by the applicant: Population size or population estimate; number of individuals on-site; distance to nearest known occurrence; and habitat suitability based on Leon County's Natural Community Criteria or the individual species needs. State and federal agency guidelines for assessing the species and its habitat shall be used where applicable.
- b. A narrative description and classification map of all on-site plant communities and those which are located adjacent to the property to the best of the applicant's knowledge after

reasonable investigation. Species identification shall include Latin names. Quality of the upland plant communities shall be evaluated and provided based on Leon County's Natural Plant Community Criteria. A narrative description of observed non-listed wildlife shall be provided.

- c. Identification of natural grades, including the nature and extent of soils, located on the property, and which are located adjacent to the property to the best of the applicant's knowledge after reasonable investigation.
 - d. Mapped inventory of on-site conservation and preservation features, special development zones, topography, drainage basin and watershed divides, tributaries, underground storage tanks, water wells, soils types and a narrative, drawn, or mapped inventory of adjoining and downstream environmental constraints to the best of the applicant's knowledge after reasonable investigation. Maps must be provided at a standard engineering scale no smaller than 1"=400'. Submittal of digital files of surveyed feature points in AutoCAD or a GIS feature class, spatially referenced to the county's current geographic datum, shall be required.
 - e. Identification of the 100-year floodplain for properties that have all or a portion of their area located within the 100-year floodplain. Where a FEMA base flood elevation was not provided, the applicant should use the best available data from the inventory of drainage studies to determine the base flood elevation. Available studies may include, but are not limited to, the USGS-91 study, a private engineering study, or the certified results of a county-approved drainage study performed by a professional engineer licensed in the State of Florida.
- (2) Standards for the protection of natural features. If an application contains one or more of the preservation/conservation areas and/or special development zones listed in subsection (1) above, the applicant shall propose measures to mitigate the adverse affects of the development on such areas, using as a minimum, the standards and guidelines set forth below. Details of the proposed mitigation for on-site preservation/conservation areas must be supplied with the environmental impact analysis application.
- a. Preservation areas. Development activity is prohibited in preservation areas, however if there is no other suitable option development may be allowed at one unit per 40 acres not to exceed a total of five percent disturbance for preservation areas. Conservation easements which include the limits of the feature within the subject parcel and the appropriate buffer and setback requirements stated below shall be required for all preservation areas. Conservation easements shall be dedicated in favor of the county.
 1. Wetlands, waterbodies, and watercourses. These features shall be protected in accordance with section 10-4.322, section 10-4.324 and subsection 10-4.327(3). Buffers are required in accordance with Table 1 of subsection 10-4.202(a)(2)e. A minimum 50-foot vegetated buffer must be maintained from the jurisdictional boundary of all wetlands.
 2. Floodplains and floodways. These features shall be protected in accordance with subsection 10-4.327(3). A drainage or conservation easement is required for the limits of the 100-year floodplain and any floodway as determined during the natural features inventory.
 3. Native forests. Native forests shall be protected as follows:
 - (a) Areas determined to be native forest shall be preserved to the boundary determined during the natural features inventory plus a minimum 25-foot buffer and placed in conservation easement.
 - (b) When impact to the native forest is unavoidable and does not exceed the five-percent disturbance criteria, priority must be given to preserve the largest total area of the native forest by considering adjacent on and off-site native forests and associated wetlands, floodplains, significant and severe slopes, and canopy

road protection zones, while ultimately minimizing fragmentation of the natural plant community.

- (c) The preserved native forest areas shall be maintained and enhanced in accordance with a vegetation management plan. The plan shall ensure protection and appropriate management of the native forest, including protection from secondary impacts of development. The plan shall, at a minimum, provide the following: Description and mapped limits of the native forest; description of desired future conditions; description of management techniques; management and monitoring schedules; estimated costs; designated responsible management entity; and conservation easement signage.
4. Severe grades. Regions of severe grade (areas with greater than 20 percent slope) shall be preserved to the boundary determined during the natural features inventory and placed in conservation easement in accordance with subsection 10-4.327(2).
 5. Areas of environmental significance. Areas of environmental significance include springs and other active karst features. The limits of the feature as determined by the uppermost contiguous contour or slope break plus a minimum buffer width of 35 feet shall be placed in conservation easement as outlined in section 10-4.325.
 6. Habitat for endangered, threatened, and species of special concern.
 - (a) Habitats of endangered, threatened, and species of special concern shall be preserved to the boundary of suitable habitat determined during the natural features inventory, plus a minimum 20-foot vegetated buffer, and placed in a conservation easement. Habitat preserve designs and buffers recommended by state and federal agencies shall be followed where applicable. Essential corridors for movement must also be provided.
 - (b) Where impacts to the habitat cannot be avoided, on-site mitigation may be allowed, provided that the following are demonstrated by the applicant and all other ordinances have been met:
 - (1) The preserved habitat areas are placed in a conservation easement.
 - (2) Priority is given to preserve the largest areas, considering adjacent off-site habitat, that are of highest quality and will most likely protect the population and its habitat by preventing fragmentation. Effects of preserve configuration and protection of corridors must also be considered.
 - (3) The mitigation will result in a net benefit to the species and is supported by published scientific research.
 - (4) The preserved habitat area is proven to support the population of the species occurring on-site.
 - (5) The preserved habitat areas are restored or enhanced where needed.
 - (c) A habitat protection and management plan shall be required and shall, at a minimum, meet guidelines provided by state and federal agencies. The plan shall ensure adequate protection and appropriate management of the listed species and its habitat, including protection from secondary impacts of development. The plan shall, at a minimum, provide the following: description and mapped limits of the habitat and listed species locations; description of desired future conditions; description of vegetation management techniques; management and monitoring schedules; estimated costs; a designated responsible management entity; conservation easement signage; buffers; protection during construction; and methods for reducing impacts from passive use, invasive plants, and domestic or feral animals.

- b. Conservation areas. Development activity is permitted within conservation areas provided that it is specified in the document establishing the conservation area and is consistent with the following criteria:
1. Altered floodplains. Development is allowed within altered floodplains provided that no floodway is adversely affected, compensating volume is provided for any net fill within the floodplain, and the lowest floor elevation of any structure is placed at or above the flood protection elevation.
 2. Altered floodways. Development shall not be allowed in areas designated as floodways, as defined in section 10-1.101. However, public sector infrastructure projects shall be allowed if it can be shown by certified technical methods, approved by the county administrator or designee, that the development activity will not cause an increase in the 100-year floodplain profile. For floodways not designated as FEMA floodways, it shall be demonstrated that all activities associated within the development shall not increase the 100-year floodplain elevation offsite.
 3. Altered watercourses. Development is allowed within altered watercourses pursuant to meeting other Code sections if compensating volume is provided for any net fill within the watercourse, and the lowest floor elevation of any structure is placed at or above the flood protection elevation.
 4. High quality successional forest. Impacts to the forest must meet the following criteria:
 - (a) If the entire parcel under review is considered high quality successional forest, then the site may be developed at the allowed density with no more than 20 percent disturbance of the site or 4,000 square feet, whichever is greater.
 - (b) If the site is not entirely high quality successional forest, development density shall be transferred to non-environmentally sensitive areas at the allowed density to the extent practicable. If the transfer option is not used and impact is unavoidable, development may be permitted at a density of one unit per two acres with a maximum disturbance of five percent or 4,000 square feet per two acres, whichever is greater.
 - (c) Those areas designated to be preserved shall be placed in conservation easement. Priority must be given to preserve the largest total area of the high quality successional forest by considering adjacent on and off-site high quality successional forests and associated wetlands, floodplains, significant and severe slopes, and **canopy road** protection zones, while ultimately minimizing fragmentation of the natural plant community.
 - (d) The preserved high quality successional forest areas shall be restored and enhanced in accordance with a vegetation management plan. The plan shall ensure protection and appropriate management of the high quality successional forest, including protection from secondary impacts of development. The plan shall, at a minimum, provide the following: description and mapped limits of the high quality successional forest; description of desired future conditions; description of management techniques; management and monitoring schedules; estimated costs; designated responsible management entity; and conservation easement signage.
 5. Significant grade area. Significant (ten percent to 20 percent slope) grade areas shall be protected in accordance with subsection 10-4.327(2)c.
 6. Closed basins.
 - (a) Development activity within closed basins must meet the standard outlined in section 10-4.301 and 10-4.303.
 - (b) One-hundred-year storm event flood exclusion area. The applicant shall determine the post-development critical 100-year storm event flood elevation

within the closed basin assuming full build-out of all on-site and off-site property within the closed basin. A broad range of storm durations and sequences, up to a ten-day duration, shall be analyzed and the storm sequence generating the highest flood elevation shall be utilized. No on-grade structures or other development activity shall be permitted below the critical 100-year storm event flood elevation other than those which are approved under this article relating to landscaping, stormwater management, sidewalks, roads, and outside passive recreation facilities. All property of the applicant located within the 100-year storm event floodplain shall be encumbered by the applicant with flood easements for the benefit of the public, and deed restrictions enforceable by the local government, prohibiting all uses which violate this restriction. If the applicant owns all of the property within the existing 100-year floodplain and no other sensitive features are present, disturbance to the floodplain may be allowed as long as sufficient storage volume exists for all of the requirements of this subsection and there are no adverse impacts to adjacent property owners. If the pre-existing 100-year floodplain is recontoured within the site under this provision, the lowest elevation of the reconfigured floodplain shall be at least five feet above seasonal high water table and shall not cause any adverse impacts to the aquifer.

7. Cultural resources. Significant cultural resources shall be protected in accordance with section 10-4.329. A cultural resource protection plan is required for areas containing identified significant cultural resources. This plan may require a conservation easement encompassing the cultural resources, provision of public access to the cultural resource site, or other measures to protect, maintain, and manage the resource or to mitigate for impacts to the resource.
8. **Canopy road.** The **canopy road** protection zone includes all lands within 100 feet from the centerlines of the roadways. The uses permitted in the **canopy road** protection zone are those uses permitted in the underlying zoning district. **Canopy road** citizens' committee review is required when development is proposed within the **canopy road** tree protection zone. The following special restrictions shall apply within the **canopy road** protection zone:
 - (a) All structures shall be set back a minimum of 100 feet from the centerline of the **canopy road**;
 - (b) Any structure which exceeds 40 feet in height must be set back an additional one foot for every one foot in excess of 40 feet in height;
 - (c) No development may occur in the **canopy road** protection zone unless authorized for health, safety or welfare of the public;
 - (d) Any part of the **canopy road** protection zone that is cleared or has trees removed from it must be widened in some other location by the same amount that was removed and shall be replanted if necessary, with native, non-invasive canopy trees, understory trees and shrubs;
 - (e) A full analysis of the impact of a development on the affected **canopy road** as described in subsection 10-4.206(b) shall be submitted by the applicant as a component of the environmental impact analysis;
 - (f) Joint access to **canopy roads** shall be required unless there is no alternative. New curb cuts on **canopy roads** shall be designed to serve more than one property;
 - (g) If the site is accessible by roads other than the **canopy road**, it shall not have direct vehicular access to the **canopy road**;
 - (h) The **canopy road** tree protection zone shall be placed in a conservation easement;

- (i) No removal of understory vegetation (underbrushing) shall be allowed within the **canopy road** tree protection zones, except as specified in a vegetation management plan, submitted to and approved by the county administrator or designee, which outlines specific planting and maintenance operations designed to restore or maintain the natural vegetation component of a specific **canopy road** section, and is consistent with the objectives of this chapter;
 - (j) Repair and maintenance of existing lawfully established structures and fences shall meet the requirements in section 10-4.206;
 - (k) Sidewalks shall be a maximum of six feet in width. The county administrator or designee can allow up to a maximum of ten feet in width if mitigation is sufficient to offset the negative impacts to the canopy. In determining whether a sidewalk will be permitted in the **canopy road** overlay, the impacts to other conservation/preservation areas will be considered. A natural feature inventory/environmental impact analysis shall be submitted for assessment and determination of placement of the sidewalk. In cases where the proposed sidewalk would detrimentally impact other conservation/preservation areas in the **canopy road** overlay, as determined during the environmental impact analysis, the sidewalk shall not be permitted. Emphasis shall be on placing the sidewalk such that impacts to trees and native vegetation are minimized.
- c. Special development zones. Development within special development zones shall meet the requirements in section 10-4.323. All areas to remain protected shall be placed in one or more conservation easements.
 - d. Invasive exotic plant control. Where a conservation easement is required for protection of preservation areas, conservation areas or special development zones, pursuant to subsection 10-4.202(2), all invasive exotic plants, identified on Leon County's List of Invasive Plant Species, located within the easement area shall be controlled. The applicant shall provide a management plan which identifies listed exotic plants located within the easement area, existing percent cover, proposed treatment method, herbicide if required, treatment schedule, and estimated cost. The goal of the plan shall be to achieve less than one-percent cover of invasive exotic plants within the easement area. A management entity responsible for funding and implementation shall be identified. A monitoring report detailing management activities and current percent cover of invasive exotic plant species shall be provided at the time of each operating permit renewal.
 - e. Table of Standards for the Protection of Natural Features is included herein as Table 1. If an application includes land on which one or more of the natural features listed within the table is present, the applicant shall propose measures to mitigate the adverse effects of the development on such constraints, using as a minimum the mitigation measures set forth in the table, but in addition may include other appropriate mitigation techniques which would meet the objectives thereof.

Table 1. Table of Standards for the Protection of Natural Features

Natural features	
Waterbodies	Conservation easement to O.H.W. line plus 50 feet naturally vegetated buffer
Watercourses	Conservation easement to O.H.W. plus 50 feet
Wetlands	Conservation easement to jurisdictional line plus 50 feet

Floodplain	Drainage easement to critical 100-year post-development floodplain elevation; conservation easement to 100-year floodplain if additional natural features are present
Native Forest	Conservation easement to boundary determined during the NFI plus a minimum 25-foot buffer—A Vegetation Management plan is required.
High Quality Successional Forest	Conservation easement to boundary determined during the NFI plus a minimum 20-foot buffer—A Vegetation Management plan is required. If entire site is comprised of HQSF, then the site may be developed at 4,000 square feet per two acres or no more than 20 percent of the parcel. If site is not entirely HQSF, then a maximum disturbance of five percent or 4,000 square feet, whichever is greater.
Severe Slopes	Conservation easement in accordance with subsection 10-4.327(2)
Significant Slopes	Conservation easement in accordance with subsection 10-4.327(2)
Closed Basins	Retention of 100-year post-development volume increase/soil tests to verify percolation
Habitats of Special Concern, Threatened and Endangered Species	Conservation easement to limits of suitable habitat plus a minimum 20-foot buffer. Protection and management plan required (approved by local, state and federal resource management agencies if applicable)
Areas of Environmental Significance	Conservation easement to uppermost contiguous slope break plus a 35-foot setback. Conservation easement to uppermost contiguous slope break plus a 50-foot setback for Heavy Industrial, Heavy Infrastructure, Light Infrastructure. Minor-Light Industrial, Light Industrial Park, Interchange Commercial, and Uses involving regulated hazardous materials.
Cultural Resources	Protection plan is required if significant cultural resources are present as set forth in section 10-4.329

- (3) Environmental Impact Analysis (EIA), consisting of a conceptual development plan and an analysis of its impact on the natural features identified in the NFI. The analysis should address all of the applicable items in the "Environmental Impact Analysis Application". In general this application includes the following:

- a. A conceptual development plan.
 - b. An assessment of the project impact on any endangered, threatened, or special concern species and its habitat. A description of any management plans which are proposed to eliminate project impact and which have been submitted to the state and federal agencies for review where applicable. Management plans must comply with the requirements of subsection 10-4.202(a)(2)a.6.(c) Any permit issued for development on a site which includes endangered, threatened, or special concern species or their habitat shall be contingent upon approval by state or federal agencies where such approval is required by state or federal law.
 - c. Description of proposed changes in vegetative and tree cover, including specific identification of all protected trees 36-inch DBH or greater and all dogwoods four-inch DBH or greater. If the tree debit/credit option is proposed, all protected trees must be specifically identified.
 - d. Description of proposed changes in natural grades, including identification of the nature and extent of soils and soil disturbance, and proposed erosion, sedimentation, and water management techniques and development practices to be employed.
 - e. Evaluation of water quality impacts which may result from the proposed action, including such parameters as pre-development and post-development discharge of nutrients, sediments, and other pollutants.
 - f. Evaluation of changes in volumes and rates of stormwater runoff, including significant impacts on the water table, surface water flows, and water levels of downstream wetlands, watercourses, and water bodies.
 - g. Evaluation of adequacy of downstream conveyances to carry rate and volume of stormwater runoff to a receiving wetland or water body, both during construction and after development. This evaluation may include calculations or modeling.
 - h. Environmental impacts on all additional on-site, adjoining, and downstream conservation and preservation areas, including wetlands, altered and undisturbed watercourses, water bodies, active karst features, altered and undisturbed floodplains and floodways, significant (ten—20 percent) and severe grades over 20 percent, native forests, high quality successional forests, drainage basins, including closed basins, designated **canopy road** corridors, cultural resources, special development zones, and areas of environmental significance.
 - i. Verification that all newly proposed lots have sufficient buildable area outside of environmental constraints and special development zone (SDZ) restrictions. Sufficient buildable area shall be considered one-half acre of contiguous area if the lot has a septic system, environmental constraints, and/or SDZ restrictions, or the allowable zoning density if there are no site constraints.
 - j. Mitigation as required in subsection (2). The EIA may be waived if there is no required mitigation for sensitive features and no anticipated stormwater problems that could affect the site plan (in this case, the stormwater items in the EIA application shall be addressed in stormwater permitting).
- (b) Sufficiency of applications. Any application which requires an environmental impact analysis pursuant to subsection (a) above, shall not be accepted for filing and processing unless an NFI has been completed and approved by the environmental compliance division. The EIA will be submitted after approval of the NFI and as part of the above application. The EIA shall be sufficiently complete to allow a review of possible adverse impacts of the proposed development activity. Within 15 working days after the submission of a complete NFI or EIA application, the county administrator or designee shall determine that the application is approved, approved with conditions, denied or does not contain sufficient information for review, and shall notify the applicant of such determination as soon as reasonably possible thereafter. Each additional resubmittal will be reviewed within 15 working days.

Leon County Land Development Code

Sec. 10-4.206. - Application requirements for the removal of trees, generally; and, for the repair and maintenance of existing lawfully established structures and fences for lands within the **canopy road** protection zone.

- (a) Scope. Any request to remove or relocate any protected tree shall be made through submission of an environmental management permit application, unless a general permit, a right-of-way placement permit, or a vegetation management plan has been issued as provided for in section 10-4.201.
- (b) **Canopy road** tree protection zone tree or vegetation removal applications.
 - (1) Required information. All permits for removal or relocation of trees, for the repair and maintenance of existing lawfully established structures and fences, or for pruning or vegetation management, within the **canopy road** protection zone (unless such activity is conducted under an approved general permit), shall be obtained by making application to the county administrator or designee, providing the same material to be submitted for permits for other protected trees as set forth in subsection (c). All applications pursuant to this section shall undergo review by the **Canopy Roads** Citizen Committee. Emergency repairs to existing fences that are necessary due to public health, welfare and safety issues, as approved by the county administrator or designee, are exempt from permitting requirements if the repairs do not impact protected trees, do not increase the encroachment within the **canopy road** protection zone, and the fence material is the same or less visually intrusive than that used to construct the original fence.
 - (2) Mitigation requirements. The permit application for removal of trees or vegetation in the **canopy road** tree protection zone must be accompanied by a mitigation plan which shall include at a minimum, the following:
 - a. An analysis documenting the purpose which necessitates the tree removal and explaining why the project cannot be modified to avoid the need for the tree removal.
 - b. An analysis of the **canopy road** section to be impacted by the proposed activity within the **canopy road** tree protection zone. The analysis shall include a narrative description of the affected roadway section together with other material helpful in assessing the impact of the intrusion on the existing **canopy road** effect. Such characteristics as understory density and species composition, tree species and size distribution, high bank areas and opacity should be included as appropriate.
 - c. A replanting and management plan designed to mitigate the visual and vegetational impacts identified in subsection (b)(2)a.
 - (3) Inspection. Prior to determination on a permit application, the county administrator or designee shall conduct an on-site inspection.
 - (4) Application review. Only the board shall have power to grant or deny permit applications for removal of trees within a **canopy road** tree protection zone, except that the county administrator or his or her designee shall have the power to grant or deny permit applications for the removal of trees or other vegetation under the additional conditions listed in subsection d below. The following standards must be met at a minimum in order to receive permit approval:
 - a. Applicant must show that the proposed clearing or tree removal is necessary for protection of the health, safety, and welfare of the public.
 - b. As part of the proposed mitigation plan, any part of the **canopy road** tree protection zone that is cleared or has trees removed from it must be widened by the same amount that was removed, with such replacement area to be replanted in a manner sufficient to reestablish the canopy effect and the understory density, species composition, and species and size distribution of the impacted area within a reasonable time, and to be protected by a conservation easement.

- c. The applicant must show that any proposed cut into the **canopy road** will be designed and dedicated to serve more than one property unless the applicant can show that such joint access would be impossible under the circumstances of the specific site.
- d. In addition to the standards above, the county administrator or his or her designee shall grant permit applications for the removal of trees or other vegetation only when one of the following conditions exist:
 1. Diseased or pest-infested trees. Necessity to remove a diseased or pest-infested tree to prevent the spread of the disease or pest. The need to remove trees because of insect and disease damage must be determined by a forester with a B.S. degree or higher, from a Society of American Foresters accredited college or by an arborist certified by the International Society of Arboriculture.
 2. Good forestry/silviculture practices. Activities associated with a bona fide silvicultural operation on land that has received an agricultural exemption from the Leon County Property Appraiser is exempt from the provisions of this section.
 3. Reasonable access. Removal of protected trees may be allowed under this section, if the proposed single-family residential development activity is found to be in compliance with the special restrictions as defined under subsection 10-6.708(c), development standards.
 4. Repair and maintenance of existing lawfully established structures and fences. Repair and maintenance of existing lawfully established structures and fences may be allowed if there is no substantial impact to protected trees. The **Canopy Roads** Citizen Committee shall evaluate such applications and may provide a positive recommendation upon finding in the affirmative in regard to the following factors:
 - a) That the application is not in conjunction with a change of use of the subject property;
 - b) That, if the application is in conjunction with a fence, that the application proposes repair with the same or less visually intrusive materials as the fence was originally constructed;
 - c) That the application does not represent a negative change in the visual impacts to the **canopy road** protection zone; and,
 - d) That application proposes methods and techniques for repair and maintenance that will not be detrimental to **canopy road** protection zone resources. In determining whether to approve, deny, or approve the application subject to conditions, the county administrator or designee shall consider the **Canopy Roads** Citizen Committee's recommendation.

The Board of County Commissioners (or the county administrator or his or her designee in cases of tree removal or other vegetation removal applications) shall make its determination on the permit application, or the county administrator or his or her designee shall request additional information from the applicant, within 20 working days after receipt of the application. In the event the director requests additional information, the permit application shall be granted or denied by the Board of County Commissioners (or the county administrator or his or her designee in cases of tree removal or other vegetation removal applications) within ten working days after the receipt of the requested information, or, if the request is not complied with by the applicant within 14 calendar days after mailing, the application shall be deemed withdrawn. If the application is denied, the reason for such action shall be specified and provided to the applicant in writing. If no additional information is requested and no final action is taken within the required 20 working days, the application shall be deemed to have been approved to the extent that it is in compliance with the requirements of this article, provided no stop work order is in effect on the site.

- e. The Board of County Commissioners (or the county administrator or his or her designee in cases of tree removal or other vegetation removal applications) shall make its determination to approve, deny, or approve the permit application subject to condition, within 20 working days after receipt of the application or request that additional information from the applicant as is necessary to allow such determination to be made. In the event the director requests additional information, the permit application shall be granted or denied by the Board of County Commissioners (or the county administrator or his or her designee in cases of tree removal or other vegetation removal applications) within ten working days after the receipt of the requested information, or, if the request is not complied with by the applicant within 14 calendar days after mailing, the application shall be deemed withdrawn. If the application is denied, the reason for such action shall be specified and provided to the applicant in writing. If no additional information is requested and no final action is taken within the required 20 working days, the application shall be deemed to have been approved to the extent that it is in compliance with the requirements of this article, provided no stop work order is in effect on the site.
- (5) Removal applications affecting city right-of-way or city property. If a patriarch or canopy road tree protection zone tree which is proposed for removal is located on a right-of-way or other property belonging to the City of Tallahassee but located outside of the incorporated area of the city, any permit for removal shall be conditioned upon the applicant obtaining approval of the removal from the city commission.
- (c) Other protected tree removal, patriarch tree removal, and vegetation management applications.
 - (1) Required information. Permits for removal or relocation of protected trees, other than trees located within a canopy road tree protection zone, and applications for vegetation management plan approval for areas other than those located within a canopy road tree protection zone, shall be obtained by making application for permit to the county administrator or designee. Applications for vegetation management plan approval shall be accompanied by a diagram depicting the area to be subject to the plan and the existing vegetation therein, and a description of the nature and purpose of the plan. The application for tree removal shall be accompanied by a written statement indicating the reasons requiring removal or relocation of each protected tree and an area map indicating the location of trees to be removed or relocated and any existing and proposed structures or vehicular use areas. In addition, the application shall contain a signed acknowledgment by the applicant verifying that no protected trees will be removed on the site except as noted on the approved application and permit. If the proposed tree removal is associated with development requiring a stormwater management application as part of the environmental management permit application, the written statement and area map mentioned above shall include, at a minimum, the following:
 - a. Written, detailed justification for the proposed removal of each protected tree, which shall reference the development area where the trees are to be removed. Each tree that is 36-inch DBH or greater and any dogwood four-inch DBH or greater must be shown on the required development area map by map number designation for each such tree.
 - b. The locations and dimensions of all existing and proposed vehicular use areas and other improvements, including finished elevations for each.
 - c. Significant natural site features.
 - d. Existing and proposed site contours.
 - e. If the applicant chooses the option of obtaining credit for preserved trees on-site instead of replanting the developed area with 40 trees per acre, the preserved trees must be identified on the plans. Existing protected or required trees to remain on-site, and protected trees proposed to be removed, shall be indicated by a number assigned to each tree and noting DBH, species and critical protection zone. Indication of the general location of the trees, including blocks of trees, may be acceptable depending on-site conditions and provided that a listing of individual trees by species and size is submitted.

- f. Existing and proposed utilities, underground and overhead, and location of any other known manmade on-site features, such as underground tanks or old building foundations.
 - g. Building and other setbacks.
 - h. Protected trees on adjacent property which may be affected by proposed development activity within the critical protection zone of such trees.
 - i. All applicable land use requirements pertaining to property use or restrictions, including easements, zoning, rezonings, site and development plan or plat reviews and development orders.
- (2) Inspection. Subsequent to application, but prior to the issuance of a permit for tree removal or relocation, the county administrator or designee shall conduct an on-site inspection.
- (3) Application review. The county administrator or designee shall have 20 working days after receipt of a complete application filed pursuant to this subsection to approve or deny the requested permit, or to request additional information from the applicant, unless the application is accompanied by a short-form application as part of the environmental management permit, in which case approval, denial, or request for additional information shall be made according to the short-form timelines. Where additional information is requested, the county administrator or designee shall grant or deny the permit request within ten working days after the information is provided by the applicant. If the applicant fails to provide such information within 14 days of the request, the application shall be deemed to have been withdrawn. In the event the county administrator or designee denies an application, the county administrator or designee shall specify to the applicant in writing the reason for such action. If no additional information is requested and no final action with respect to a complete application is taken within the required 20 working days, the application shall be deemed to have been approved to the extent that it is in compliance with the requirements of this article, provided that no stop work order is in effect on the site.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 2, 1-29-08; Ord. No. 08-25, § 1, 11-25-08; Ord. No. 09-23, § 5, 7-14-09)

Editor's note— Ord. No. 09-23, § 5, adopted July 14, 2009, amended § 10-4.206 title as herein set out. Former § 10-4.206 title pertained to tree removal application requirements.

Canopy Road Citizen Committee Concepts for the Canopy Road Management Plan and Design Manual Scopes of Work

Below is an updated list of concepts based on discussion at the May 18, 2015 regular meeting and further refined and assigned at the June 22, 2015 special meeting, July 20, 2015 regular meeting, and November 16, 2015 regular meeting. Details have been moved to the following pages with a separate sheet for each topic. This information is intended to be used to help communicate the scope of work for this proposed effort to the City and County Commissions.

Canopy Road Management Plan Concepts:

1. **Marketing, Education, and Community Awareness Strategy**
Sally Butzin, Tabitha Frazier, Beth Alvi
2. **New Owner Awareness**
Sally Butzin, Beth Alvi
3. **Corridor Management**
Bruce Avery, Forrest Watson
4. **Training and Certification Program**
Bruce Avery, Forrest Watson
5. **Development Review Authority, Process, and Timing**
Tabitha Frazier
6. **Accountability and Enforcement**
Forrest Watson, Tabitha Frazier
7. **Designation of New Canopy Roads**
Mary Anne Koos
8. **Assessment of the Existing Management Plan-**
Forrest Watson, Mary Anne Koos

Canopy Road Design Manual Concepts:

1. **Best Management Practices for Development on Canopy Roads**
Mary Anne Koos

1. Marketing, Education, and Community Awareness Strategy

Goal (stated as a result):

1. Increase the knowledge and ability of Tallahassee/Leon County citizens to identify the eight (8) designated Canopy Roads in the canopy road protection zones.
2. Increase awareness of the value and importance of Canopy Roads to the quality of life for Tallahassee/Leon County citizens.
3. Increase awareness of the value and importance of Canopy Roads to the economic vitality of the Tallahassee/Leon County area.

Goal Champion: Sally Butzin

Sub-Committee Members: Tabitha Frazier, Beth Alvi

ACTION STEPS	LEAD
Redesign / Stand-alone Website (mobile optimized)	
Develop outreach and educational programs	
Develop and host events that incorporate Canopy Roads	
Develop a support group (with contact info)	
Expand / include those communities beyond ours that have these roads and similar problems.	
Identify Heritage Trees and other significant features	
Construct Informational / Education areas within designated areas with plant ID and other signage.	
Use tree inventory data to further these ideas	

2. New Owner Awareness

Goal (stated as a result): TDB

1. Make new property owners aware that their property lies within a canopy road protection zone.
2. Make new property owners aware of the appropriate regulations that govern development within canopy road protection zones.

Goal Champion: Sally Butzin

Sub-Committee Members: Beth Alvi

ACTION STEPS	LEAD
Seek legal notification during real-estate transactions so buyers know they are getting property in the Canopy Road Protection Zone.	Sally Butzin
Include education and information component for the real-estate community.	

DRAFT

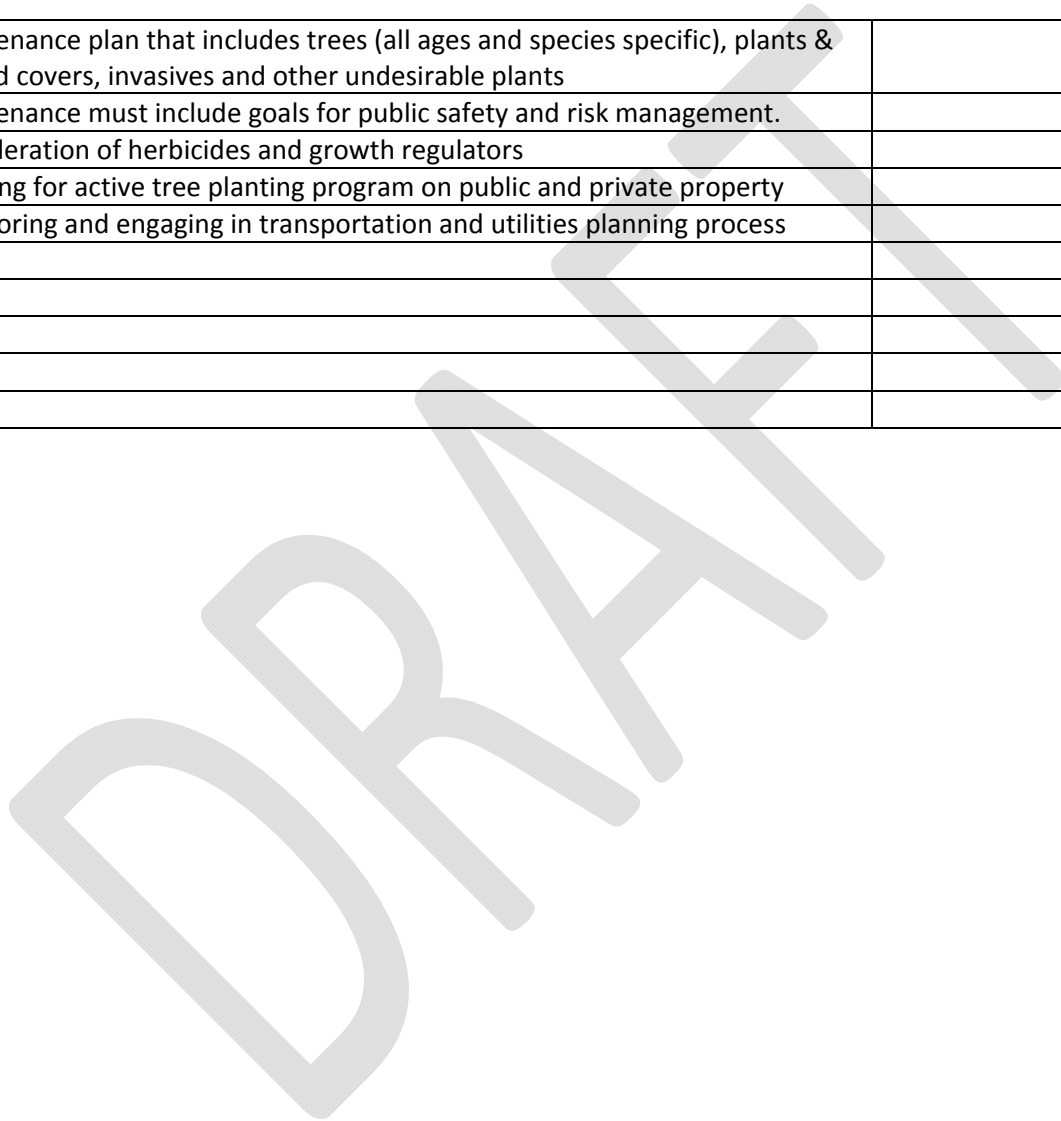
3. Corridor Management

Goal (stated as a result):

Goal Champion: Bruce Avery

Sub-Committee Members: Forrest Watson

ACTION STEPS	LEAD
Maintenance plan that includes trees (all ages and species specific), plants & ground covers, invasives and other undesirable plants	
Maintenance must include goals for public safety and risk management.	
Consideration of herbicides and growth regulators	
Planning for active tree planting program on public and private property	
Monitoring and engaging in transportation and utilities planning process	



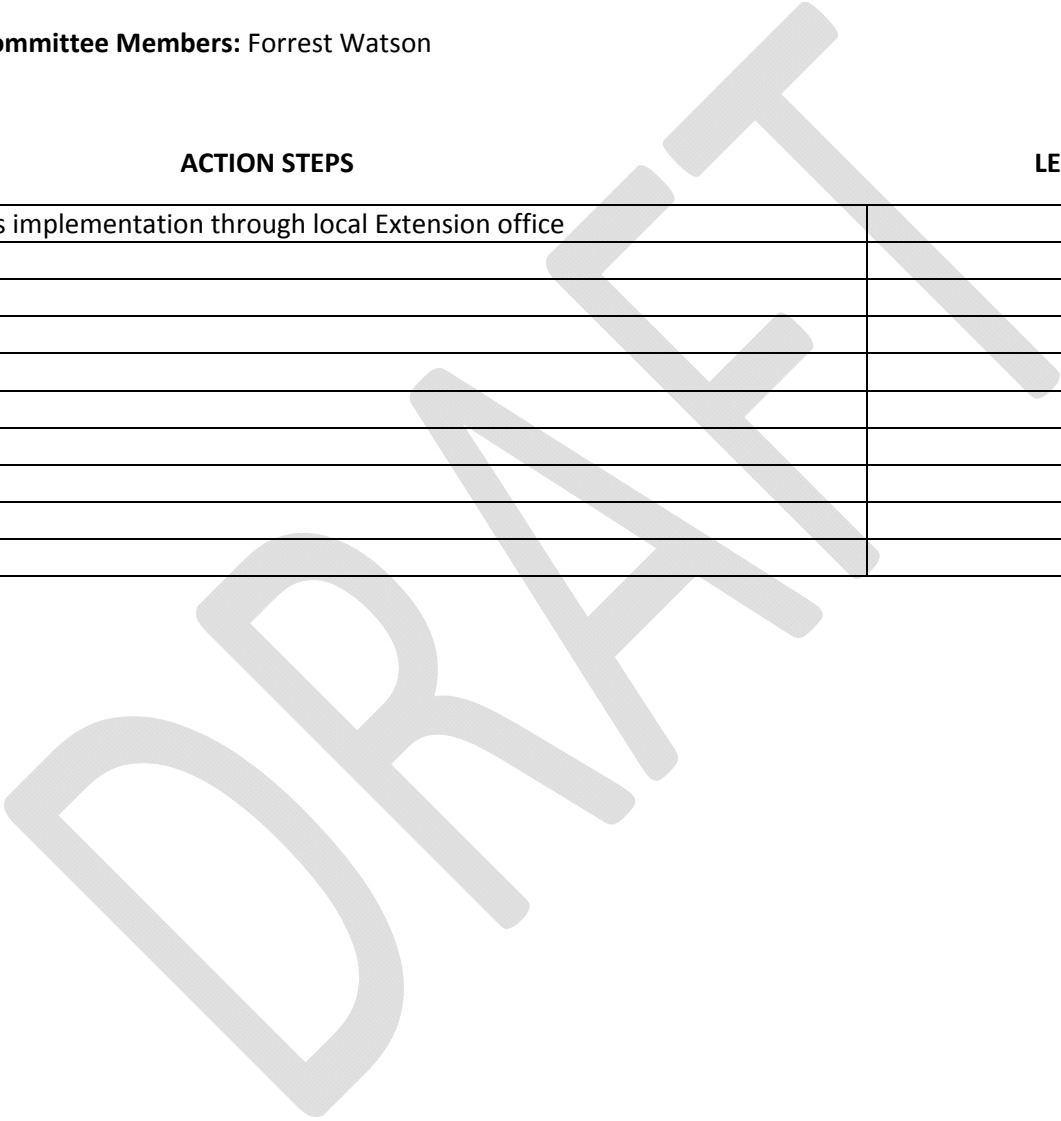
4. Training and Certification Program

Goal (stated as a result): Create a mandatory certification for any contractor performing work within the CRPZ. This would apply to tree services, landscape installation & maintenance companies and all contractors. Similar to arborist certification or the local fertilizer application BMP certificate of training program, this certificate holder would be charged with the preservation and protection of the CRPZ. It's not just about trees.

Goal Champion: Bruce Avery

Sub-Committee Members: Forrest Watson

ACTION STEPS	LEAD
Discuss implementation through local Extension office	



5. Development Review Authority, Process, and Timing

Goal (stated as a result):

Goal Champion: Tabitha Frazier

Sub-Committee Members:

ACTION STEPS	LEAD
Currently the only authority for Citizen Committee review of projects proposed along Canopy Roads is from a few sentences in the City and County Code. The Committee is interested in discussing updating their bylaws and potentially the management plan to reflect the review process and timing.	

DRAFT

6. Accountability and Enforcement

Goal (stated as a result):

Goal Champion: Forrest Watson

Sub-Committee Members: Tabitha Frazier

ACTION STEPS	LEAD
Review existing enforcement process and penalties for violations, including an evaluation of using the International Society of Arboriculture mitigation formulas to assess violations.	

DRAFT

7. Designation of New Canopy Roads

Goal (stated as a result):

Goal Champion: Mary Anne Koos

Sub-Committee Members:

ACTION STEPS	LEAD
Committee Members expressed an interest in addressing the designation of new Canopy Roads in the management plan.	

Additional Ideas from July 20, 2015 meeting:

- Develop an “urban canopy roads” designation to extend the network into more developed areas of the City
- Designation of Orchard Pond Parkway as a Canopy Road to connect Meridian and Old Bainbridge
- Designation of Miller Landing Road as a Canopy Road

8. Assessment of the Existing Management Plan

Goal (stated as a result):

Goal Champion: Forrest Watson

Sub-Committee Members: Mary Anne Koos

ACTION STEPS	LEAD
Committee Members expressed a desire to include an assessment of the existing plan in the scope of work for development of the new plan.	

DRAFT

1. Best Management Practices for Development on Canopy Roads (Design Manual)

Goal (stated as a result):

Goal Champion: Mary Anne Koos

Sub-Committee Members:

ACTION STEPS	LEAD
Develop Best Management Practices for site design and construction activities in the Canopy Road Protection Zone, including the types listed below:	
New driveways	
New subdivisions	
New structures on restricted lots	
Vegetation Management Plans (exotic plant control)	
Fences	
Addressing violations (tree removal without a permit)	
Intersection improvements (turn lanes, roundabouts, signals)	
Sidewalks	
Signs	
Utilities (electric and stormwater improvements)	
Document innovations	
Document published design standards used by the City and County	

Analysis of Public and Private Projects Reviewed More Than One Time by the Canopy Road Citizen Committee (CRCC)

Four public projects and four private projects were reviewed more than one time the CRCC. The following is an analysis of why each project was reviewed more than one time.

Public Projects Reviewed More than Once:

- Intersection Improvements at Old Bainbridge Rd. and Pullen Rd.- Project was reviewed four times during this period and received a recommendation for approval each time. The multiple reviews were the result of modifications to the project and the lack of a landscape/mitigation plan.
- Intersection Improvements at Meridian Rd. and Miller Landing Rd.- Project was reviewed three times during this period. The first was conducted as a preliminary project review and the CRCC was not obligated to provide a formal recommendation. The CRCC recommended approval the second and third time the project was reviewed. The third review was conducted because during the second review City staff only requested review of the pruning necessary for installation of the mast arm. The third review addressed ground disturbance and root protection related to the remainder of the infrastructure needed to install the traffic signal.
- Intersection Improvements at Old St. Augustine Rd and Blair Stone Rd.- Project was reviewed three times during this period. At the first meeting, the CRCC requested a special on-site meeting to better understand the project. When the project returned to the CRCC after the on-site meeting, they recommended approval of the project footprint, but requested that the project return for an additional review after more detailed plans and the landscape/mitigation plan were prepared.
- Centerville Sidewalk Project- Project was reviewed four times during this period. The project returned multiple times due to project modifications and the need to review the landscape/mitigation plans.

Private Projects Reviewed More than Once:

- Orchard Pond Parkway- Project was reviewed three times during this period. Each time the project was presented, the CRCC provided a recommendation for approval. The second review of this project was based on the applicant bringing forward the intersection signage plan separately from the primary construction project. The third review was the result of the applicant changing the color of the signage system to be used.
- Jack Green Driveway- Project was reviewed two times during this period. During the first review, the CRCC recommended approval of the driveway. Mr. Green returned with a request to expand the driveway from nine-feet to 18-feet and the CRCC recommended denial of the expansion, noting the originally approved nine-foot driveway was adequate for the proposed one or two homes on the property.
- Violation at Wildwood Presbyterian Church- Project was reviewed two times during this period. The project returned for a second review after they had developed a landscape/mitigation plan to address the violation.
- Security Fence at Maclay School- Project was reviewed two times during this period. The CRCC provided their recommendations to improve the project during both reviews.

BOARD OF COUNTY COMMISSIONERS

MEMORANDUM

DATE: January 8, 2016

TO: Brian Wiebler, AICP, Principal Planner, Urban Design Team

FROM: Tom Jackson, Right-of-Way Management Superintendent

SUBJECT: Canopy Roads

The following information is provided as an historical overview of Leon County's Canopy Road Program since its inception in 1990.

In 1990 a position titled Canopy Road Coordinator was created to represent Leon County's interest in preserving and maintaining the County's Canopy Roads. This position was also designated as the County's liaison for the Canopy Roads Citizen Committee.

In 1994 the Canopy Road Crew, a four person maintenance crew was created to perform work along Canopy Roads. The primary responsibility of the crew and its personnel was to work on Canopy Roads with the exception of a few other related duties.

In 1996 the Canopy Road Coordinator position was reclassified to the Right-of-Way Management Superintendent, and the Canopy Road Crew was retitled to the Tree Crew.

The following is a historical summary of the personnel responsibilities associated with Leon County's Canopy Road Program:

Canopy Road Coordinator Responsibilities (1990)

- Canopy Road planning and management county-wide
- Adopt-A-Tree Program
- Wildflower Planting Program
- Arbor Day
- Tree and Wildlife Committee member

Canopy Road Crew Responsibilities (1994)

Canopy Road activities:

- Tree planting, watering, weeding and mulch replacement
- Invasive species and vine removal
- Detailed structural tree pruning
- Understory management including selection and release of desirable tree species
- Tree removal

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Non-Canopy Road Activities:

- Adopt-A-Tree planting
- Arbor Day assistance

(Note: At the time, Leon County performed Canopy Road Management both inside and outside the incorporated areas of the county.)

Right-of-Way Management Superintendent Responsibilities (1996-Present)

- Canopy Road Management
- Adopt-A-Tree Program
- Designated Wildflower Area Program
- Arbor Day
- Tree and Wildlife Committee member

New non-Canopy Road responsibilities include:

- Tree and clear zone maintenance on county right-of-ways, planting, pruning, removal, and root pruning
- Alternative Service/Work Program
- Roadside Litter control
- Illegal dump clean-up
- Adopt-A-Road Program
- Roadside Landscaped Area Maintenance
- Roadside mowing
- Clear Zone maintenance
- Dead animal removal
- Pauper burial Program

Tree Crew Responsibilities (1996-Present)

- Adopt-A-Tree planting
- Arbor Day assistance
- Tree pruning and removal along all County roads
- Storm damage response along all County roads
- Clear Zone maintenance along all County roads
- Limited invasive species and vine removal along Canopy Roads

(Note: Currently all activities are performed only in the unincorporated areas of the county.)

It is currently estimated that the Tree Crew and its four original Canopy Road positions spend approximately 10 % of their available time working along Canopy Roads. It is also estimated that the Right-of-Way Management Superintendent spends approximately 10% of his available time working on Canopy Road related issues.

Canopy Roads
January 8, 2016
Page -3-

It is therefore apparent that since 1996, much of the available time of both the Tree Crew and the Right-of-Way Management Superintendent has been redirected toward other right-of-way responsibilities. However, it is also true that certain major activities such as hazardous tree and limb removal and the Canopy Road tree inventory have been continued through the use of contractual services.

Current Canopy Road annualized expenditures include:

ROW Management Superintendent	\$ 10,700
Tree Crew	\$ 38,800
Contract Tree Work	\$ 57,500
<u>Canopy Road Tree Inventory</u>	<u>\$ 4,000</u>
Total	\$111,000

The activities most negatively impacted by the 1996 changes include; less time spent on long-term planning and development of Canopy Road segments, public education and out-reach, invasive species and vine removal, tree planting and under-story maintenance activities.

If you should need additional information regarding this issue, please contact me.

cc: Tony Park, Director of Public Works
Dale Walker, Director of Operations

**Current Canopy Roads Citizen Committee
Membership Information
(February 2016)**

County Seats on the CRCC

<i>Name</i>	<i>Background</i>	<i>Appointed</i>	<i>Committee Status</i>
Mary Anne Koos	Transportation Planning	2008	Final term expires October 2016
Tabitha Frazier	Environmental Engineering	2011	Term expired in 2015, eligible for second term
Vacant	NA	NA	NA
Vacant	NA	NA	NA

City Seats on the CRCC

<i>Name</i>	<i>Background</i>	<i>Appointed</i>	<i>Committee Status</i>
Elizabeth Alvi	Biology	2010	Final term expires June 2016
Sarah (Sally) Butzin	Education	2013	First term expires June 2016
Bruce Avery	Arboriculture	2013	First term expires August 2016
John Forrest Watson	Forestry	2015	First term expires October 2018

**Leon County
Board of County Commissioners**

Notes for Agenda Item #35

Leon County Board of County Commissioners

Cover Sheet for Agenda #35

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator
Herbert W.A. Thiele, County Attorney

Title: First and Only Public Hearing to Consider the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc.

County Administrator Review and Approval:	Vincent S. Long, County Administrator Herbert W.A. Thiele, County Attorney
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Tony Park, P.E., Director of Public Works
Lead Staff/ Project Team:	Katherine Burke, P.E., Director of Engineering Services

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Conduct the first and only Public Hearing and approve the transfer of six small franchise areas from Rowe Utilities to Seminole Waterworks, Inc.

Report and Discussion

Background:

Rowe Utilities is a small, private utility that operates the following six small private systems:

- Brewster Subdivision: Located north of U.S. Highway 90 (Mahan Drive), including Brewster Road, Bear Creek Road, and Panther Creek Road.
- Meadow Hills Subdivision: Located south of Buck Lake Road, including a portion of Buck Lake Road east of Quail Road, Quail Road, Lester Road, Davis Drive, Vernon Road, Meak Road, and Dove Road.
- Sedgefield Subdivision: Located north of Buck Lake Road, including Sedgefield Road, Springhaven Road, Old Forge Court, Landsdowne Road, Lawndale Road, Grassland Road, and Burnwell Road.
- Buck Lake Estates Subdivision: Located north of Buck Lake Road, including Charlais Street, Drake Drive, Angus Street, and Pintail Drive.
- North Lake Meadows Subdivision: Located west of Old Bainbridge Road, including a portion of Old Bainbridge Road north and south of Susannah Drive, Susannah Drive, Newfield Drive, Garrett Road, Nola Court, Marty Court, Olga Court, and Kidd Drive.
- Plantation Estates Subdivision: Located south of U.S. Highway 90 (Mahan Drive), including a portion of U.S. Highway 90 (Mahan Drive) east of Plantation Forest Drive, Plantation Forest Drive, Pineland Drive, Burnt Pine Drive, Foshalee Drive, Rocky Comfort Drive, Shady Rest Lane, Mistletoe Court, and Nilo Lane.

These six systems are existing private systems and received formal approval from the Board at the time of their development.

A company named Seminole Waterworks, Inc. has a contract for purchase of Rowe Utilities and on January 22, 2016, requested a transfer of franchise areas to their company (Attachment #1).

Analysis:

The six small water systems were developed in the 1980s and, therefore, were considered grandfathered franchises in 2005 when the Water and Sewer Agreement with the City of Tallahassee was executed that granted it the entirety of the County not already claimed by others. Per the County Attorney's office, there are no statutes or terms in the Water and Sewer Agreement which grant the City of Tallahassee the right of first refusal for the transfer of private water systems. The Agreement merely acknowledges that private systems existed in 2005.

In accordance with Section 18-45 – Procedures for transfer of water and sewer franchise areas – in order to process a franchise request administratively; utilities have to expand from areas adjacent to their existing franchise area and consolidate. Since this purchase is for six separate and distinct areas, this purchase does not comply with the adjacent or adjoining to the geographic area criteria as required in Section 18-45 of the Code. Therefore, the requirements of Section 18-29 which requires the public hearings are triggered.

The ordinance requires that a hearing before the Board of County Commissioners be held after a public notice of the proposed transfer is published once a week for two weeks, no sooner than 20 days in advance of the public hearing. A copy of the notice required by Section 18-29 was published in the Tallahassee Democrat on February 17 and 24, 2016 (Attachment #2).

In addition per Section 18-29, the affected property owners should be notified by mail at least 10 days prior to the public hearing. The same notice that was published in the paper was sent to the approximate 700 customers within the six subdivisions by Seminole Waterworks, Inc. An affidavit confirming the individual property owner notice is included as Attachment #3. Seminole Waterworks indicates in its request for transfer letter (Attachment #1) that it will not be changing or increasing the water rates that Rowe Utilities had in place at the time of purchase. Said rates will remain in place until such time as financial conditions support any such change in rates.

Seminole Water Works, Inc. has provided information to provide reasonable assurance that they have the capabilities to properly operate and maintain the six water systems in accordance with all health and safety requirements included in the current operating permits. Seminole Waterworks, Inc. has stated in the transfer letter that it has a contract with U.S. Water Services Corporation to provide the operating, maintenance, billing, and collection services for the six franchise areas. U.S. Water Services is a large company that specializes in the operation and maintenance of small scale utility systems. As part of the operation and maintenance, U.S. Water Services has provided the County the required utility maintenance bond (Attachment #4).

With the provision of the various documentation, public advertisement and direct notices, for public hearing, Seminole Waterworks, Inc. has met the Code requirements for Board consideration of transfer of the six small franchise areas from Rowe utilities.

Options:

1. Conduct the first and only Public Hearing, and approve the transfer of six small franchise areas from Rowe Utilities to Seminole Waterworks, Inc.
2. Conduct the first and only Public Hearing, and do not approve the transfer of the franchise areas.
3. Board direction.

Recommendation:

Option #1.

Title: First and Only Public Hearing to Consider the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc.
March 8, 2016
Page 4

Attachments:

1. Seminole Waterworks, Inc. request to transfer franchise areas
2. Legal notice published in Tallahassee Democrat regarding proposed transfer and the public hearing
3. Affidavit of individual property owner notification regarding the change in ownership
4. Utility Maintenance Bond

Seminole Waterworks, Inc.

January 22, 2016

Katherine Burke
Director of Engineering Services
Public Water Works Department
2280 Miccosukee Rd.
Tallahassee, FL 32308

RECEIVED
01/26/2016 15:24:57
Leon County Public Works

Re: Purchase of Rowe Utilities by Seminole Waterworks, Inc. and Transfer of existing County Franchises

Dear Ms. Burke,

It was a pleasure meeting with you on January 21, 2016 concerning the purchase of Rowe Utilities by Seminole Waterworks, Inc. As discussed, on January 12, 2016, Seminole Waterworks, Inc. entered into an Asset Purchase Agreement (APA) with Rowe Utilities to purchase the water assets of the existing systems within Leon County, Florida. (Exhibit A) The closing is scheduled to take place on January 29, 2016, at which time Seminole Waterworks, Inc. will take over the ownership and operation of the water systems.

The existing utility, Rowe Utilities has approved Franchise Agreements with Leon County for the existing service territory to provide water service to its customers. Seminole Waterworks, Inc. hereby requests that these existing Leon County Franchise Agreements be transferred to the new utility.

In support of its request, Seminole Waterworks, Inc. hereby provides the following information.

APPLICANT INFORMATION

1. The name and address of the Buyer for purposes of this Application, and as it should appear on Seminole Waterworks, Inc.'s County issued Franchise Agreement are:

Gary A. Deremer, President
Seminole Waterworks, Inc.
c/o 4939 Cross Bayou Blvd.
New Port Richey, Florida, 34652
Tel: (727) 848 8292
Fax: (727) 848 7701

2. The name and address of Seminole Waterworks, Inc.'s authorized representatives are:

Representative's Name and Title:

Leon County Letter
January 22, 2016

Gary A. Deremer, President
Seminole Waterworks, Inc.
c/o 4939 Cross Bayou Blvd.
New Port Richey, Florida, 34652

Troy Rendell, Manager of Regulated Utilities
Seminole Waterworks, Inc.
c/o 4939 Cross Bayou Boulevard
New Port Richey, FL 34652
727-848-8292

3. Seminole Waterworks, Inc. is a Florida corporation authorized to do business in Florida as of January 1, 2016. The names and addresses of Seminole Waterworks, Inc.'s corporate officers and directors are listed in **Exhibit "B"** to the Application.

4. The directors have been in the water and wastewater utility management, operations and maintenance related industry for numerous years bringing a level of Florida specific expertise that is not typical to private utility ownership within the State.

Gary Deremer – President: Over 30 years of Florida related water and wastewater industry experience; previous private utility ownership has included:

Holiday Utility System – Holiday, FL
Virginia City Utility System – New Port Richey, FL
Dixie Groves Utility System – Holiday, FL
Colonial Manor Utility System – Holiday, FL
Pasco Utilities, Inc. – Zephyrhills, FL

Cecil Delcher – Vice President: Over 38 years of Florida related Operations, Construction, Capital Project Management; previous private utility ownership included:

Pasco Utilities, Inc. – Zephyrhills, FL
Colonial Manor Utility System – Holiday, FL
D&D Wellfield Property

Mr. Deremer and Mr. Delcher have secured the services of U.S. Water Services Corporation to provide contract operating services and billing and collection services. Both Mr. Deremer and Mr. Delcher have controlled service delivery to more than 850+ facilities within the State of Florida during their careers, including billing/collection and customer service, providing water service to more than 1,000,000 customers daily.

Currently, the shareholders of Seminole Waterworks, Inc. are also shareholders in the following utilities regulated by the Florida Public Service Commission:

Leon County Letter
January 22, 2016

<u>Utility</u>	<u>Certificate No.</u>
Harbor Utility Company	522-W
Lakeside Utility Company	567-W & 494-S
LP Utility Company	620-W & 533-S
HC Utility Company	422-W & 359-S
Brevard Utility Company	002-W
Sunny Hills Utility Company	501-W & 435-S
Lake Osborne Utility Company	053-W
Jumper Creek Utility Company	667-W & 507-S
The Woods Utility Company	507-W & 441-S
Country Walk Utilities, Inc.	579-W
Raintree Waterworks, Inc.	539-W
Brendenwood Waterworks, Inc.	339-W
Lake Idlewild Utility Company	531-W
Black Bear Waterworks, Inc.	654-W(pending approval)

In each of the orders approving the above transfers, the Florida Public Service Commission specifically found that the transfers were in the public interest and also determined that the buyers had demonstrated the technical and financial ability to provide service to the existing service territory.

Thus, based on the above this transfer is in the public interest; the buyer has both the technical and financial ability to provide service.

The buyer will fulfill the commitments, obligations and representations of the seller with regard to utility matters.

5. Buyer will not be changing or increasing the existing water rates of Rowe Utilities in place as of the date of closing. The existing water rates at the date of closing will remain unchanged as a result of the transfer until such time as financial conditions supports any such subsequent change in rates.

6. The utility systems were purchased with shareholders' cash in the amount of \$500,000. See attached **Exhibit A**.

7. The utility has been in existence since the early 1980's and has received previous "grandfather" Franchise Agreements from Leon County. See **Exhibit B**.

8. After reasonable investigation, it has been determined that the systems acquired from Rowe Utilities appears to be in satisfactory condition and are in compliance with all applicable standards set by the Florida Department of Environmental Protection ("FDEP") and do not have any outstanding Notices of Violation or Consent Orders with the FDEP.

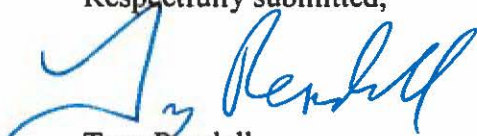
9. Seminole Waterworks, Inc. is agreeable of providing sufficient Public Notice pursuant to Section 18-29(d) and (e) Leon County Ordinance.

c/o 4939 Cross Bayou Blvd., New Port Richey, FL 34652 – Tel: (866) 753-8292 Fax: (727) 848-7701

Leon County Letter
January 22, 2016

I look forward to working with your department and Leon County in order to transfer these existing Franchise Agreements. If you need any additional information, please do not hesitate to contact me at (727) 848-8292.

Respectfully submitted,



Troy Rendell
Manager of Regulated Utilities
// for Seminole Waterworks, Inc.

THIS ASSET PURCHASE AGREEMENT (the "Agreement"), dated as of this 12 day of January 2016, is entered into by and between **Rowe Utilities LLC.**, a Florida corporation with an address of 7584 W. Tennessee St., Tallahassee, FL 32304 ("Seller"), and **Seminole Waterworks, Inc.**, a Florida corporation with an address of 4939 Cross Bayou Blvd., New Port Richey, FL 35652 ("Buyer"), with reference to the following **RECITALS**:

RECITALS

A. Seller maintains and operates six (6) water production and distribution systems (collectively the "Systems") that provide water service to the residents of the following subdivisions located within Leon County, Florida (the "Service Area"):

1. Brewster Estates (PWS 1370898);
2. Buck Lake Estates (PWS 1374008);
3. Meadow Hills (PWS 1370461);
4. North Lake Meadows (PWS 1374049);
5. Plantation Estates (PWS 1374054);
6. Sedgfield (PWS 1370598)

B. Buyer is a public utility that furnishes water to the public in assigned portions of the State of Florida.

C. Seller desires to sell, and Buyer desires to purchase, the properties and rights owned by Seller and used in connection with its maintenance and operation of the six Systems, all upon the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the recitals and the covenants, representations, warranties and agreements herein contained, and intending to be legally bound hereby, the parties hereto agree as follows:

1. **SALE AND PURCHASE OF SELLER'S WATER SYSTEM ASSETS**

Subject to the terms and conditions hereinafter set forth, Buyer shall purchase from Seller, and Seller shall sell, assign, transfer, grant, convey and deliver to Buyer at Closing (hereinafter defined), all of the assets, properties and rights of Seller (whether tangible or intangible, real, personal or mixed) which are held, used or useful in connection with the production, treatment, and distribution of water within the Service Areas and the maintenance and operation of the Systems (each an "Asset" and collectively, the "Assets"); provided, however, that anything to the contrary in this Agreement notwithstanding, such sale, assignment, transfer, grant, conveyance and delivery by Seller shall be subject to all existing terms, conditions, restrictions and other limitations or qualifications applicable thereto.

The Assets are being sold in "As Is" condition, and Seller makes no representations, covenants or warranties with respect to the Systems or the Assets or the condition of the Systems or the Assets, except that the Assets are being sold free and clear of all mortgages, liens, pledges, security interest, charges, taxes, claims, restrictions and encumbrances of any nature whatsoever, except for any terms, conditions, restrictions and other limitations or qualifications imposed by applicable law or governing authority (including without limitation the Florida Department of Environmental Protection ("FDEP")). Anything to the contrary in this Agreement notwithstanding, Buyer shall not assume any liability for any governmental claims or liability arising from Seller's operation of the Systems prior to Closing.

This paragraph shall be construed in a manner that does not limit any specific representations or warranties provided by Seller elsewhere within this Agreement.

1.1 Assets Further Defined

The Assets shall, without limitation to the definition stated above, include the specific assets, properties and rights of Seller set forth on the following:

- (a) all the land, buildings, pipes, pipelines, wells, treatment equipment and facilities, pumping stations, storage tanks and facilities, standpipes, fire hydrant, pump stations, structures, irrigation service lines, improvements, fixtures, rights-of-way, rights, uses, licenses and easements owned by Seller, or in which Seller has an interest, and all hereditaments, tenements and appurtenances belonging or appertaining thereto, which will include the items listed on Schedule 1.1 attached hereto;
- (b) all rights of Seller under any written or oral contract, easement, license, agreement, lease, plan, instrument, registration, permit, certificate or other authorization or approval of any nature, or other document, commitment, arrangement, undertaking, practice or authorization, relating to the Assets;
- (c) all information, files, records, data, plans, contracts and recorded knowledge, including customer and supplier lists and property records, related to the utility services provided by Seller in Leon County.

Anything to the contrary in this Agreement notwithstanding, Seller makes no representations or warranties with respect to the assignability or transferability of any of the Assets, it being expressly agreed and understood that Buyer shall be responsible for determining whether any particular Asset is capable of being assigned or transferred and the conditions to be satisfied or met in order to effect the same, and for compliance with and satisfaction of all such conditions prior to Closing, including without limitation obtaining all governmental approvals or authorizations required for the transfer of any Asset and Buyer's ownership, operation and use thereof after Closing. Seller agrees to cooperate, at no cost or expense to Seller, with Buyer's efforts to satisfy such conditions and to obtain such required governmental approvals or authorizations; provided, however, that Seller shall not be obligated or required to allow Buyer to use Seller's name in the operation or use of any of the Assets after Closing.

1.2 Exclusions from Assets

Notwithstanding the foregoing, the Assets shall not include any of the following:

- (a) any and all customer service lines (including water lines) that run from outside the meter box or from the curb stop to each individual residence, commercial or industrial structure served by the Assets;
- (b) all piping and fixtures internal to each individual customer's structure;
- (c) Seller's Cash and Accounts Receivables as of the Closing Date; and
- (d) any and all furniture, office equipment (including computers), software and computer operating systems and office supplies used or useful in connection with the maintenance and operation of the Systems or the production, treatment, and distribution of water

within the Service Areas; provided, however, that Seller shall deliver to Buyer at Closing the computer and JUBS software program currently used by Seller for customer account information and billing purposes.

1.3 Consideration and Due Diligence

The total purchase price ("Purchase Price") for the Assets is **Five Hundred Thousand and No/100 Dollars (\$500,000.00)**, which shall be paid to Seller in cash at Closing. Buyer shall have thirty (30) days from the date Seller executes this Agreement within which to perform a final due diligence inspection of all Assets (the "Due Diligence Period"). The final due diligence hereunder is to allow Buyer to determine if all Assets are in the same working condition as of the date of this Agreement, that all permits in force as of the date of this Agreement are valid and current, and that there are no compliance infractions as of the date of this Agreement. If, after conducting the final due diligence, Buyer determines that the Assets are not in the same working condition, that any permit is no longer valid or current, or that there are compliance infractions, Buyer shall give written notice thereof to Seller prior to the end of the Due Diligence Period. If Buyer gives timely notice of any such items, Seller shall have thirty (30) days from receipt of such written notice from Buyer either to correct the condition or reach an agreement with Buyer for a reduction to the Purchase Price. If Seller refuses to correct the condition or is unable to reach agreement with Buyer concerning a reduction to the Purchase Price, Buyer may elect to terminate this Agreement without penalty by written notice delivered to Seller no later than five (5) days after the expiration of Seller's 30-day cure period or to proceed to Closing without a reduction in the Purchase Price. If Buyer gives Seller timely notice of its election to terminate, this Agreement shall terminate as of the date of Seller's receipt of such timely notice, whereupon the parties shall have no further obligations hereunder except those that by their terms expressly survive termination of this Agreement. If Buyer fails to provide timely notice of such election to terminate, then such right to terminate shall automatically expire and Buyer shall be deemed to have elected to proceed with Closing without a reduction in the Purchase Price.

1.4 Contractual Obligations

Buyer shall not assume any obligations of Seller, under any contract, agreement, commitment, lease, certificate, order, notice, permit or other instrument, whether oral, written, express or implied, that are not related to the use or operation of any Asset, or the provisions of any water service. Buyer shall fulfill all commitments, obligations and representations of Seller with regard to operation of the Systems and delivery of water service to the residents of the Service Area from and after the date of Closing. Seller acknowledges that it is not a party to any developer agreements or guaranteed revenue contracts or in possession of any customer advances as of the date of this Agreement (other than the deposits identified in Schedule 1.5 attached hereto).

1.5 Non-Assumption of Liabilities

All liabilities and obligations of Seller that are not related to the use or operation of any Asset or the Systems shall remain the sole responsibility of Seller, including any and all liabilities or obligations under any employee benefit plan, practice or arrangement or pension, retirement or savings plan. Buyer shall not assume and shall not be liable for any liabilities or obligations of Seller of any nature whatsoever, whether express or implied, fixed or contingent, whatsoever, except as otherwise expressly provided in this Agreement. Seller and Buyer acknowledge there are some customer deposits being held by Seller as of the date of this Agreement, which are identified on Schedule 1.5 attached hereto and will be transferred to Buyer at Closing.

2. CLOSING

Subject to the provisions of Sections 4 and 5, closing of the purchase and sale of the Assets hereunder (the "Closing") shall take place as mutually agreed upon by Seller and Buyer, and which in all events shall take place on or before January 31, 2016. The date of the Closing is referred to herein as the "Closing Date". The effective time of the legal transfer hereunder shall be 12:01 a.m. on the day following the Closing Date.

2.1 Items to be delivered at Closing

At the Closing and subject to the terms and conditions herein contained:

- (a) Seller shall deliver to Buyer the Assets, including, without limitation, the following:
 - (i) instruments and documents of conveyance and transfer, all in form reasonably satisfactory to Seller and Buyer and their respective counsel, as shall be necessary and effective to transfer and assign to, and vest in, Buyer good and marketable title to the Assets and all of Seller's rights to operate the Systems as such are now being operated, including, but not limited to the following documents: a special or limited warranty deed for each parcel to be conveyed, a bill of sale for the personal property included in the Assets and the Assignment Agreement (as defined in Section 2.1(f) below).
 - (ii) a complete and accurate list of the names and addresses of all customers of Seller as of the Closing Date, both in paper form and in electronic form, along with a billing history for each customer;
 - (iii) a complete list of the Final Meter Readings (as defined below) in paper form and in electronic form for all customers of Seller referred to in Section 2.1(c) hereof.
 - (iv) keys to any and all buildings and gates; and simultaneously with such delivery, all such steps shall be taken as may be reasonably required to put Buyer in actual possession and operating control of the Assets.
- (b) Seller shall deliver to Buyer the certificates and other documents and instruments referred to in Section 5 hereof.
- (c) Buyer and Seller agree that final meter readings shall be conducted within three (3) days immediately prior to Closing (the "Final Meter Readings"). These readings shall be utilized by the Seller for the purpose of issuing final bills, and shall constitute the opening readings for Buyer. Buyer shall use these readings to begin the billing cycle for its new customers following Closing, and shall not be responsible for the collection of any amounts due Seller for bills issued by Seller as a result the Final Meter Readings. In the event that Buyer receives payments from customers for the period of time that Seller owned the Assets, Buyer will forward these payments to Seller within a reasonable period of time but no later than thirty (30) days from Buyer's receipt of each such payment. In making such determinations, among other ways to determine whether the payment received is for amounts invoiced by Seller for the Final (or earlier) Meter Readings, Buyer shall consult with Seller on the amount of the amounts due to Seller and will compare these amounts due with the amount received.

- (d) Asset depreciation schedules updated through the Closing Date.
- (e) Buyer shall pay all costs of Closing including, but not limited to, recording the deeds for the land and buildings on which any of the Assets is located, intangible taxes, and any title costs, including title insurance, as may be required or desired by Buyer. Buyer also agrees to pay all Florida Department of Environmental Protection (the "FDEP") Operating Fees for the current year if not already paid in full, as well as all fees, charges and expenses associated with the transfer or assignment of any permits, certificates and other authorizations required or necessary for Buyer's purchase of any of the Assets and operation of any of the Systems.
- (f) Buyer and Seller shall execute a written assignment and assumption agreement in form reasonably acceptable to Buyer and Seller whereby Buyer accepts and assumes all of Seller's obligations (including without limitation all written agreements with any governmental entity, agency or jurisdiction) for the provision of water services to the any of the subdivisions or other areas included as part of the Service Area covered or served by any of the Systems (the "Assignment Agreement").

2.2 Transfer of Utilities

Seller and Buyer will cooperate to transfer any and all utility services, including telephone, electric, chlorine, and gas service providing such service to any of the Assets as of the Closing Date. Buyer shall pay all fees, charges, deposits and expenses associated with the transfer or assignment of any such utility service hereunder.

2.3 Further Assurances

Seller, from time to time after the Closing, at Buyer's request, and without compensation but at no cost or expense to Seller, will execute, acknowledge and deliver to Buyer such other instruments of sale, conveyance, assignment and transfer and will take such other actions and execute and deliver such other documents, certifications and further assurances as Buyer may reasonably require in order to vest in Buyer, and/or to place Buyer fully in possession of, all of the Assets.

3. CONDUCT OF PARTIES PENDING CLOSING

3.1 Seller agrees that, with respect to the Assets, pending the Closing and except as otherwise agreed to in writing by Buyer:

- (a) The business of Seller shall be conducted solely in the ordinary course consistent with past practice, including without limitation Seller's maintenance and use of the tangible Assets.
- (b) Seller will use commercially reasonable efforts to maintain its relations and goodwill with its suppliers, customers and any others having business relations with it.
- (c) Seller shall comply in all material respects with all laws, ordinances, rules, regulations and orders applicable to the Assets and to the operation and use of the Assets in the ordinary course of business.

- (d) Seller will promptly advise Buyer in writing of all events between the date hereof and Closing which could render any representation or warranty under the Agreement, if restated and republished as of Closing, untrue or incorrect in any material respect.
- (e) Seller will advise Buyer in writing promptly after Seller receives actual written notice of the threat or commencement of any dispute, claim, action, suit, proceeding, arbitration or investigation against or involving the Assets or the sale and transfer thereof to Buyer.
- (f) Seller will give to Buyer free and full access to and the right to inspect, during normal business hours, all of the premises, properties, assets, records, contracts and other documents relating to its business and operations, and shall permit them to consult with the officers, employees, accountants, counsel and agents of Seller.

4. CONDITIONS PRECEDENT TO SELLER'S OBLIGATIONS

All obligations of Seller under this Agreement are subject to the fulfillment or satisfaction, or waiver by Seller, prior to or at the Closing, of each of the following conditions precedent:

4.1 Closing Certificate; Performance by Buyer

Buyer shall have performed and complied in all material respects with all agreements and conditions required by this Agreement to be performed or complied with by it prior to or at the Closing; and Seller shall have been furnished with a certificate or certificates of Buyer dated the Closing Date, signed by an officer of Buyer, certifying, in such detail as Seller may reasonably request, to the fulfillment of the foregoing conditions and that all representations and warranties made by Buyer in this Agreement are true and correct in all material respects as of Closing, except such as have been rendered incorrect because of events which occurred after the date hereof, as disclosed in writing by Buyer to Seller within a reasonable time after the event occurred.

4.2 Litigation Affecting Closing

On the Closing Date, no proceeding shall be pending or threatened before any court or governmental agency in which it is sought to restrain or prohibit or to obtain damages or other relief in connection with this Agreement or in the consummation of the transactions contemplated hereby, and no investigation that might eventuate in any such suit, action or proceeding shall be pending or threatened.

4.3 Buyer Authorizations

Buyer shall have furnished Seller with certified copies of all proceedings of Buyer, including a signed and certified copy of the appropriate document(s) authorizing the transactions hereby contemplated.

4.4 Satisfaction of Seller

All actions, proceedings, resolutions, instruments and documents required to carry out this Agreement or incidental hereto and all other related matters shall have been approved on the Closing Date by Seller in the exercise of its reasonable judgment.

5. **CONDITIONS PRECEDENT TO BUYER'S OBLIGATIONS**

All obligations of Buyer under this Agreement are conditioned upon the fulfillment or satisfaction, or waiver by Buyer, prior to or at the Closing, of each of the following conditions precedent:

5.1 **Satisfaction with Operational and Real Estate Title Issues**

Buyer shall be satisfied with its review of the real estate and the quality of title to be conveyed to Buyer from Seller.

5.2 **Closing Certificate; Performance by Seller**

Seller shall have performed and complied in all material respects with all agreements and conditions required by this Agreement to be performed or complied with by it prior to or at the Closing; and Buyer shall have been furnished with a certificate or certificates of Seller dated the Closing Date, signed by the appropriate officials of Seller, certifying, in such detail as Buyer may reasonably request, to the fulfillment of the foregoing conditions and that all representations and warranties are true and correct in all material respects as of Closing.

5.3 **Litigation Affecting Closing**

On the Closing Date, no proceeding shall be pending or threatened before any court or governmental agency in which it is sought to restrain or prohibit or to obtain damages or other relief in connection with this Agreement or the consummation of the transactions contemplated hereby, and no investigation that might eventuate in any such suit, action or proceeding shall be pending or threatened.

5.4 **Seller Authorizations**

Seller shall have furnished Buyer with certified copies of all proceedings of Seller, including a signed and certified copy of the appropriate document(s) authorizing the transactions hereby contemplated.

5.5 **Governmental Approvals**

Anything to the contrary in this Agreement notwithstanding, Buyer shall, at Buyer's sole cost and expense, be solely responsible for obtaining all governmental approvals and authorizations needed for the transfer of the Assets, including, but not limited to, the FDEP, and the Water Management District, and otherwise necessary or required for Buyer to assume ownership and operation of the Assets and to provide water service to the public in the service territory presently being served by Seller. Seller agrees to cooperate, at no cost or expense to Seller, with Buyer's reasonable requests for assistance throughout the process for obtaining such governmental approvals and authorizations.

5.6 **Satisfaction of Buyer**

All actions, proceedings, resolutions, instruments and documents required to carry out this Agreement or incidental hereto and all other related matters shall have been approved on the Closing Date by Buyer in the exercise of its reasonable judgment.

6. **REPRESENTATIONS AND WARRANTIES OF SELLER**

6.1 Seller hereby represents and warrants to Buyer as follows:

- (a) **Organization.** Rowe Utilities LLC is duly organized, validly existing and in good standing under the laws of the State of Florida.
- (b) **Asset Ownership.** Seller holds the exclusive right, title, interest and power to sell the Assets.
- (c) **Legal Authority.** Seller has the full power and lawful authority to transfer to Buyer the rights, title and interest in and to the Assets, subject, however, to Buyer's obligation to obtain all necessary or required governmental approvals and authorizations for such transfer.
- (d) **Current Operations.** To the best of Seller's knowledge without duty to investigate, Seller has all regulatory and other governmental permits, licenses, authorizations and approvals necessary or required for the operation of the Systems.
- (e) **Due Authorization; Valid and Binding.** Seller has the full power and lawful authority to execute and deliver this Agreement and all related agreements, and to consummate and perform the transactions contemplated hereby and has duly and validly authorized the execution of this Agreement and all related documents and agreements by all necessary proceedings; provided, however, that Seller makes no representation or warranty with respect to any governmental approval or authorization necessary or required in order to consummate or perform the transactions contemplated hereunder, all of which are the sole and exclusive responsibility of Buyer. This Agreement and all related agreements constitute the valid and binding obligation of Seller.
- (f) **Party to Decree.** To the best of Seller's actual knowledge without duty to investigate, Seller is not party to, or subject to the provision of, any judgment, order, writ, injunction or decree of any court or of any governmental official, agency or instrumentality relating to the Systems or the Assets.
- (g) **Customer Records.** To the best of Seller's actual knowledge without duty to investigate, the data contained in the customer records provided to Buyer is true and accurate.

6.2 Seller hereby represents and warrants to Buyer as follows:

- (a) **Undisclosed Liabilities.** To the best of Seller's actual knowledge without duty to investigate, there are no liabilities or obligations of Seller, either accrued, absolute, contingent or otherwise, relating to the Assets other than trade payables and other liabilities arising in the ordinary course of business. For purposes of this Agreement, the term liabilities shall include, without limitation, any direct or indirect indebtedness, guaranty, endorsement, claim, loss, damage, deficiency, cost, expense, obligation or responsibility accrued, absolute, contingent or otherwise.
- (b) **No Other Parties.** No person other than Seller owns or has any interest in any of the Assets.

- (c) Rights to Facilities. Seller has good and valid rights to obtain access to the areas where the distribution lines and other facilities of the Systems are located.
- (d) Compliance with Law. To the best of Seller's actual knowledge without duty to investigate, Seller is not in any material violation of any law, ordinance or governmental rule or regulation to which the Systems are subject and has not failed to obtain, or to adhere in all material respects to the requirements of, any certificate, license, permit or other governmental authorization necessary to the ownership, operation or use of the Assets or the operation of the Systems.

6.3 Seller hereby represents and warrants to and with Buyer as follows with respect to compliance with environmental laws:

- (a) Compliance with Law. To the best of Seller's actual knowledge without duty to investigate, Seller has been and is in compliance with all Environmental Laws (as hereinafter defined) with respect to its maintenance and operation of the Systems. For purposes of this Agreement, "Environmental Laws" means any governmental law, regulation or ruling applicable to environmental conditions on, under or about the real property included as part of the Assets (including without limitation federal, state or local solid waste disposal rules; the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended; the Hazardous Material Transportation Act; the Resource Conservation and Recovery Act, as amended; the Toxic Substances Control Act, as amended; and the Water Pollution Control Act, as amended).
- (b) Adequacy of Permits. To the best of Seller's actual knowledge without duty to investigate, Seller has obtained and continues to possess all material permits, licenses, approvals or other authorizations which are required under the Environmental Laws, has filed such timely and complete renewal applications as may be required prior to the Closing Date, and also has complied in all material respects with all reporting and record keeping requirements under the Environmental Laws, all with respect to its maintenance and operation of the Systems.

7. REPRESENTATIONS AND WARRANTIES OF BUYER

7.1 Buyer hereby represents and warrants to Seller as follows:

- (a) Organization. Buyer is a corporation duly organized and validly existing and in good standing under the laws of the State of Florida.
- (b) Due Authorization; Valid and Binding. Buyer has the full power and lawful authority to execute this Agreement and to consummate and perform the transactions contemplated hereby and has duly and validly authorized the execution of this Agreement by all necessary proceedings. This Agreement constitutes the valid and binding obligations of Buyer.
- (c) Financial Wherewithal. Buyer has the financial wherewithal to complete the purchase of the Assets as contemplated hereunder and upon completion of Closing, to operate and manage the Assets at, or exceeding, the level of service provided by the Seller prior to Closing.

8. INDEMNIFICATION

8.1 Indemnification of Seller

From and after the Closing, Buyer will reimburse, indemnify and hold Seller and its affiliates, and their managers, members, shareholders, officers, directors and employees, harmless from and against any and all liabilities, obligations, damages, losses, actions, audits, deficiencies, claims, fines, costs and expenses, including attorney's fees and costs resulting from, relating to, or arising out of:

- (a) the provision of water service by Buyer for the period following Closing;
- (b) issues of regulatory compliance and claims by third parties for events that occur following the date of Closing that are not attributable to events that occurred prior to Closing, including without limitation Buyer's compliance with any applicable federal, state or local law, regulation, ordinance or code requirement;
- (c) any misrepresentation, breach of warranty or non-fulfillment of any agreement or covenant on the part of Buyer under this Agreement; and
- (d) the enforcement of this Section 8.

8.2 Indemnification of Buyer

Seller will reimburse, indemnify and hold Buyer and its affiliates, and their officers, directors and employees, harmless from and against any and all actual damages incurred by any of them resulting from, relating to, or arising out of Seller's failure to perform, in any material respect, any of its obligations required to be performed hereunder after Closing; provided, however, that in no event shall Seller's liability under this Section 8.2 exceed the sum of Twenty-Five Thousand Dollars (\$25,000). It is acknowledged and agreed that none of the representations and warranties of Seller in this Agreement or in any written agreement, document, or certificate furnished hereunder or in connection with the negotiation, execution and performance of this Agreement (a "Transaction Document") shall survive the Closing, and, therefore, Seller shall have no indemnification obligations with respect to any breach thereof, except in the event of Seller's fraud for which Buyer shall have all remedies afforded by applicable law.

8.3 General

Each party shall provide the other party with reasonable notice of any claims arising under this Section 8. Except in the event of fraud, the indemnification rights of the parties under this Section 8 are the exclusive remedies of the parties for any misrepresentation, breach of warranty, or failure to fulfill any agreement or covenant hereunder.

9. SURVIVAL OF REPRESENTATIONS, WARRANTIES AND COVENANTS

9.1 Buyer's Representations, Warranties and Covenants. All representations and warranties made by Buyer in this Agreement or any Transaction Document shall survive the Closing for a period of one (1) year. All covenants and agreements made by Buyer in this Agreement or any Transaction Document shall survive the Closing indefinitely.

9.2 Seller's Representations, Warranties and Covenants. Except as otherwise provided in Section 1 above and Section 10.11 below, none of the representations, warranties or covenants made by Seller in this Agreement or any Transaction Document shall survive the Closing.

10. MISCELLANEOUS

10.1 Contents of Agreement; Parties in Interest; etc.

This Agreement sets forth the entire understanding of the parties hereto with respect to the transactions contemplated hereby. It shall not be amended or modified except by written instrument duly executed by each of the parties hereto.

10.2 Binding Effect

All of the terms and provisions of this Agreement shall be binding upon, inure to the benefit of and be enforceable by the legal representatives, successors and assigns of Seller or Buyer.

10.3 Notices

Any notice, request, demand, waiver, consent, approval or other communication which is required or permitted hereunder shall be in writing and shall be deemed given only if delivered personally or by registered or certified mail, postage prepaid, return receipt requested, as follows:

If to Buyer:

Mr. Gary A. Deremer, President
Seminole Waterworks, Inc.
4939 Cross Bayou Blvd.
New Port Richey, FL 34652

If to Seller:

Mr. Lamar Rowe
Rowe Utilities LLC
1320 Thomaswood Drive
Tallahassee, FL 32308

With a copy to:

Cohen Pollock Merlin & Small, P.C.
3350 Riverwood Parkway, Suite 1600
Atlanta, GA 30339
Attn: Pepi Friedman and Bradley C. Skidmore

or to such other address as the addressee may have specified in a written notice duly given to the sender as provided herein. Such notice, request, demand, waiver, consent, approval or other communication will be deemed to have been given as of the date so delivered, telegraphed or mailed.

10.5 Florida Law to Govern

This Agreement shall be governed by and interpreted and enforced in accordance with the laws of the State of Florida, without giving effect to any conflicts of law's provisions.

10.6 No Benefit to Others

The representations, warranties, covenants and agreements contained in this Agreement are for the sole benefit of the parties hereto, and their legal representatives, successors and assigns, and they shall not be construed as conferring any rights on any other persons.

10.7 Headings, Gender, etc.

All section headings contained in this Agreement are for convenience of reference only, do not form a part of this Agreement and shall not affect in any way the meaning or interpretation of this Agreement. Words used herein, regardless of the number and gender specifically used, shall be deemed and construed to include any other number, singular or plural, and any other gender, masculine, feminine or neuter, as the context requires.

10.8 Exhibits and Schedules

All Exhibits, Attachments and Schedules referred to herein are intended to be and hereby are specifically made a part of this Agreement.

10.09 Severability

Any provision of this Agreement that is invalid or unenforceable in any jurisdiction or under any circumstance shall be ineffective to the extent of such invalidity or unenforceability without invalidating or rendering unenforceable the remaining provisions hereof, and any such invalidity or unenforceability in any jurisdiction or under any circumstance shall not invalidate or render unenforceable such provision in any other jurisdiction or under any other circumstance, unless, in either event, the involved or unenforceable provision causes this Agreement to fail of its essential purpose.

10.10 Counterparts

This Agreement may be executed in any number of counterparts and any signatory hereto may execute any such counterpart, each of which when executed and delivered shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument. This Agreement shall become binding when one or more counterparts taken together shall have been executed and delivered by all signatories. It shall not be necessary in making proof of this Agreement or any counterpart hereof to produce or account for any of the other counterparts.

10.11 Continuance of Cooperation

Seller agrees to cooperate, without compensation but at no cost or expense to Seller, with Buyer's reasonable requests for Seller's assistance in the pursuit of resolving any FDEP issues related to transfer of operation of the Systems, and any easement attainment issues with respect thereto as they are presented. This agreement to cooperate shall survive the Closing for a period of one (1) year from the date of Closing.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed under seal as of the date first written above.

SELLER:

Rowe Utilities LLC

By:  (SEAL)
Manager

Print: Lamar Rowe, Manager

BUYER:

Seminole Waterworks, Inc.

By: _____ (SEAL)
President

Print: Gary Deremer, President

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed under seal as of the date first written above.

SELLER:

Rowe Utilities LLC

By: _____ (SEAL)
Manager

Print: Lamar Rowe, Manager

BUYER:

Seminole Waterworks, Inc.

By: _____ (SEAL)
President

Print: Gary Deremer, President

Schedule 1.1
Assets Listing

PWS1370898 - Brewster Estates

1. Land - Property ID: 112204 0001 - BREWSTER ESTATES UNIT 2 - 22 1North 1 East (0.097 Acres)
2. One (1) 3,000 Hydropneumatic steel tank
3. One (1) Regal Gas Chlorination - Capacity 10 PPD; Feed rate 1 PPD
4. One (1) flow meters: 4" Sparling
5. 171 water meters located at each customer residence
6. Water treatment utility building (Structure) including pump house and chlorine room
7. Regal Dual Cylinder scale at WTP
8. Auto Dialer
9. 1500 Watt Heater
10. Fenced

PWS1374008 - Buck Lake Estates

1. Land - Property ID: 112325 0002 - BUCK LAKE ESTATES - 23 & 26 1 North 1 East (0.129 Acres)
2. One (1) 5,000 Hydropneumatic steel tank
3. One (1) Regal Gas Chlorination - Capacity 10 PPD; Feed rate 1 PPD
4. One (1) flow meters: 4" Sparling
5. 66 water meters located at each customer residence
6. Water treatment utility building (Structure) including pump house and chlorine room
7. Force Flow Single Cylinder Scale at WTP
8. 1500 Watt Heater
9. Fenced

PWS1370461 - Meadow Hills

1. Land - Property ID: 112650 A0210 - MEADOW HILLS UNIT 1 - Lot 21 Block A (0.470 Acres)
2. One (1) 5,000 Hydropneumatic steel tank
3. One (1) Regal Gas Chlorination - Capacity 10 PPD; Feed rate 1 PPD
4. One (1) flow meters: 4" Sparling
5. 109 water meters located at each customer residence
6. Water treatment utility building (Structure) including pump house and chlorine room
7. Force Flow Single Cylinder Scale at WTP
8. 1500 Watt Heater
9. Fenced

PWS1374049 - North Lake Meadows

1. Land - Property ID: 2420100000371 - NORTH LAKE MEADOWS UNIT 2 - Part of Lot 37 (0.150 Acres)
2. One (1) 3,000 Hydropneumatic steel tank
3. One (1) Regal Gas Chlorination - Capacity 10 PPD; Feed rate 1 PPD
4. One (1) flow meters: 4" Sparling
5. 80 water meters located at each customer residence
6. Water treatment utility building (Structure) including pump house and chlorine room
7. Regal Dual Cylinder scale at WTP
8. 1500 Watt Heater
9. Fenced

PWS1374054 - Plantation Estates

1. Land - Property ID: 121750 B0051 - PLANTATION ESTATES UNIT - Part of Lots 5 & 6, Block B (0.130 Acres)
2. One (1) 3,000 Hydropneumatic steel tank
3. One (1) diesel generator
4. One (1) Regal Gas Chlorination - Capacity 10 PPD; Feed rate 1 PPD
5. Two (2) flow meters: 1) 4" Sparling 2) 4" Sparling
6. 153 water meters located at each customer residence
7. Water treatment utility building (Structure) including pump house and chlorine room
8. Regal Dual Cylinder scale at WTP
9. Auto Dialer
10. 1500 Watt Heater
11. Fenced

PWS1370598 - Sedgefield

1. Land - Property ID: 112470 0001 - SEDGEFIELD UNIT 2 - 24 1 North 1 East (0.183 Acres)
2. One (1) 5,000 Hydropneumatic steel tank
3. One (1) Regal Gas Chlorination - Capacity 10 PPD; Feed rate 1 PPD
4. One (1) flow meters: 4" Sparling
5. 109 water meters located at each customer residence
6. Water treatment utility building (Structure) including pump house and chlorine room
7. Force Flow Single Cylinder Scale at WTP
8. 1500 Watt Heater
9. Fenced

Miscellaneous Parts Inventory*

<u>Qty.</u>	<u>Description</u>
8	McDonald 3/4" Meter Stands
6	3/4" Meters
2	6" x 1" Self Tap Saddle
1	4" x 1" Self Tap Saddle
2	3" x 1" Self Tap Saddle
2	4" Wrap Around Clamp
2	3" Wrap Around Clamp
1	Box - Small Assorted Fittings
1	Lot - Assorted Short Sections Copper Line

***NOTE:** The quantities listed above are what is reflected in Seller's parts inventory as of December 17, 2015; the actual quantities to be delivered at Closing may vary due to Seller's use of these items in operating the Systems through that time per the terms of the Agreement.

Schedule 1.5
Customer Deposits

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS**Detail by Entity Name****Florida Profit Corporation**

SEMINOLE WATERWORKS, INC.

Filing Information

Document Number	P16000001723
FEI/EIN Number	NONE
Date Filed	01/05/2016
Effective Date	01/01/2016
State	FL
Status	ACTIVE

Principal Address4420 BREWSTER ROAD
TALLAHASSEE, FL 32308**Mailing Address**C/O 4939 CROSS BAYOU BOULEVARD
NEW PORT RICHEY, FL 34652**Registered Agent Name & Address**DEREMER, GARY A
8625 SEAPOINTE COURT
PORT RICHEY, FL 34668**Officer/Director Detail****Name & Address**

Title P, D

DEREMER, GARY
8625 SEAPOINTE COURT
NEW PORT RICHEY, FL 34668

Title VP

DELCHER, CECIL
11702 FOREST HILLS DRIVE
TAMPA, FL 33612**Annual Reports****No Annual Reports Filed**



CITY HALL
300 S. ADAMS ST.
TALLAHASSEE, FL
32301-1731
904/891-8100
TDD 1-800/955-8771

PENNY SHAW HERMAN
Mayor/Commissioner
SCOTT MADDOX
Mayor Pro Tem-
Commissioner

DEBBIE LIGHTSEY
Commissioner
STEVE MEISBURG
Commissioner
RON WEAVER
Commissioner

STEVEN C. BURKETT
City Manager
ROBERT B. INZER
City Treasurer-Clerk

JAMES R. ENGLISH
City Attorney
RICARDO FERNANDEZ
City Auditor

November 8, 1994

VENDOR: Rowe Drilling Company
Post Office Box 1363
Tallahassee, Florida 32302

Contract documents have now been executed by all parties and we are enclosing a copy for your files.

Project: Brewster Estates Agreement

If you have any questions, please contact Julia Jones or John Bishop of our office at 904-891-8132.

cc: Water & Sewer
Accounting

AGREEMENT

THIS AGREEMENT made this 7TH day of NOVEMBER, 1994, by and between the CITY OF TALLAHASSEE, a Florida municipal corporation ("City"), and ROWE DRILLING COMPANY, INC. ("Rowe").

WHEREAS, Rowe owns and operates a private water system which provides potable water to a subdivision known as Brewster Estates, which subdivision is located within the corporate limits of the City; and,

WHEREAS, the City plans to install a sanitary sewer system and a water system to provide sewer services and fire protection to Brewster Estates; and,

WHEREAS, the City desires to use periodic readings from water meters installed, owned, and maintained by Rowe for the purpose of billing customers in Brewster Estates for sanitary sewer services; and,

WHEREAS, Rowe desires to provide to the City certain readings from such water meters under the terms and conditions set forth in this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, the parties hereby agree as follows:

1. Rowe shall furnish to the City, no later than March 20th of each year, records of water meter readings, for the preceding November, December, January, and February, for all customers served by the water system owned by Rowe and located within Brewster Estates. Such records shall be furnished for the purpose of billing customers within that subdivision for sanitary sewer services provided by the City's sewer system. There shall be no charge to the City for providing such information or records.

2. In consideration for providing the City with the meter readings, the City will install, at no cost to Rowe, a water tap and meter to serve as a standby source of water for Rowe's water system. The City will render periodic bills for all such water used by Rowe and such bills shall be paid by Rowe in the same manner and within the

same time required by the City for any of its water customers. There will be no monthly minimum charge to Rowe; however, Rowe will pay a charge based on the actual volume of any water used.

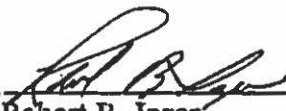
3. The City will not allow any connections to its water system for the purpose of providing direct water service to a residential customer unless the City first has purchased the water system owned by Rowe. The parties agree that the City can use its water system to provide fire protection services to the subject subdivision.


5. This Agreement shall inure to the benefit of, and be binding upon, the parties, their successors and assigns.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by its duly authorized representatives effective the date first written above.



ATTEST:

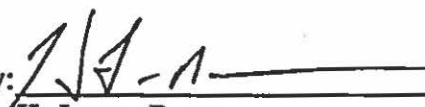
CITY OF TALLAHASSEE

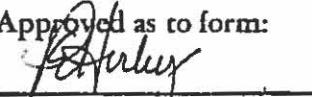
By: 
Robert B. Inzer
City Treasurer-Clerk

By: 
Anita R. Favors
Interim City Manager

ROWE DRILLING COMPANY, INC.


Witness as to Rowe

Witness as to Rowe

By: 
H. Lamar Rowe
President

Approved as to form:

Patrick E. Hurley
Assistant City Attorney

DORIS MALOY
LEON COUNTY TAX COLLECTOR

2003 REAL ESTATE

Folio 0012997

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ACCOUNT NUMBER	ESCI	CD	ASSESSED VALUE	EXEMPTIONS	TAXABLE VALUE	MILLAGE CODE
112204 0001			500	0	500	1

R

0085444 02 AV 0.503 **AUTO H1 1 0872 32302-1



ROWE DRILLING CO INC
PO BOX 1389
TALLAHASSEE FL 32302

11-22-04
BREWSTER ESTATES UNIT 2 UNREC 22
1N 1E .097 A WELL SITE OR 955/2
241

TAXES BECOME DELINQUENT APRIL 1ST

AD VALOREM TAXES		
TAXING AUTHORITY	MILLAGE RATE (DOLLARS PER \$1,000 OF TAXABLE VALUE)	TAXES LEVIED
C100 LEON COUNTY GENERAL FUND	3.6000	1.80
FINE & FORFEITURE	4.9500	2.48
C130 LEON COUNTY - MSTU EMS	.5000	.25
C120 LEON COUNTY - MSTU HEALTH	.1200	.06
T100 CITY OF TALLAHASSEE	3.7000	1.85
S100 SCHOOL BOARD		
LOCAL REQ EFFORT	5.7410	2.87
OPERATING (DISC)	.8760	.34
CAP OUTLAY (DISC)	2.0000	1.00
DEBT SERVICE	.8070	.40
W100 NW FLA WATER MD	.0500	.03
TOTAL MILLAGE 22.1440		AD VALOREM TAXES \$11.08

910.01

NON-AD VALOREM ASSESSMENTS	
LEVYING AUTHORITY	AMOUNT
NON-AD VALOREM ASSESSMENTS \$.00	

COMBINED TAXES AND ASSESSMENTS	\$11.08	PAY ONLY ONE AMOUNT	See reverse side for important information.
--------------------------------	---------	---------------------	---

IF PAID IN TOTAL DUE	NOV	DEC	JAN	FEB	MARCH
	10.64	10.75	10.86	10.97	11.08

RETAIN THIS PORTION FOR YOUR RECORDS



BOARD OF COUNTY COMMISSIONERS

DEPARTMENT OF PUBLIC WORKS
LEON COUNTY COURTHOUSE / TALLAHASSEE, FLORIDA 32301
(904) 488-9300

COMMISSIONERS:

- DOUG NICHOLS
DISTRICT 1
- GAYLE NELSON
DISTRICT 2
- JIM CREWS
DISTRICT 3
- ROBERT K. HENDERSON
DISTRICT 4
- J. LEE VAUSE
DISTRICT 5

- DIVISIONS OF
- ADMINISTRATION
- ENGINEERING
- ENVIRONMENTAL SERVICES
- OPERATIONS
- UTILITY SERVICES

February 16, 1981

BREWSTER ESTATES

Mr. H. Lamar Rowe
Rowe Drilling Company
7580 West Tennessee Street
Tallahassee, FL 32304

Dear Mr. Rowe:

Please be advised that on December 9, 1980, the Board of County Commissioners approved your application to operate the existing Brewster Estates Water System.

A copy of the approved service area boundary map is attached.

As outlined in County Ordinance 80-29, all water and sewage disposal systems are required to adhere to all applicable Federal, State, and local rules and regulations. Also, attached for your convenience are forms to be used for your annual statement of gross service revenues and annual system fee for your system.

If you have any questions pertaining to this subject, please feel free to contact me at 1123 Thomasville Road, or telephone 488-9307.

Sincerely yours,

Joseph A. Vonasek
Utilities Coordinator

JAV/lmf

Attachments

BOARD OF COUNTY COMMISSIONERS

Agenda Request

TO: Honorable Chairman & Members of the Board

FROM: James W. Parrish, County Administrator

SUBJECT: Application by Mr. Lamar Rowe for the Brewster Estates Water System

DATE: December 3, 1980

RECOMMENDATION:

It is recommended that the Board of County Commissioners approve the application of Mr. Lamar Rowe to operate the existing Brewster Estates Water System within the modified boundary indicated on the attached map. And, designate such area as Leon County Water Service Area Number 37.

STATEMENT OF ISSUE:

County Ordinance 80-29 provides that owners of existing systems, upon application and submission of information requested by the County, be authorized to operate a water and/or sewer system in a specific geographical area. Mr. Rowe has submitted the application and information. The service area boundary now needs to be established. The Brewster Estates Water System is located within the City Zone.

ALTERNATIVE:

Approve only the specific area(s) where pipes exist. This would deny future service to properties readily available and within the capability of the system.

ANALYSIS:

The applied for modified area, cross-hatched on the attached map, is adjacent to the Brewster Estates water system and is a marginal distance from the City System. The modified area is the final phase of the Brewster Estates Development and would utilize the remaining available service of the Brewster System. There currently exists a contract between Mr. Bevis and Mr. Benny Chastain to develop the modified area.

Mr. Lamar Rowe, Mr. Bevis, Mr. Chastain, and the City of Tallahassee concur in this recommendation.

JWP/JMB/lmf

Board of County Commissioners

INTER OFFICE MEMORANDUM

DATE: December 10, 1980

TO: Department Heads

FROM: James W. Parrish, County Administrator *JWP*

SUBJECT: Agenda Followup to BCC Meeting of December 9, 1980

- Item 1. Approved Supplemental Budget - Public Hearing set at 3:30 P.M.
- Item 2. Approved Bills and Vouchers submitted by Clerk's Office.
- Item 3. Approved Minutes of September 23, 1980.
- Item 4. Approved Draw Request for 5th and 6th Cent Gas Tax.
- Item 5. ✓ Approved application by Lamar Rowe for Brewster Estates Water System
- Item 6. Approved release of Irrevocable Letter of Credit in Sterling Woods.
- Item 7. Approved all Budget Amendment requests.
- Item 8. Approved authorization to Cannibalize Equipment.
- Item 9. Deferred Commission Memberships and Appointments to 12-16-80.
- Item 10. Approved CETA Title VI Public Service Employment projects as recommended with the exception of the Gadsden County weatherization project which was deferred pending additional revenue information, and the City of Tallahassee energy conservation project was approved, contingent upon use of Department of Energy standards for weatherization.
- Item 11. Approved bonds for Tax Collector, Clerk of the Circuit Court, Leon County Property Appraiser, Supervisor of Elections and Sheriff.
- Item 12. County Administrator made verbal report regarding disposition of Chaires property. Board directed County Administrator to proceed with same through the Tallahassee Board of Realtors.
- Item 13. Approved appointment of Planning Committee and Consultant for Library's Planning Grant. Commissioner Henderson was appointed as Commission member to the Planning Committee. Lois Fleming to coordinate process and also to furnish all Commissioners on regular basis copy of Library Board Minutes.

Agenda Followup to December 9, 1980 Meeting
Page 2
December 10, 1980

Bob
Greene
Jon
Lich

Item 14. Approved Drainage Easement for Mr. Bates Fountain. Public Works to take before and after pictures for the work being done on the easement to insure that the property is put back in good condition.

Item 14a. Approved Tharpe Street Bikeway. Staff directed to proceed with planning and design.

Item 15. County Attorney presented oral report on 2/3 of 2/3 ordinance. Board approved certain alternatives and County Attorney directed to incorporate those amendments into final form for presentation back to Board.

OTHER MATTERS

Item 1. Buck Hood presented a check to the Board for \$37,000 for Workers Compensation rebate premium. The Board directed that a discussion of the County's Safety Program be included in the upcoming workshop on Personnel Rules and Regulations.

Item 2. Ben Tucker presented proposed plan to expand BMX track at Tom Brown Park. Board directed staff to review proposal and make recommendations to the Board.

Item 3. Cliff Mason requested the Board to respond to his letter regarding Supervisor of Elections. Board scheduled response to letter for January 6, 1981 meeting.

Item 4. County Attorney presented a Corrected Deed for Phipps Landing. A condition to acceptance is that the County will replace the fence to the new property line. Board directed this to be done.

Item 5. County Attorney advised Board of Court Order regarding 73-10 and indicated that he will present recommendations at the meeting of December 16. - *73-10 remains in effect.*

Item 6. Commissioner Henderson asked staff of status on Ford Arms. Staff will report back to the Board at the January Workshop.

Item 7. Board was advised that the Jackson Bluff paving project will be scheduled for award of construction bid at a January meeting.

Item 8. Commissioner Henderson requested status on pistol permit ordinance. County Administrator advised it was under consideration but was not a high priority matter.

GIVE PURCHASING ADVANCE WARNING.

Agenda Followup to December 9, 1980 Meeting
Page 3
December 10, 1980

- Item 9. Commissioner Vause requested that a discussion of variances to the Sign Ordinance be scheduled for December 16 meeting.
- Item 10. Commissioner Vause requested information on laws pertaining to discharge of fire arms. He was advised that the County was not working on a proposed ordinance. Commissioner Vause to refer Sheriff's Office to County Attorney.
- Item 11. Board re-scheduled workshop of December 17 to December 16 at 8 A.M.
- Item 12. Board scheduled a formal meeting for December 22 at 7 P.M. at the D.O.T. auditorium for the purpose of considering final action on the proposed Comprehensive Plan.
- Item 13. Board directed that the appropriate Resolution be prepared by the County Attorney requesting an extension to the deadline for comments on proposed Rule 41 which deals with disadvantaged elderly and handicapped transportation. This action was in followup to action taken at the M.P.O. meeting of December 8. The public hearing on this matter is scheduled for 12-10-80. Earl Black to contact Noel Brown regarding specifics.
- Item 14. Board requested a memorandum on the status of the Housing Finance Authority.

Maint. on easement K.E-5 ok. ?

file

AGENDA
3:00 P.M.

BOARD OF COUNTY COMMISSIONERS
REGULAR PUBLIC MEETING

9 DEC 80

INVOCATION
PLEDGE OF ALLEGIANCE TO THE FLAG
PRESENTATION AND AWARDS

SCHEDULED PUBLIC HEARING

1. Supplemental Budget - 3:30 P.M.

CONSENT AGENDA

2. Bills and Vouchers (Clerk)
3. Approval of Minutes - Sept. 23, 1980 and Sept. 30, 1980
4. Draw Request - 5th and 6th Cent Gas Tax
5. ✓ Application for the Brewster Estates Water System
6. Release of Irrevocable Letter of Credit - Sterling Woods
7. Budget Amendments

CLERK OF CIRCUIT COURT

8. Authorization to Cannibalize Equipment

GENERAL BUSINESS

9. Commission Memberships and Appointments
10. Approval of CETA Title VI Projects
11. Approval of Constitutional Officers' Bonds

COUNTY ADMINISTRATION



Board of County Commissioners

DEPARTMENT OF PUBLIC WORKS
1123 THOMASVILLE ROAD
TALLAHASSEE, FLORIDA 32303
904-488 9300

Commissioners

DOUG NICHOLS
District 1

GAYLE NELSON
District 2

JIM CREWS
District 3

ROBERT HENDERSON
District 4

J LEE VAUSE
District 5

JAMES W PARRISH
County Administrator

FE STEINMEYER, III
County Attorney

August 26, 1981

Bucklake Estates

Mr. H. Lamar Rowe
Rowe Drilling Company, Inc.
7580 West Tennessee Street
Tallahassee, FL 32304

Dear Mr. Rowe:

Please be advised that on June 23, 1981, the Board of County Commissioners approved your application to operate the existing Bucklake Estates Water System. A copy of the approved service area boundary map is attached.

As outlined in County Ordinance 80-29, all water and sewage disposal systems are required to adhere to all applicable Federal, State, and local rules and regulations. Also, attached for your convenience are forms to be used for your annual statement of gross service revenues and annual system fee for your system.

If you have any questions pertaining to this subject, please feel free to contact me at 1123 Thomasville Road, or telephone 488-9307.

Sincerely yours,

J. A. Vonasek
Utilities Coordinator

JAV/lmf

Attachments

Board of County Commissioners

INTER OFFICE MEMORANDUM

DATE: June 24, 1981

TO: All Department Heads

FROM: James W. Parrish, County Administrator

SUBJECT: Followup to Agenda of Board Meeting of June 23, 1981

- Item 1. Approved Amendments to Palmist Ordinance with following changes: Page 1, Line 29 - annual occupational license tax, striking the specific amount for same. Page 3, Paragraph 3 to be changed. County Attorney to prepare corrected ordinance.
- Item 2.
 - a. VanLandingham Construction - Board concurred with Planning Commission recommendation to deny application.
 - b. James D. Shealy - Board voted against Planning Commission recommendation to deny application - Board and Planning Commission to meet within thirty days.
 - c. Realty Financial Services - Board concurred with Planning Commission recommendation.
 - d. R. L. Mirabeau - Board concurred with Planning Commission.
- Item 3. Board approved abandonment of drainage easement made by Brandon Woods. Adopted Resolution abandoning present easement and accepted easement as offered.
 < AREA
- Item 4. Approved submission of grant proposals to State Library of Florida. Board requested specific information regarding in-kind match on all items, including career service salaries, space, equipment, etc.
- Item 5. Approved bills and vouchers.
- Item 6. Approved Alternative Community Service Contract.
- Item 7. Approved application to grandfather-in Bucklake Estates Water System.
- Item 8. Approved Florida Boating Improvement Program Project for Coe Landing.
- Item 9. Approved acquisition of fire truck for Miccosukee Land Coop Fire Dept.
 NO MAINT.
- Item 10. Approved May, Zima as financial analyst for evaluating I.D.R.B.
- Item 11. Approved I.D.R.B. application fee.
- Item 12. Approved budget amendments for: a. Summer Intern; b. Summer Youth Program; Summer Youth Program - FAMU. Related Contracts also approved.

AGENDA
3:00 P.M.

BOARD OF COUNTY COMMISSIONERS
REGULAR PUBLIC MEETING
JUNE 22, 1981

INVOCATION
PLEDGE OF ALLEGIANCE TO THE FLAG
PRESENTATION AND AWARDS

SCHEDULED PUBLIC HEARINGS - 3:30 P.M.

1. Amendments to the Palmist Ordinance
2. Rezoning Application Requests:
 - a. VanLandingham Construction, Inc.
 - b. James D. Shealy
 - c. Realty Financial Services, Inc.
 - d. R. L. Mirabeau
3. Application for Abandonment of Drainage Easement

CONSENT

4. Submission of Grant Proposals to State Library of Florida
5. Approval of Bills and Vouchers
6. Approval of Contract - Alternative Community Service Program
- ✓ 7. Application to Grandfather-in Existing Bucklake Estates Water Syst.
8. Approval of Fla. Boating Improvement Prog. Project - Coe Landing
9. Acquisition of Fire Truck for Miccosukee Land Coop Fire Dept.
10. Approval of Financial Analyst for Evaluating I.D.R.B.
11. Approval of Fee for I.D.R.B. Applications
12. Budget Amendments:
 - a. Summer Intern - CETA
 - b. Summer Youth Employment Program - CETA
 - c. Summer Youth Employment Program - FAMU - CETA

COUNTY ADMINISTRATOR

Board of County Commissioners

Agenda Request

TO: Honorable Chairman & Members of the Board

FROM: James W. Parrish, County Administrator

SUBJECT: Application by Mr. H. Lamar Rowe to "Grandfather-In" the Existing Bucklake Estates Water System

DATE: June 17, 1981

RECOMMENDATION:

It is recommended that the Board of County Commissioners approve the application of Mr. H. Lamar Rowe to operate the existing Bucklake Estates Water System within the staff recommended area as indicated on the attached boundary map. And, designate such area as Leon County Water Service Area Number 45.

STATEMENT OF ISSUE:

County Ordinance 80-29 provides that owners of existing water and/or sewage disposal systems, upon application and submission of information requested by the County, be authorized to operate a water and/or sewage disposal system within a specific geographical area. Mr. Rowe has submitted an application for the Bucklake Estates Water System; the service area boundary now needs to be established. The Bucklake Estates Water System is located in the City Zone.

ALTERNATIVE:

Approve the service area boundary request as submitted by Mr. Rowe. The requested area, when fully developed, would contain substantially more than 100 taps. The existing one-well system of the Bucklake Estates Water System can legally only service up to 100 taps in accordance with Chapter 17-22, FDER Rules and Regulations, and Leon County Ordinance 80-29.

In addition, in accordance with the City/County Sanitary Sewer and Water Agreement, Paragraph 5, the delineation of an existing system shall be based upon the system capacity, loads or customer requirements, and applications and final construction drawings submitted to FDER.

City of Tallahassee
Bucklake Estates Water System
February 2016
Page 1

ANALYSIS:

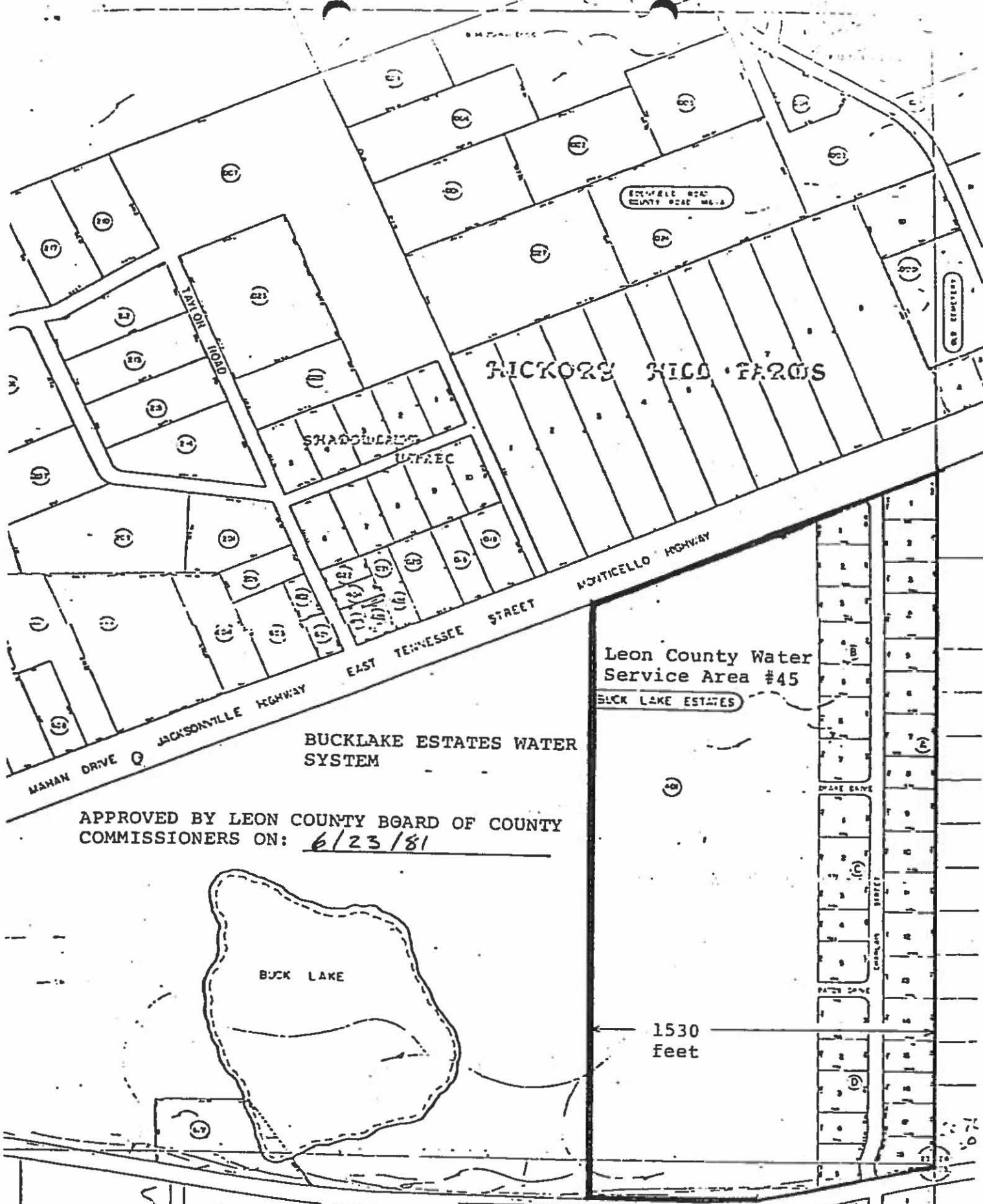
No construction drawings or specifications of the existing system were submitted as a part of the authorization application. There are no known current plans and/or permit applications pending with FDER for future expansions to the system. The County staff, on the advice of council, prepared the attached boundary map, obtained concurrence from the City staff, and has notified Mr. Rowe of its recommendation.

The basis for the recommendation to limit Mr. Rowe to a 100 tap service area for the Bucklake Estates Water System is as follows:

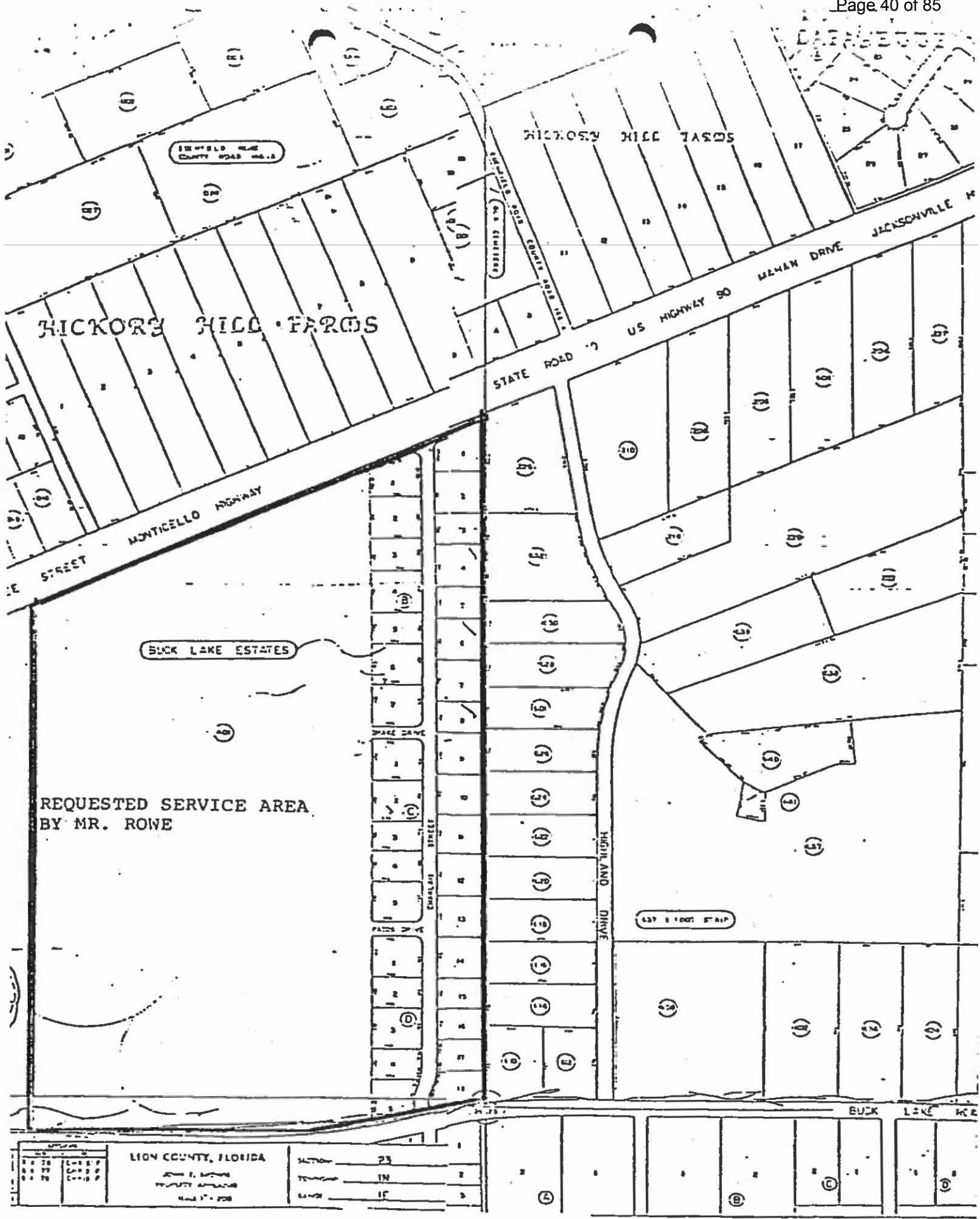
- (1) The City of Tallahassee has plans to construct water mains north and south of Bucklake Estates within the next two to three years.
- (2) The mains constructed by the City can provide fire flow, and in the event of a pump failure within the central system, service would not be significantly disrupted, as opposed to the effect of a pump failure on a one-well, one-pump system operation.
- (3) The City Central Sewer System would be available as expansions to the sewer system occur in areas that subscribe to City Water Service.
- (4) No adequate drawings, specifications, master plans, etc. were submitted, as requested by the staff, to supplement Mr. Rowe's requested boundary area.
- (5) The City staff opposes the granting of a service area for the Bucklake Estates Water System that can service more than 100 taps.
- (6) There are no customers currently on-line in the Bucklake Estates Water System.

JWP/JMB/lmf

Attachment



APPROVED BY LEON COUNTY BOARD OF COUNTY COMMISSIONERS ON: 6/23/81



System Name: BUCKLAKE ESTATES WATER SYSTEM
Service Area Number: 45

STATEMENT OF GROSS SERVICE REVENUES AND
ANNUAL WATER/SEWER SYSTEM FEE COMPUTATION FORM

1. System Fiscal Year: _____ to _____
(Same as tax year for private systems.) (Month/Day/Year) (Month/Day/Year)
2. Enter the Total System Revenues Collected in Fiscal Year here: \$ _____
3. Annual Fee Due Leon County: Compute at \$2.00 per \$100.00 of the amount shown in Item 2 and enter here. (Pay within 90 days of end of Fiscal Year shown in Item 1.) \$ _____
4. Additional Charges Due Leon County for Late Payment of Annual Fee: (Additional charges begin on the 91st. day after the end of the Fiscal Year indicated in Item 1.)
 - A. Number of Calendar Months (or fractions thereof) since Annual Fee Was Due: Enter Here _____
 - B. Late Charge Factor is 5% of the Annual Fee For Each Calendar Month, or Portion of a Month, After Additional Charge Began:05
 - C. Late Charge Computation: (Multiply 4.B times 4.A and enter here) _____
 - D. Total Penalty: (Multiply amount shown in Item 4.C times Item 3 and enter here) \$ _____
5. Total Amount Due Leon County: (Add lines 3. and 4.D., then enter here) \$ _____
6. I do hereby swear (affirm) that to the best of my knowledge, the information on this form is true and correct.

System Owner

Notary Public

NOTE: Please make all checks payable to: Board of County Commissioners, Leon County. Send the completed, notarized form and amount due to:
Division of Utility Services
Leon County Courthouse
Tallahassee, Florida 32301

DORIS MALOY
LEON COUNTY TAX COLLECTOR

2003 REAL ESTATE

Folio 0014221

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ACCOUNT NUMBER	ESC CD	ASSESSED VALUE	EXEMPTIONS	TAXABLE VALUE	MILLAGE CODE
112325 0002		1,000	0	1,000	2

R

0085444 02 AV 0.503 **AUTO H1 1 0872 32302-1



ROWE DRILLING CO INC
PO BOX 1389
TALLAHASSEE FL 32302



11-23-25
BUCK LAKE ESTATES 23 & 26 1N 1E
.129 A WELL SITE OR 956/2220

TAXES BECOME DELINQUENT APRIL 1ST

AD VALOREM TAXES		
TAXING AUTHORITY	MILLAGE RATE (DOLLARS PER \$1,000 OF TAXABLE VALUE)	TAXES LEVIED
C100 LEON COUNTY GENERAL FUND	3.8000	3.80
FINE & FORFEITURE	4.9500	4.95
C130 LEON COUNTY - MSTU EMS	.5000	.50
C120 LEON COUNTY - MSTU HEALTH	.1200	.12
S100 SCHOOL BOARD		
LOCAL REQ EFFORT	5.7410	5.74
OPERATING (DISC)	.6760	.68
CAP OUTLAY (DISC)	2.0000	2.00
DEBT SERVICE	.8070	.81
W100 NW FLA WATER MD	.0500	.05
TOTAL MILLAGE	18.4440	AD VALOREM TAXES \$18.45

910.01

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
		\$.00
NON-AD VALOREM ASSESSMENTS		\$.00

COMBINED TAXES AND ASSESSMENTS	\$18.45	PAY ONLY ONE AMOUNT	See reverse side for important information.
---------------------------------------	----------------	----------------------------	---

IF PAID IN TOTAL DUE	NOV	DEC	JAN	FEB	MARCH
	17.71	17.90	18.08	18.27	18.45

RETAIN THIS PORTION FOR YOUR RECORDS

*Orig. Mailed to
Kevin. 3/31/80*

WARRANTY DEED

THIS INDENTURE, made and entered into this 27th day of March, 1980, by and between ALBAN STEWART, of Leon County, Florida, Party of the First Part, and ROWE DRILLING COMPANY, INC., a Florida corporation, whose mailing address is 7580 West Tennessee Street, Tallahassee, Leon County, Florida 32304, Party of the Second Part,

W I T N E S S E T H :

That the said Party of the First Part, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations to him in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does hereby grant, bargain, sell and convey unto the said Party of the Second Part, its successors and assigns forever, the following described land, situate, lying and being in Leon County, Florida, to-wit:

Commence at the Southeast corner of Section 23, T1N, R1E, and run thence North 00 degrees 18 minutes East along the East boundary of said Section 3210.52 feet to a concrete monument on the South boundary of the right of way of State Road No. 10, thence run South 67 degrees 30 minutes West 553.22 feet along said right of way boundary to a concrete monument, thence run South 00 degrees 18 minutes West 1274.81 feet to a concrete monument which is the POINT OF BEGINNING; from said POINT OF BEGINNING run thence North 89 degrees 72 minutes West 75 feet to an iron pipe, thence run South 00 degrees 18 minutes West 75 feet to an iron pipe; thence run South 89 degrees 72 minutes East 75 feet to an iron pipe, thence run North 00 degrees 18 minutes East 75 feet to the POINT OF BEGINNING, containing 0.129 acres more or less.

SUBJECT to restrictive covenants of record, if any, which are specifically not reimposed or extended hereby and further subject to the restriction that the use of the property conveyed hereby shall be used only for a water well and water distribution system.

The above property is not the homestead of the said Party of the First Part.

And the said Party of the First Part does hereby warrant the title to said lands and will defend the same against the lawful claims of all persons whatsoever, except for the

• aforementioned reservations, restrictive covenants and taxes for the year 1980.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his hand and seal on the day and year first above written

Signed, sealed and delivered in the presence of

_____ ALBAN STEWART (SEAL)
Laura E. Minkinson

STATE OF FLORIDA
COUNTY OF LEON

BEFORE ME, the undersigned authority, this day personally appeared ALBAN STEWART, to me well known to be the person described in and who executed the foregoing Warranty Deed, and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State, last aforesaid, this 28th day of March, 1980.

Laura E. Minkinson
Notary Public, State of Florida
at Large.

My Commission Expires: Notary Public, State of Florida at Large
My Commission Expires Sept. 13, 1981
Notary Public, State of Florida at Large

AGREEMENT

THIS AGREEMENT, made this 12th day of June, 1978, by and between ALBAN STEWART, hereinafter referred to as the Developers, and ROWE DRILLING COMPANY, INC., hereinafter referred to as the Contractor; and

WHEREAS, the Developers are currently the owners of certain real property known as "Buck Lake Estates" (hereinafter referred to as the "Property"); and

WHEREAS, the Developers are desirous of having a well, water plant and water distribution system constructed for the Property;

WHEREAS, the Developers have agreed to convey a certain portion of the Property to the Contractor in exchange for construction of the well, water plant and water distribution system by the Contractor.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) each to the other in hand paid, the receipt whereof is hereby acknowledged, and of the mutual covenants and agreements herein contained, the parties agree as follows:

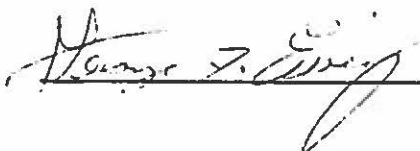
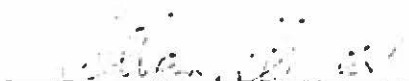
1. The Contractor will furnish all labor and materials necessary for the construction and installation of a well, water plant and water distribution system on the Property in accordance with the plans and specifications.
2. The Developers will pay to the Contractor the cost of construction and installation of the well, water plant and water distribution system as each phase is installed.
3. As additional consideration for this Agreement and for the construction and installation of the well, water plant and water distribution system, the Developers, their successors in interest, assigns, heirs and personal representatives, hereby grant to the Contractor, its successors and assigns, the exclusive franchise to provide water and a water system for the Property; and further agree that they will give actual written notice of the Contractor's franchise to any and all grantees, assignees or other successors in interest; and that the Developers will include a reference to the Contractor's franchise as a covenant running with the Property, or any portion or subdivision thereof, in any instrument conveying any interest in and to said Property.
4. In the event the Property is sold, conveyed or otherwise transferred to a local governmental unit by the contractor, its successors, heirs or assigns, and that governmental unit discontinues use of the well site for furnishing water,

then the property upon which the well site is located shall be conveyed back to the Developers, their heirs, assigns or personal representatives, by the governmental unit.

5. This Agreement shall insure to the benefit of the heirs, beneficiaries, successors, assigns or personal representatives of the respective parties hereto.

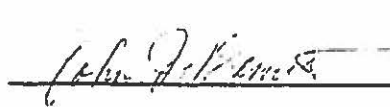
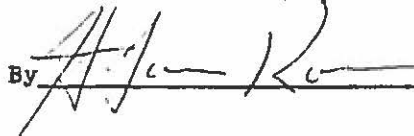
IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

Signed in the presence of:

  (SEAL)
DEVELOPERS

As to Developers

ROWE DRILLING COMPANY, INC.

 By  (SEAL)

As to Contractor

JOINDER AND CONSENT

KNOW ALL MEN BY THESE PRESENTS

That ROWE DRILLING COMPANY, INC., a Florida corporation, as
Owners and Grantees of the following described property in BUCK LAKE
ESTATES:

Commence at the Southeast corner of Section 23, T1N, R1E, and run
thence North 00 degrees 18 minutes East along the East boundary
of said Section 3210.52 feet to a concrete monumnet on the South
boundary of the right of way of State Road No. 10, thence run
South 67 degrees 30 minutes West 553.22 feet along said right of
way boundary to a concrete monument, thence run South 00 degrees
18 minutes West 1274.81 feet to a concrete monument which is the
POINT OF BEGINNING; from said POINT OF BEGINNING run thence
North 89 degrees 72 minutes West 75 feet to an iron pipe, thence
run South 00 degrees 18 minutes West 75 feet to an iron pipe;
thence run South 89 degrees 72 minutes East 75 feet to an iron
pipe; thence run North 00 degrees 18 minutes East 75 feet to the
POINT OF BEGINNING, containing 0.129 acres more or less.

does hereby join ALBAN STEWART, the owner of the land herein described,
in dedicating to the perpetual use of the public all roads, streets,
alleys, and other rights-of-way and all parks and recreation areas and
all easements for utilities, drainage and other purposes and for all
purposes incident thereto as shown and depicted on that certain plat of
survey prepared by Addison Marshall to be known as BUCK LAKE ESTATES
SECOND ADDITION, and more specifically described on the face thereof.

IN WITNESS WHEREOF, said ROWE DRILLING COMPANY, INC. has
executed this instrument under seal, this 16th day of June, A.D., 1982.

Signed, Sealed and Delivered

ROWE DRILLING COMPANY, INC.

in the Presence of:

John M. Young
Sylvester Young

BY: H. Lamar Rowe (Seal)
H. Lamar Rowe

STATE OF FLORIDA

COUNTY OF LEON

THE FOREGOING INSTRUMENT was acknowledged before me, the undersigned
authority, by H. LAMAR ROWE, President, ROWE DRILLING COMPANY,
INC., for the purpose therein expressed, this 16th day of June, A.D. 1982.

John M. Young
Notary Public, State of Florida at Large
My Commission Expires: Oct. 27, 1982
Printed at 9:00 PM on February 29, 2016



Board of County Commissioners

DEPARTMENT OF PUBLIC WORKS
1123 THOMASVILLE ROAD
TALLAHASSEE, FLORIDA 32303
904-488-3000

Commissioners:

DOUG NICHOLS
District 1

GAYLE NELSON
District 2

WILLIAM G. MONTFORD
District 3

ROBERT K. HENDERSON
District 4

J. LEE VAUSE
District 5

JAMES W. PARRISH
County Administrator

F. E. STEINMEYER, III
County Attorney

June 21, 1983

TO WHOM IT MAY CONCERN:

RE: Water System, Buck Lake Estates

This is to certify that the water system in Buck Lake Estates is owned and operated by Rowe Drilling Co., Inc. and as per Leon County Ordinance #80-29, should Rowe Drilling Co., Inc. default for any reason, Leon County is legally entitled to assume the operation of this system.

A handwritten signature in cursive script that reads "Michael D. Young".

Michael D. Young, Director
Dept. of Environmental & Engineering Services

An equal opportunity/affirmative action employer



BOARD OF COUNTY COMMISSIONERS

DEPARTMENT OF PUBLIC WORKS
LEON COUNTY COURTHOUSE / TALLAHASSEE, FLORIDA 32301
(904) 488-9300

COMMISSIONERS:

- DOUG NICHOLS
DISTRICT 1
- GAYLE NELSON
DISTRICT 2
- JIM CREWS
DISTRICT 3
- ROBERT K. HENDERSON
DISTRICT 4
- J. LEE VAUSE
DISTRICT 5

- DIVISIONS OF
- ADMINISTRATION
- ENGINEERING
- ENVIRONMENTAL SERVICES
- OPERATIONS
- UTILITY SERVICES

February 16, 1981

Meadow Hills

Mr. H. Lamar Rowe
Rowe Drilling Company
Post Office Box 1363
Tallahassee, FL 32302

Dear Mr. Rowe:

Please be advised that on October 13, 1980, the Board of County Commissioners approved your application to operate the existing Meadow Hills Water System.

A copy of the approved service area boundary map is attached.

As outlined in County Ordinance 80-29, all water and sewage disposal systems are required to adhere to all applicable Federal, State, and local rules and regulations. Also, attached for your convenience are forms to be used for your annual statement of gross service revenues and annual system fee for your system.

If you have any questions pertaining to this subject, please feel free to contact me at 1123 Thomasville Road, or telephone 488-9307.

Sincerely yours,

Joseph A. Vonasek
Utilities Coordinator

JAV/lmf

Attachments

Board of County Commissioners

Agenda Request

TO: Honorable Chairman & Members of the Board

FROM: James W. Parrish, County Administrator

SUBJECT: Application by Mr. Lamar Rowe to "Grandfather-in" the existing Meadow Hills Water System

DATE: October 9, 1980

RECOMMENDATION:

It is recommended that the Board of County Commissioners approve the application of Mr. Lamar Rowe to operate the existing Meadow Hills Water System within the existing boundary indicated on the attached location map. And, designate such area as Leon County Water Service Area Number 18.

STATEMENT OF ISSUE:

County Ordinance 80-29 provides for owners of existing systems, upon application and submission of information requested by the County, be authorized to operate a water and/or sewer system in a specific geographical area. Mr. Rowe has submitted the application and information. The service area boundary now needs to be established.

ANALYSIS:

The application is for a service area within the County Water/Sewer Zone. The information submitted is timely and adequate. The service area boundary has been established as requested by Mr. Rowe. The County Staff concurs in the requested area. The system appears to have reached capacity and only the area of the existing system is included in the service area.

JWP/JMB/lmf

Board of County Commissioners

INTER OFFICE MEMORANDUM

DATE: October 22, 1980

TO: Department Heads

FROM: James W. Parrish, County Administrator *JWP*

SUBJECT: Agenda Followup to BCC Meeting of October 21, 1980

CONSENT AGENDA

- Item 1. Approved Killlearn Improvement Trust Agreement withdrawal request totaling \$26,869.00.
- Item 2. Approved Tram Road Change Order request.
- Item 3. Approved Property Appraiser's Budget Amendment.
- Item 4. Approved drainage easement for Briarwood East Mobile Home Park.
- Item 5 ✓ Approved policy concerning County Commission Staff.
- Item 6. Approved bills and vouchers submitted by the Clerk of the Court.

COUNTY ADMINISTRATOR

- Item 7. Approved application of Mr. Lamar Rowe to operate the existing Meadow Hills Water System and designate such area as Leon County Water Service Area Number 18.

*James B
Send when
ready →*

✓ Request regarding Sedgfield Utility Zone was continued until a later date. Public Works to advise when ready to place back on Agenda.

- Item 8. The Board reviewed the CDBG Grant Proposal and made the following recommendations:
 - a. The cost estimates for demolition be reduced.
 - b. Additional information for mobile home weatherization be provided.
 - c. The site acquisition for Miccosukee exclude any rental options. Other options for homeowners be pursued.
 - d. Water system expenditure for Miccosukee be reviewed. Talquin to survey area for possible expansion of the original proposal.

*Any contact or dealings w/ any insurance carriers
must be reported to front office.*

Agenda Followup to BCC Meeting of October 21, 1980
Page 2
October 22, 1980

- e. Rural transportation for Woodville requires further information; however, Board did not want to pursue operating subsidies for rural transportation.
- f. The Board will be asked to make a final decision at the Nov. 4 Public Hearing to be held at 4:30 P.M.

✓ Item 9. The Board approved the 5 Year Road Program as recommended. The Board further indicated that it did not feel the Blairstone Road extension would be included in the 5 year plan.
AND ISSUE TO BE ADDRESSED BEFORE JAN.

Item 10. The County Administrator to contact the City Manager and Planning Department for recommendations to install "No Thru Truck" signs along Woodgate Way when extension is paved thereto.

Item 11. Approved Resolution for Annexation and authorized November 4 ballot.

Item 12. The Board approved pistol permit requested for John H. Ehrhardt.

HOUSEKEEPING

✓ Item 13. City Commissioners Rudd and Ford appeared and requested reconsideration of the June 24 Drainage Maintenance Policy. The Board directed the County Administrator to obtain an inventory from the City of alleged drainage problem areas, to delineate drainage easements from County right-of-way and to provide a ditch maintenance schedule to the Board for consideration. Public Works to investigate complaint by Mr. Sims of 2921 Edenderry Road with regard to erosion of a sewer line running across the ditch at his address. Also, check the complaint made by Mr. Leedy of 2410 Balsam Terrace.
P.E. & Jim.
RESOURCES RECD.

BOARD ASKED FOR MAINT SCHEDULE.

✓ Item 14. The County Attorney presented a copy of a proposal between the County, City and School Board for Callaway Street project. The Board deferred action and requested copy of the proposed contract for further consideration. Also, contract should include payment by the School Board within sixty (60) days from actual expenditure by the County for right-of-way acquisition.
ON INFO PROJECT TOGETHER.

Item 15. The Board approved the modified Community Services Trust Fund Contract, contingent upon the approval of the Assistant County Attorney.

Item 16. The Board was advised of the meeting scheduled for Wednesday, 10-22-80, for a H.U.D. briefing for local officials.

Item 17. The Board reviewed proposed County letterhead and logo. There was a consensus to change the logo and Ms. Munroe was directed to prepare additional options to be presented to the Board at the Nov. 4 meeting. The Board indicated that the proposed logo should incorporate the theme of Leon County being the Capital County, that it is service oriented and an old, established County.

AGENDA
3:00 P. M.

BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
OCTOBER 21, 1980

INVOCATION
PLEDGE OF ALLEGIANCE TO THE FLAG
PRESENTATIONS & AWARDS

SCHEDULED PUBLIC HEARINGS

CONSENT AGENDA

- ~~approved~~ 1. Killeam Improvement Trust Agreement
- ~~approved~~ 2. Tram Road Change Order
- ~~approved~~ 3. Property Appraiser's Budget Amendment
- ~~approved~~ 4. Briarwood East, Drainage Easement
- ~~approved~~ 5. Policy - County Commission Staff
- ~~approved~~ 6. Bills (Clerk)

CLERK OF CIRCUIT COURT

COUNTY ADMINISTRATOR

7. Applications to "Grandfather-in" Existing Water Systems

- ~~approved~~ a. Meadow Hills
- ~~continued~~ b. Sedgefield
- ~~460.4~~ 8. Tentative 1981 Community Block Development Grant
- ~~460.4~~ 9. County Road Program - Discussion

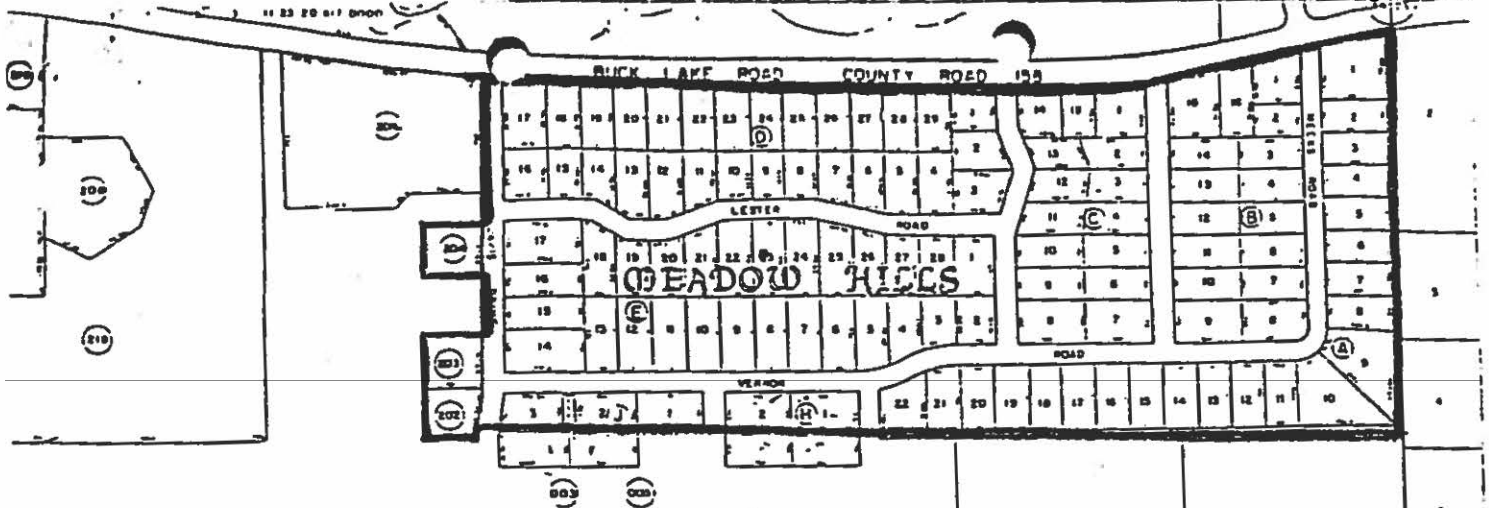
GENERAL BUSINESS

- ~~460.4~~ 10. Woodgate Request (Commissioner Henderson)
- ~~460.4~~ 11. Annexation, City of Tallahassee
- ~~460.4~~ 12. Pistol Permit - John H. Ehrhardt

COUNTY ATTORNEY

CITIZENS TO BE HEARD

ADJOURNMENT



MEADOW HILLS WATER SYSTEM
 LEON COUNTY WATER SERVICE AREA #18
 BOUNDARY MAP
 APPROVED BY LEON COUNTY BOARD OF
 COUNTY COMMISSIONERS ON: *October 13, 1990*

James M. Barineau
 JAMES M. BARINEAU, Director
 DIVISION OF UTILITIES SERVICES



11 25 20 001 0000

SEACOAST COAST LINE RAILROAD

11 25 20 001 0000		LEON COUNTY, FLORIDA	SECTION: 25
11 25 20 001 0000	11 25 20 001 0000	DATE OF SHOWING: 11/25/90	TOWNSHIP: 1N
11 25 20 001 0000	11 25 20 001 0000	PLANNED BY: JAMES M. BARINEAU	RANGE: 1E
11 25 20 001 0000	11 25 20 001 0000	SCALE: 1" = 200'	

DORIS MALOY
LEON COUNTY TAX COLLECTOR

2003 REAL ESTATE

Folio 0015593

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ACCOUNT NUMBER	ESC.	CD	ASSESSED VALUE	EXEMPTIONS	TAXABLE VALUE	MILLAGE RATE
112850 A0210			16,000	0	16,000	2

R

0085444 02 AV 0.503 **AUTO H1 1 0872 32302-1



ROWE DRILLING CO INC
PO BOX 1389
TALLAHASSEE FL 32302-1389

11-26-50
MEADOW HILLS UNIT 1 LOT 21 BLOCK
A OR 391/34 8 (WELL SITE)

TAXES BECOME DELINQUENT APRIL 1ST

AD VALOREM TAXES		
TAXING AUTHORITY	MILLAGE RATE (DOLLARS PER \$1,000 OF TAXABLE VALUE)	TAXES LEVIED
C100 LEON COUNTY		
GENERAL FUND	3.8000	57.80
FINE & FORFEITURE	4.9500	79.20
C130 LEON COUNTY - MSTU EMS	.5000	8.00
C120 LEON COUNTY - MSTU HEALTH	.1200	1.92
S100 SCHOOL BOARD		
LOCAL REQ EFFORT	5.7410	91.86
OPERATING (DISC)	.6760	10.82
CAP OUTLAY (DISC)	2.0000	32.00
DEBT SERVICE	.8070	12.91
W100 NW FLA WATER MD	.0500	.80
TOTAL MILLAGE 18.4440		AD VALOREM TAXES \$295.11

910.01

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
		NON-AD VALOREM ASSESSMENTS \$.00

COMBINED TAXES AND ASSESSMENTS	\$295.11	PAY ONLY ONE AMOUNT	See reverse side for important information.
---------------------------------------	-----------------	----------------------------	---

IF PAID IN TOTAL DUE	NOV	DEC	JAN	FEB	MARCH
	283.31	286.26	289.21	292.16	295.11

RETAIN THIS PORTION FOR YOUR RECORDS

DORIS MALOY
LEON COUNTY TAX COLLECTOR

2003 REAL ESTATE

Folio 0089119

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ACCOUNT NUMBER	ESC / CD	ASSESSED VALUE	EXEMPTIONS	TAXABLE VALUE	MILLAGE CODE
2420100000371		1,000	0	1,000	2

R

0007367 01 AV 0.278 **AUTO T7 0 0872 32302-1
 ROWE DRILLING CO INC
 PO BOX 1389
 TALLAHASSEE FL 32302-1389

24-20-10
 NORTH LAKE MEADOWS UNIT 2 UNREC
 WELL SITE- PART OF LOT 37 OR 113
 9/163

TAXES BECOME DELINQUENT APRIL 1ST

AD VALOREM TAXES		
TAXING AUTHORITY	MILLAGE RATE (DOLLARS PER \$1000 OF TAXABLE VALUE)	TAXES LEVIED
C100 LEON COUNTY GENERAL FUND	3.6000	3.60
FINE & FORFEITURE	4.9500	4.95
C130 LEON COUNTY - MSTU EMS	.5000	.50
C120 LEON COUNTY - MSTU HEALTH	.1200	.12
S100 SCHOOL BOARD LOCAL REQ EFFORT	5.7410	5.74
OPERATING (DISC)	.8760	.68
CAP OUTLAY (DISC)	2.0000	2.00
DEBT SERVICE	.8070	.61
W100 NW FLA WATER MD	.0500	.05
TOTAL MILLAGE	18.4440	AD VALOREM TAXES \$18.45

910.01

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
NON-AD VALOREM ASSESSMENTS		\$.00

COMBINED TAXES AND ASSESSMENTS \$18.45 PAY ONLY ONE AMOUNT See reverse side for important information.

IF PAID IN TOTAL DUE	NOV	DEC	JAN	FEB	MARCH
	17.71	17.90	18.08	18.27	18.45

RETAIN THIS PORTION FOR YOUR RECORDS

REC. 1 FEB 27 1961

THIS AGREEMENT, Made and entered into on this 27 day of April A. D. 1961, by and between HAROLD A. DAVIS and EVELYN P. DAVIS, his wife, parties of the first part, and J. U. ROWE and RUFUS ROWE, co-partners doing business under the name of ROWE BROTHERS WELL DRILLING COMPANY, parties of the second part, all of the parties hereto being of the County of Leon, State of Florida,

WITNESSETH:

That the parties hereto, for and in consideration of the sum of money to be paid and the services to be rendered, as hereinafter set forth, mutually agree and stipulate as follows:

1.

That the parties of the first part will, within five days after this agreement is executed, convey to the parties of the second part, by a Warranty Deed, two parcels of real property situate in a tract of land owned by parties of the first part and known as "MEADOW HILLS", in Leon County, Florida, the two parcels to be conveyed being particularly described as follows:

The following parts or portions of Section 26, Township 1 North, Range 1 East, to-wit:

Begin at the Southeast corner of the Northwest quarter of the Northeast quarter of said Section 26 and from said point run South 89 degrees 28 minutes East 40.0 feet, thence North 00 degrees 30 minutes East 20 feet to a point which is the point of beginning; thence run North 89 degrees 28 minutes West 60.0 feet, thence South 00 degrees 30 minutes West 20 feet, thence North 89 degrees 28 minutes West 40 feet, thence North 00 degrees 30 minutes East for a distance of approximately 190 feet to the South boundary of a street, 60 feet in width, thence northeasterly along said street boundary a distance of 104.4 feet, more or less, to a point, thence South 00 degrees 30 minutes West 200 feet to the point of beginning.

ALSO: Commence at the Northwest corner of the Southwest quarter of the Northeast quarter of said Section 26 and run thence South along the East line thereof a distance of 777.67 feet, thence West parallel to the North line thereof a distance of 770 feet to a point which is the point of beginning; thence run North 40 feet to the West line of a street, thence East along said street line 50 feet to the West line of another street, thence South along last mentioned line 40 feet, thence West 50 feet to the point of

and such deed shall contain a clause whereby the title to said two lots will revert to the parties of the first part, their heirs or assigns, in event the use of said two lots is discontinued as a site for the waterworks hereinafter provided for.

2.

The parties of the second part shall have and are hereby given the right to lay, or install, water mains to serve each lot bordering any street, or road, which now exists, or which may be hereafter established in the tract of land owned by the parties of the first part, situate in Leon County, Florida, and briefly described as follows:

Commence at the Northeast corner of Section 26, Township 1 North, Range 1 East, thence run South along the Eastern boundary of said Section 26 for a distance of 80 feet, more or less, to a point on the Southern boundary of State Road No. 158 (Buck Lake Road) to a point which is the point of beginning; from said point of beginning run East 1341.5 feet to a point, thence South 1356.8 feet to a point, thence East 3200 feet, more or less, to a point on the Northern shore of Lake Lafayette, thence in a Northeasterly direction along the Northern shore line of said Lake Lafayette for a distance of 1758.75 feet to a point, thence run North 662.8 feet to a point, thence West 660 feet to a point, thence North 1,320 feet to a point, thence North 1,165 feet, more or less, to a point on the Southern right of way line of said State Road No. 158, then in an Easterly direction along the Southern right of way line of said State Road No. 158 for a distance of 3,296 feet, more or less, to the point of beginning. The said tract of land being herein referred to as "MEADOW HILLS".

3.

That the parties of the second part will install, maintain and operate a system of waterworks on the two lots, conveyed to them as hereinbefore mentioned, and along the streets, or roads, mentioned in paragraph 2 above, for a period of 25 years, or until this agreement is terminated by the mutual consent of all parties hereto. That such waterworks system shall, at all times, be so maintained and operated as to furnish an adequate supply of water, and water pressure, to the houses located in said tract of land known as "MEADOW HILLS", and will furnish an adequate supply of water for domestic purposes to all of said lots for the price and upon the terms herein contained.

4.

The parties of the second part will, within 30 days after the execution and delivery of the aforementioned deed, commence the installation of the said system of waterworks by drilling one eight-inch (8") water well on one of the parcels of land conveyed by the aforementioned deed and will have such well ready for use in supplying water to any house hereinafter constructed on any lot in said "MEADOW HILLS" tract of land, within 120 days from the date of this agreement.

5.

That upon the completion of the well mentioned in the previous paragraph, the parties of the second part will, without unnecessary delay, lay a water main, or mains, from said well along the street or streets, road or roads, in said "MEADOW HILLS" tract of land, on which there is any house under construction, or completed (except house now occupied by said parties of the first part), and will provide for a connection for each lot served by any such water main. That when the construction of a house is commenced on any lot, the parties of the second part will, upon payment to them by the owner of the lot, of a tapping fee in the amount of One Hundred/ ^{Twenty Five} (\$125.00) Dollars which will include cost of piping from water main to connection on lot line, connect said lot with the water system and supply water to the said lot under the following conditions.

6.

After water is made available to any lot by the installation of the aforementioned water main and connection thereof with the lot, the parties of the second part shall be entitled to make a monthly water charge of \$1.75 minimum until a house is completed on such lot, and such charge shall be paid by the owner of the lot. After a house is completed on any lot, the parties of the second part will install a water meter and the monthly charge for water, after such meter is installed, shall be \$4.00 minimum, representing the charge for the first 5,000 gallons of water used per month by such house, or lot, plus 40 cents per thousand gallons for all water in excess of 5,000 gallons per month. The water bills shall

be payable by the 10th of each month, and if not paid by the 10th of each month, the parties of the second part shall be entitled to a late charge of \$1.00. In event the water bill is not paid by the 20th of the month, the parties of the second part shall have the right to cut the water off from said lot and to make a cut-off charge of \$5.00 for failure to pay the water bill, and to make a charge of \$5.00 for reconnecting the premises with the water. The house and lot now occupied by the parties of the first part as their home, shall be entitled to connect with said water system and be served thereby upon the same terms and conditions hereinbefore set forth for the other lots in said tract of land, as soon as a water main is installed in the street or road bordering said lot.

7.

That all expense involved in the installation, operation and maintenance of such waterworks system shall be promptly paid by parties of the second part.

8.

That in event parties of the second part desire to sell and convey the system of waterworks, including the two lots hereinbefore described, during the existence of this agreement, the parties of the first part shall have the first refusal of purchasing such waterworks system, including the two lots and easement hereinbefore described, at the price and upon the terms the same are then offered for sale and shall have a period of thirty (30) days, after being notified by said parties of the second part that they desire to sell the waterworks system and in which notice the price and terms shall be quoted, in which to consummate the purchase thereof. If within such thirty (30) day period the parties of the first part fail to exercise the right to purchase such waterworks system, the parties of the second part shall be free to dispose of same to any other purchaser.

9.

That this agreement shall be binding upon the parties hereto, their heirs, legal representative, or assigns.

IN WITNESS WHEREOF, The said parties hereto have hereunto set their hands and seals, in duplicate, to this instrument, the day and year first above written.

Signed, sealed and delivered
in the presence of:

Harold A. Davis (SEAL)
 Harold A. Davis
Mrs. Evelyn P. Davis (SEAL)
 Evelyn P. Davis
J. U. Rowe (SEAL)
 J. U. Rowe
Rufus Rowe (SEAL)
 Rufus Rowe

STATE OF FLORIDA
COUNTY OF LEON

Before me, the undersigned authority, this day personally appeared Harold A. Davis and Evelyn P. Davis, his wife, known by me to be the persons so named in and who executed the foregoing instrument of writing and acknowledged the execution thereof as and for their own free act and deed and for the uses and purposes therein expressed.

Witness my hand and Notarial Seal at Tallahassee, Florida, this 5th day of April A.D. 1961.



N. P. STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES 1-27-62

STATE OF FLORIDA
COUNTY OF LEON

Before me, the undersigned authority, this day personally appeared J. U. Rowe and Rufus Rowe, known by me to be the persons so named in and who executed the foregoing instrument of writing and acknowledged the execution thereof as and for their own free act and deed and for the uses and purposes therein expressed.

Witness my hand and Notarial Seal at Tallahassee, Florida, this 5th day of April A. D. 1961.

N. P. STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES 1-27-62

RECORDED AND INDEXED
FEB 29 1961
TALLAHASSEE, FLORIDA

MAR 1 1961

ATTEST: [Signature]

LICENSE AND PERMIT

FROM

BOARD OF COUNTY COMMISSIONERS, LEON COUNTY, FLORIDA
(hereinafter called the Board)

TO
J. W. Rowe and Rufus Rowe, Co-partners, Trading and Doing Business
as Rowe Brothers Well Drilling Company

(hereinafter called the Licensee)

to construct, maintain, repair, operate, and remove lines for the
transmission of Water under, on,
over, across, and along the following described County highways,
to-wit:

Davis Drive, Lester Road, Vernon Road, Quail Road, Dove Road
and Meeks Road, in Meadow Hills, Unit #1, as per plat recorded
in Plat Book 4, at page 55 of the Public Records of Leon County,
Florida.

said County highways being outside the limits of any municipality,
and hereinafter referred to as the "highway."

This license and permit is subject to the following
conditions, limitations, and restrictions:

(1) The licensee shall provide and file with the
Board a map or plat of the above highway, showing thereon the
proposed location of the lines and shall lay such lines at
locations shown on said map or plat.

Page Two

(2) The lines shall be laid not less than 4 feet below the surface of the highway.

(3) The licensee shall repair any damage or injury to the highway caused by the exercise of the privilege herein granted and shall promptly restore the same to the same condition which existed immediately prior to any damage or injury done the highway.

(4) The licensee shall hold Leon County, the Board of County Commissioners and the members thereof harmless from the payment of any compensation or damages resulting from the exercise of the privileges granted herein.

(5) Licensee shall lay said lines with due regard for the safety and convenience of the public and the Board reserves the right to designate the time at which excavation work may be done and to prescribe special safety measures to be taken by the licensee to safeguard the safety and convenience of the public.

(6) This license is for a period of 25 years, subject, however, to termination by the Board in the event the highway shall be closed, abandoned, vacated, discontinued, or reconstructed.

(7) In the event of widening or repair or reconstruction of the highway, the licensee shall, at the direction of the Board, move or remove lines at no cost to Leon County.

BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA

BY: J. Christopher Hall
Its Chairman

ATTEST:
Court J. Spangford
Clerk of the Circuit Court
Leon County, Florida

Missing Leon County Agreement - happened after 1980

The Tax Roll is compiled by the Legal Descriptions as recorded in the Public Records of Leon County. Location addresses are not used in the preparation of the Tax Roll. They should not be used for title searches or preparation of legal documents. Parcel ID numbers are for the certified year only.

Parcel Information

Parcel ID : 2420100000371
 Parent Parcel: 2419204040000
 Owner(s) : ROWE DRILLING CO INC
 PO BOX 1389
 TALLAHASSEE FL 32302

Location : NOLA CT
 NORTH LAKE MEADOWS UNIT 2
 Legal : UNREC
 WELL SITE- PART OF LOT 37
 OR 1139/163

Sales Information

Date Price Book Page Imp/Vac Instrument Type

All information provided by this online Internet resource is subject to verification by the Leon County Property Appraiser office. The Parcel and Sale Information is updated daily.

2011 Certified Property Value

Taxing Authority	Rate	Market	Assessed	Exempt	Taxable
County	7.85	\$1.00	\$1.00	\$0.00	\$1.00
MSTU -EMS	0.5	\$1.00	\$1.00	\$0.00	\$1.00
School - State Law	5.536	\$1.00	\$1.00	\$0.00	\$1.00
School - Local board	2.498	\$1.00	\$1.00	\$0.00	\$1.00
City	3.7	\$1.00	\$1.00	\$0.00	\$1.00
Water Management	.045	\$1.00	\$1.00	\$0.00	\$1.00

Building Value: \$0.00 Land Value: \$1.00 SOH Differential: \$0.00

2011 Building Information

Property Use :0000 - Vacant Residential

Actual Year Built Base SQ Ft Auxiliary SQ Ft Millage Code Classified Use Number of Buildings

0 0 0 2 0 0

<http://www.leonpa.org/print.cfm?ACCOUNT=2420100000371>

10/5/2012

NORTH LAKE MEADOWS

THIS INSTRUMENT PREPARED BY:
JAMES O. SHELFER, Attorney
300 Lewis State Bank Bldg.
Tallahassee, FL 32301
(904) 222-6543

DR1139PC 163

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 16th day of October, 1984, by FRED G. SHELFER, SR. and ALICE M. BARRIENTOS, Grantor, to ROWE DRILLING COMPANY, INC., whose address is 7580 W. Tennessee St., Tallahassee, Fl 32304, Grantee. Whenever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context requires.

W I T N E S S E T H :

The Grantor, for good and valuable consideration, hereby releases and quitclaims to the Grantee, all the right, title, interest, claim and demand which the Grantor has in that parcel of land, situate, lying and being in the County of Leon, State of Florida, to-wit:

Commence at the Northwest corner of the South Half of the Northeast Quarter of Section 19, Township 2 North, Range 1 West, Leon County, Florida and then run South 00 degrees 17 minutes 38 seconds East along the Quarter Section line 3726.47 feet to a concrete monument on a fence line, then run along said fence line as follows: East along the South boundary of Farm View Estates (unrecorded) 1746.41 feet to a concrete monument, then run North 00 degrees 53 minutes 48 seconds East along said boundary of Farm View Estates (unrecorded) 135.07 feet to a concrete monument, then continue North 00 degrees 53 minutes 48 seconds East along the boundary of said Farm View Estates (unrecorded) 913.87 feet to a concrete monument, then run North 89 degrees 46 minutes 00 seconds East 750.15 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue North 89 degrees 46 minutes 00 seconds East 201.00 feet, then leaving said fence line run South 00 degrees 14 minutes 00 seconds East 50.00 feet, thence run South 89 degrees 46 minutes 00 seconds West 52.00 feet, thence run North 00 degrees 14 minutes 00 seconds West 35.00 feet, thence run South 89 degrees 46 minutes 00 seconds West 134.29 feet, thence run South 00 degrees 53 minutes 48 seconds West 95.40 feet, thence run North 89 degrees 06 minutes 12 seconds West 15.00 feet, thence North 00 degrees 53 minutes 48 seconds East 110.10 feet to the POINT OF BEGINNING; containing 0.14 acres, more or less.

The Grantee shall have all of the estate, right, title, or interest of the Grantor, either in law or equity.



RECORDED IN THE PUBLIC RECORDS OF FLA.
NOV 19 3 38 PM 1984
PAUL J. HERRICK, CLERK OF CIRCUIT COURT

694489

OR1139PG 164

IN WITNESS WHEREOF, the Grantor has delivered this Deed
the day and year first above written.

WITNESSES:

Lavern D. Tompkins

Fred G. Shelfer, Sr.
FRED G. SHELFER, SR.

J. Nelson E. Smith

Lavern D. Tompkins

Alice M. Barrientos, by Fred G. Shelfer, Sr.
ALICE M. BARRIENTOS, by FRED G. SHELFER, SR. as Attorney-in-Fact for ALICE M. BARRIENTOS by Power of Attorney recorded in Official Records Book 1107, Page 555 of the Public Records of Leon County, Florida.

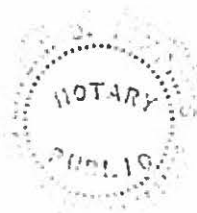
J. Nelson E. Smith

STATE OF FLORIDA,
COUNTY OF LEON.

The foregoing Quitclaim Deed was acknowledged before me
by FRED G. SHELFER, SR. on this 16th day of October, 1984.

Lavern D. Tompkins
NOTARY PUBLIC

My Commission Expires Feb. 15, 1987
Notary Public, State of Florida
Bounded True True Insurance, Inc.



STATE OF FLORIDA,
COUNTY OF LEON.

The foregoing Quitclaim Deed was acknowledged before me
by FRED G. SHELFER, SR. as Attorney-in-Fact for ALICE M. BARRIENTOS
on this 16th day of October, 1984.

Lavern D. Tompkins
NOTARY PUBLIC

My Commission Expires Feb. 15, 1987
Notary Public, State of Florida
Bounded True True Insurance, Inc.



Missing Leon County Agreement - happened after 1980

DORIS MALOY
LEON COUNTY TAX COLLECTOR

2003 REAL ESTATE

Folio 0024374

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ACCOUNT NUMBER	ESCI	CD	ASSESSED VALUE	EXEMPTIONS	TAXABLE VALUE	MILLAGE CODE
121750 80051			500	0	500	2

R

0007367 01 AV 0.278 **AUTO T7 0 0872 32302-1
 ROWE DRILLING CO INC
 PO BOX 1389
 TALLAHASSEE FL 32302

12-17-50
 PLANTATION ESTATES UNIT 5 .172 A
 PART OF LOTS 5 & 6 BLOC K B WELL
 SITE OR 1383/1421

TAXES BECOME DELINQUENT APRIL 1ST

AD VALOREM TAXES		
TAXING AUTHORITY	MILLAGE RATE (DOLLARS PER \$1,000 OF TAXABLE VALUE)	TAXES LEVIED
C100 LEON COUNTY GENERAL FUND	3.6000	1.80
FINE & FORFEITURE	4.9500	2.48
C130 LEON COUNTY - MSTU EMS	.5000	.25
C120 LEON COUNTY - MSTU HEALTH	.1200	.06
S100 SCHOOL BOARD LOCAL REQ EFFORT	5.7410	2.87
OPERATING (DISC)	.6760	.34
CAP OUTLAY (DISC)	2.0000	1.00
DEBT SERVICE	.8070	.40
W100 NW FLA WATER MD	.0500	.03
TOTAL MILLAGE 18.4440		AD VALOREM TAXES \$9.23

910.01

NON-AD VALOREM ASSESSMENTS	
LEVYING AUTHORITY	AMOUNT
NON-AD VALOREM ASSESSMENTS \$.00	

COMBINED TAXES AND ASSESSMENTS	\$9.23	PAY ONLY ONE AMOUNT	See reverse side for important information.
IF PAID IN TOTAL DUE	NOV 8.86	DEC 8.95	JAN 9.05
			FEB 9.14
			MARCH 9.23

RETAIN THIS PORTION FOR YOUR RECORDS



BOARD OF COUNTY COMMISSIONERS

DEPARTMENT OF PUBLIC WORKS
LEON COUNTY COURTHOUSE / TALLAHASSEE, FLORIDA 32301
(904) 488-9300

COMMISSIONERS:

DOUG NICHOLS
DISTRICT 1

GAYLE NELSON
DISTRICT 2

JIM CREWS
DISTRICT 3

ROBERT K. HENDERSON
DISTRICT 4

J. LEE VAUSE
DISTRICT 5

DIVISIONS OF
ADMINISTRATION
ENGINEERING
ENVIRONMENTAL SERVICES
OPERATIONS
UTILITY SERVICES

February 16, 1981

SEDGEFIELD SUB.

Mr. H. Lamar Rowe
Rowe Drilling Company
Post Office Box 1363
Tallahassee, FL 32302

Dear Mr. Rowe:

Please be advised that on November 14, 1980, the Board of County Commissioners approved your application to operate the existing Sedgefield Water System. A copy of the approved service area boundary map is attached.

As outlined in County Ordinance 80-29, all water and sewage disposal systems are required to adhere to all applicable Federal, State, and local rules and regulations. Also, attached for your convenience are forms to be used for your annual statement of gross service revenues and annual system fee for your system.

If you have any questions pertaining to this subject, please feel free to contact me at 1123 Thomasville Road, or telephone 488-9307.

Sincerely yours,

Joseph A. Vonasek
Utilities Coordinator

JAV/lmf

Attachments

Board of County Commissioners

Agenda Request

TO: Honorable Chairman & Members of the Board

FROM: James W. Parrish, County Administrator

SUBJECT: Application by Mr. Lamar Rowe to "Grandfather-In" the Sedgefield Water System Service Area

DATE: October 23, 1980

RECOMMENDATION:

It is recommended that the Board of County Commissioners approve the application of Mr. Lamar Rowe to operate the existing Sedgefield Water System within the modified boundary indicated on the attached map. And, designate such area as Leon County Water Service Area Number 19.

STATEMENT OF ISSUE:

County Ordinance 80-29 provides for owners of existing systems, upon application and submission of information requested by the County, be authorized to operate a water and/or sewer system within a specific geographical area. Mr. Rowe has submitted the application and information. The service area boundary now needs to be established.

ALTERNATIVE:

Approve only Units 1, 2, and 3, where pipes exist.

ANALYSIS:

This application pertains to a system located within the City Water/Sewer Zone. In accordance with the City/County Sanitary Sewer and Water Agreement, the City of Tallahassee is designated as the exclusive provider of water and sanitary sewer services within this zone. The County agreed that it would not operate a system within the City Zone and further, would not establish a service area boundary unless the City concurred in the boundary to be established.

Honorable Chairman & Members of the Board
Agenda Request -- Sedgefield Water System
October 23, 1980
Page Two

The majority of the Sedgefield Development has been completed according to the conceptual plan. The Technical Coordinating Committee reviewed the completion of construction of the Sedgefield Project on August 18, 1980. There were no objections made to the use of a privately owned water system. The system owner and the City concur in the modified service area.

JWP/JMB/lmf

Board of County Commissioners

INTER OFFICE MEMORANDUM

DATE: November 5, 1980

TO: Department Heads

FROM: James W. Parrish, County Administrator *JWP*

SUBJECT: Agenda Followup to ~~BCC Meeting of November 13, 1980~~

SCHEDULED PUBLIC HEARINGS

- Item 1. Approved Supplemental Budget requests.
- Item 2. Approved rezoning request for Roy Shuford.
- Item 3. Approved rezoning request for Bradley Munroe.
- Item 4. Approved rezoning request for Kid's Venture, Inc.
- Item 5. Approved rezoning request for Warren Wise.
- Item 6. Rezoning request concerning Dynamic Investments, Inc. was continued to 11-25-80 meeting at 3:30 P.M.
- Item 7. Approved rezoning request submitted by the Planning Commission on the C. T. Herring property.
- Item 8. Denied recommendation of Planning Commission regarding rezoning request for John Gamble and called for a meeting of the BCC and Planning Commission to review this matter. The item is scheduled for reconsideration at the 11-25-80 public hearing meeting. Mark Stamps to notify Mr. David Stevenson of 2029 Doomar Drive when this item is to be considered by the Board and the Planning Commission.
- Item 9. Public Hearing was continued to November 17 at 12 Noon. Jon Martin to provide update on right-of-way acquisition status for Miccosukee Road.

CONSENT AGENDA

- tem 10. Approved Killlearn Improvement Trust Agreement Withdrawal Request.
- tem 11. Approved award of bids for building supplies and bricks.

Agenda Followup to BCC Meeting of November 4, 1980
Page 2
November 5, 1980

- tem 12. Approved adoption of Resolution Requesting Eligibility Under the Land and Water Conservation Fund Program.
- tem 13. Approved Budget Amendments, items a; b and c.
- tem 14. Approved Private Sector Initiative Program Title VII Plan.
- tem 15. Approved issuance of Duplicate Tax Certificate.
- tem 16. Approved maintenance bond release for Meadows at Woodrun, Unit II.
- tem 17. Approved bills and vouchers submitted by the Clerk of the Court.

COUNTY ADMINISTRATOR

- tem 18. Approved by Resolution fire safety improvements for Leon County Jail. County Administrator to negotiate with architect for such improvements Reschedule for 11-18-80 for Board to consider.

- tem 19. ~~Approved all applications to Grandfather all existing water systems. Public Works, to prepare necessary letters to advise applicants of approval.~~

JAMES
BARINEAU

GENERAL BUSINESS

- tem 20. Board approved County Administrator's recommendation to not accept right-of-way for Sandstone Boulevard.
- tem 21. Board directed Planning Department staff to work with CONA on a process for notifying of public homeowners associations for proposed rezoning cases.
- tem 22. Board approved appointment of Andrew Dann as Chairman of the Leon/Gadsden Consortium's Advisory Council and reappointed Mr. Dann as the labor representative for an additional two-year term. John Alrich to provide Mr. Dann with letter of appointment.
- tem 23. Board denied the request of Mr. Savage to abandon Elk Horn Landing and directed Public Works Department to determine usage of the landing over a twelve month period and report back to the Board at the end of that time. DEVELOP PLAN OF ACTION.
- tem 24. Board consensus was favorable to staff's response to state comments on Comprehensive Plan. Board will discuss specific meeting schedule at the November 10 joint City/County Commission Meeting.

Tully.

AGENDA
3:00 P.M.

BOARD OF COUNTY COMMISSIONERS
REGULAR PUBLIC MEETING

~~NOVEMBER 23, 1998~~

INVOCATION
PLEDGE OF ALLEGIANCE TO THE FLAG
PRESENTATIONS & AWARDS

SCHEDULED PUBLIC HEARINGS - 3:30 P.M.

1. Supplemental Budget
2. Rezoning Request - Roy Shuford - Agricultural 2 to Residence 1
3. Rezoning Request - Bradley Munroe - Agricultural 2 to Residence 3
4. Rezoning Request - Kid's Venture, Inc. - Agricultural 2 to Mobile Home 1
5. Rezoning Request - Warren Wise - Agricultural 2 to Commercial 2
6. Rezoning Request - Dynamic Investments, Inc. - Agricultural 2 and Mobile Home 2 to Residence 3 and Commercial 1
7. Rezoning Request - Planning Commission (C.T. Herring property) - Agricultural 2 to RM-1
8. Rezoning Request - John Gamble - Agricultural 2 and Residence 1 to RM-2
9. Community Development - Public Hearing - 4:00 P.M.

CONSENT AGENDA

10. Killlearn Improvement Trust Agreement Withdrawal Request
11. Award of Bid(s)
 - Building Supplies

- PAGE 2 -

AGENDA
3:00 P.M.

BOARD OF COUNTY COMMISSIONERS
REGULAR PUBLIC MEETING
NOVEMBER 4, 1980

COUNTY ADMINISTRATOR (continued)

~~Applications Only to Grandfathered Existing Water Systems~~

- a. Register Trailer Park
- b. Barineau's Trailer Park
- c. Hayes Mobile Home Park
- d. Southern Pines

~~Public Hearing~~

GENERAL BUSINESS

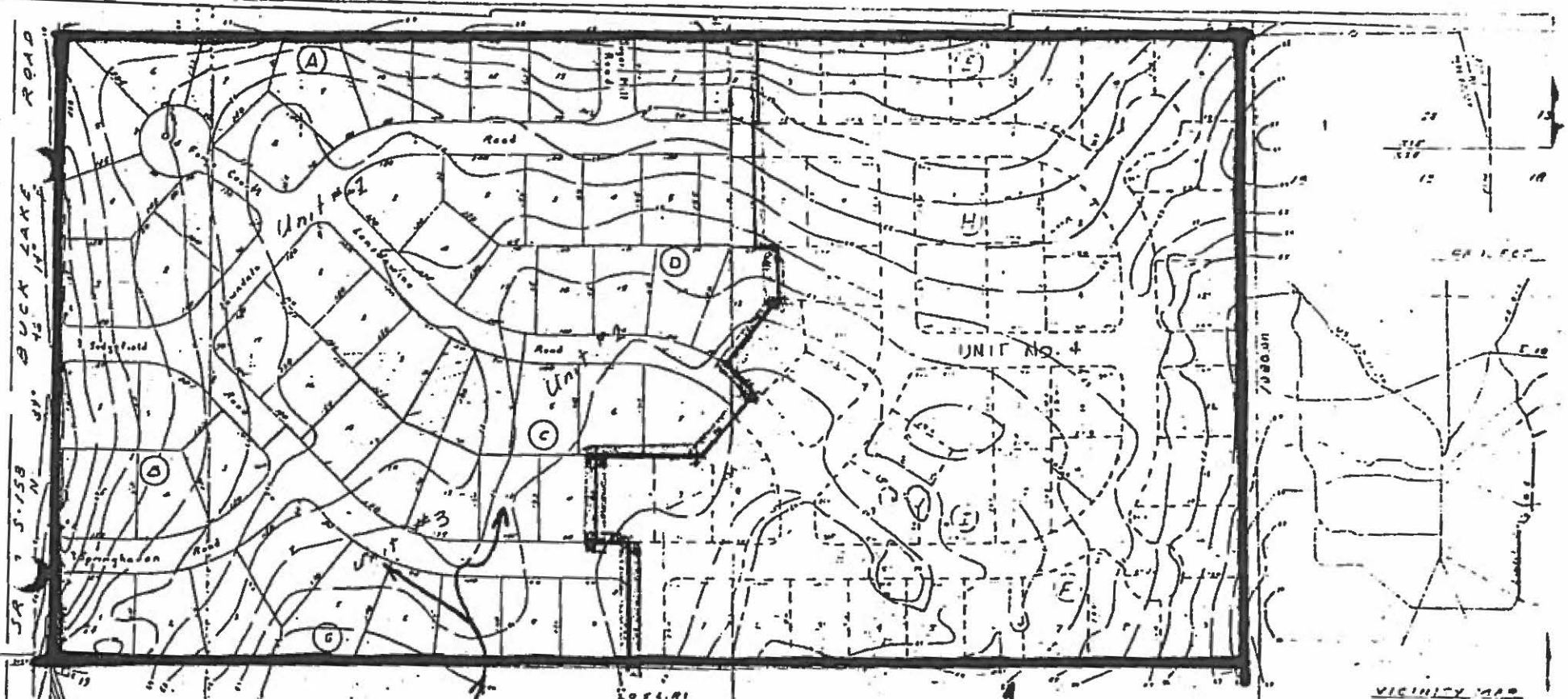
20. Paving of Sandstone Boulevard (Commissioner Vause)
21. Proposed Resolution on Land Use Planning (Commissioner Henderson)
22. Appointment of New Chairperson to Leon/Gadsden Consortium's Advisory Council
23. Request to Abandon Elk Horn Landing
24. Discussion of Tentative Comprehensive Plan Meeting and Related Procedural Issues

COUNTY ATTORNEY

CITIZENS TO BE HEARD

EDGEFIELD WATER SYSTEM
LEON COUNTY WATER SERVICE AREA #19

APPROVED BY LEON COUNTY BOARD
OF COUNTY COMMISSIONERS ON: *November 14, 1980*
James M. Barineau
JAMES M. BARINEAU, DIRECTOR
DIVISION OF UTILITIES SERVICES



EXISTING SYSTEM
Units 1, 2, and 3

Unit 4--MODIFIED SERVICE AREA BOUNDARY

Existing Lot Lines
Proposed Lot Lines
James M. Barineau
JAMES M. BARINEAU, DIRECTOR
DIVISION OF UTILITIES SERVICES

Edgefield Unit No. 4
Single Family Residences
51 Feet

Unit	Number of Lots Completed
1	10
2	4
3	17
4	12

AV0085444 00M4420
DORIS MALOY
LEON COUNTY TAX COLLECTOR

2003 REAL ESTATE
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

Folio 0014605

ACCOUNT NUMBER	ESC	/ CD	ASSESSED VALUE	EXEMPTIONS	TAXABLE VALUE	MILLAGE CODE
112470 0001			1,500	0	1,500	2

R

0085444 02 AV 0.503 **AUTO H1 1 0872 32302-1



ROWE DRILLING CO INC
PO BOX 1389
TALLAHASSEE FL 32302



11-24-70
SEDFIELD UNIT 2 24 1N 1E .183
A WELL SITE OR 900/2249

TAXES BECOME DELINQUENT APRIL 1ST

AD VALOREM TAXES		
TAXING AUTHORITY	MILLAGE RATE (DOLLARS PER \$1,000 OF TAXABLE VALUE)	TAXES LEVIED
C100 LEON COUNTY GENERAL FUND	3.6000	5.40
FINE & FORFEITURE	4.8500	7.43
C130 LEON COUNTY - MSTU EMS	.5000	.75
C120 LEON COUNTY - MSTU HEALTH	.1200	.18
S100 SCHOOL BOARD		
LOCAL REQ EFFORT	5.7410	8.61
OPERATING (DISC)	.6760	1.01
CAP OUTLAY (DISC)	2.0000	3.00
DEBT SERVICE	.8070	1.21
W100 NW FLA WATER MD	.0500	.08
TOTAL MILLAGE 18.4440		AD VALOREM TAXES \$27.67

910.01

NON-AD VALOREM ASSESSMENTS	
LEVYING AUTHORITY	AMOUNT
NON-AD VALOREM ASSESSMENTS \$.00	

COMBINED TAXES AND ASSESSMENTS \$27.67 **PAY ONLY ONE AMOUNT** See reverse side for important information.

IF PAID IN TOTAL DUE	NOV	DEC	JAN	FEB	MARCH
▶	26.56	26.84	27.12	27.39	27.67

RETAIN THIS PORTION FOR YOUR RECORDS

WARRANTY DEED

STONE CONSTRUCTION COMPANY, INC. and SKIPPER LANE, INC., corporations organized and existing under the laws of the State of Florida, the Grantors, in consideration of the sum of TEN DOLLARS and other valuable consideration, received from ROWE DRILLING COMPANY, INC., a corporation organized and existing under the laws of the State of Florida, the Grantee, of Leon County, Florida, hereby, on this 8/11 day of June, 1978, convey to the Grantee the real property in Leon County, Florida, described as:

Begin at the Northeast corner (also the most Easterly corner) of Lot 3, Block "C" of Sedgefield Unit No. 1, a subdivision according to the plat thereof as recorded in Plat Book 7 page 58 of the Public Records of Leon County, Florida, and run North 58 degrees 50 minutes 23 seconds West along the Northeasterly boundary line of said Lot 3, 163.87 feet to the Easterly boundary line of the 60 foot right of way of Lansdowne Road and a point on a curve, thence Northeasterly along said boundary line curve concave to the Northwest, having a radius of 325.00 feet and a central angle of 07 degrees 03 minutes 07 seconds for an arc distance of 40.00 feet (the chord of said arc bears North 27 degrees 38 minutes 04 seconds East 39.98 feet) thence run South 65 degrees 53 minutes 29 seconds East 158.21 feet, thence run South 22 degrees 14 minutes 13 seconds West 60.06 feet to the Point of Beginning, containing 0.183 acres, more or less.

and covenant that the property is free of all encumbrances, that lawful seisin of and good right to convey that property are vested in the Grantors, and that the Grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whosoever, except as to taxes for the year 1978 and all subsequent years, and any restrictive covenants of record.

Signed in the presence of:

STONE CONSTRUCTION COMPANY, INC.

Marilyn W. Midyette

By [Signature] (SEAL)

Michael G. Rowe

As President

This instrument prepared by John C. Cooper

STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me
this 8th day of June, 1978, by
Mode L. Stone, Jr. of STONE CONSTRUCTION COMPANY,
INC., a Florida corporation, on behalf of the corporation.

Marilyn W. Midyette
Notary Public

Notary Public, State of Florida at Large
My Commission Expires Sept. 1, 1981
Elected by American Flor & Curry Counties

Signed in the presence of: SKIPPER LANE, INC.

Mary B. Sheffield By Mary B. Sheffield (SEAL)
As President
Andrew B. Colson

STATE OF FLORIDA

COUNTY OF LEON

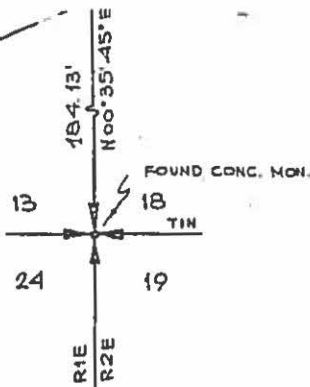
The foregoing instrument was acknowledged before me
this 8th day of June, 1978, by Mary B
Sheffield as President of SKIPPER LANE, INC., a
Florida corporation, on behalf of the corporation.

Andrew B. Colson
Notary Public

Notary Public, State of Florida at Large
My Commission Expires May 25, 1981
Elected by Leon and Santa Rosa Counties

This instrument prepared by John C. Cooper

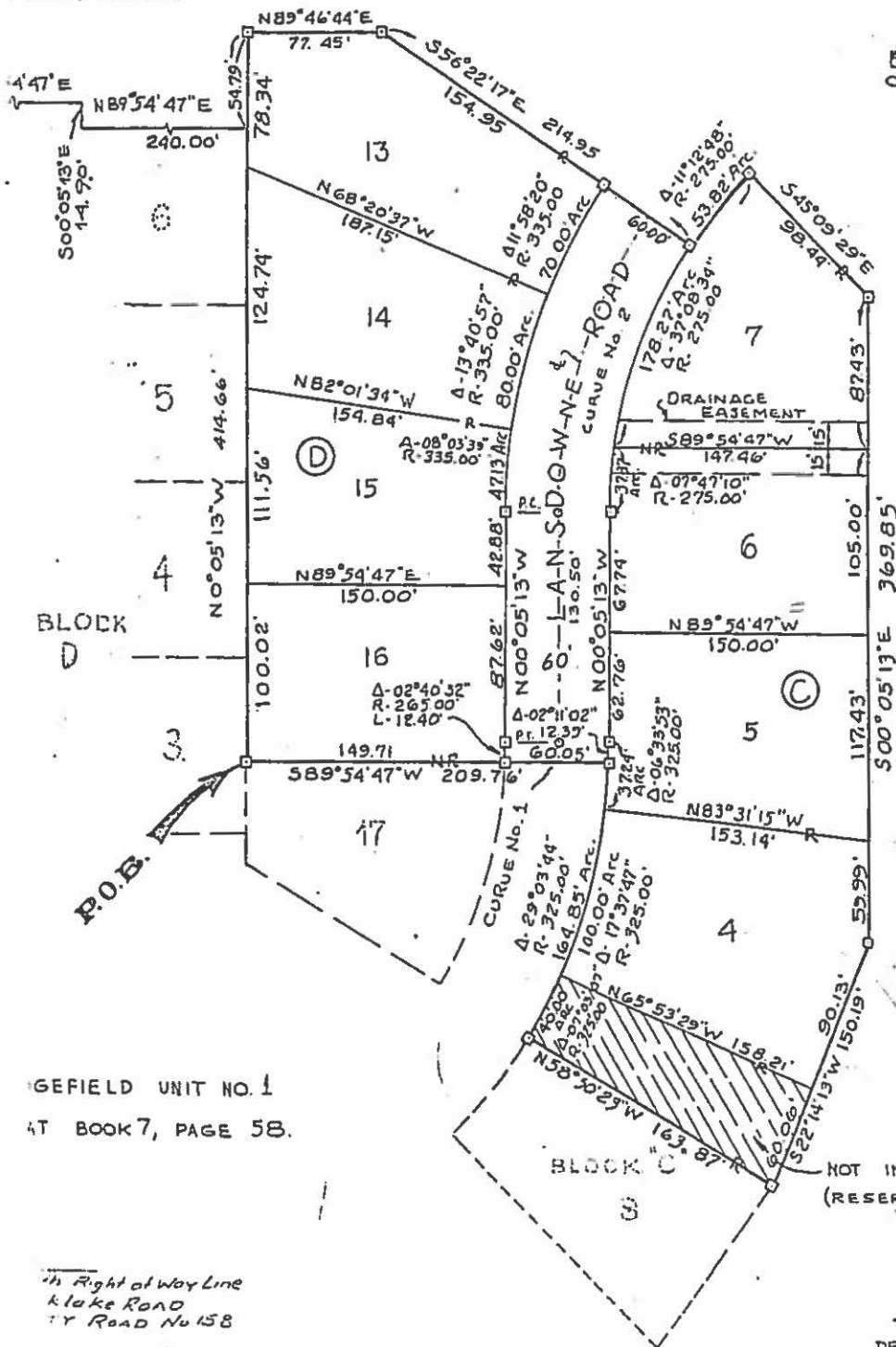
TE ROAD 10 (U.S. 90)
567°19'00"W
R/W LINE 170.35'



IRON PIPE

BEARING BASE:
BOUNDARY LINE AGREEMENT
DATED 30, SEPT. 1975 AS
RECORDED IN OFFICIAL RECORD
BOOK 779, PAGE 683,
PUBLIC RECORDS OF LEON
COUNTY, FLORIDA.

UNPLATTED LANDS



△ Radius
· Length
· Tangent

UNPLATTED LANDS

GEFIELD UNIT NO. 1
AT BOOK 7, PAGE 58.

1/2 in Right of Way Line
along ROAD
BY ROAD No 158

NOT INCLUDED IN THIS PLAT
(RESERVED FOR WATER WORK)

DENOTES PERMANENT REF
MONUMENT 4" x 4" x 24" CONC
MONUMENTS WITH 1/2 INCH

NOTICE

Notice is hereby given that Seminole Waterworks, Inc. has applied to the Board of County Commissioners of Leon County, Florida, for authorization to operate a water system, embracing the following described lands in Leon County, Florida, to wit:

Brewster Subdivision: Located North of U.S. Highway 90 (Mahan Drive), including Brewster Road, Bear Creek Road, Panther Creek Road.

Meadow Hills Subdivision: Located South of Buck Lake Road, including a portion of Buck Lake Road east of Quail Road, Quail Road, Lester Road, Davis Drive, Vernon Road, Meak Road, Dove Road.

Sedgefield Subdivision: Located North of Buck Lake Road, including Sedgefield Road, Springhaven Road, Old Forge Court, Landsdowne Road, Lawndale Road, Grassland Road, Burnwell Road.

Buck Lake Estates Subdivision: Located North of Buck Lake Road, including Charlais Street, Drake Drive, Angus Street, Pintail Drive.

North Lake Meadows Subdivision: Located West of Old Bainbridge Road, including a portion of Old Bainbridge Road north and south of Susannah Drive, Susannah Drive, Newfield Drive, Garrett Road, Nola Court, Marty Court, Olga Court, Kidd Drive.

Plantation Estates Subdivision: Located South of U.S. Highway 90 (Mahan Drive), including a portion of U.S. Hwy. 90 (Mahan Drive) east of Plantation Forest Drive, Plantation Forest Drive, Pineland Drive, Burnt Pine Drive, Foshalee Drive, Rocky Comfort Drive, Shady Rest Lane, Mistletoe Court, Nilo Lane.

The Board of County Commissioners of Leon County, Florida will conduct a public hearing on Tuesday, March 8, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider the application. All affected or interested persons are invited to present their comments at the public hearing at the time and place set out above.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Dated this 16th day of February, 2015.

/s/

Bill Proctor
Chairman
Board of County Commissioners
Leon County, Florida

Advertise: February 17 & 24, 2016

BEFORE THE LEON COUNTY BOARD OF COUNTY COMMISSIONERS

In re: Seminole Waterworks, Inc., Application)
For Approval of Transfer of Franchise Agreements)
of Rowe Utilities, Inc. to Seminole)
Waterworks, Inc. in Leon County, Florida)

Filed: February 16, 2016

AFFIDAVIT OF MAILING
Exhibit to Application

STATE OF FLORIDA:
COUNTY OF PASCO:

BEFORE ME, the undersigned authority, personally appeared Troy Rendell, who after being duly sworn, deposes and says:

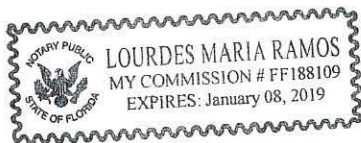
1. That I, Troy Rendell, am the Authorized Representative of Seminole Waterworks, Inc.
2. That I hereby affirm that on February 16, 2016 mailed the Customer Notice of Public Hearing to the customers of Rowe Utilities in Leon County, FL. in accordance with Section 18-29(d) & (e), Leon County Code in Seminole Waterworks, Inc.'s Application for Approval of Transfer of Rowe Utilities' water franchise agreements in Leon County, Florida.
3. Further, Affiant sayeth not.


TROY RENDELL

STATE OF FLORIDA:
COUNTY OF PASCO:

Subscribed and sworn to before me this 16th day of February 2016, by Troy Rendell, who is personally known to me.


NOTARY PUBLIC
My Commission Expires:



LICENSE OR PERMIT BOND

Bond Number 9209656

KNOW ALL PERSON BY THESE PRESENTS, That we Seminole Waterworks, Inc.
of 4939 Cross Bayou Blvd., New Port
Richey, FL 34652,

hereinafter referred to as the Principal, and Fidelity and Deposit Company of Maryland
a corporation organized and existing under the laws of the State of
Maryland and authorized to do business in the State of Florida,

as Surety, are held and firmly bound unto Leon County Board of County Commissioners
of 301 S. Monroe Street, Tallahassee, FL 32301, hereinafter
referred to as Obligee, in the sum of Fifty Thousand Dollars and 00/100

Dollars (\$ 50,000.00), lawful money of the United States of America, to the payment of which sum,
well and truly to be made, bond ourselves, our executors, administrators, successors, and assigns,
firmly by these presents.

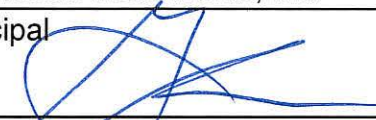
THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas, the Principal has made
application for a license or permit to the Obligee for the purpose of, or to exercise the vocation of
Utility Service Provider Operating within Leon County's Rights-Of-Way.

NOW, THEREFORE, if the Principal shall faithfully comply with all ordinances, rules and regulations
which have been or may hereafter be in force concerning said License or Permit, and shall save and
keep harmless the Obligee from all loss or damage which it may sustain or for which it may become
liable on account of the issuance of said license or permit to the Principal, then this obligation shall be
void; otherwise to remain in full force and effect.


THIS BOND WILL EXPIRE the 9th day of February, 2017, but may be
continued by continuation certificate signed by the Principal and Surety. The Surety may at any time
terminate its liability by giving thirty (30) days written notice to the Obligee, and the Surety shall not be
liable for any default after such thirty day notice period, except for defaults occurring prior thereto.

SIGNED, SEALED AND DATED this 9th day of February, 2016.

Seminole Waterworks, Inc.
Principal

By  (seal)

Fidelity and Deposit Company of Maryland
Surety

By  (seal)
April E. Lively

Attorney in Fact & Florida Licensed
Resident Agent. Inquiries: (407) 834-0022

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **MICHAEL BOND, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **J. W. GUIGNARD, Jennifer L. MCCARTA, Bryce R. GUIGNARD, April L. LIVELY, Paul J. CIAMBRIELLO, Margie MORRIS, M. Gary FRANCIS, Christine Annette MORTON and Deborah Ann MURRAY, all of Longwood, Florida, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 7th day of January, A.D. 2016.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: *Eric D. Barnes*
Secretary
Eric D. Barnes

Michael Bond
Vice President
Michael Bond

State of Maryland
County of Baltimore

On this 7th day of January, A.D. 2016, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **MICHAEL BOND, Vice President, and ERIC D. BARNES, Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposed and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Constance A. Dunn
Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2019



EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 9th day of February, 20 16.



Gerald F. Haley

Gerald F. Haley, Vice President

**Leon County
Board of County Commissioners**


Notes for Agenda Item #36

Leon County Board of County Commissioners

Cover Sheet for Agenda #36

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: First and Only Public Hearing to Consider Amendments to the On-Site Sewage Disposal Systems Ordinance

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator David McDevitt, Director, Development Support and Environmental Management
Lead Staff/ Project Team:	Alex Mahon, Environmental Manager, Department of Health in Leon County, Environmental Health Division John Kraynak, Director, Environmental Services Division

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Conduct the first and only Public Hearing and adopt proposed amendments to the On-site Sewage Disposal Systems Ordinance (Attachment #1).

Report and Discussion

Background:

On January 29, 2013, the Septic System Management Options Report and Update on the Wakulla Springs Basin Management Action Plan (BMAP) Process Workshop was conducted. At the workshop, the Board directed staff to pursue an amendment of the Code of Laws to require, countywide, that repair of failing septic systems meet a 24-inch separation between the drainfield bottom and wettest season water table.

At that time, a study was being conducted by the Florida Department of Environmental Protection (DEP) regarding the total maximum daily loads (TMDL) of nitrites in the Upper Wakulla River Basin. The study, which was updated in July of 2014, found that septic tanks within the Wakulla River Basin were a source of nitrogen load to ground water. Therefore, the proposed amendment to require a 24-inch separation between the drainfield bottom and wettest season water table should serve to help improve water quality within the Wakulla Springs Basin.

Based on direction from the Board, and the subsequent study results from DEP, staff drafted an Ordinance amending Section 18, Article III of the Leon County Code of Laws to include a provision requiring a 24-inch separation between the bottom of the drainfield and the water table at the wettest season of the year for all septic system repairs within Leon County (Attachment #1). The proposed amendment will also repeal Section 18-73, Killlearn Lakes Special Development Zone, which is no longer relevant, and will also correct some minor scrivener's errors. Adoption of this Ordinance would also satisfy one of Leon County's management strategies (LC-3, Septic Tank Repairs) in the BMAP for the Upper Wakulla River and Wakulla Springs Basin.

Amending the Ordinance is essential to the Board's Priority – Environment:

- Protect our water supply, conserve environmentally sensitive lands, safeguard the health of our natural ecosystems, and protect our water quality, including the Floridan Aquifer, from local and upstream pollution (EN1).

Analysis:

A properly functioning septic system is necessary for the protection of both ground and surface waters. Maintaining a 24-inch unsaturated zone between the bottom of the drainfield and the water table at the wettest season of the year is essential to adequately treat the effluent discharged from a septic tank. Current Florida Administrative Code requirements for the repair of failing septic systems allows for an absolute minimum separation of six inches for systems originally permitted between 1972 and 1982, and 12 inches for systems permitted on or after January 1, 1983. The establishment of a 24-inch separation will require all repairs to meet the same separation currently required for new septic systems.

This requirement should not adversely affect most recently installed septic systems and would only apply if the system requires repair. Also, some older systems that have less separation from the water table may be affected by requiring the drainfield be raised in order to meet the proposed requirements. In some cases, this may be accomplished by relocating the drainfield at an elevation that would allow for gravity flow from the tank to the drainfield while maintaining the required separation. If this is not possible, the use of a pump would be necessary to lift the effluent to a raised drainfield.

This proposed Ordinance will also repeal the Killlearn Lakes Unit I and II Special Development Zone from the Code of Laws. The completion of the central sewer system in Killlearn Lakes Units I and II negate the need for a special development zone, as current code stipulates that systems needing repair or modification to function properly must connect to the available sewer within 90 days, and also prohibits issuance of septic permits where central sewer is available.

The Public Hearing has been publicly noticed consistent with the requirements of Florida Statutes (Attachment #2).

Options:

1. Conduct the first and only Public Hearing and adopt proposed amendments to the On-site Sewage Disposal Systems Ordinance (Attachment #1).
2. Conduct the first and only Public Hearing and do not adopt proposed amendments to the On-site Sewage Disposal Systems Ordinance (Attachment #1).
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Proposed Ordinance
2. Legal Notice

ORDINANCE NO. 16-_____

1
2
3 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF**
4 **LEON COUNTY, FLORIDA, AMENDING CHAPTER 18, ARTICLE III,**
5 **DIVISION 1 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA,**
6 **RELATING TO ONSITE SEWAGE DISPOSAL SYSTEMS; AMENDING**
7 **SECTION 18-62, DEFINITIONS; AMENDING 18-66, EVALUATION FOR**
8 **SUBDIVISIONS AND PARCELS; AMENDING SECTION 18-67,**
9 **STANDARDS; AMENDING SECTION 18-70, HEAVING LOADING**
10 **APPLIANCES; AMENDING SECTION 18-71, FLOODPRONE AREAS;**
11 **AMENDING SECTION 18-72, LAKE JACKSON SPECIAL**
12 **DEVELOPMENT ZONE; REPEALING SECTION 18-73, KILLEARN**
13 **LAKES UNITS I AND II SPECIAL DEVELOPMENT ZONE;**
14 **PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;**
15 **AND PROVIDING AN EFFECTIVE DATE.**
16

17
18 WHEREAS, the Leon County Board of County Commissioners finds that the adequate
19 treatment of onsite sewage treatment and disposal systems (“OSTDS”) effluent is necessary to
20 ensure the health of the citizens of Leon County and the vitality of the community’s
21 environmental resources; and

22 WHEREAS, some existing OSTDS in the County were permitted prior to the
23 implementation of a state-wide standard requiring a minimum of 24-inch separation between the
24 bottom of the drainfield and the wettest season water table; and

25 WHEREAS, the Board of County Commissioners finds that such a separation is desirable
26 to adequately treat OSTDS effluent; and

27 WHEREAS, based upon the recommendations of staff and other experts, the Board of
28 County Commissioners does hereby find and determine that mandating such a 24-inch separation
29 in cases where a repair is necessary due to a system failure is necessary to provide additional
30 protection to the health and welfare of the citizens of the County and to benefit the natural
31 environment; and

1 WHEREAS, the Leon County Board of County Commissioners adopted Ordinance 03-
2 33, creating the Killlearn Lakes Units I and II Special Development Zone to address widespread
3 OSTDS failure in that subdivision caused by poor soil conditions, perched water tables, and the
4 sheetflow drainage system; and

5 WHEREAS, since the adoption of the Killlearn Lakes Units I and II Special Development
6 Zone, sewer service has been made available and OSDTS are being phased out; and

7 WHEREAS, based upon the availability of sewer, the Leon County Board of County
8 Commissioners hereby finds that the additional regulations required for Killlearn Lakes Units I
9 and II are no longer needed and should be repealed; therefore,

10 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON
11 COUNTY, FLORIDA, that:

12 **Section 1.** Chapter 18, Article III, Division 1 of the Code of Laws of Leon County,
13 Florida, is hereby amended to read as follows:

14 **ARTICLE III. ON-SITE SEWAGE DISPOSAL SYSTEMS**

15 DIVISION 1. GENERALLY

16 **Sec. 18-61. Short title.**

17 This article shall be known as the Leon County On-Site Sewage Disposal System
18 Ordinance.

19 **Sec. 18-62. Definitions.**

20 For the purpose of this article, the following terms shall be defined as set forth in this
21 section unless the context clearly requires otherwise or a different definition is prescribed for a
22 particular provision.

1 *Acceptable system* shall mean the collection, treatment and disposal of sewage wastes in a
2 manner consistent with modern technical standards and generally regarded as a system which
3 does not contribute to the contamination of groundwater or surface water or the spread of
4 communicable disease.

5 *Department* shall mean the county health department or its synonyms; Leon County
6 Public Health Unit or the health department.

7 *Existing system* shall mean an onsite sewage treatment and disposal system that is
8 installed and operating in the county as of February 1, 1988.

9 *Extension*, when applied to onsite sewage treatment and disposal systems, shall mean
10 addition of drainfield to an existing system, where the existing system is not adequate in size or
11 efficiency to distribute the existing or proposed sewage flow.

12 *Failure shall mean a condition existing within an onsite sewage treatment and disposal*
13 *system (OSTDS) which prohibits the system from functioning in a sanitary manner and which*
14 *results in the discharge of untreated or partially treated wastewater onto ground surface, into*
15 *surface water, into ground water, or which results in the failure of building plumbing to*
16 *discharge properly.*

17 *Heavy loading appliances* shall include all appliances used in mechanical process of
18 clothes washing, dish washing, and the grinding and/or disposing of food wastes.

19 *Laundry waste* shall mean the liquid wastes from washing machines, laundry sinks or
20 other clothes-washing devices.

21 *100-year flood elevation* shall mean that flood elevation which has a one in 100
22 probability of being equaled or exceeded in any calendar year. The 100-year flood elevation shall
23 be determined by a registered professional engineer.

1 *Person or other entity* shall mean any individual, corporation, partnership, association,
2 firm, trust or other organization, whether public or private. The word "person" includes
3 individuals, children, firms, associations, joint ventures, partnerships, estates, trusts, business
4 trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.

5 *Relocation* shall mean the movement of all or a part of an existing system from one
6 location to another on the same site.

7 *Repair* shall mean the replacement of or alteration or additions to a failing OSTDS which
8 are necessary to allow the system to function in accordance with its design, or must be made to
9 eliminate a public health or pollution hazard.

10 *Sewage wastes* shall include human, domestic and commercial wastes, liquids or other
11 matter from plumbing fixtures and other similar wastes from household or establishment
12 appurtenances.

13 *Subdivision* shall mean a division of any parcel of land for the purpose, whether
14 immediate or future, of any transfer of ownership, right to possession or building development;
15 also, the establishment of a street and the replatting of existing plats.

16 *Unacceptable system* shall mean the collection, treatment and/or disposal of sewage
17 wastes in a manner which is not consistent with modern technical standards or contributes to the
18 contamination of groundwater and/or surface water or the spread of communicable disease due
19 to design flaws. Unacceptable systems include cesspools, dry wells, metal drums, open or closed
20 pits, lagoons, bottomless tanks or any structure that discharges directly to the ground surface,
21 ditches, canals, sinkholes or bodies of water.

22 *Unobstructed land* shall mean land (contiguous to the system) which is free of pools,
23 concrete slabs, buildings, driveways, parking or landscape features which would prohibit, hinder

1 or otherwise adversely affect the installation, operation or maintenance of the on-site sewage
2 disposal system.

3 **Sec. 18-63. Alternative means for enforcement.**

4 In addition to the remedies set forth in section 18-97, the department, the Board of
5 County Commissioners, or any aggrieved person may have recourse to such remedies in law and
6 equity as may be necessary to ensure compliance with the provisions of this article, including
7 injunctive relief to enjoin and restrain any person or other entity violating its provisions and such
8 damages as may be sustained by virtue of a violation of this article, together with all costs and
9 expenses involved in the case.

10 **Sec. 18-64. Purpose.**

11 The purpose of this article is to promote and protect the health, safety and general welfare
12 of the citizens of the county by establishing local regulations above and beyond those found in
13 F.S. ch. 381 and F.A.C. ch. 64E-6 regarding the design, construction, installation, maintenance
14 and repair of onsite sewage treatment and disposal systems.

15 **Sec. 18-65. Appeal from permit denial.**

16 Any person aggrieved by a determination of the department as to the issuance or denial of
17 a septic tank permit shall have the right to appeal the decision as follows:

18 (1) If the appeal relates to F.A.C. ch. 64E-6 standards, the aggrieved person may
19 appeal to the state variance review board or as otherwise indicated in this article.

20 Application forms may be obtained from the department.

21 (2) If the appeal relates to a standard included in this article, over and above F.A.C.
22 ch. 64E-6 standards, the aggrieved person shall be entitled to a hearing conducted
23 by a hearing officer designated by the Board of County Commissioners. A request

1 for a hearing pursuant to this paragraph shall be made in writing to the
2 department. A hearing shall be held within 30 days from the date of receipt of the
3 request for hearing by the department.

4 **Sec. 18-66. Evaluation for subdivisions and parcels.**

5 ~~(a)~~ (1) Any subdivision developed, designed, platted, recorded or unrecorded after
6 February 1, 1988 which proposes the use of onsite sewage treatment and disposal systems shall
7 be evaluated by the department for suitability prior to recommendations being made to the
8 technical coordinating committee. The evaluation process shall consist of the investigation and
9 determination of the suitability of the subdivision to accommodate onsite sewage treatment and
10 disposal systems based on the following parameters in addition to those required under F.A.C.
11 ch. 64E-6:

12 ~~(1)~~ (a) Overall density of onsite sewage treatment and disposal systems.

13 ~~(2)~~ (b) Estimated wet-season water table.

14 ~~(3)~~ (c) Soil texture.

15 ~~(4)~~ (d) Slope of the land and drainage features.

16 ~~(5)~~ (e) Flood elevations.

17 ~~(b)~~ (2) Proposed subdivisions shall receive an overall rating of satisfactory, marginal,
18 conditional or unsatisfactory based on these criteria. Recommendations from the department
19 shall be made in writing to the Staff Technical Review Committee assigned to review the project
20 by the Leon County ~~Growth and~~ Development Support and Environmental Management
21 Department.

1 ~~(c)~~ (3) A standardized rating and evaluation procedure shall be developed by the
2 department and made available to all interested parties for guidance in the planning of proposed
3 subdivisions.

4 ~~(d)~~ (4) Any subdivision that receives an overall rating of conditional or unsatisfactory
5 shall include, on the final plat, the type of systems required to overcome the noted limitations.

6 ~~(e)~~ (5) In addition to the criteria set forth in subsections ~~(a)~~ (1) through ~~(d)~~ (4) above, lots
7 in subdivisions and parcels will be considered on the basis of an evaluation of soil
8 characteristics, water table elevations, history of flooding, records of service of existing
9 installations in the same general area and adequate stormwater drainage.

10 **Sec. 18-67. Standards.**

11 ~~(a)~~ (1) The base standard and definitions for this article shall be those standards and
12 definitions found in F.A.C. ch. 64E-6 (“Standards for Onsite Sewage Treatment and Disposal
13 Systems,” Part I), and are hereby incorporated into this article as if fully set out herein, and shall
14 be met by any and all persons, or other entities desiring to construct, install, operate or repair a
15 system in the county.

16 ~~(b)~~ (2) All systems, as defined in this article, constructed, installed or repaired in the
17 county after February 1, 1988, shall conform to the requirements of this article.

18 ~~(c)~~ (3) Any system installed before February 1, 1988 which was inspected and approved
19 by the department may continue to be lawfully used as approved; provided, however, if a failure
20 of the system necessitates reconstruction or repair, such reconstruction or repair shall conform to
21 the requirements of F.A.C. ch. 64E-6 and this article.

22 ~~(d)~~ (4) Any system which must be mounded, as a condition of the permit, shall receive
23 prior approval from the Leon County ~~Growth and~~ Development Support and Environmental

1 Management Department for the placement of fill on the property. A copy of the approval must
2 be provided to the county health department prior to the construction permit being issued. This
3 requirement shall also apply to any application where a portion or all of the lot or site is proposed
4 to be elevated.

5 ~~(e)~~ (5) The plot plan, site plan or sketch plan used for the purpose of obtaining a system
6 permit shall also be used for the purpose of obtaining all other county permits, including
7 building, stormwater, landscape or any other necessary permits.

8 ~~(f)~~ (6) The area adjacent to the proposed drainfield location shall be unobstructed and
9 clearly shown on the plot plan.

10 ~~(g)~~ (7) All information relative to the construction of the system shall be identified on the
11 site plan submitted to the department for permit approval. Where the proposed installation site is
12 within the 100-year floodplain, this information shall include, a benchmark, established on site
13 by a professional land surveyor or registered engineer, from which the 100-year flood may be
14 referenced.

15 ~~(h)~~ (8) Drainfield sizing shall be in accordance with the standards established in this
16 article and F.A.C. ch. 64E-6 except for sandy clay loam textured soils. For new systems in a
17 trench configuration only, when a soil loading rate of 0.65 gallons per square foot per day is
18 determined using the provisions of F.A.C. ch 64E-6 and the United States Department of
19 Agriculture (USDA) soil texture is sandy clay loam, the drainfield shall be sized using a loading
20 rate of 0.50 gallons per square foot per day. Loading rates for bed configurations shall be in
21 compliance with F.A.C. ch. 64E-6. There shall be an exception made for systems in a trench
22 configuration installed in sandy clay loam textured soils where the estimated sewage flows are

1 equal to 500 gallons per day. The drainfield size for estimated sewage flows equal to 500 gallons
2 per day shall be no less than 990 square feet.

3 (9) Repairs of failing OSTDS shall be brought into full compliance with F.A.C. ch. 64E-
4 6, construction standards for new systems with respect to water table separation, ensuring that
5 the water table at the wettest season of the year is at least twenty-four (24) inches below the
6 bottom surface of the drainfield.

7 **Sec. 18-68, 18-69. Reserved.**

8 **Sec. 18-70. Heavy loading appliances.**

9 ~~(a)~~ (1) Additional treatment of wastes from heavy loading appliances is required when
10 soil limitations, at the proposed system installation site, are rated as moderate or severe for septic
11 tank use. The “USDA Soil Survey of Leon County, Florida,” along with a site evaluation by the
12 department, shall be used for this determination.

13 ~~(b)~~ (2) The septic tank and drainfield sizing requirements, as described in F.A.C. ch.
14 64E-6, shall be used with the following additions:

15 ~~(1)~~ (a) Where more than one heavy loading appliance is proposed for use, a
16 secondary tank or interceptor installed in series with the main septic tank, shall be
17 required. The tank shall be a minimum of 250 gallons in size and shall meet all
18 applicable (structural) requirements of F.A.C, ch. 64E-6.

19 ~~(2)~~ (b) Laundry wastes may be separated from the main septic tank system when
20 the following conditions are met:

21 a. 1. There is no reduction in the size of the main septic tank.

1 ~~b.~~ 2. Laundry waste tanks meet the sizing requirements of
2 F.A.C. ch 64E-6 and contain at least 125 square feet of
3 drainfield or an amount prescribed by F.A.C. ch. 64E-6.

4 ~~e.~~ 3. Where soils rated as moderate or severe, for onsite sewage
5 treatment and disposal system use due to slow percolation
6 rates, unusual conditions exist, or the number of bedrooms
7 is more than four, the department may require additional
8 drainfield in excess of the Florida Administrative Code
9 requirement.

10 ~~(3)~~ (c) The secondary tank or interceptor may be utilized as a pump chamber in
11 the event that the onsite sewage treatment and disposal system needs repair which
12 requires a pump to elevate the effluent to a newly installed drainfield, provided
13 the tank has been certified as structurally sound by a registered septic contractor
14 and meets the sizing requirements for pump tank capacities in F.A.C., ch. 64E-6.

15 ~~(4)~~ (d) A secondary tank or interceptor shall not be required where two separate
16 tanks, installed in series, are used to make up the total required tank volume,
17 provided that the total volume of the tanks in series exceeds the required
18 minimum tank volume by 250 gallons or more.

19 ~~(4)~~ (e) Whenever a separate tank is required, all plumbing for the tank shall be
20 stubbed out within ten feet of the main septic tank system. This requirement can
21 be waived for laundry waste systems at the discretion of the department.

22 **Sec. 18-71. Floodprone areas.**

1 ~~(a)~~ (1) Systems shall be installed so that the bottom surface of the drainfield is no more
2 than 12 inches below the 100-year floodplain.

3 ~~(b)~~ (2) System installations proposed within the 100-year floodplain shall be
4 accompanied with a signed and sealed flood letter from a registered professional engineer
5 indicating the elevation of the 100-year flood at the proposed system installation site and so
6 noted on the plot plan.

7 ~~(c)~~ (3) Maintaining the bottom surface of the drainfield 12 inches below the 100-year
8 flood elevation does not override the 24-inch separation from the bottom of the drainfield to the
9 estimated wet-season water table described in F.A.C. ch. 64E-6. Both requirements must be met.

10 ~~(d)~~ (4) Systems shall not be installed in areas that are subject to failure because of
11 inadequate, artificial or natural stormwater facilities.

12 ~~(e)~~ (5) Estimation of the wet-season water table in sandy clay loam, sandy clay or clay
13 type soils shall be done during the wet-season and at a time when the groundwater table is at or
14 near its seasonal high elevation, when the following situations exist:

15 ~~(1)~~ (a) Documented and recurring perched water tables.

16 ~~(2)~~ (b) Failure or lack of a stormwater system to adequately collect, transport and
17 dispose of excess water from the subdivision.

18 ~~(3)~~ (c) Reported and/or documented cases of septic tank failures in the vicinity.

19 ~~(4)~~ (d) Insufficient evidence in the soil to accurately predict the estimated wet-
20 season water table.

21 **Sec. 18-72. Lake Jackson Special Development Zone.**

22 ~~(A)~~ (1) *Zone A.* Wetland and floodplain ecotone, from elevation 89 feet NGVD or the
23 water's edge, whichever provides the greater protection, to 100 feet NGVD.

1 (+) (a) Onsite sewage treatment and disposal system standards:

2 a. 1. Minimum lot size of one acre, net useable land, exclusive
3 of all paved areas, public rights-of-way, and prepared road
4 beds within easements, and exclusive of streams, lakes,
5 drainage ditches, marshes, or other bodies of water, and
6 wetlands as determined by the state department of
7 environmental protection or the director of ~~Growth~~
8 Development Support and Environmental Management.

9 b. 2. Onsite sewage treatment and disposal systems shall be
10 sized according to the predominant naturally occurring soil
11 type beneath the proposed system or a maximum sewage
12 loading rate of one gallon per square foot per day,
13 whichever yields a greater size drainfield.

14 c. 3. No portion of any onsite sewage treatment and disposal
15 system, with the exception of self-contained composting
16 systems, shall be located within 75 feet up land of elevation
17 89 feet NGVD, within 75 feet of any water body or
18 watercourse or jurisdictional limit of a wetland as
19 determined by the state department of environmental
20 protection or the director of Growth and Environmental
21 Management, or within any 100-year floodplain area.

22 d. 4. An existing, previously platted lot or lot or record existing
23 on January 15, 1990, when used for single-family

1 residential use, shall be exempt from the standards of this
2 subsection but shall comply with all other applicable laws,
3 ordinances and regulations relating to onsite sewage
4 treatment and disposal systems. Existing onsite sewage
5 treatment and disposal systems may be replaced by the
6 same size or larger systems as required by other applicable
7 laws, ordinances and regulations relating to onsite sewage
8 treatment and disposal system, except where sanitary sewer
9 is available.

10 **~~Sec. 18-73. Killearn Lakes Units I and II Special Development Zone.~~**

11 (A) ~~Within the platted subdivisions known as Killearn Lakes Unit I, recorded in the~~
12 ~~Public Records of Leon County at Plat Book 6, Page 26 A L, and Killearn Lakes Unit II,~~
13 ~~recorded at Plat Book 6, Page 39, the following onsite sewage treatment and disposal system~~
14 ~~standards shall apply:~~

15 (1) ~~No mound systems, as defined in this article, shall be permitted;~~

16 (2) ~~All systems shall be required to either:~~

17 (a) ~~utilize aerobic treatment units (ATUs) as defined in Section 64E-~~
18 ~~6.002, Florida Administrative Code, meeting the standards for~~
19 ~~construction, maintenance and operation set forth in Section 64E-~~
20 ~~6.012, Florida Administrative Code; or~~

21 (b) ~~utilize an alternative treatment system or performance based~~
22 ~~systems, as defined in Chapter 64E-6, Florida Administrative~~

1 extent of any conflicts with the Tallahassee-Leon County 2030 Comprehensive Plan as amended,
2 which provisions shall prevail over any part of this ordinance which is inconsistent, either in
3 whole or in part, with the said Comprehensive Plan.

4 Section 3. Severability. If any word, phrase, clause, section or portion of this
5 ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such
6 portion or words shall be deemed a separate and independent provision and such holding shall
7 not affect the validity of the remaining portions thereof.

8 Section 4. Effective Date. This ordinance shall have effect upon becoming law.

9 DULY PASSED AND ADOPTED by the Board of County Commissioners of Leon
10 County, Florida, this _____ day of _____, 2016.

11
12 LEON COUNTY, FLORIDA

13
14
15 By: _____
16 Bill Proctor, Chairman
17 Board of County Commissioners
18
19

20
21 Attest:
22 Bob Inzer, Clerk of Circuit Court and Comptroller
23

24
25 By: _____
26 Clerk
27

28 Approved as to form:
29 County Attorney's Office
30 Leon County, Florida
31

32
33 By: _____
34 Herbert W. A. Thiele, Esq.
35 County Attorney
36

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of County Commissioners of Leon County, Florida (the "County") will conduct a public hearing on Tuesday, March 8, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider adoption of an ordinance entitled to wit:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 18, ARTICLE III, DIVISION 1 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, RELATING TO ONSITE SEWAGE DISPOSAL SYSTEMS; AMENDING SECTION 18-62, DEFINITIONS; AMENDING 18-66, EVALUATION FOR SUBDIVISIONS AND PARCELS; AMENDING SECTION 18-67, STANDARDS; AMENDING SECTION 18-70, HEAVING LOADING APPLIANCES; AMENDING SECTION 18-71, FLOODPRONE AREAS; AMENDING SECTION 18-72, LAKE JACKSON SPECIAL DEVELOPMENT ZONE; REPEALING SECTION 18-73, KILLEARN LAKES UNITS I AND II SPECIAL DEVELOPMENT ZONE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

All interested parties are invited to present their comments at the public hearing at the time and place set out above.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Copies of the ordinance may be inspected at the following locations during regular business hours:

Leon County Courthouse
301 S. Monroe St., 5th Floor Reception Desk
Tallahassee, FL 32301

and

Leon County Clerk's Office
315 S. Calhoun Street, Room 750
Tallahassee, Florida 32301

Advertise: February 25, 2016

F91-00306

**Leon County
Board of County Commissioners**


Notes for Agenda Item #37

Leon County Board of County Commissioners

Cover Sheet for Agenda #37

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: First and Only Public Hearing to Consider a Proposed Ordinance to Revise the County's Driveway Connection Permitting, Inspection and Enforcement Process

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator David McDevitt, Development Support and Environmental Management Director Tony Park, Public Works Director
Lead Staff/ Project Team:	John Kraynak, Director of Environmental Services Kathy Burke, Director of Engineering Services

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Conduct the first and only Public Hearing and adopt the proposed Ordinance to revise the County's driveway connection permitting, inspection and enforcement process.

Option #2: Adopt the proposed Fee Resolution for the application review, inspection and approval processes associated with proposed driveway and street connections.

Report and Discussion

Background:

At the Board's July 8, 2013, Budget Workshop, staff presented the recommendations of the LEADS Cross Departmental Action Team which were approved by the Board. The recommendations included the consolidation of inspection responsibilities associated with the permitting of development and construction. The Action Team noted that during the permitting and inspection process, inspectors from both Public Works and Development Support and Environmental Management (DSEM) are required to visit the site based on the current regulatory process as established in the County's Code of Laws, and implemented by Board-adopted policies and procedures.

The LEADS Cross Departmental Action Team recommendations included the transfer of the permitting, inspection and enforcement responsibilities associated with driveway and street connection permits from Public Works to DSEM. The transfer of these responsibilities to DSEM would eliminate the need for Public Works inspectors to visit a site in conjunction with the construction of a driveway connection to a public road. DSEM staff would complete the required connection inspections in conjunction with other required site inspections associated with environmental and building code compliance. The Action Team also noted that by consolidating driveway connection inspections in this manner, it would enhance the delivery of customer services and would also allow Public Works inspection resources to be utilized on other public infrastructure projects.

Subsequent to Board approval of the transfer of the permitting, inspection and enforcement responsibilities associated with connection permits, DSEM and Public Works staff has undertaken cross-training to ensure a seamless transition. Additionally, staff has drafted revisions to the County's Code of Laws to implement the transfer of the program to DSEM, and revised the implementing policies and procedures for the County's driveway and street connection permit review, inspection, and enforcement process.

The opportunity to revise the driveway permitting process was identified as a result of the following revised FY2012 - FY2016 Strategic Initiatives that the Board approved at the January 26, 2016 meeting:

- Conduct LEADS Reviews (G2) (2012)

This particular Strategic Initiative aligns with the Board's Strategic Priority:

- Governance - "Sustain a culture of performance, and deliver effective, efficient services that exceed expectations and demonstrate value (G2)."

Analysis:

The proposed Ordinance transfers the responsibility for implementation of the County's driveway and street connection permitting, inspection and enforcement process from Public Works to DSEM, and subsequently moves the associated requirements and criteria from Chapter 16 (Streets, Roads and Public Ways) to Chapter 10 (Land Development Code) of the County's

Code of Laws (Attachment #1). Additionally, the enforcement provisions in the proposed Ordinance have been revised to provide the Code Enforcement Board the authority to enforce the provisions of the County's driveway and street connection permitting requirements. This revision provides consistency with regard to the procedural enforcement of the regulatory provisions in the County's Land Development Code.

The proposed revision to the County's Code of Laws is procedural and therefore does not require review by the Planning Commission for consistency with the Comprehensive Plan. Only one Public Hearing is required because the proposed Ordinance is a transportation planning and engineering-design based regulation that does not impact land use. The proposed Ordinance includes an effective date of April 15, 2016. This would provide adequate time to allow for the transfer of the program responsibilities from Public Works to DSEM with minimal impact on the delivery of services to the public.

In addition to the proposed Ordinance revisions that would transfer driveway and street connection permitting responsibilities to DSEM, staff is also proposing an amendment to the DSEM Fee Schedule to incorporate the application review fees associated with the various types of driveway and connection permits (Attachment #2). The classifications are being modified to be consistent with other sections of the land development regulations.

Public Works initially established application review fees for driveway and connection permits in 1991. The associated review fees have only been revised once in the intervening 25 years subsequent to the completion of a cost recovery fee study. The application review fees vary by functional classification based on the anticipated average daily traffic. The County historically has set DSEM's fees at an amount which covers the cost of providing the service. When Public Works performed this function, the fees were not covering the cost of the service, and gas tax revenues subsidized the service. The recommended fees represent the cost recovery for the staff time required to review the application and to complete all necessary on-site inspections prior to final approval, and are consistent with other DSEM fees based on similar staff review processes. Proposed Class III and above connections will be incorporated into the site plan or environmental permit review processes and will not require a separate application review fee.

The Public Hearing has been publicly noticed consistent with the requirements of Florida Statutes (Attachment #3).

Options:

1. Conduct the first and only Public Hearing and adopt the proposed Ordinance to revise the County's driveway connection permitting, inspection and enforcement process.
2. Adopt the proposed Fee Resolution for the application review, inspection and approval processes associated with proposed driveway and street connections.
3. Conduct the first and only Public Hearing and do not adopt the proposed Ordinance to revise the County's driveway connection permitting, inspection and enforcement process.
4. Do not adopt the proposed Fee Resolution for the application review, inspection and approval processes associated with proposed driveway and street connections.
5. Board direction.

Title: First and Only Public Hearing to Consider an Ordinance to Revise the County's Driveway Connection Permitting, Inspection and Enforcement Process

March 8, 2016

Page 4

Recommendation:

Options #1 and #2

Attachments:

1. Proposed Ordinance
2. Proposed Fee Resolution
3. Legal Notice

ORDINANCE NO. 16- _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, REPEALING SECTIONS 16-56(b), 16-58, 16-59 AND 16-60 OF ARTICLE III OF CHAPTER 16 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, RELATED TO "DRIVEWAY CONNECTIONS"; AMENDING CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, BY ADDING ARTICLE XV ENTITLED "PERMITTING FOR CONNECTIONS TO COUNTY MAINTAINED ROADS AND STREETS"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the intent of the Permitting for Connections to County Maintained Roads Ordinance is to promote the public health, safety and general welfare by establishing criteria for permitting, siting and constructing driveway and roadway connections to county maintained roads; and

WHEREAS, the Ordinance will ensure compliance with Florida Department of Transportation standards while establishing County-specific guidelines and procedures for driveway and roadway connections to county maintained roads.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, that:

SECTION 1. Sections 16-56(b), 16-58, 16-59, and 16-60 of Article III of Chapter 16 of the Code of Laws of Leon County, Florida, related to "Driveway Connections," are hereby repealed in their entirety.

SECTION 2. Chapter 10 of the Code of Laws of Leon County, Florida, is hereby amended by adding Article XV entitled "Permitting for Connections to County Maintained Roads and Streets," which article shall read as follows:

ARTICLE XV. PERMITTING FOR CONNECTIONS TO COUNTY MAINTAINED ROADS AND STREETS

Sec. 10-15.101. - Defined, classification.

(a) For the purpose of this article, a "connection" is defined as any driveway, street, turnout, sidewalk, bikeway, trail or other means providing for the movement of motor vehicles, pedestrians or bicycles to or from the public street system.

(b) Roadway connections will be classified according to the expected traffic volume using the connection, the type of property and land use served, and the type of connection. The classification shall be determined by the Department of

1 Development Support and Environmental Management in conjunction with the
2 Department of Public Works. Classifications are:

- 3
4 (1) Class I: Minimum connection or sidewalk/bikeway;
5 (2) Class II: Minor connection (ADT from 40 - 1000 VPD);
6 (3) Class III: Major connection (ADT > 1000 VPD);
7 (4) Class IV: Public/private roads.
8

9 **Sec. 10-15.102. Purpose and intent.**

10 The purpose and intent of this article is to regulate and control the location,
11 construction, and design of connections to county maintained roads and streets, thereby
12 maximizing the capacity of the transportation systems by limiting driveway connections
13 and harmonizing the needs and demands of the road users, the rights of the abutting
14 property owners, and the needs of the county in controlling storm water discharge. It is
15 not the purpose of this article to regulate connections on roadways maintained by the
16 state department of transportation, or on roadways maintained by the City of
17 Tallahassee.
18

19 **Sec. 10-15.103. Appeals.**

- 20 (a) Whenever it is claimed that the true intent or meaning of this article or any of the
21 regulations promulgated hereunder have been misconstrued or wrongly
22 interpreted, the owner, or the duly authorized agent of the owner, may appeal the
23 decision of the administrative official to the Board of Adjustment and Appeals (the
24 "Board"). Notice of appeal shall be in writing and filed within 30 days after the
25 decision is rendered by the responsible administrative official under this article.
26 (b) Appeals hereunder shall be on forms provided by the Development Support and
27 Environmental Management Department.
28 (c) The decision of the Board shall be final. The decision shall be in writing and shall
29 indicate the vote. Every decision shall be promptly filed in the office of the
30 Development Support and Environmental Management Department. A copy
31 shall be sent by mail or otherwise to the applicant.
32 (d) The Board shall, in every case, reach a decision without unreasonable or
33 unnecessary delay. In no case may the Board fail to render a decision on the
34 application within five days after the final hearing.
35 (e) If a decision of the Board reverses or modifies a decision, order, requirement or
36 determination of the responsible official, the affected administrative official shall
37 immediately take action in accordance with such decision.

38•
39 **Sec. 10-15.104. Permit required.**

40 No new connection or modifications to an existing connection to any county maintained
41 road or street from any abutting parcel of property shall be constructed unless a permit

1 for the development activity has been obtained from the Department of Development
2 Support and Environmental Management.

3
4 **Sec. 10-15.105. Application for permit.**

5 (a) Application for a permit for a connection shall be made to the Department of
6 Development Support and Environmental Management.

7 (b) A construction plan for the proposed connection shall be included as part of the
8 application.

9 (c) Applications for connection permits shall be accompanied by an application
10 review fee. The review fee is established by the Board of County Commissioners
11 by resolution. No application shall be considered complete or reviewed without
12 the appropriate application review fee.

13 (d) Applications for connection permits shall be approved by the Department of
14 Development Support and Environmental Management. Connection permits shall
15 be approved in accordance with the standards and guidelines established in the
16 County Driveway and Street Connection Guidelines and Procedures Manual.
17 Copies of this document may be obtained from the Department of Development
18 Support and Environmental Management.

19
20 **Sec. 10-15.106. Construction.**

21 All connections shall be constructed pursuant to the approved permit and any conditions
22 therein. The construction shall be subject to inspection consistent with the inspection
23 procedures outlined in Article IV by the Department of Development Support and
24 Environmental Management and must conform to standards and guidelines established
25 in the County Driveway and Street Connection Guidelines and Procedures Manual. The
26 construction of such connections shall not be performed by the county.

27
28 **Sec. 10-15.107. Enforcement.**

29 The provisions of this Article shall be enforced by the Department of Development
30 Support and Environmental Management consistent with the procedures outlined in
31 Chapter 10 of the Leon County Code of Laws. Any person violating any provision of
32 this article shall be punished according to law or in accordance with the findings of any
33 duly established code enforcement board. Each day any violation continues shall
34 constitute a separate offence. No building permit shall be issued for a site unless and
35 until a required connection permit has been secured, nor while any violation of this
36 article exists on the site. No "certificate of occupancy" shall be issued for a structure on
37 a site which is under a "notice of violation."

38
39 **SECTION 3.** Conflicts. All ordinances or parts of ordinances in conflict with the
40 provisions of this Ordinance are hereby repealed to the extent of such conflict, as of the
41 effective date of this Ordinance, except to the extent of any conflicts with the
42 Tallahassee-Leon County Comprehensive Plan, as amended, which provisions shall
43 prevail over any parts of this Ordinance which are inconsistent, either in whole or in
44 part, with the Comprehensive Plan.

1 **SECTION 4.** Severability. If any section, subsection, sentence, clause, phrase or
2 portion of this article is for any reason held invalid or unconstitutional by any court of
3 competent jurisdiction, such portion shall be deemed a separate, distinct, and
4 independent provision and such holding shall not affect the validity of the remaining
5 portions of this Ordinance.
6

7 **SECTION 5.** Effective date. This ordinance shall have effect upon becoming law, but
8 shall commence beginning April 15, 2016.
9

10 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon
11 County, Florida, this ____ day of _____, 2016.
12

13
14 LEON COUNTY, FLORIDA

15
16
17 BY: _____
18 BILL PROCTOR, CHAIRMAN
19 BOARD OF COUNTY COMMISSIONERS
20

21
22 ATTEST:
23 BOB INZER, CLERK OF THE COURT
24 AND COMPTROLLER
25 LEON COUNTY, FLORIDA
26

27
28 BY: _____
29

30
31 APPROVED AS TO FORM:
32 LEON COUNTY ATTORNEY'S OFFICE
33

34
35 BY: _____
36 HERBERT W.A. THIELE, ESQ.
37 COUNTY ATTORNEY
38

RESOLUTION NO. R16-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ESTABLISHING A FEE FOR THE REVIEW AND INSPECTION OF A DRIVEWAY AND CONNECTION PERMIT TO THE DEVELOPMENT SERVICES AND ENVIRONMENTAL SERVICES PERMITTING FEE SCHEDULE ADOPTED AS RESOLUTION NO. 06-19 BY THE BOARD AND MADE EFFECTIVE OCTOBER 1, 2006.

WHEREAS, the Board of County Commissioners of Leon County, Florida, has in effect Environmental Services and Development Services Fees adopted pursuant to Resolution No. 06-19, which are used to offset operating costs related to the permitting, inspection and enforcement of land development regulations; and,

WHEREAS, through user fees, the Board has committed to recovering the cost of services provided by the Department of Development Support and Environmental Management; specifically the Divisions of Development Services and Environmental Services; and,

WHEREAS, the County has established fees to ensure the application review fees associated with new construction and development recover the costs associated with providing expedited, as well as exceptional, customer service consistent with Board policy; and,

WHEREAS, the fee will offset the staffing and associated costs related to the review and inspection of driveway and connection applications, and the costs associated with enforcement;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, DULY ASSEMBLED IN REGULAR SESSION THIS _____ DAY OF _____ 2016, AS FOLLOWS:

Section 1. That under, **Miscellaneous Fees**, the following associated cost recovery fees shall be added:

Class I Driveway Connection Permit (Single Family/Manufactured Home) - \$250.00
Class II Connection Permit – \$1,500.00

Section 2. That this Resolution amending the Board's Resolution No. 06-19, which was adopted on June 13, 2006, with an effective date of October 1, 2006, to establish a fee schedule for Development Support and Environmental Management, shall be effective upon adoption by the Board.

LEON COUNTY, FLORIDA

BY: _____

Bill Proctor, Chairman
Board of County Commissioners

ATTEST:

Bob Inzer, Clerk of the Court and Comptroller
Leon County, Florida

BY: _____

APPROVED AS TO FORM:
Leon County Attorney's Office

BY: _____

Herbert W.A. Thiele, Esq.
County Attorney

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of County Commissioners of Leon County, Florida (the "County") will conduct a public hearing on Tuesday, March 8, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider adoption of an ordinance entitled to wit:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, REPEALING SECTIONS 16-56(b), 16-58, 16-59 AND 16-60 OF ARTICLE III OF CHAPTER 16 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, RELATED TO "DRIVEWAY CONNECTIONS"; AMENDING CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, BY ADDING ARTICLE XV ENTITLED "PERMITTING FOR CONNECTIONS TO COUNTY MAINTAINED ROADS AND STREETS"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

All interested parties are invited to present their comments at the public hearing at the time and place set out above.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Copies of the ordinance may be inspected at the following locations during regular business hours:

Leon County Courthouse
301 S. Monroe St., 5th Floor Reception Desk
Tallahassee, FL 32301

and

Leon County Clerk's Office
315 S. Calhoun Street, Room 750
Tallahassee, Florida 32301

Advertise: February 25, 2016

F91-00306