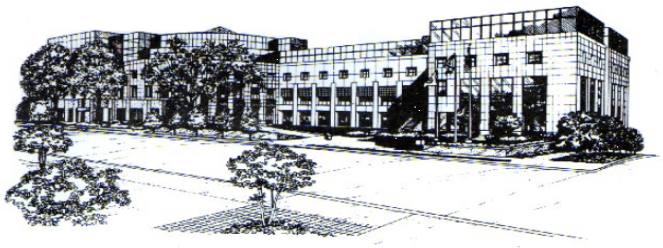
BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA

AGENDA
REGULAR MEETING

Tuesday, June 18, 2019
3:00 p.m.

Leon County Courthouse
Fifth Floor, County Commission Chambers
301 South Monroe Street
Tallahassee, FL 32301



COUNTY COMMISSIONERS

Jimbo Jackson, Chairman
District 2

Bryan Desloge, Vice Chair District 4	Kristin Dozier District 5	Mary Ann Lindley At-Large
Nick Maddox At-Large	Rick Minor District 3	Bill Proctor District 1

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." Commission meeting agendas and minutes are available on the Leon County Home Page at: **www.leoncountyfl.gov.**

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 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 (Section 286.0105, Florida Statutes).

In accordance with Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact the ADA Coordinator by written or oral request at least 48 hours prior to the proceeding, at 850-606-5011 or Facilities Management at 850-606-5000, or 7-1-1 (TTY and Voice) via Florida Relay Service. Accommodation Request Forms are available on the website **www.leoncountyfl.gov/ADA.**

Board of County Commissioners
Leon County, Florida
Agenda
Regular Public Meeting
Tuesday, June 18, 2019, 3:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Rhonda Smith, Minister of Pastoral Community of First Baptist Church, Tallahassee

Pledge of Allegiance by Commissioner Mary Ann Lindley

AWARDS AND PRESENTATIONS

- Proclamation Recognizing the Life and Achievements of Dr. LaSalle Lefall Jr.
  (Commissioner Proctor)
- Proclamation Recognizing Britney Smith for Receiving the Tallahassee Network of Young Professionals' 2019 Golden A.C.E. Award
  (Commissioner Maddox)
- Presentation of the 2019 Florida Association of Counties' Presidential Scholarship
  (Commissioner Maddox)

CONSENT

1. Proposed Memorandum of Understanding by and between Grady County and Leon County
   (County Attorney/ County Administration)
2. Payment of Bills and Vouchers
   (County Administrator/ Office of Financial Stewardship/ Office of Management & Budget)
3. FY 2017/2018 Annual Audit and Financial Statements
   (Clerk of Court / Finance Director)
4. Florida Department of Health Emergency Medical Services Matching Grants
   (County Administrator/ Emergency Medical Services)
5. Emergency Management Plan for Lake Talquin Dam
   (County Administrator/ County Administration/ Emergency Management)
6. Find the Type "A" Site and Development Plan for a 134-Lot Single-Family Detached Residential Subdivision within the Summerfield Planned Unit Development Compliant with the Conditions Set Forth in Ordinance No. 04-40
   (County Administrator/ Development Support & Environmental Management)
7. Public Pedestrian Access Easement and a Tri-Party Agreement for the Pedestrian Footpath Around View Pointe Pond
   (County Administrator/ Development Support & Environmental Management)
8. Reject all Bids for Solicitation BC-05-21-19-22, the Linene Woods Drainage Improvements Phase 1 Project
   (County Administrator/ Public Works/ Purchasing)

9. Florida Department of Transportation Grant for the Design of Safety Improvements on Old Bainbridge Road from I-10 to Capital Circle NW
   (County Administrator/ Public Works)

10. Resolution to Approve a Temporary Road Closure of Talpeco Road for the Florida Department of Transportation
    (County Administrator/ Public Works)

11. Second Performance Agreement and Surety Device for Brookside Village Subdivision
    (County Administrator/ Public Works)

12. Funding for the Emergency Short-Term Housing Repair Program
    (County Administrator/ Office of Human Services & Community Partnerships)

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

- None

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

13. Solar Energy Systems Ordinance and Proposed Comprehensive Plan Text Amendment
    (County Administrator/ County Administration/ Development Support & Environmental Management/ PLACE/ Planning)

14. Bid Award to Capital Asphalt Inc. for the Goodwill Donation Station Parking Lot Relocation
    (County Administrator/ Public Works/ Purchasing)

15. Bid Award for Solicitation Number BC-06-06-19-27 to Southland Rowe Roofing, Inc. for the Leon County Detention Facility Roof Replacement Project
    (County Administrator/ Public Works/ Purchasing)

16. Contract Award to Sentinel Offender Services for Electronic Monitoring and Associated Services
    (County Administrator/ Office of Intervention & Detention Alternatives/ Purchasing)

17. Leon County Commission Public Service Fellowship Program
    (County Administrator/ County Administration/ Human Resources)

18. Consideration of Revised Board Appointments to the Capital Region Transportation Planning Agency Board
    (County Administrator/ County Administration)

19. Full Board Appointments to the Architectural Review Board, the Board of Adjustments and Appeals, the CareerSource Capital Region Board and the Planning Commission
    (County Administrator/ County Administration)

SCHEDULED PUBLIC HEARINGS, 6:00 P.M.

20. First and Only Public Hearing to Consider Adoption of Ordinance Providing for a Code of Ethics and Repeal of Board Policy No. 03-05 (the Code of Ethics Policy)
(County Administrator/ County Attorney)

21. First and Only Public Hearing to Consider Adoption of an Ordinance Enacting the Recodified Leon County Code of Laws and Associated Resolutions
(County Administrator/ County Attorney)

22. First and Only Public Hearing to Consider a Fourth Amendment to the Southwood Integrated Development Order
(County Administrator/ Development Support & Environmental Management)

23. First and Only Public Hearing to Approve the Resolution Adopting the Stormwater Non-Ad Valorem Assessment Roll and Certification of the Entire Roll to Tax Collector
(County Administrator/ Office of Financial Stewardship/ Office of Management & Budget)

24. First and Only Public Hearing to Approve the Resolution Adopting the Solid Waste Disposal Services Non-Ad Valorem Assessment Roll and Certification of the Entire Roll to Tax Collector
(County Administrator/ Office of Financial Stewardship/ Office of Management & Budget)

25. First and Only Public Hearing to Approve the Resolution Adopting the Fire Rescue Services Non-Ad Valorem Assessment Roll and Certification of the Entire Roll to Tax Collector
(County Administrator/ Office of Financial Stewardship/ Office of Management & Budget)

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

- Capital Region Community Development District Meeting Minutes from March 7, 2019 and April 11, 2019

ADJOURN

The next Regular Board of County Commissioner's meeting is scheduled for
Tuesday, July 9, 2019 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 contact the Board Secretary
or visit the County Clerk website at www.leoncountyfl.gov**

PUBLIC NOTICE

Leon County Board of County Commissioners
2019 Tentative Meeting Schedule
All Workshops, Meetings, and Public Hearings are subject to change

Date	Day	Time	Meeting
January 22	Tuesday	3:00 p.m.	Regular Board Meeting
February 12	Tuesday	3:00 p.m.	Regular Board Meeting
February 26	Tuesday	1:00 p.m.	*Joint Workshop Comp Plan Amendments*
~~**February 26**~~	~~Tuesday~~	~~3:00 p.m.~~	~~Regular Board Meeting~~ *Cancelled*
March 12	Tuesday	3:00 p.m.	Regular Board Meeting
March 12	Tuesday	6:00 p.m.	*Transmittal Hearing on 2019 Cycle Comprehensive Plan Amendments*
~~**April 9**~~	~~Tuesday~~	~~3:00 p.m.~~	~~Regular Board Meeting~~ *Cancelled*
April 23	Tuesday	9:00 a.m.	*Budget Policy Workshop*
April 23	Tuesday	3:00 p.m.	Regular Board Meeting
May 14	Tuesday	3:00 p.m.	Regular Board Meeting
May 14	Tuesday	6:00 p.m.	*Adoption Hearing on 2019 Cycle Comprehensive Plan Amendments*
May 28	Tuesday	3:00 p.m.	Regular Board Meeting
June 18	Tuesday	9:00 a.m.	*Budget Workshop*
June 18	Tuesday	3:00 p.m.	Regular Board Meeting
July 9	Tuesday	9:00 a.m.	*Budget Workshop (if necessary)*
July 9	Tuesday	3:00 p.m.	Regular Board Meeting
September 17	Tuesday	3:00 p.m.	Regular Board Meeting
September 17	Tuesday	6:00 p.m.	*First Public Hearing on Tentative Millage Rate and Budgets*
September 24	Tuesday	3:00 p.m.	Regular Board Meeting
September 24	Tuesday	6:00 p.m.	*Second Public Hearing on Final Millage Rate and Final Budgets*
October 15	Tuesday	3:00 p.m.	Regular Board Meeting
October 29	Tuesday	3:00 p.m.	Regular Board Meeting
November 12	Tuesday	3:00 p.m.	Regular Board Meeting
December 10	Tuesday	3:00 p.m.	Regular Board Meeting
January 27	Monday	9:00 a.m.	Board Retreat

PUBLIC NOTICE

Leon County Board of County Commissioners
2019 Tentative Meeting Schedule

Month	Day	Time	Meeting Type
January 2019	**Tuesday 1**	**Offices Closed**	**NEW YEAR'S DAY**
	Monday 7 – Tuesday 8		*FAC New Commissioner Workshop* *Alachua County; Gainesville, FL*
	Tuesday 8	**No meeting**	**BOARD RECESS**
	Thursday 10 & Friday 11	*Seminar 2 of 3*	*FAC Advanced County Commissioner Program* *Alachua County; Gainesville, FL*
	Tuesday 15	~~1:30 p.m.~~ *Cancelled*	~~Capital Region Transportation Planning Agency~~ ~~City Commission Chambers~~
	Monday 21	**Offices Closed**	**MARTIN LUTHER KING, JR. DAY**
	Tuesday 22	3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
		6:00 p.m.	First and Only Public Hearing on Adoption of the Annual Update to the Tallahassee-Leon County Comprehensive Plan Capital Improvements Schedule
February 2019	Friday 1	2:00 p.m.	Leon County Legislative Delegation Meeting County Courthouse, 5th Floor Commission Chambers
	Tuesday 12	3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
		6:00 p.m.	First and Only Public Hearing to Consider an Ordinance Amending Chapter 5, Building and Construction Regulation, to Address the Requirements for Tiny Houses
		6:00 p.m.	First and Only Public Hearing to Consider a Proposed Resolution Renouncing and Disclaiming any Right of the County in a Portion of Gaines Street Right-of-Way
	Tuesday 19	1:30 p.m.	Capital Region Transportation Planning Agency City Commission Chambers
	Tuesday 26	1:00 p.m.	Joint City/County Workshop on the 2019 Cycle Comprehensive Plan Amendments
		~~3:00 p.m.~~ *Cancelled*	~~Regular Meeting~~ ~~County Courthouse, 5th Floor Commission Chambers~~
	Thursday 28	3:00 p.m.	Blueprint Intergovernmental Agency City Commission Chambers
March 2019	*Saturday 2 – Wednesday 6*		*NACO Legislative Conference* *Washington, DC*
	Tuesday 12	3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
		6:00 p.m.	Joint City/County Transmittal Hearing on Cycle 2019 Comprehensive Plan Amendments
		6:00 p.m.	First and Only Public Hearing to Consider the Second Amendment to Southwood Integrated Development Order
	Tuesday 19	1:30 p.m.	Capital Region Transportation Planning Agency City Commission Chambers
	Wednesday 27	*7:30 a.m. – 7:00 p.m.*	*FAC Legislative Day* *Challenger Learning Center, Tallahassee, FL*
	Friday 29	9:00 a.m.	Community Legislative Dialogue Meeting County Courthouse, 5th Floor Commission Chambers
April 2019	~~Tuesday 9~~	~~3:00 p.m.~~ *Cancelled*	~~Regular Meeting~~ ~~County Courthouse, 5th Floor Commission Chambers~~

Month	Day	Time	Meeting Type
April 2019 (cont.)	*Thursday 11 & Friday 12*	*Seminar 3 of 3*	*FAC Advanced County Commissioner Program Alachua County; Gainesville, FL*
	Tuesday 16	~~9:00 a.m. 1:00 p.m.~~ 1:30 p.m.	Capital Region Transportation Planning Agency ~~Workshop/Retreat~~ City Commission Chambers
	Tuesday 23	9:00 a.m.	Budget Policy Workshop County Courthouse, 5th Floor Commission Chambers
		3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
		6:00 p.m.	First & Only Public Hearing on Proposed Ordinance Amending Official Zoning Map to Change Zoning Classification from Single- and Two-Family Residential District (R-3) District to Light Industrial (M-1) District
May 2019	Tuesday 14	3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
		6:00 p.m.	Joint City/County Adoption Hearing on Cycle 2019 Comprehensive Plan Amendments
		6:00 p.m.	First & Only Public Hearing to Consider Third Amendment to Southwood Integrated Development Order
	Tuesday 21	1:30 p.m.	Capital Region Transportation Planning Agency City Commission Chambers
	Monday 27	**Offices Closed**	**MEMORIAL DAY**
	Tuesday 28	3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
June 2019	*Tuesday 11 - Friday 14*		*FAC Annual Conference & Educational Exposition Orange County; Orlando, FL*
	Monday 17	1:30 p.m.	Capital Region Transportation Planning Agency City Commission Chambers
	Tuesday 18	9:00 a.m.	Budget Workshop
		3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
		6:00 p.m.	First & Only Public Hearing to Consider Fourth Amendment to the Southwood Integrated Development Order
		6:00 p.m.	First & Only Public Hearing to Consider Adoption of an Ordinance Enacting the Recodified Leon County Code of Laws
		6:00 p.m.	First & Only Public Hearing to Consider Adoption of Ordinance Providing for a Code of Ethics
		6:00 p.m.	First & Only Public Hearing to Approve the Proposed Resolution Adopting the Stormwater Non-ad Valorem Assessment Roll
		6:00 p.m.	First & Only Public Hearing to Approve the Resolution Adopting the Solid Waste Disposal Services Non-ad Valorem Assessment Roll
		6:00 p.m.	First & Only Public Hearing to Approve the Resolution Adopting the Fire Rescue Services Non-ad Valorem Assessment Roll
	Thursday 27	3:00 p.m.	Blueprint Intergovernmental Agency City Commission Chambers
July 2019	**Thursday 4**	**Offices Closed**	**INDEPENDENCE DAY**
	Tuesday 9	9:00 a.m.	Budget Workshop (if necessary) County Courthouse, 5th Floor Commission Chambers
		3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers

Month	Day	Time	Meeting Type
July 2019 (cont.)	Tuesday 9	**6:00 p.m.**	**First and Only Public Hearing Regarding a Proposed Resolution Adopting Inventory List of County-Owned Properties Appropriate for Affordable Housing**
	Thursday 11 - Monday 15		*NACo Annual Conference Clark County; Las Vegas, Nevada*
	Tuesday 23	**No Meeting**	**BOARD RECESS**
	Wednesday 24 – Saturday 27		*National Urban League Annual Conference Indianapolis, Indiana*
August 2019	*Friday 16 - Sunday 18*		*Chamber of Commerce Annual Conference Amelia Island, FL*
September 2019	**Monday 2**	**Offices Closed**	**LABOR DAY**
	Thursday 5	5:00 p.m.	Blueprint Intergovernmental Agency Meeting & 5:30 p.m. Budget Public Hearing, City Commission Chambers
	Wednesday 11 – Sunday 15		*Congressional Black Caucus Annual Legislative Conference – Washington D.C.*
	~~Tuesday 17~~ Monday 16	1:30 p.m.	Capital Region Transportation Planning Agency City Commission Chambers
	Tuesday 17	3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
		6:00 p.m.*	First Public Hearing Regarding Tentative Millage Rates and Tentative Budgets for FY 19/20*
	Tuesday 24	3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
		6:00 p.m.*	Second & Final Public Hearing on Adoption of Final Millage Rates and Budgets for FY 19/20*
	Wednesday 25 – Thursday 26		*FAC Innovation Policy Conference Bay County; Panama City Beach, FL*
October 2019	Monday 14	9:00 a.m. – 1:00 p.m.	Capital Region Transportation Planning Agency Workshop/Retreat – Location TBD
	Tuesday 15	12:00 -1:30 p.m.	Joint County/City Workshop on the Fundamentals of the Comprehensive Plan
		3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
	Sunday 20 – Wednesday 23		*ICMA Annual Conference Nashville, TN*
	Tuesday 29	1:00 – 3:00 p.m.	Workshop on Leon County Detention Facility Operations
		3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
November 2019	**Monday 11**	**Offices Closed**	**VETERAN'S DAY OBSERVED**
	Tuesday 12	3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
	Tuesday 19	1:30 p.m.	Capital Region Transportation Planning Agency City Commission Chambers
	Wednesday 20 – Friday 22		*FAC Legislative Conference Broward County; Fort Lauderdale, FL*
	Thursday 28	**Offices Closed**	**THANKSGIVING DAY**
	Friday 29	**Offices Closed**	**FRIDAY AFTER THANKSGIVING DAY**
December 2019	~~Monday 9~~	~~9:00 a.m. 4:00 p.m.~~	~~Board Retreat TBD~~ *Rescheduled to January 27*
	Tuesday 10	3:00 p.m.	Regular Meeting County Courthouse, 5th Floor Commission Chambers
	Thursday 12	3:00 – 5:00 p.m.	Blueprint Intergovernmental Agency City Commission Chambers

Month	Day	Time	Meeting Type
December 2019 (cont.)	Tuesday 17	1:30 p.m.	Capital Region Transportation Planning Agency City Commission Chambers
	Wednesday 25	**Offices Closed**	**CHRISTMAS DAY**
January 2020	**Wednesday 1**	**Offices Closed**	**NEW YEAR'S DAY**
	Tuesday 7	**No Meeting**	**BOARD RECESS**
	Monday 27	9:00 a.m.- 4:00 p.m.	Board Retreat – Location TBD

Citizen Committees, Boards, and Authorities

Current and Upcoming Vacancies

leoncountyfl.gov/committees

CURRENT VACANCIES

Board of Adjustment & Appeals
Board of County Commissioners (2 appointment)
Tallahassee City Commission (2 appointments)

Leon County Educational Facilities Authority
Board of County Commissioners (1 appointment)

UPCOMING VACANCIES

JUNE 30, 2019

Architectural Review Board
Board of County Commissioners (1 appointment)

Board of Adjustment and Appeals
Board of County Commissioners (1 appointment)

CareerSource Capital Region Board
Board of County Commissioners (1 appointment)

Planning Commission
Board of County Commissioners (1 appointment)

JULY 31, 2019

Investment Oversight Committee
Board of County Commissioners (2 appointments)

Leon County Educational Facilities Authority
Board of County Commissioners (1 appointment)

Water Resources Committee
Commissioner - At-large I: Lindley, Mary Ann (1 appointment)
Commissioner - District I: Proctor, Bill (1 appointment)
Commissioner - District III: Minor, Rick (1 appointment)

SEPTEMBER 30, 2019

Council on Culture & Arts
Board of County Commissioners (3 appointments)

Housing Finance Authority of Leon County
Commissioner - District II: Jackson, Jimbo (1 appointment)

Science Advisory 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)

Tallahassee-Leon County Commission on the Status of Women & Girls
Board of County Commissioners (3 appointments)
Commissioner - At-large I: Lindley, Mary Ann (1 appointment)
Commissioner - At-large II: Maddox, Nick (1 appointment)
Commissioner - District II: Jackson, Jimbo (1 appointment)
Commissioner - District IV: Desloge, Bryan (1 appointment)

OCTOBER 31, 2019

Canopy Roads Citizens Committee
Board of County Commissioners (2 appointments)

Tourist Development Council
Board of County Commissioners (2 appointments)

Leon County
Board of County Commissioners

Notes for Agenda Item #1

Leon County Board of County Commissioners

Agenda Item #1

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator
Herbert W.A. Thiele, Esq., County Attorney

Title: Proposed Memorandum of Understanding by and between Grady County and Leon County

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Herbert W.A. Thiele, Esq., County Attorney

Statement of Issue:

This agenda item seeks Board approval of a Memorandum of Understanding by and between Grady County and Leon County.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Approve the Memorandum of Understanding by and between Grady County and Leon County (Attachment #1) and authorize the County Administrator to execute.

Report and Discussion

Background:

In 2010, the Army Corps of Engineers issued a dredge-fill permit authorizing construction of the dam on Tired Creek. Tired Creek discharges to the Ochlocknee River. Leon County relies on the Ochlocknee River to refill Lake Iamonia at times of high flow in the river. It is critical to the health of Lake Iamonia that peak flow volumes be maintained in the Ochlocknee, as recharge occurs at irregular intervals, sometimes only for a few days every few years. Meeting daily flow requirements from Tired Creek – rather than monthly or annual average flows – can make a significant difference in those time periods when recharge of Lake Iamonia is to occur or about to occur.

Leon County raised concerns with the Corps in 2013 and 2016 about permit conditions to protect Lake Iamonia's recharge. In response to concerns by Leon County, as well as to address operational issues raised by Grady County, the Corps revised permit conditions in part to help assure adequate downstream discharge, and in part to address dam safety requirements imposed by federal and state law, including the Georgia Safe Dam program.

Special Condition 25 required the filling program to be conducted as follows:

> The permittee shall insure that initial filling and subsequent refilling of the lake occurs only when the calculated flow rate into the lake is above 4.54 Million Gallons per Day (MGD). When the calculated flow rate into the lake is at or below 4.55 MGD, the discharge rate from the dam will be equal to the calculated flow rate into the lake. Initial filling of the lake, subsequent refilling of the lake and management of lake levels shall be conducted in accordance with the report title "Tired Creek Reservoir Low-Flow Release, Filling and Operations Plan (Lake Fill Plan)" dated December 31, 2015. Section 4 of the Lake Fill Plan provides specific details regarding how inflow rates are to be calculated during initial filling and subsequent refilling of the lake. The Georgia Safe Dams Program approved initial lake filling plan is contained in Section 2 of the Lake Fill Plan, as follow: (1) Up to pool elevation 202.2 feet, filling can proceed unrestricted; (2) the pool level is to be held at elevation 202.2 feet for a minimum of two weeks; (3) from pool elevation 202.2 feet to 211.2 feet, filling shall be at a rate not to exceed two feet per week; (4) the pool is to be held at elevation 211.2 feet for a minimum of two weeks; and (5) from elevation 211.2 feet to 220.2 feet (normal pool elevation) the fill rate is not to exceed one foot per week.

The above-referenced permit was issued under the Clean Water Act. That permit authorized the construction and filling of Tired Creek Lake. There have been disputes concerning whether there have been violations of key permit terms written by the Corps to assure dam safety and to protect the recharge of Lake Iamonia in Leon County.

Analysis:

In early 2019, the Leon County Attorney's Office was contacted by representatives of Grady County to inquire about trying to resolve disputes over the permit conditions, including Leon County's concern that Leon County needs real time data about the lake levels and discharges from Tired Creek Lake. Seeing an opportunity to create a dispute resolution process, and to require Grady County, at their expense, install the necessary flow monitoring equipment and data uploads, this Memorandum of Understanding was negotiated that addresses the Counties' respective concerns.

Thus, the purpose of this Memorandum of Understanding is to establish a general framework for cooperation between the Parties and establish the terms and conditions under which the Parties will communicate, address concerns, and resolve disputes regarding the operation of Tired Creek Dam. Furthermore, the intent of the Memorandum of Understanding is to develop a working relationship between the Parties and to inform Leon on matters pertaining to high flow releases. This Memorandum of Understanding does not create any explicit right in the Permit held by Grady County but shall not prohibit either Party from advocating on behalf of its own legitimate interests.

It is hopeful that this cooperative agreement will lead to further areas of joint cooperation in areas of tourism, economic development, and others.

Options:

1. Approve the Memorandum of Understanding by and between Grady County and Leon County (Attachment #1).
2. Do not approve the Memorandum of Understanding by and between Grady County and Leon County.
3. Board direction.

Recommendation:

Option #1

Attachment:

1. Proposed Memorandum of Understanding by and between Grady County and Leon County

MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING ("Agreement" or "MOU"), made as of this ___ day of May, 2019, by and between **GRADY COUNTY**, a political subdivision of the State of Georgia (hereinafter "Grady") and **LEON COUNTY**, a political subdivision of the State of Florida (hereinafter "Leon") (collectively referred to as "Parties").

WITNESSETH:

WHEREAS, Grady obtained a §404 permit under the Clean Water Act from the Savannah District of the US Army of Corps of Engineers ("USACE") for the construction of an earthen dam and 960-acre public fishing lake on Tired Creek, in Grady County, Georgia on May 28, 2010 (hereinafter the "Permit");

WHEREAS, the Permit contains general and special conditions governing the operation of the Tired Creek Lake (the "Project"), the terms and conditions of which are incorporated by reference herein;

WHEREAS, disputes have arisen between Grady and Leon concerning the construction and operation of the Tired Creek Fishing Lake;

WHEREAS, Grady desires to operate the Project to meet the established Project purpose under the Permit and as such, must manage the Project in accordance the Permit requirements including the submission of substantive documentation of its activities to the USACE and other regulatory agencies as set forth in the Permit; and

WHEREAS, Leon has an interest in the Ochlockonee River for the recharge of Lake Iammonia in Leon County, as well as other uses of the Ochlockonee River and its water;

WHEREAS, Grady and Leon both have interests in the water resources of the Ochlockonee River basin and agree that it is beneficial to work together to address concerns and develop data to assess the ongoing conditions of the basin that serves their citizens;

WHEREAS, the Parties desire to pursue a more cooperative approach towards the management of the Ochlockonee River basin; and

NOW THEREFORE, incorporating the foregoing recital of facts and in consideration of the mutual promises contained herein, Grady and Leon, intending to be legally bound, do hereby agree with each other as follows:

1. Purpose. The purpose of this MOU is to establish a general framework for cooperation between the Parties and establish the terms and conditions under which the Parties will communicate, address concerns, and resolve disputes regarding the operation of the Project. Furthermore, the intent of the MOU is to develop a working relationship between the Parties and to inform Leon on matters pertaining to high flow releases. This MOU shall not create any explicit right in the Permit but shall not prohibit either Party from advocating on behalf of its own legitimate interests.

2. **Regulatory Authority.** The Parties acknowledge and warrant that this MOU shall not create obligations contrary to the recommendations and requirements of the applicable federal and state agencies and the terms of the Permit. In addition, the Parties recognize that this Agreement shall not in any way attempt to impact, alter or minimize the obligations and conditions of the Permit under the USACE's authority nor will this Agreement reduce or minimize Grady's obligation to abide by all terms of the Permit. USACE maintains permit compliance authority in its sole and absolute discretion.

3. **Timely Copies of Correspondence**. Grady, including its counsel, shall provide Leon with timely copies of all correspondence regarding water monitoring reports required by the Permit, water monitoring data presented to the USACE and/or EPA, and requests for amendments to Permit special conditions to 1, 18, 22 or 24 or any additional amendments pertaining to water quality or quantity. Leon, including its counsel, shall provide Grady with timely copies of correspondence (including email) sent to the Army Corps of Engineers or the Environmental Protection Agency.

4. **Cooperation in Provision of Data/modeling.** The Parties will cooperate in providing data in forms and formats for use by the other for the purpose of hydrology modeling. Grady shall provide Leon County with the HEC-RAS model for downstream flows approved by the USACE and incorporated into the Permit. Should Leon develop a hydrographic model of the Ochlockonee River Basin system, Leon shall provide Grady with a copy. This paragraph shall not result in any costs being incurred by one party for modeling work done by the other party. Neither Party shall be required to provide data or models in a form or format that differs from its development or maintenance of such data in the normal course of business.

5. **Water Audit.** Grady has contracted with the University of Georgia ("UGA") to utilize hydrology and fisheries personnel to assist in the assessment and management of the Project. Specifically, UGA will prepare a report that (1) identifies data issues, recommendations for compliance with the QAPP and revisions based on review of data challenges and current field circumstances; (2) provides an inventory and efficacy of current field data acquisition systems and determine whether able to meet frequency requirements; (3) determine whether sample adjustments are necessary. Further UGA will (1) repair and replace water monitoring equipment as necessary, (2) train and supervise technicians to collect data as required by the Permit, including the development, review and revision of a field checklist; (3) confirm quality control field and laboratory sampling practices and (4) review data and prepare quarterly and annual summary reports as required under the Permit. Grady will timely provide Leon a copy of the UGA reports.

6. **Real Time Access to Water Flow and Water Level Data**.

Leon desires and Grady agrees to provide Leon all water quality and quantity data from the Tired Creek lake. Real time data shall be provided for the lake elevation and downstream dam

discharge through a website which shall make the data accessible to Leon at any time and is linked to the gauge data or other instrumentation that accurately records such data.

7. Communication/Coordination Protocol:

7.1 **Informal Communication**. Each party shall designate a principal cooperator contact as identified below in Section 7.2. These individuals shall be the primary point of contact for their respective party and be permitted to engage in informal coordination efforts and address preliminary requests that shall not be subject to the notice provisions provided herein.

7.2 **Notice:** Any notice, demand, request or other communication (a "Notice") required or permitted to be given hereunder shall be in writing and shall be delivered by hand, be sent by registered or certified mail, postage prepaid, return receipt requested, or be sent by nationally recognized commercial courier (such as UPS or FedEx), prepaid, for next Business Day delivery, to the addresses set forth below, or to such other addresses as are specified by written notice given in accordance herewith. Any such Notice delivered by hand shall be deemed given upon the date delivered to the address of the party notified; those given by mailing as hereinabove provided shall be deemed given on the date of deposit in the United States Mail; and those given by commercial courier as hereinabove provided shall be deemed given on the date of deposit with the commercial courier. Any Notice of any party may be given by such party's counsel.

Any Notice addressed to the Parties shall be sent in the manner provided above to the following addresses:

If to Grady: (Principal Contact)
Buddy Johnson
Grady County Administrator
250 North Broad Street
Cairo, GA 31728

With copies to:
Mike Binion
Grady County Lake Manager
250 North Broad Street
Cairo, GA 31728

Laura Benz
Benz Law Group
19 W. Broad Street
Newnan, GA 30263

If to Leon: (Principal Contact)
Vincent Long
Leon County Administrator
301 South Monroe Street
Tallahassee, Florida 32301

With copies to:
Herbert Thiele
Leon County Attorney
301 South Monroe Street

Tallahassee, Florida 32301

William B. Graham
Carr Allison
305 South Gadsden Street
Tallahassee, FL 32301

Either party may change an address for notices by giving the other a notice of address change in the manner for notices hereinabove stated.

8. **Future Dispute Resolution:** In the event a dispute arises in the future over Permit compliance, before Leon contacts the USACE or any other relevant federal agency or legislative authority alleging violations of the Permit, the Parties shall first consult in good faith, including if necessary, an in-person discussion between the County Administrator of Grady County and the County Administrator for Leon County. Should the dispute be technical in nature (based upon expert opinion or require technical expertise), the Parties agree to facilitate their respective consultants to discuss the subject matter dispute. The Parties shall use commercially reasonable efforts to resolve any dispute. In the event that no resolution is reached through informal consultations between the Parties within thirty (30) days of Grady receiving written claims alleging permit violations, Leon may proceed to seek action by the USACE to enforce the Permit. The thirty (30) day period shall not apply to those technical matters which require consultant coordination and attempted resolution of the dispute. In technical matters, the parties shall have fourteen (14) days following the meeting of the technical consultants to resolve said dispute before Leon may proceed to seek action from the USACE. The Parties may at their election choose, but are not obligated, to submit the dispute to mediation. Grady shall be timely provided copies of any such communications by Leon contemplated under this Paragraph, and Grady shall timely provide Leon with copies of any responses made to such communications.

9. **Miscellaneous**:

9.1 **Term of MOU.** This MOU is effective upon the day and date last signed and executed by the duly authorized representatives of the governing bodies of the Parties' respective counties and shall remain in full force and effect for not longer than the water monitoring period set forth under the Permit. This MOU may be terminated, without cause, by either party upon thirty (30) days written notice, which notice shall be delivered in accordance with Paragraph 7.2. It is agreed that, in the event that Tired Creek fishing lake and the earthen dam are assigned, sold or transferred to any third party, the terms of this MOU will remain in full force and effect and must be assigned or transferred to the subsequent owner of the property.

9.2 **Captions; Pronouns.** The captions of the Articles and Sections of this Agreement and the particular pronouns used herein, whether masculine, feminine, or neutral, singular or plural, are for convenience only and in no way define, limit or describe the scope of this Agreement or the intent of any provision hereof.

9.3 **Severability**. In the event that any provision of this Agreement violates any applicable law, such provision shall be invalid to the extent of such violation without affecting the validity or enforceability of any other provision hereof.

9.4 **Entire Agreement.** This Agreement constitutes the entire agreement between Grady and Leon with respect to the subject matter hereof and all prior agreements, undertakings, understandings, offers and letters of intent between or among the parties hereto, whether written or oral, with respect to the Project are merged herein. Exhibits attached hereto are incorporated herein by reference thereto. No change in this Agreement may be made except by an agreement in writing signed by the party against whom enforcement of any waiver, change, modification or discharge is sought.

9.5 **Amendments**. Either party may request changes to this MOU. Any changes, modifications, revisions or amendments to this MOU which are mutually agreed upon by and between the parties to this MOU shall be incorporated by written instrument, and effective when executed and signed by all parties to this MOU.

9.6 Counterparts. This Agreement may be expected in any number of counterparts which together shall constitute one and the same instrument, and the signature of any party to any counterpart of this Agreement may be appended to any other counterpart of this Agreement.

9.7 Force Majeure. The Parties acknowledge that there shall be no cause of action or objection upon the occurrence of Force Majeure. An event of Force Majeure occurs when an event beyond the control of the Party claiming Force Majeure prevents such Party from fulfilling its obligations. An event of Force Majeure includes, without limitation, acts of God (including floods, hurricanes and other adverse weather), war, riot, civil disorder, acts of terrorism, disease, epidemic, strikes and labor disputes, actions or inactions of government or other authorities, law enforcement actions, curfews, closure of transportation systems or other unusual traffic difficulties, or inability to provide a safe working environment for employees. In the event of Force Majeure, Grady will notify Leon of its efforts to address the Permit requirements impacted by such action within fourteen days following the conclusion of the event.

9.8 No Waiver. No waiver by Grady or Leon of any breach by the other party of any of its obligations, agreements or covenants hereunder shall be deemed to be a waiver of any subsequent breach of the same or any other covenants, agreements or obligations; nor shall any forbearance by either party to seek a remedy for any breach by the other party be deemed a waiver by such first party of its rights or remedies with respect to such breach or any similar breach in its future.

[Signatures on Next Page]

GRADY COUNTY, GEORGIA

BY:_____
J.C. Buddy Johnson
County Administrator

ATTEST

BY:_____
Name:
Position:

LEON COUNTY, FLORIDA

By:_____
Vincent S. Long
County Administrator

ATTEST

Gwendolyn Marshall, Clerk of Court &
Comptroller, Leon County

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 #2

Leon County Board of County Commissioners

Agenda Item #2

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Payment of Bills and Vouchers

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:	Tiffany Fisher, Management Analyst

Statement of Issue:

This agenda item requests Board approval of the payment of bills and vouchers submitted June 18, 2019 and pre-approval of payment of bills and vouchers for the period of June 19, 2019 through July 8, 2019.

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 June 18, 2019 and pre-approve the payment of bills and vouchers for the period of June 19, 2019 through July 8, 2019.

Report and Discussion

Background:

The Office of Financial Stewardship/Management and Budget (OMB) reviews the bills and vouchers printout, submitted for approval during the June 18th meeting, the morning of Monday, June 17, 2019. If for any reason, any of these bills are not recommended for approval, OMB will notify the Board.

Analysis:

Due to the Board not holding a regular meeting until July 9, 2019, it is advisable for the Board to pre-approve payment of the County's bills for June 19, 2019 through July 8, 2019 so that vendors and service providers will not experience hardship because of delays in payment. OMB 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 June 18, 2019 and pre-approve the payment of bills and vouchers for the period of June 19, 2019 through July 8, 2019.
2. Do not approve the payment of bills and vouchers submitted for June 18, 2019, and do not pre-approve the payment of bills and vouchers for the period of June 19, 2019 through July 8, 2019.
3. Board direction.

Recommendation:

Option #1

Leon County
Board of County Commissioners

Notes for Agenda Item #3

Leon County Board of County Commissioners

Agenda Item #3

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Gwen Marshall, Clerk of the Circuit Court and Comptroller

Title: FY 2017/2018 Annual Audit and Financial Statements

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:	Kimberly Wilder, Director of Finance Kenneth Kent, Interim Finance Director

Statement of Issue:

This agenda item seeks the Board's acceptance of the annual external audit and the County's financial statements, and approval for the Chairman to sign the letter transmitting these reports to the Auditor General in compliance with Florida Statutes.

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 2017/18 Annual Audit and Financial Statements (Attachment #1) and authorize the Chairman to sign a letter transmitting the report to the Auditor General (Attachment #2).

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 external auditors is included in pages 43 to 52 of Attachment #1. There are three audit recommendations which have been accepted by management. The implementation of the recommendations is in progress. The letter transmitting the Management Letter (Attachment #2) will be forwarded to the Auditor General.

Options:

1. Accept the FY 2017/2018 Annual Audit and Financial Statements (Attachment #1) and authorize the Chairman to sign the letter transmitting the report to the Auditor General (Attachment #2).
2. Do not accept the FY 2017/2018 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 2017/2018
2. Draft Response transmitting the report to the Auditor General

Attachment #1, Leon County's Annual Audit Report and Financial Statements for the fiscal year 2018, were not available at the time of publication of the Board's June 18th meeting agenda. Upon receipt of the Audit Report and Financial Statements from the Clerk of the Circuit Court and Comptroller, the documents will be distributed to the Board and posted on the County's website.

DRAFT

Ms. Sherrill F. Norman, CPA
Auditor General
Claude Pepper Building
111 West Madison Street
Room G74
Tallahassee, Florida 32399-1450

Dear Ms. Norman:

On _____, the County received its audited financial statements for the year ended September 30, 2018. Along with the report, the County received the external auditor's management letter. Pursuant to Florida Statutes, Section 11.45, the County's management letter is enclosed.

Leon County continues to focus on efforts to improve the efficiency and effectiveness of operations and to further refine the financial management of the County.

Sincerely,

Jimbo Jackson
Chairman

Enclosure

Leon County
Board of County Commissioners

Notes for Agenda Item #4

Leon County Board of County Commissioners

Agenda Item #4

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Florida Department of Health Emergency Medical Services Matching Grants

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Wanda Hunter, Assistant County Administrator Chad Abrams, Chief, Emergency Medical Services
Lead Staff/ Project Team:	Timothy Carlson, Financial Compliance Manager

Statement of Issue:

This agenda item seeks Board acceptance of two Florida Department of Health Emergency Medical Services Matching Grants in the amount of $100,938 for the purchase of operational monitoring software and citizen CPR training programs.

Fiscal Impact:

This item is associated with two grants. Each grant requires a 25% local match for a combined total of $33,647. The match funding is available in the current EMS operating budget.

Staff Recommendations:

Option # 1: Accept the two Florida Department of Health grants which total $100,938 and authorize the County Administrator to execute all documents related to the grant funded projects (Attachment #1).

Option # 2: Approve the Resolution and associated Budget Amendment Request (Attachment #2).

Report and Discussion

Background:

These two grant projects are essential to the following FY2017-FY2021 Strategic Initiative and five-year target:

- *Continue to evaluate emergency medical response strategies to improve medical outcomes and survival rates. (2016-26)*
- *Train 8,500 citizens in CPR/AEDs (T11)*

This Strategic Initiative aligns with the Board's Quality of Life Strategic Priority:

- *(Q3) Provide essential public safety infrastructure and services.*

This item seeks Board acceptance of two Florida Department of Health matching grants. Annually, the Florida Department of Health makes competitive grant funding available to EMS organizations in Florida to improve and enhance pre-hospital emergency medical services. The grant provides 75% of the funding towards the project and requires the County to provide 25% as local match funding. The County submitted applications for operational tracking software and citizen Cardio Pulmonary Resuscitation (CPR) training.

The County aggressively seeks state and federal grant funding to support County projects and initiatives and has achieved considerable success in utilizing existing revenue to leverage additional funds. The Office of Management and Budget (OMB) coordinates with department liaisons and actively seeks grant funding opportunities throughout the fiscal year. Through timely submittals of reports and invoices, satisfactory compliance with on-site monitoring requirements and grant close-out procedures by the granting agencies, Leon County has positioned itself as a responsive and accountable funding partner. Because of this accountability, agencies that have provided funding in the past often contact Leon County when grant funds become available. In addition, to the County's partnership with Patton Boggs which also garners access to recently announced federal grant opportunities, OMB routinely monitors the federal Grants.gov portal for grant funded opportunities as well as seeks out new grants by maintaining regular contact with agencies that have provided funding for past projects. The County's average grant leverage ratio is $3.60 to $1. When considering the grants, the County has been awarded for the septic to sewer project which require a one-to-one dollar match, the overall leveraging benefits increase significantly to a $11.42 to $1 ratio.

Analysis:

On May 3, 2019, the County was notified by the Florida Department of Health of the grant award to fund the Operational Monitoring Software and the Cardio Pulmonary Resuscitation Training of the projects (Attachment #1):

- *Operational Monitoring Software* – The total project budget is $87,430 ($65,572 grant/$21,858 County match). This grant is for a software solution to monitor a wide variety of EMS parameters, such as trends in pandemics, bioterrorism, hazardous material exposure, trauma alerts, or response times as well as others. The software will monitor the

Computer Aided Dispatch and Electronic Patient Care Reporting systems in real time to determine if dispatchers, field crews, or management need to mitigate any developing circumstance.

- *Cardio Pulmonary Resuscitation Training* – The total project budget is $47,155 ($35,366 grant /$11,789 County match). This grant provides the funding necessary to produce the annual Press the Chest community CPR training event and covers expenses such as the CPR Anytime kits utilized during the training, advertising of the event, and the facility rental costs. Residual CPR Anytime kits will be used to conduct additional CPR training programs for citizens.

The required local match funding totals $33,647 and is available in the current EMS operating budget.

Options:

1. Accept the two Florida Department of Health grants which total $100,938 and authorize the County Administrator to execute all documents related to the grant projects.
2. Approve the Resolution and associated Budget Amendment Request.
3. Board direction.

Recommendations:

Options #1 and #2

Attachments:

1. Grant Award Notifications
2. Resolution and associated Budget Amendment Request

Mission:
To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.

Florida HEALTH

Ron DeSantis
Governor

Vision: To be the Healthiest State in the Nation

RECEIVED COPY
2019 MAY 16 PM 5:32

May 3, 2019

LEON COUNTY
EMS DIVISION

Vincent Long, County Administrator
Leon County
301 South Monroe Street
Tallahassee, Florida 32301

Dear Mr. Long:

The Department of Health is pleased to award an Emergency Medical Services (EMS) Matching Grant, ID Code M7018, in the amount of $35,366.25, to Leon County Emergency Medical Services. This grant program is funded by the Florida Department of Health, EMS Trust Fund. There are no federal funds involved. The purpose of this grant is to improve and expand EMS by assisting your organization in the purchase of 1,000 friends and family anytime kits and related costs.

The grant begins the date of this letter and ends June 30, 2020. Your required local cash match is $11,788.75 with a total budget of $47,155.00. You are required to report grant activities and purchases to the state pursuant to section 401.113(2)(b), Florida Statutes, and in compliance with the Florida Catalog of State Financial Assistance program number 64.003. The reports are due the third week of October 2019, February 2020, and July 2020.

Your signed grant application affirms you have read, understand and will comply with the conditions and requirements in the "Florida EMS Matching Grant Program Application Packet, December 2008." You may obtain a copy of the grant application packet from your identified contact person.

Thank you for your participation in this state EMS grant. If you need assistance, please contact the Bureau of Emergency Medical Oversight, EMS Section, Health Services and Facilities Consultant, Alan Van Lewen at (850) 558-9550.

Sincerely,

Doug H. Woodlief
Division Director
Emergency Preparedness and Community Support

DHW/avl
cc: Mac Kemp

Florida Department of Health
Division of Emergency Preparedness and Community Support
Bureau of Emergency Medical Oversight
4052 Bald Cypress Way, Bin A-22 • Tallahassee, FL 32399-1722
PHONE: 850/245-4440 • FAX: 850/245-4378
FloridaHealth.gov

PHAB Accredited Health Department Public Health Accreditation Board

Mission:
To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.

Florida HEALTH

Vision: To be the Healthiest State in the Nation

Ron DeSantis
Governor

RECEIVED COPY
2019 MAY 16 PM 5:32
LEON COUNTY
EMS DIVISION

May 3, 2019

Vincent Long, County Administrator
Leon County
301 South Monroe Street
Tallahassee, Florida 32301

Dear Mr. Long:

The Department of Health is pleased to award an Emergency Medical Services (EMS) Matching Grant, ID Code M7019, in the amount of $65,572.50, to Leon County Emergency Medical Services. This grant program is funded by the Florida Department of Health, EMS Trust Fund. There are no federal funds involved. The purpose of this grant is to improve and expand EMS by assisting your organization in the purchase of operational surveillance software.

The grant begins the date of this letter and ends June 30, 2020. Your required local cash match is $21,857.50 with a total budget of $87,430.00. You are required to report grant activities and purchases to the state pursuant to section 401.113(2)(b), Florida Statutes, and in compliance with the Florida Catalog of State Financial Assistance program number 64.003. The reports are due the third week of October 2019, February 2020, and July 2020.

Your signed grant application affirms you have read, understand and will comply with the conditions and requirements in the "Florida EMS Matching Grant Program Application Packet, December 2008." You may obtain a copy of the grant application packet from your identified contact person.

Thank you for your participation in this state EMS grant. If you need assistance, please contact the Bureau of Emergency Medical Oversight, EMS Section, Health Services and Facilities Consultant, Alan Van Lewen at (850) 558-9550.

Sincerely,

Doug H. Woodlief
Division Director
Emergency Preparedness and Community Support

DHW/avl
cc: Mac Kemp

Florida Department of Health
Division of Emergency Preparedness and Community Support
Bureau of Emergency Medical Oversight
4052 Bald Cypress Way, Bin A-22 • Tallahassee, FL 32399-1722
PHONE: 850/245-4440 • FAX: 850/245-4378
FloridaHealth.gov

PHAB Accredited Health Department
Public Health Accreditation Board

RESOLUTION NO.

WHEREAS, the Board of County Commissioners of Leon County, Florida, approved a budget for fiscal year 2018/2019; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 129, Florida Statutes, desires to amend the budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Leon County, Florida, hereby amends the budget as reflected on the Departmental Budget Amendment Request Form attached hereto and incorporated herein by reference.

Adopted this 18th day of June, 2019.

LEON COUNTY, FLORIDA

BY: _____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTEST:
Gwendolyn Marshall, 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

FISCAL YEAR 2018/2019
BUDGET AMENDMENT REQUEST

No: BAB19025 **Agenda Item No:**
Date: 5/29/2019 **Agenda Item Date:** 6/18/2019

County Administrator **Deputy County Administrator**

Vincent S. Long **Alan Rosenzweig**

Request Detail:

Account Information					Current Budget	Change	Adjusted Budget
Fund	*Org*	*Acct*	*Prog*	*Title*			
135	185	53400	526	Other Contractual Services	4,249,305	(33,647)	4,215,658
135	950	591127	581	Transfer to Grant Fund	-	33,647	33,647
				Subtotal:	-		

Revenues

Account Information					Current Budget	Change	Adjusted Budget
Fund	*Org*	*Acct*	*Prog*	*Title*			
127	961061	381135	000	Transfer from EMS Fund	-	21,858	21,858
127	961061	334202	000	EMS Matching Grant (monitoring software)	-	65,572	65,572
				Subtotal:		87,430	

Expenditures

Account Information					Current Budget	Change	Adjusted Budget
Fund	*Org*	*Acct*	*Prog*	*Title*			
127	961061	56400	526	Machinery & Equipment	-	87,430	87,430
				Subtotal:		87,430	

Revenues

Fund	*Org*	*Acct*	*Prog*	*Title*			
127	961062	381135	000	Transfer from EMS Fund	-	11,789	11,789
127	961062	334202	000	EMS Matching Grant (CPR Training)	-	35,366	35,366
				Subtotal:		47,155	

Expenditures

Account Information					Current Budget	Change	Adjusted Budget
Fund	*Org*	*Acct*	*Prog*	*Title*			
127	961062	54800	526	Promotional Activities	-	47,155	47,155
				Subtotal:		47,155	

Purpose of Request:

This budget amendment appropriates $100,938 in funding from the Florida Department of Health for two Emergency Medical Services matching grants. The grant program requires a 25% local match. The first grant is for the purchase of monitoring software in the amount of $65,572 with a county match of $21,858 for a total of $87,430. The second grant is for CPR training to the public in the amount of $35,366 with a county match of $11,789 for a total of $47,155.

Group/Program Director **Tim Barden, Budget Manager**

Scott Ross, Director, Office of Financial Stewardship

Approved By: **Resolution** [X] **Motion** [ ] **Administrator** [ ]

Leon County
Board of County Commissioners

Notes for Agenda Item #5

Leon County Board of County Commissioners

Agenda Item #5

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Emergency Management Plan for Lake Talquin Dam

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Mathieu Cavell, Assistant to the County Administrator Kevin Peters, Director of Emergency Management

Statement of Issue:

This agenda items provides a status update on the County's implementation of the Lake Talquin Dam (formerly the C.H. Corn Hydroelectric Dam) emergency management plan in coordination with various state and local public safety agencies to safeguard and inform citizens in case of a controlled release of water.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Accept the status report on the implementation of the Lake Talquin Dam emergency management plan to safeguard and inform citizens in case of a controlled release of water.

Report and Discussion

Background:

The County's ongoing efforts to coordinate state and local public safety agencies and other disaster-related and resilience activities are essential to the following FY 2017-FY 2021 Strategic Initiative:

- *Develop an emergency management plan for controlled release of water at the C. H. Corn hydroelectric dam. (2018-13)*

This particular Strategic Initiative aligns with the Board's Governance Strategic Priorities:

- *(G2) Sustain a culture of performance, and deliver effective, efficient services that exceed expectations and demonstrate value.*
- *(G5) 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.*

This agenda items provides a status update on the County's implementation of the Lake Talquin Dam (formerly C.H. Corn Hydroelectric Dam) emergency management plan in coordination with various state and local public safety agencies to safeguard and inform citizens in case of a controlled release of water. A controlled release of water is important to the safe operation of the dam when water levels rise in Lake Talquin. If not released, water may overtop the dam and damage the infrastructure, leading to significant and uncontrolled flooding.

The average lake level is 68.5 feet. To maintain the integrity of the dam, water levels may only be reduced by 1 foot and should not be 1 foot above normal. To maintain this balance the Florida Department of Environmental Protection, which operates the Lake Talquin Dam, must make controlled releases of water which result in increased levels of the Ochlockonee River below the dam. When inflows into Lake Talquin from the Ochlockonee River (upstream of Lake Talquin) and the Little River (upstream of Lake Talquin) are high, more water must be release from the dam resulting in higher downstream river levels. If the Ochlockonee River, below the dam, rises above 23 feet significant flooding can begin to occur on Crooked Road.

The strategic initiative to create an emergency management plan was discussed at the 2018 Annual Board Retreat and ratified on January 22, 2019. While County Emergency Management regularly liaised with dam operators and technicians during periods of heavy rainfall, staff identified other opportunities to further improve coordination and planning among various groups such as the City of Tallahassee, Leon County Sheriff's Office, Florida Department of Environmental Protection (FDEP), downstream property owners, and neighboring counties. The importance of an emergency management plan was further underscored December 12, 2018 when the City of Tallahassee notified Leon County that the facility would be decommissioned and no longer function as a hydroelectric dam and that operation would return to the FDEP in March 2019.

Constructed in 1927 to produce hydroelectricity, the Lake Talquin Dam holds back the waters of the Ochlocknee River to form Lake Talquin. With a surface area in excess of 10,200 acres, Lake

Talquin rises with any significant rainfall not only in Leon County, but also areas into southern and central Georgia. Downstream from the Lake Talquin Dam, the Ochlocknee River travels through four counties before entering into the Gulf of Mexico. Any controlled release of water affects a downstream camping area as well as nearly 50 homes in the Crooked Road neighborhood. While a flood stage elevation was established for this area, all residential developments are on relatively low ground.

Under the ownership of the State of Florida and during the City of Tallahassee's 33-year period of operation, the facility had robust emergency operations and communications planning, especially for residents downstream. With the transfer of operation to the State of Florida in coordination with County Emergency Management, staff has helped ensure continuity while also documenting a thorough plan for public safety agencies should water levels rise and a rapid controlled water release be warranted.

On March 15, 2019, County Emergency Management staff met with FDEP and the City of Tallahassee to discuss emergency management planning for the Lake Talquin Dam. From that meeting, staff confirmed that FDEP would contract with the City of Tallahassee in the short term for ongoing operations of the dam and that FDEP would continue the emergency alert message process for downstream residents.

Analysis:

Following the meeting with FDEP and a site visit to the dam, Emergency Management staff prepared the Lake Talquin Dam Emergency Management Plan Annex (Attachment #1), which will be included in the County's Comprehensive Emergency Management Plan.

Using the National Weather Service's guidance on flood stages, the emergency management plan outlines action steps to be taken by public safety agencies and other emergency response partners according to the height of the Ochlocknee River downstream from Lake Talquin. The flood categories are as follows: Low Stage (0' to 3'), Normal Stage (3' to 16'), Action Stage (16' to 20'), Flood Stage (20' to 23'), Moderate Flood Stage (23' to 27'), Major Flood Stage (27' or greater).

For reference, at the beginning of June 2019 the Ocholocknee water level was about three feet due to abnormally dry weather conditions. On December 3, 2018, the river gauge read 20.86 feet due to persistent, heavy rain.

The following summary uses the National Weather Service's flood stages to categorize protective and response measures performed by public safety agencies in coordination with Emergency Management:

- **Low Stage and Normal Stage (up to 16')** – Dam operators continue to monitor lake conditions, upstream water levels, and National Weather Service forecasts. Annually, Lake Talquin Dam operators go door-to-door to update contact information for downstream residents. Emergency Management coordinates with dam operators prior to the start of hurricane season to ensure that the emergency operations plan and the information included in the annex are accurate and up-to-date.

- **Action Stage (up to 20')** – The National Weather Service has issued a flood forecast and possible flood warning. Dam operators notify Emergency Management whenever the Ochlocknee is predicted to rise to 16' or greater. After notification, operators assess rainfall forecast and inbound river flow to set flood gate level, then operators provide a release estimate to both the National Weather Service and Emergency Management. As waters continue to rise, Emergency Management begins daily coordination calls with emergency responders and stakeholders. Dam operators begin automated call process notifying downstream residents of the river level and advising protective actions for their properties.
- **Flood Stage (up to 23') –** The National Weather Service has issued a flood warning as water begins to flood backyards of homes at the end of Crooked Road in Leon County. Dam operators work to keep the water levels at or below 23' as long as possible. Emergency Management notifies the Leon County Sheriff's Office that an extra patrol is needed along Crooked Road to monitor any public safety issues. Dam operators and County staff go door-to-door to ensure citizens are informed and developing a plan should evacuation become necessary. Emergency Management activates Big Bend Community Organizations Active in Disaster (COAD) due to residents being possibly displaced or impacted and County Public Works deploys sandbags at Fort Braden Community Park and places flooded road signs at the Crooked Road entrance. Talquin Electric evaluates deenergizing nearby distribution lines.
- **Moderate Flood Stage (up to 27')** – With water levels along the Ochlocknee River reaching historic levels, homes not elevated in Crooked Road begin to flood. Emergency Management continues to coordinate all responding agencies, and the Emergency Operations Center could be activated. Leon County considers issuing a Local Declared State of Emergency and also issuing a voluntary evacuation of the Crooked Road area. Emergency Management requests that Leon County Sheriff's Office assign a static traffic post to keep people from entering flood areas, and Tallahassee Fire Department has been alerted to prepare for water rescues. Door-to-door notifications and loud speaker announcements continue. Public Works has closed Crooked Road and put a road closed sign at the entrance. The American Red Cross has identified a nearby host shelter and has gone on standby waiting for direction from Leon County. Other Big Bend COAD members continue gathering resources and preparing to mobilize to answer the community's needs. Emergency Management schedules regular coordinating calls with the State of Florida to ensure close coordination across the region and state.
- **Major Flood Stage (27' or greater)** – It's been more than 50 years since the Ochlocknee rose to this level. Flooding has closed SR-20 in Liberty County, threatened the SR-20 bridge, and flooded even elevated homes along Crooked Road. Emergency Management requests the Florida Department of Transportation close SR-20 to prevent travelers from entering flooded roads in Liberty County. Emergency Management recommends issuing a mandatory evacuation for Crooked Road and coordinates closely with the Leon County Sheriff's Office and the Tallahassee Fire Department to conduct rescues from flood homes. Public Works barricades Crooked Road to prevent all non-public safety associated access. Big Bend COAD assigns responsibilities to all nonprofit partners, such as the American Red Cross for sheltering, Salvation Army for meal service, and Second Harvest for snacks

and other feeding operations. Emergency Management begins long-term disaster recovery efforts, such as housing and other basic needs. Big Bend 2-1-1 is notified of the need for specific case management and referrals are made for affected citizens.

As part of the County's Comprehensive Management Plan, the actions listed above will help ensure the safety of citizens and property in the Crooked Road neighborhood by keeping downstream residents informed and prepared. The plan safeguards the community and sets clear roles and responsibilities for responding partners should a rapid controlled release of water become necessary to protect the integrity of the Lake Talquin Dam.

Options:

1. Accept the status report on the implementation of the Lake Talquin Dam emergency management plan to safeguard and inform citizens in case of a controlled release of water.
2. Do not accept the status report on the implementation of the Lake Talquin Dam emergency management plan to safeguard and inform citizens in case of a controlled release of water.
3. Board direction.

Recommendations:

Option #1

Attachment:

1. Lake Talquin Dam emergency management plan annex as incorporated into the County's Comprehensive Emergency Management Plan

Comprehensive Emergency Management Plan

Hazard Specific Annex

Lake Talquin Controlled Water Release

June 2019

Lead Agency

Leon County Emergency Management

Support Agencies

Florida Department of Environmental Protection (Dam Operators)

Leon County Sheriff's Office

Tallahassee Fire Department

Leon County Emergency Medical Services

Leon County Public Works

Leon County Community and Media Relations

Introduction

Constructed in 1927 to produce hydroelectricity, the Lake Talquin Dam holds back the waters of the Ochlocknee River to form Lake Talquin. With a surface area in excess of 10,200 acres, Lake Talquin rises with any significant rainfall not only in Leon County, but also areas into southern and central Georgia. Downstream from the Lake Talquin Dam, the Ochlocknee River travels through four counties before entering the Gulf of Mexico. Any controlled release of water affects a downstream camping area as well as nearly 50 homes in the Crooked Road neighborhood.

The average lake level is 68.5 feet. To maintain the integrity of the dam, water levels may only be reduced by 1 foot and should not be 1 foot above normal. To maintain this balance the Florida Department of Environmental Protection, which operates the Lake Talquin Dam, must make controlled releases of water which result in increased levels of the Ochlockonee River below the dam. When inflows into Lake Talquin from the Ochlockonee River (upstream of Lake Talquin) and the Little River (upstream of Lake Talquin) are high, more water must be released from the dam resulting in higher down stream river levels. If the Ochlockonee River, below the dam, rises above 23 feet significant flooding can begin to occur on Crooked Road.

Purpose

This hazard specific annex to the Leon County Comprehensive Emergency Management Plan provides guidance in coordinating activities before, during, and after a controlled release of water from the Lake Talquin Dam.

Scope

This hazard specific annex to the Leon County Comprehensive Emergency Management Plan deals specifically with downstream effects of a controlled release of water from the Lake Talquin Dam. A controlled release of water may occur at as a result of multiple causes such as tropical weather, heavy seasonal rainfall, or for a lowering of the lake level for dam maintenance.

Policy

This document is a hazard specific annex to the Leon County Comprehensive Emergency Management Plan. The Leon County Comprehensive Emergency Management Plan establishes the framework for interagency coordination and collaboration in preparing for, responding to, and recovering from emergencies and disasters in Leon County. The plan outlines roles and responsibilities, emergency management structures, and concept of operations for response to emergencies and disasters. Additionally, the Comprehensive Emergency Management Plan ensures compliance with Leon County's statutory requirement to have a county emergency management plan that is coordinated and consistent with the state comprehensive emergency management plan.

Leon County, by County Commission Resolution, has adopted the National Incident Management System as the standard for incident management in Leon County.

The Florida Department of Environmental Protection-Dam Safety Office requires dam operators to have an Emergency Action Plan. A Dam Emergency Action Plan deals with an unusual situation or emergency involving the potential failure of a dam.

The National Weather Service, a component of the National Oceanic and Atmospheric Administration, sets the flood levels for the Ochlocknee River, issues flood forecasts, and issues flood watches and warnings. The flood levels for the Ochlocknee River at the Bloxham Gauge are:

Low Stage: Dry-3 feet

Normal Stage: 3.1-15.9 feet

Action Stage: 16-19.9 feet

Flood Stage: 20-22.9 feet

Moderate Flood Stage: 23-26.9 feet

Major Flood Stage: 27+ feet

Resource Availability and Capability Assessment

- **Resources Availability**

The following resources are available during a controlled release of water from the Lake Talquin Dam.

Public Notification

The Florida Department of Environmental Protection utilizes a mass notification system to contact downstream residents and emergency management of release of water from the Lake Talquin Dam.

Leon County Community and Media Relations has multiple methods for communicating with the public. The full description of Community and Media Relations communications methods are described in the Emergency Support Function #14 – Emergency Public Information Annex to the Leon County Comprehensive Emergency Management Plan. Capabilities include: Leon County Citizens Connect App, Nextdoor, GovDelivery Subscription Service, Leon County Emergency Information Portal, Leon County Social Media Sites, and Press Releases.

Additionally, Community and Media Relations may utilize 88.9 FM (WFSU Radio) for live updates when the Emergency Operations Center is activated.

Emergency Boats and Locations

The Tallahassee Fire Department has boats for flood rescue station throughout the county. The first due boat for Crooked Road is located at Fire Station #14 on Blountstown Highway. The Tallahassee Fire Department rescue boat assignment is as follows:

Boat #3 / 25hp – Station #3, 3005 S. Monroe St

Boat #4 / 40hp – Station #4, 2899 W Pensacola St

Boat #16 / 30hp – Station #16, 913 Easterwood Drive

Boat #14 / 25hp – Station #14 16614 Blountstown Hwy

Boat #15 / 30hp – Station #15 1445 Bannerman Rd

The Leon County Sheriff's office has 2 boats that could support flood rescue operations. Their boat inventory includes:

2 aluminum boats, no motor – LCSO HQ, 2825 Municipal Way **No Trailer**

Leon County Government has 2 boats in their fleet inventory that could support flood rescue operations. Their boat inventory includes:

Boat / 25hp – 16' aluminum boat - 1800-1 Blair Stone Rd (3 PFDs)

Boat / no motor – 12' aluminum boat - 1800-1 Blair Stone Rd (2 PFDs) **No Trailer**

Road Barricades and Signs

Leon County Public Works maintains an inventory of road barricades, traffic cones, and "Road Closed" signs that can be used to closed roads that are inundated with flood water.

Sandbags

Leon County Public Works maintains a supply of sandbags and has a source for sand. Addtionally, Leon County Public works has sandbag filling chutes to aid citizens with filling sandbags at distribution sites.

- **Capability Assessment**

Leon County Emergency Management, through its partnerships with the Florida Department of Environmental Protection and the National Weather Service has the ability to monitor and observe weather conditions, river levels, and lake pool levels at the Lake Talquin Dam.

When conditions are such that the Florida Department of Environmental Protection needs to initiate a controlled release of water from the Lake Talquin Dam, Leon County Emergency Management has the ability to receive this notification and disseminate it to Emergency Support Function agencies. Leon County Emergency Management will use email updates and conference calls to coordinate information sharing and situational awareness with response partners.

Leon County has the ability to disseminate hazard information regarding river levels and Flood Watches or Flood Warnings that may be issued by the National Weather Service.

Leon County's emergency response agencies have the ability to conduct flood rescue operations if required during the controlled release of water from the Lake Talquin Dam.

Concept of Operations

- **Pre-disaster Operations**

Mitigation – Leon County maintains a jointly developed Local Mitigation Strategy with the City of Tallahassee for the whole community. Under the Local Mitigation Strategy, Crooked Road has been identified as a Flood Problem Area, and Crooked Road has 34 parcels on the Flooded Structures Inventory. As mitigation funds become available, projects which support the mitigation initiatives of *Improve the disaster resilience of existing site-built housing stock* and *Acquire parcels subject to flooding in the 100-year flood plain* are submitted for parcels on Crooked Road. Leon County's Department of Development Support and Environmental Services sponsors these projects.

Planning – Leon County Emergency Management maintains a Comprehensive Emergency Management Plan. The Comprehensive Emergency Management Plan is submitted every 5-years to the Florida Division of Emergency Management for review and approval. Annually this hazard specific annex will be reviewed and updated by Lead and Support agencies.

Planning – The Florida Department of Environmental Protection-Division of State Lands, as the operator of the Lake Talquin Dam is required by both the Florida Department of Environmental Protection-Dam Safety Office and the Northwest Florida Water Management District to have an Emergency Action Plan. The Emergency Action Plan deals with an unusual situation or emergency involving the potential failure of a dam. Additionally, the Lake Talquin Dam Emergency Action Plan identifies the steps the Dam operator will take to notify emergency management, downstream residents, and lake front residents of controlled water releases.

- **Disaster Operations**

Dam Operations - Florida Department of Environmental Protection is responsible for managing the operations of the Lake Talquin Dam. They are responsible for monitoring rainfall and river levels of the Ochlockonee River (upstream of Lake Talquin) and the Little River (upstream of

Lake Talquin); and adjusting the flood gates to release the appropriate about of water to maintain the level of Lake Talquin.

Action Stage

When it is necessary to begin a controlled release of water for flood control of Lake Talquin, Florida Department of Environmental Protection Dam Operators will make notifications to Emergency Management. This will occur when the Bloxham Gauge on the Ochlocknee River is rising to 16 feet.

Flood Stage

When the Bloxham Gauge on the Ochlocknee River is rising to 19 feet Florida Department of Environmental Protection Dam Operators will make notifications to residents downstream of the Lake Talquin Dam and Lake Talquin lakefront residents. Additionally, Florida Department of Environmental Protection Dam Operators will go door-to-door to make personal notification of controlled release of water from the Lake Talquin Dam.

Emergency Public Information – When a controlled water release is expected to reach 19 feet, Community and Media Relations, in coordination with Leon County Emergency Management, will make Crooked Road residents and other County citizens aware of the situation. The full description of Community and Media Relations communications methods are described in the Emergency Support Function #14 – Emergency Public Information Annex to the Leon County Comprehensive Emergency Management Plan. Capabilities include: Leon County Citizens Connect App, GovDelivery Subscription Service, Leon County Emergency Information Portal, Leon County Social Media Sites, and Press Releases.

Security – The Leon County Sheriff's Office is the law enforcement agency for unincorporated Leon County. As river levels rise into flood stage, the Sheriff's Office will be asked to provide extra patrols for Crooked Road to ensure the safety of homes that homeowners may have evacuated. It may also be necessary to request a static traffic post at the entrance to Crooked Road during prolonged flooding on Crooked Road to ensure citizens do not re-enter an unsafe situation.

Rescue – The Tallahassee Fire Department has 5 rescue boats county-wide. The first due rescue boat for Crooked Road is located at Fire Station #14 on Blountstown Highway. If it becomes necessary to rescue citizens from flooded homes, the Tallahassee Fire Department can deploy additional boats to support Boat #14.

Shelter – If individual residents from Crooked Road that evacuate and have no safe place stay with, they will be referred to American Red Cross for assistance. If a large number of residents from Crooked Road are displace with no safe place to stay a Host Shelter may be considered.

Road Closure – If water levels on the Ochlockonee River rise to a level that caused water to inundate Crooked Road, Leon County Public Works personnel will deploy barricades and "Road Closed due to Flooding" signs to Crooked Road. With advanced notice, Leon County Public Works can stage the barricades and signs near Crooked Road.

Electric Service – To protect infrastructure and property of homeowners, Talquin Electric will de-energize the distribution lines that serve Cooked Road and pull-meters as required in advance of flood waters reaching 21 feet.

Sandbags – In a situation where the controlled release of water and associated flooding is isolated to Crooked Road, meaning there is not a county-wide flood emergency, Leon County Public Works may establish a sandbag distribution location in close proximity to Cooked Road. Sandbags would only have usefulness if the expected crest of flooding at the Bloxham Gauge is not expected to exceed 23 feet.

Emergency Operations Center – Leon County Emergency Management will activate the Emergency Operations Center to a level appropriate to meet the coordination needs of the situation. If the situation where the controlled release of water and associated flooding is isolated to Crooked Road, meaning there is not a county-wide flood emergency, the activation will likely be a partial activation with only the Emergency Support Function's involved in active field operations present.

Leon County Emergency Management will coordinate information sharing, situational awareness, and any resource needs though daily conference calls when a significant controlled release of water from the Lake Talqin Dam is occurring.

Consideration for a Local State of Emergency and evacuation orders for Crooked Road will occur as part of the Emergency Operations Center activation.

If water levels on the Ochlockonee River are expected to rise to 27 feet, water to inundate State Road 20 at the Oclokonee River. A request from the Emergency Operations Center will be made to the Florida Department of Transportation to close State Road 20.

- **Post-Disaster Operations**

Damage Assessment – When flood waters subside, Leon County Emergency Management will conduct a damage assessment of the residential structures on Crooked Road. Results of the damage assessment will be forwarded to the Florida Division of Emergency Management for their consideration in determining if requesting federal assistance is appropriate.

Agencies involved with the response will proved cost estimates for their activities to Leon County Emergency Management. These figures will be forwarded to the Florida Division of Emergency Management for their consideration in determining if requesting federal assistance is appropriate.

Infrastructure Assessment – When flood waters subside, Leon County Public Works will assess Crooked Road to ensure it is structurally sound and drivable. All appropriate repairs will be made prior to re-opening the road.

Talquin Electric will assess the electric distribution line for Crooked Road and if safe, re-energize the line. As individual homes are inspected and deemed safe for electrical service, individual meters will be restored.

Debris Collection – Needs further research. In 2009 I believe a roll off was delivered to Crooked Road as they normally dropped trash at Rural Waste Center, but muck-out of homes created too much bulk waste for individuals to haul to Ft. Braden site.

Community Organizations Active in Disaster Coordination – Leon County Emergency Management will convene the Big Bend Community Organizations Active in Disaster, by conference call, to coordinate meeting the needs of impacted residents. The Emergency Support Fuction #6 – Mass Care and Shelter Annex to the Leon County Comprehensive Emergency Management Plan provides a full description of post-disaster activities related to unmet needs coordination. Activities will include unmet needs coordination, distribution of bulk supplies, disaster case management, and family reunification.

Resource Management and Mutual Aid

Leon County is a signatory to the Statewide Mutual Aid Agreement. In the event of a declared disaster in which Leon County requires additional response capabilities, the Statewide Mutual Aid Agreement may be invoked in order to request assistance and resources from other participating parties including counties, cities, special districts, colleges, universities, or educational districts.

Any Request for assistance through the Statewide Mutual Aid Agreement shall be directed to Emergency Management staff in the Emergency Operations Center. Emergency Management staff will place the request with the State Emergency Operations Center using the state's resource management software, WebEOC.

Lake Talquin Dam / Bloxham Gauge Response Checklist

Guage Reading	Impacts	National Weather Service	Lake Talquin Dam Operators (FDEP)	Leon County Emergency Management	Leon County Community and Media Relations	Public Safety (LCSO and TFD)	Leon County Public Works	Talquin Electric	Big Bend COAD Partners
> 16 ft			Monitor Lake Conditions Monitor upstream water levels Monitor NWS weather forecasts Place Information Door Hangars before Hurricane Season	Monitor NWS weather forecasts					
16 ft and rising		ACTION STAGE Flood forecast iniated Flood Warning may be issued	Assess rainfall forecast and inbound river flow to set flood gate level Provide release estimates to NWS Southeast River Forcast Center (estimates at 6 hourly interval of release volume) Make notification to County	Monitor NWS AHPS River Gauge Website Begin daily contact with Dam Operators					
17 ft and rising									
18 ft and rising									
19 ft and rising	The parking and the boat ramp at the fish camp in Liberty County will be affected by high water.		Initiate Downstream and Lakefront Resident Call Down Conduct door-to-door notification on Crooked Road	Begin Daily Coordiantion Conference Call with stakeholders					
20 ft and rising	Water begins to flood the backyards of homes at the end of Crooked Road in Leon County.	FLOOD STAGE Issue Flood Warning		Notify Big Bend COAD of possible flood response needs Request LCSO conduct extra patrols on Crooked Rd	Relay Flood Warning through Leon County notification platforms	LCSO to conduct extra patrols of Crooked Rd	Consider sandbag distibution site near Crooked Road		Begin Big Bend COAD conference calls
21 ft and rising					Provide routine public updates on situation through Leon County notification plantforms		Place "Flooded Road" signs on Crooked Rd	De-energize Electric Distribution Line and Pull Meters as required on Crooked Rd	
22 ft and rising	Water begins to affect more homes along all of Crooked Road in Leon County.		Attempt to hold Ochlockonee River at this level as long as possible	Request LCSO assistance with notification of reisdents on Crooked Rd that flood water may affect their homes		LCSO assist with notification of reisdents on Crooked Rd that flood water may affect their homes			
23 ft and rising	In Leon County, homes not elevated on Crooked Road begin to flood at this level. Crooked Road becomes impassable about a half mile south of the old SR-20 crossing.	MODERATE FLOOD STAGE		Activate Emergency Operations Center to coordinate response efforts Consider Evacuation Order for Crooked Road Request LCSO assistance with securing Crooked Rd		LCSO Consider static traffic post to keep people from entering flooded road TFD available for rescue from flooded homes	Place "Road Closed" signs on Crooked Road		Red Cross consider familiy assistance options Red Cross identify and place a host shelter on stand-by
24 ft and rising									
25 ft and rising	Crooked Road becomes impassable just south of the old SR-20 crossing.					Place barricades across Crooded Road to prevent access to Crooked Road			
26 ft and rising									
27 ft and rising	Both travel lanes of SR-20 in Liberty County are flooded at this level near the turnoff to the fish camp at CR-120	MAJOR FLOOD STAGE		Request FDOT close SR-20 on Leon County side of river to prevent driverss from entering flooded road on Liberty County side of river					
28 ft and rising									
29 ft and rising	Water reaches the base of the SR-20 bridge over the Ochlockonee River. The bridge is subject to closure at this level.								
30 ft and rising	Numerous homes, even those elevated, flood along Crooked Road in Leon County.			If any residents remain on Crooked Rd, consider issuing an Evacation Order for Crooked Road	If ordered, announce Crooked Road Evacuation Order through Leon County notification platforms	LCSO and TFD Assist with notification of Evacuation Order TFD conduct rescues from flooded homes on Crooked Road LCSO assist with rescues from flooded homes on Crooked Road			Red Cross activate host shelter (if needed) The Salvation Army assist with meal service for host shelter (if needed) Second Harvest assit with snacks, water, and product for meal service (if needed)
31 ft and rising									
32 ft and rising									
33 ft and rising									
34 ft and rising	Water will reach the road surface of the SR-20 bridge on the Liberty County side of the river.								

Leon County
Board of County Commissioners

Notes for Agenda Item #6

Leon County Board of County Commissioners

Agenda Item #6

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Find the Type "A" Site and Development Plan for a 134-Lot Single-Family Detached Residential Subdivision within the Summerfield Planned Unit Development Compliant with the Conditions Set Forth in Ordinance No. 04-40

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator David McDevitt, Director, Development Support & Environmental Management
Lead Staff/ Project Team:	Ryan Culpepper, Director, Development Services Division Weldon Richardson, Senior Planner, Development Services

Statement of Issue:

As required by the ordinance creating the Summerfield Planned Unit Development (PUD) zoning district, this item requests that the Board find the Type "A" Site and Development Plan for a 134-Lot Single-Family Detached Residential Subdivision compliant with the conditions set forth in the ordinance.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Find the Type "A" Site and Development Plan for a 134-Lot Single-Family Detached Residential Subdivision within the Summerfield Planned Unit Development compliant with the conditions set forth in Ordinance No. 04-40 (Attachment #1).

Report and Discussion

Background:

This item recommends the Board find the Type "A" site and development plan for a 134-Lot single-family detached residential subdivision within the Summerfield Planned Unit Development (PUD) compliant with the conditions set forth in Ordinance No. 04-40 (Attachment #2). On October 26, 2004, the Board adopted Ordinance No. 04-40 creating the Summerfield PUD zoning district and approving the PUD Concept Plan. Ordinance No. 04-40 set forth 18 conditions of approval for the Summerfield PUD, one of which states that all final site and development plans submitted, pursuant to the Summerfield PUD, shall be subject to the Board finding the final site and development plan compliant with the conditions in Ordinance No. 04-40.

The PUD consists of a mixed-use development located on a 106.96-acre site on the west side of North Monroe Street, across from Lake Jackson. The Summerfield PUD allows a maximum of 135 single-family detached homes, 312 multi-family dwelling units, and either a maximum of 60,000 square feet of general office or a maximum of 58,000 square feet of retail, or a mixture of office and retail uses not to exceed 12,500 square feet per acre.

Subsequent to the Board's approval, two lawsuits were filed seeking to invalidate approval of the Ordinance and Concept Plan: 1) a *Writ of Certiorari* action; and 2) an action under Chapter 163.3215, Florida Statutes, alleging that the Development Order was inconsistent with the Tallahassee-Leon County Comprehensive Plan. The action for *Writ of Certiorari* was resolved favorably to the County with the Circuit Court's denial of the Petition in January 2006. The Chapter 163.3215 action was resolved favorably to the County in December 2010.

Phase I of the Summerfield PUD was approved for 120 multi-family dwelling units and a 2,400 square foot office/clubhouse in 2009. Phase I-A of the Summerfield PUD Final Development Plan was approved for 72 multi-family dwelling units and the relocation of the previously approved office/clubhouse through a separate phase of development in 2012. The remaining 120 multi-family dwelling units were approved in 2014. Additionally, in 2014, a minor modification to the PUD was approved which combined all single-family units into a single district, resulting in a modification of the development standards for the single-family detached component and allowing a ten percent increase of single-family detached dwellings units from 135 to 148. A subsequent PUD minor modification was approved in 2019 to update the sidewalk requirements consistent with the Leon County Land Development Code (LDC). The amended Summerfield PUD is found in Attachment #3.

Analysis:

Pursuant to the Summerfield PUD Concept Plan requirements, a Natural Features Inventory (NFI) was reviewed and approved on November 26, 2018. Subsequently, a site and development plan application for the Summerfield PUD for a 134-lot single-family detached residential subdivision was reviewed by the Application Review Meeting (ARM) staff in a publicly noticed meeting on December 5, 2018. Based on the number of proposed dwelling units (134) for the Summerfield

PUD Detached Residential Subdivision, this final plan was subject to the Type "A" review standards set forth in Section 10-7.403 of the LDC. At this meeting, staff determined that the application was not sufficiently complete at the required level of detail to recommend approval or approval with conditions. In subsequent ARM meetings, the applicant’s agent provided a revised site and development plan addressing deficiencies in the application.

On February 6, 2019, the ARM staff determined that the application was sufficiently complete to recommend approval (Attachment #4). The application has since been revised to address all of the remaining deficiencies noted by staff. However, the application is subject to the conditions of Ordinance No. 04-40. Condition #18 requires that the Board find the application consistent with the conditions set forth in Ordinance No. 04-40. The conditions contained in Ordinance No. 04-40, followed by references to the staff approvals indicating compliance, are included as Attachment #5.

The Type “A” Site and Development Plan for the 134-Lot Single-Family Detached Residential Subdivision with the Summerfield Planned Unit Development (Attachment #1) has not been attached to this item due to the voluminous nature thereof. However, it has been made available for public inspection at the County Administration offices located on the fifth floor of the County Courthouse.

Options:

1. Find the Type “A” Site and Development Plan for a 134-Lot Single-Family Detached Residential Subdivision within the Summerfield Planned Unit Development compliant with the conditions set forth in Ordinance No. 04-40.
2. Do not find the Type “A” Site and Development Plan for a 134-Lot Single-Family Detached Residential Subdivision within the Summerfield Planned Unit Development compliant with the conditions set forth in Ordinance No. 04-40.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Proposed Site and Development Plan is provided for review in the County Administration Offices reception area located on the fifth floor of the County Courthouse
2. Ordinance No. 04-40
3. Summerfield PUD Concept Plan
4. Application Review Meeting Report Dated February 6, 2019
5. Compliance with Conditions Set Forth in Ordinance No. 04-40

Attachment #1, the Summerfield Single-Family Residential Development Type “A” Site and Development Plan has not been attached to this item due to the voluminous nature thereof. However, it has been made available for public inspection at the County Administration offices reception area located on the fifth floor of the County Courthouse.

LEON COUNTY ORDINANCE NO. 04-40

AN ORDINANCE AMENDING LEON COUNTY ORDINANCE NO. 92-11 TO PROVIDE FOR A CHANGE IN ZONE CLASSIFICATION FROM LP LAKE PROTECTION TO PUD PLANNED UNIT DEVELOPMENT IN LEON COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The Official Zoning Map as adopted in Leon County Ordinance No.92-11 is hereby amended as it pertains to the following described real property:

RZ-443: From LP Lake Protection Zoning District to PUD Summerfield Planned Unit Development Zoning District:

Legal Description

BEGIN at a concrete monument marking the northeast corner of Lakeside, a subdivision as per map or plat thereof recorded in Plat book 11, Page 26 of the Public Records of Leon County, Florida, said point lying on the southerly right of way boundary of State Road 63 (U.S. Highway 27) as per the Florida Department of Transportation Right of Way Map, Section Number 55010-2501, last dated July 12, 1962, and thence run Southeasterly along said southerly right of way as follows: South 42 degrees 56 minutes 18 seconds East 775.01 feet to a point of curve to the right; thence run Southeasterly along said curve having a radius of 11,359.20 feet, through a central angle of 01 degrees 20 minutes 36 seconds, for an arc distance of 266.30 feet; thence run South 48 degrees 28 minutes 52 seconds West 20.00 feet to a point lying on a curve concave southwesterly; thence run Southeasterly along said curve having a radius of 11,339.20 feet, through a central angle of 04 degrees 00 minutes 00 seconds, for an arc distance of 791.62 feet (the chord of said arc bears South 39 degrees 31 minutes 08 seconds East 791.46 feet); thence run North 52 degrees 28 minutes 52 seconds East 20.00 feet to a point lying on a curve concave southwesterly; thence run Southeasterly along said curve having a radius of 11,359.20 feet, through a central angle of 01 degrees 30 minutes 00 seconds, for an arc distance of 297.38 feet (the chord of said arc bears South 36 degrees 46 minutes 08 seconds East 297.37 feet; thence run South 53 degrees 58 minutes 52 seconds West 20.00 feet to a point lying a curve concave southwesterly; thence run Southeasterly along said curve having a radius of 11,339.20 feet, through a central angle of 02 degrees 21 minutes 24 seconds, for an arc distance of 466.42 feet (the chord of said arc bears South 34 degrees 50 minutes 26 seconds East 466.39 feet) to a point of tangency; thence run South

33 degrees 39 minutes 44 seconds East 128.64 feet; thence run North 56 degrees 20 minutes 16 seconds East 20.00 feet; thence run South 33 degrees 39 minutes 44 seconds East 107.40 feet to the northwest corner of View Pointe, a subdivision as per map or plat thereof, recorded in Plat Book 12, Page 17 of said Public Records; thence leaving said southerly right of way, run South 54 degrees 01 minutes 23 seconds West along the northerly boundary of said subdivision, a distance of 1345.28 feet to the northerly right of way boundary of Old Bainbridge Road; thence run Northwesterly along said northerly right of way as follows: Northwesterly along a curve having a radius of 1151.42 feet, through a central angle 23 degrees 25 minutes 05 seconds, for an arc distance of 470.61 feet (the chord of said arc bears North 49 degrees 25 minutes 10 seconds West 467.34 feet; thence North 61 degrees 07 minutes 42 seconds West 465.15 feet to the southeast corner of that parcel of land described in the instrument recorded in Official Records Book 2832, Page 268 of said public records; thence leaving said northerly right of way, run North 28 degrees 54 minutes 01 seconds East along the southerly boundary of said parcel, a distance of 420.00 feet; thence run North 61 degrees 07 minutes 42 seconds West along the easterly boundary of said parcel, and a projection thereof, a distance of 294.83 feet to the northwest corner of that parcel of land described in the instrument recorded in Official Records Book 668, Page 48 of said public records; thence run South 28 degrees 54 minutes 01 seconds West along the northerly boundary of said parcel, a distance of 420.00 feet to an iron pipe marking the southwest corner of said parcel and lying on the northerly right of way boundary of Old Bainbridge Road; thence run Northwesterly along said northerly right of way boundary as follows: North 61 degrees 07 minutes 42 seconds West 483.68 feet to a point of curve to the left; thence run Northwesterly along said curve, through a central angle of 04 degrees 03 minutes 11 seconds, for an arc distance of 403.49 feet (the chord of said arc bears North 63 degrees 09 minutes 18 seconds West 403.41 feet); thence run North 65 degrees 10 minutes 53 seconds West 106.99 feet to the southeast corner of that parcel of land described in the instrument recorded in Official Records Book 1827, Page 187 of said public records; thence leaving said northerly right of way, run North 00 degrees 05 minutes 28 seconds East along the easterly boundary of said parcel, a distance of 701.06 feet to a concrete monument marking the southeast corner of the aforesaid Lakeside subdivision; thence continue North 00 degrees 05 minutes 28 seconds East along the easterly boundary of Lakeside subdivision, a distance of 40.77 feet; thence run North 47 degrees 13 minutes 58 seconds East along the southerly boundary of said Lakeside subdivision, a distance of 1636.63 feet to the POINT OF BEGINNING, containing 106.96 acres, more or less. Lying in a portion of Section 5, Township 1 North, Range 1 West and a portion of Section 32, Township 2 North, Range 1 West, Leon County, Florida.

Bearings are Grid Bearings, referenced to State Plane Coordinates, North American Datum of 1983, 1990 Adjustment (N.A.D. 83/90), Florida North Zone, Lambert Projection, based on National Geodetic Survey (NGS) control points "TLC 1 10 1N1W" (NGS PID BE4008) and "TALLPORT" (NGS PID BE3946).

SECTION 2. The Summerfield Planned Unit Development Concept Plan is approved subject to the following conditions:

1. Revise the Concept Plan to eliminate all vehicular access to Old Bainbridge Road. Pursuant to the Canopy Road Management Plan Interlocal Agreement and the Canopy Roads Citizens' Committee Bylaws, if the applicant deems it appropriate to provide an emergency vehicle access connection to Old Bainbridge Road, the revised development plan indicating this connection, along with information on impacts to the canopy road resources, should be sent to the CRCC for their review and approval prior to final public hearing on this application by the Board of County Commissioners.

2. To ensure consistency with the Leon County Land Development Code and implementation of the concept plan as intended, the development standards set out in Section 7 of the concept plan (text booklet) shall be added as notes on the concept plan.

3. The concept plan shall be revised to include or cross-reference documents establishing the Architectural Control Committee referred to in the concept plan and including detailed information as to the composition of the committee, its charge, and any other relevant information.

4. Any future applications for final Site and Development Plan approval submitted for any phase or component of the Summerfield PUD shall comply with all applicable requirements and standards set forth in the Land Development Code, including the Environmental Management Act. Some of the density and/or intensity of development shown on the conceptual plans (Exhibit "E") may be reduced as a result of this requirement. Boundaries of natural areas, open space areas, streets, individual land uses, and lot boundaries are subject to change in order to ensure compliance with the LDC and EMA. Necessary changes may result in the reduction of lots, reduction in number of multiple family dwelling units, relocation of streets, relocation of stormwater ponds, re-positioning of multiple family structures, and re-configuration of utilities and private facilities. Such modifications shall be determined at the time of final Site and Development Plan review.

5. The first EIA application submitted for final Site and Development Plan approval must satisfactorily comply with the conditions listed on Sheet 1 of 2, NFI Map/Features Map, contained in the Natural Features Inventory originally approved for the Summerfield property (reference LEA 03-0072 as approved on 4/6/04).

6. Any changes to the originally approved Natural Features Inventory (NFI) proposed by the applicant, other than revisions required by conditions listed in said NFI, shall be submitted as an application to modify the original NFI. The proposed modifications must be approved by Environmental Review staff before the first EIA application submitted for final Site and Development Plan review can be approved.

7. Prior to final approval of this conceptual PUD, the applicant must make the following changes and revisions to the Conceptual Site and Development Plans (Exhibit "E"). The revised plans must be approved by the DRC, Development Services staff, and Environmental Review staff prior to final approval of the conceptual plans.

a. Sheet CPUD-3 --- Indicate the location and function of existing public facilities (schools, parks, fire stations, EMS, etc.) that would serve the residents of this PUD. This could be done through notes vs. illustrations if the facilities are far away. Also, show the following information for all adjacent parcels: parcel ID, ownership, and current use. The applicant must ensure that information provided for adjacent parcels is correct.

b. Sheet CPUD-4 --- The following revisions must be made to this drawing:

(A) All buffers, including landscaped perimeter buffers, shall be hatched as open space.

(B) Under the Natural Area section of the site data, delete all the information presented concerning "required" natural area (acres, square feet, percent, etc.). If this change is not made, one of the conditions of approval of the Summerfield PUD shall be as follows: The required natural area information presented on Sheet CPUD-4 in Exhibit "E" is erroneous. The required natural area shall be determined at the time of final Site and Development Plan review.

(C) Show the following information for all adjacent parcels: parcel ID, ownership, and current use. The applicant must ensure that information provided for adjacent parcels is correct.

(D) The applicant must review and verify the area data (acres, square feet, % of site), and density data listed for Zone categories MR, SR(1), SR(2), SR (3), SR(4), GRO, and Open Space. The applicant shall appropriately revise all data found to be in error.

8. The applicant must review and verify all acres and percent of site data contained in Section 3.B, 3.E, 3.G, 3.J, and 3.L of the conceptual PUD document. The applicant shall appropriately revise all data found to be in error and shall also ensure that the data are consistent with corresponding information presented in the revised Sheet CPUD-4 of the Conceptual Site and Development Plans (Exhibit "E). The revised PUD document must be approved by the DRC, Development Services staff, and Environmental Review staff prior to final approval of the conceptual plans.

9. The applicant must review and verify all density data contained in Section 3.C and 3.F of the conceptual PUD document. The applicant shall appropriately revise all data found to be in error and shall also ensure that the data are consistent with corresponding information presented in the revised Sheet CPUD-4 of the Conceptual Site and Development Plans (Exhibit "E). The revised PUD document must be approved by the DRC, Development Services staff, and Environmental Review staff prior to final approval of the conceptual plans.

10. At the time of final Site and Development Plan review, the applicant shall adjust lot boundaries and other proposed development improvements to protect the maximum number of patriarch trees possible and to preserve, to the greatest extent practicable, the maximum number of other large, native, viable trees.

11. At the time of final Site and Development Plan review, the applicant should consider revising the site plan to create a wider cordon along the western property boundary that would function as a wildlife corridor and would be preserved through the corridor's inclusion in a conservation easement inuring to Leon County. Inclusion of such a preserved wildlife corridor represents the County's preferred design alternative.

12. The applicant shall be eligible for paying a fee in-lieu of constructing sidewalks along Old Bainbridge Road.

13. Any revisions to the concept plan that may impact the canopy road protection zone (along Old Bainbridge Road) shall be sent to the CRCC for their review and shall be subject to their approval.

14. The applicant shall be required to submit an environmental impact assessment that is acceptable to the county and approved by the Growth and Environmental Management Department prior to filing for concept plan approval.

15. The final Site and Development Plan for the proposed multi-family component of the concept plan shall include compliance with the Type D buffering requirements as set forth in Leon County Code of Laws.

16. That the portion of the site located at the northwest corner of the project and identified as SR(1) on the concept plan shall be subject to the Open Basin Standards for the Lake Protection Zoning District.

17. That the developer shall submit to the county a W/MBE Plan at the time of submittal of the concept plan.

18. That all final Site and Development Plans submitted pursuant to the concept plan shall be subject to the approval of the Leon County Board of County Commissioners as to compliance with the conditions set forth above.

The application of the owners of the property described in Section 1 for PUD zoning is hereby granted and approved, and the Leon County Code of Laws is hereby amended to incorporate the Plan of Development filed with said application, as amended herein, and

each and every part thereof, as if set forth herein at length. The said Plan of Development and all papers, and documents constituting a part thereof being on file in the office of the Tallahassee-Leon County Planning Department, including those revisions thereto appertaining adopted by the Board of County Commissioners, and such property shall be designated on the Official Zoning Map as PUD.

SECTION 3. All Ordinance or parts of Ordinance 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 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 4. If any word, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. This Ordinance shall become effective as provided by law.

DULY PASSED AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this 26th day of October, 2004.

LEON COUNTY, FLORIDA

BY: Jane G. Sauls
Jane G. Sauls, Chairman
Board of County Commissioners

ATTEST:
Bob Inzer, Clerk of the Court
Leon County, Florida

By: John Stott, Deputy Clerk

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F04-00116

APPROVED AS TO FORM:
Leon County Attorney's Office
Leon County, Florida

By: _____
Herbert W. A. Thiele, Esq.
County Attorney.

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F04-00116

Summerfield

a

Planned Unit Development

CONCEPTUAL SITE AND DEVELOPMENT PLAN
MINOR MODIFICATION

Applicant
Arbor Properties, Inc.
2750 Old St. Augustine Road
Tallahassee, FL 32301

Consultant Team
Moore Bass Consulting, Inc.
805 N. Gadsden Street
Tallahassee, FL 32303

September 1, 2004
Revised January 30, 2006
Revised April 15, 2019

MINOR MODIFICATION APPROVAL

DIRECTOR OF DEVELOPMENT SERVICES, LEON COUNTY

NAME

DATE 5/8/19

Summerfield

a

Planned Unit Development

SECTION 1: GENERAL PLAN OF LAND USES

A. Project Name

The name of the project is *Summerfield.*

B. Project Overview

Summerfield (the "Site") is a parcel of land located in northwest Leon County, Florida containing approximately 106.96 acres, bordered on the west by *Old Bainbridge Road*, on the north by *Lakeside* single family residential subdivision, on the east by *U.S. Highway 27* and on the south by *View Pointe* single family residential subdivision and *View Pointe Storm Water Management Area.* *Summerfield* will be designed as a privately maintained Planned Unit Development (PUD) and will contain a maximum of 135 single-family homes, 312 multi-family dwelling units, plus either a maximum of 60,000 square feet of general office, a maximum of 58,000 square feet of retail or a mixture of office and retail not to exceed 12,500 square feet/acre consistent with the standards of the GRO district.

The varied uses within the PUD will be divided into six distinct internal use districts including the SR-1, SR-2, SR-3 and SR-4 districts to be developed for single-family residential use, the MR district to be developed for multi-family and single-family use and the GRO district to be developed for retail and office uses. Retail and office uses shall be confined to the GRO district. The SR-1 district shall be developed in accordance with the development standards of the Lake Protection zoning district as defined in the Leon County Land Development Code and the Lake Protection Land Use designation as defined in the Tallahassee-Leon County Comprehensive Plan. The SR-2, SR-3 and SR-4 districts will provide single-family uses without restrictions on the amount of open space required with the exception of natural areas required by the Comprehensive Plan necessary to provide protection to the adjacent canopy road (Old Bainbridge Road) and the onsite wetland area. The multi-family community, located in the MR district, will include a storm water management facility which is to be planted with wetland and upland vegetation to provide wildlife habitat as well as an aesthetically pleasing atmosphere for the residents. Each internal district will contain

open space and/or other conservation areas which will provide for the protection of numerous large oak trees, wildlife habitat, and recreational opportunities for the residents of the PUD. Natural and/or open space areas and landscape buffers will provide buffering between the various proposed uses. All development activities and land uses will be consistent with the Comprehensive Plan and will comply with the Leon County Land Development Code, as well as all applicable state and federal regulations.

C. Project Planning Objectives

Summerfield has been planned and designed to ensure a superior quality way of life for its residents, to provide and conserve natural features and to be compatible with other neighborhoods in this area of Leon County.

D. Graphic Portions of PUD Concept Plan

The Graphic Portions of the PUD Concept Plan which depict the land use of all areas of the PUD (location of the SR, MR and GRO Districts, vehicle and pedestrian circulation, natural areas, landscape areas, storm water management facilities and natural features) are contained in the **CONCEPTUAL SITE AND DEVELOPMENT PLANS, EXHIBIT E (SHEET CPUD-1 THROUGH SHEET CPUD-13) AND THE NFI MAPS INCLUDED IN EXHIBIT A.**

E. PUD Concept Plan

The PUD Concept Plan contains the following:

a. boundary survey and legal description, dated and signed and sealed by a licensed surveyor.

b. the name of the PUD.

c. the name, address and telephone number of the owner-developer.

d. the name, address and telephone number of the engineer of record.

e. the name, address and telephone number of the surveyor of record.

f. scale, date, north arrow and general location map showing relationship of the site to external uses, structures and features.

g. boundaries of the subject property, all existing streets, buildings, water courses, easements, section lines and other important physical features.

h. existing topography.

i. the location and size of all existing drainage facilities and a utility concept plan.

j. information about the existing vegetative cover and general soil types, and their appropriateness for the development.

k. the location and function of all other existing public facilities which would serve the residents of the development including but not limited to schools, parks and fire stations.

and are contained in the **CONCEPTUAL SITE AND DEVELOPMENT PLANS, THIS PUD NARRATIVE INCLUDING THE NFI MAPS INCLUDED IN EXHIBIT A, AND THE EXISTING VEGETATIVE COVER MAP ATTACHED IN THE APPENDIX AS EXHIBIT F.**

F. Environmental Analysis

The Site has been subject to and has received approval of a Natural Features Inventory (NFI). Copies of the NFI County Approval Letter and approved NFI Maps are attached as **Exhibit A.**

G. Preliminary Certificate of Concurrency

A Concurrency Application has been submitted to the County and is currently under review. An Affidavit Waving Concurrency is attached as **Exhibit G.**

SECTION 2: DEFINITIONS

Summarized below is a list of definitions used in this PUD Narrative.

A. "Code" shall mean and refer to Land Development Code contained as Chapter 10 of the Code of Laws of Leon County, Florida in effect at the time of final site and development plan approval.

B. "Commission" shall mean the Board of County Commissioners of Leon County, Florida.

C. "Comprehensive Plan" shall mean the Tallahassee-Leon County Comprehensive Plan in effect at the time of final site and development plan approval.

D. "County" shall mean Leon County, Florida.

E. "Department" shall mean the Leon County Growth and Environmental Management Department or it's successor agency if hereafter changed.

F. "EMA" shall mean and refer to Article VII of the Code.

G. "Open Space" shall mean land within the PUD to be owned by the Homeowner's Association, not to be individually owned or dedicated to the public, which is intended for the common use and enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate as long as these structures and improvements are first approved by the Department where applicable and are consistent with the Comprehensive Plan.

H. "Homeowners' Association" shall mean a non-profit organization established for *Summerfield* and recognized as such under the laws of this state operated under recorded land agreements through which each owner of a portion of *Summerfield,* be it a lot, home, property or other interest, is automatically subject to a charge for a prorated share of expenses either direct or indirect for maintaining common properties within *Summerfield,* such as roads, parks, recreational areas, storm water management facilities, open space, natural areas, or other similar properties.

I. "PUD" is an acronym for Planned Unit Development and shall mean the Planned Unit Development Zoning District authorized by Section 10-914(23), the requirements and procedures for which are contained in Section 10-915 of the Land Development Code and specifically refers to the *Summerfield PUD.*

J. "Restrictive Covenants" shall mean the Declaration of Restrictive Covenants applicable to the PUD and Easements to be recorded in the public records for *Summerfield.*

K. "Natural Area" shall mean an area on a development site designated by a permit, plans, easement or other legal means to remain in a natural condition or state. Natural Areas do not include Open Space areas. All Natural Areas will be placed in a conservation easement granted to Leon County. Natural Areas will be maintained and managed by the Homeowners' Association. These areas will be preserved in their natural state and there will be no allowed uses with the possible exception of pedestrian pathways, nature trails, and sidewalks

(restricted to along Old Bainbridge Road and U.S. 27) subject to the approval of the Department.

SECTION 3: LAND USE STANDARDS

A. Total acreage of the subdivision

The *Summerfield* PUD consists of a total of approximately 106.96 acres.

B. Number of acres and percentage of total acreage in subdivision represented by single-family residences (SR Districts)

The total number of acres in the SR Districts is 71.91 which represents 67.23% of the *Summerfield* PUD.

C. Maximum number of lots in SR Districts

The maximum number of lots in the SR Districts is 130 at an average overall maximum density of 1.81 units per acre.

D. Minimum lot size in SR Districts

The minimum lot area in the SR 1 District is in accordance with the Lake Protection Zoning District Requirements. The minimum lot area in SR 2, SR 3, and SR 4 Districts is 6,000 square feet.

E. Number of acres and percentage of total acreage in subdivision represented by multi-family residential (MR District)

The total number of acres in the MR District is 28.73 which represents 26.87% of the *Summerfield* PUD.

F. Maximum number of units in the MR District

The MR District will contain a maximum of 312 multi-family units and 5 single-family units for a maximum total of 317 dwelling units at a maximum density of 11.04 units per acre.

G. Number of acres and percentage of total acreage in subdivision represented by retail-office (GRO District)

The total number of acres in the GRO District is 6.32 which represents 5.91% of the *Summerfield* PUD.

H. Maximum number of lots in the GRO District

The GRO District will contain a maximum of two lots.

I. Maximum building square feet in the GRO District

The maximum building square feet in the GRO District shall be 58,000 square feet of retail, or 60,000 square feet of office, or a mixture of retail and office buildings as long as the gross density of these types of buildings does not exceed 12,500 square feet per acre.

J. Number of acres and percentage of total acreage in subdivision represented by Open Space maintained by the Homeowners Association (Open Space)

The extent of Open Space will be approximately 14.13 acres which represents approximately 13.21% of the Summerfield PUD. The amount of Open Space may increase or decrease during the Final Site and Development Plan approval process associated with the various components of the PUD.

K. Number of acres and percentage of total acreage in subdivision represented by Natural Area to be placed in a conservation easement to the County (Natural Area)

The approximate extent of Natural Areas will be 12.09 acres which represents approximately 11.30% of the *Summerfield* PUD. The amount of natural areas may increase or decrease slightly during the Final Site and Development Plan approval process associated with the various components of the PUD. All preserved conservation and preservation area features will be identified as Natural Areas and protected by a conservation easement granted to Leon County.

L. Total number of acres and percentage of total acreage in subdivision represented by roadway which is located in the SR and GRO Districts

The total number of acres represented by roadway right-of-way is 8.75 acres which represents 8.18% of the PUD Site.

M. Permitted Uses and Development Standards for the SR District

Single-family detached residential dwelling and those uses accessory to single-family residential use, including storm water conveyance systems, storm water management facilities and other infrastructure as necessary and appropriate, are the only permitted uses for the SR District. Accessory uses shall comply with the rules, regulations and laws of Leon County, Florida. Full Development

Standards and Permitted Uses are attached in the Appendix as **Exhibit B**.

N. Permitted Uses and Development Standards for the MR District

Multi-family residential dwellings, single-family detached residential dwellings and those uses accessory to multi-family residential and single-family residential use, including storm water conveyance systems, storm water management facilities and other infrastructure as necessary and appropriate, are the only permitted uses for the MR District. Accessory uses shall comply with the rules, regulations and laws of Leon County, Florida. Full Development Standards and Permitted Uses are attached in the Appendix as **Exhibit C**.

O. Permitted Uses and Development Standards for the GRO District

Retail, office and those uses accessory to retail and office uses, including storm water conveyance systems, storm water management facilities and other infrastructure as necessary and appropriate, are the only permitted uses in the GRO District. Accessory uses shall comply with the rules, regulations and laws of Leon County, Florida. Full Development Standards and Permitted Uses are attached in the Appendix as **Exhibit D**.

P. Storm Water Management

There will be at least six separate Storm Water Management Facilities located on the Site. Each facility will be designed in accordance with the requirements of the Leon County Land Development Code.

Storm Water Management Facility (SWMF) No. 1 is located in the northwestern portion of the project. This facility will provide storm water treatment and detention in accordance with the Lake Jackson Special Development Zone of the Code.

Storm Water Management Facility (SWMF) No. 2 is located in the northeastern portion of the project and is within a closed basin. This facility will provide storm water treatment and retention for the multi-family portion of the project as well as the single-family, retail/office portions within the post-development drainage basin.

Storm Water Management Facility (SWMF) No. 3 is located in the southern portion of the project adjacent to the preserved wetlands and is located within a closed basin.

Storm Water Management Facility (SWMF) No. 4 is located in the southeastern portion of the site adjacent to the View Pointe Storm Water Management Facility.

Storm Water Management Facility (SWMF) No. 5 and No. 6 are located in the southern portion of the project adjacent to SWMF No. 3 and are within the post-development drainage basin for SWMF No. 3.

Q. Streets

Streets within *Summerfield* will be permitted within each internal district and represent approximately 8.75 acres or approximately 8% of the PUD. Streets shall consist of roadways with 45 foot wide rights-of-way and parallel 10 foot wide utility easements on each side of the right-of-way. A 5 foot wide sidewalk will be provided along all streets within the subdivision. **A Typical Section is contained in the Conceptual Site and Development Maps.**

A homeowners' association will be established in accordance with Chapter 10 of the Leon County Land Development Code to provide maintenance for the streets, rights-of-way, common areas, open space areas, natural areas, storm water management facilities, and utility and drainage easements. Any easements granted to Leon County, other than conservation easements, will be maintained by the County if so approved by the County during the final Site and Development Plan review and approval process. The HOA is responsible for maintaining the natural areas (conservation easement areas).

Five-foot wide sidewalks shall be required consistent with the provisions of Chapter 10 of the Leon County Land Development Code and adopted guidelines of the County.

New development will not be allowed within the canopy protection zone except for the above mentioned sidewalk.

SECTION 4: BINDING COMMITMENT

In compliance with the Leon County PUD submittal requirements, the developer commits itself and any subsequent assigns, purchasers and users to compliance with this the *Summerfield* Conceptual Site and Development Plan submittal as well as all conditions of approval associated with the Conceptual PUD.

SECTION 5: COMPREHENSIVE PLAN CONSISTENCY ANALYSIS

Consistency with the Comprehensive Plan is summarized as follows:

Urban Sprawl This Site is the remaining area of the Sellers Dairy property and is probably the only tract of land of this size, suitable for development, remaining within the Urban Service Area in this section of the County. This Site is surrounded by residential subdivisions, community service facilities and small commercial sites. This proposed development provides the unique opportunity to decrease urban sprawl by providing a mixture of residential uses and on-site employment opportunities in the office and retail districts.

Cost of Development The costs associated with the infrastructure for this proposed development will be borne by the developer. Additionally, offsite infrastructure which may be impacted by this proposed development will be further supported by the increased taxes generated.

Natural Environment This Site, having been utilized for years as a dairy farm, contains very little natural area. Those areas that may be considered somewhat natural: the wetland in the southeast, forested portions of special development zones in the far west, and the floodplain area near the northern-most corner of the site, will be preserved and placed in a conservation easement.

Residential Neighborhoods

This Site is designated on the Future Land Use Map of the Comprehensive Plan as Lake Protection and Residential Preservation. Section 10-919 of the Land Development Code provides that any land in the Lake Protection district lying within a closed basin may be rezoned through the Planned Unit Development process. The areas surrounding this site are shown on the Future Land Use Map as Residential Preservation and Lake Protection, therefore it is reasonable that this proposed PUD rezoning be compatible with the Residential Preservation and Lake Protection designations. This compatibility is achieved by providing a residential community and small to moderate size commercial development (retail and/or office use) to give local and surrounding residents access to basic shopping opportunities.

SECTION 6: CONSISTENCY WITH SECTION 10-915 OF THE LEON COUNTY LAND DEVELOPMENT CODE

Consistency with the intent of Section 10-915 of the Code is summarized as follows:

1. The *Summerfield* PUD proposes three different land use categories in one comprehensive development along a major arterial highway with direct connection to downtown Tallahassee as well as to an interstate highway, creating a diverse and efficient use of property.

2. While the majority of the PUD is devoted to single-family residential use, other uses provided offer flexibility allowing the development to adapt to market demands.

3. The proposed plan provides retail, office and residential uses with a roadway and pedestrian path system interconnected throughout the development. The office and retail components may offer a wide variety of shopping, restaurants and employment opportunities. These uses are incorporated into a plan which allows residential uses immediate access to the other uses without utilizing public transportation facilities, including the public roadway system. The proximity to the interstate and direct connection to downtown and larger shopping facilities allows easy vehicular access for all components of the PUD, potentially reducing the energy consumption that would be required to travel additional distances in less direct urban traffic patterns.

4. The property has historically been actively used for agricultural activities and has few remaining natural features. The PUD has been designed to preserve or minimize impact to the natural features remaining.

5. Open spaces are provided to a greater extent than might be possible under a conventional zoning district.

6. The private roadway system has been designed to provide direct connection to the public roadway system with emphasis on minimizing traffic within the residential components. Architectural controls are planned that will encourage aesthetics, energy efficient design, yet allow economy of building materials throughout the development.

7. A conventional zoning district may not allow the varieties of uses in such proximity to each other and maintain the standards to be required throughout the PUD. While the PUD utilizes many of the conventional development standards associated with conventional zoning, additional standards will be implemented through an Architectural Control Committee, Restrictive Covenants, etc. to provide a cohesive overall theme throughout the entire development. In addition to architectural controls, these standards will provide landscape requirements for residential units, signage and lighting requirements for consistency throughout the PUD, contributing to the divergence from conventional zoning.

SECTION 7: GENERAL DEVELOPMENT STANDARDS

The following development standards shall be applied to all components of the PUD. Any future applications for Final Site and Development Plan approval submitted for any phase or component of the Summerfield PUD shall comply with all applicable requirements and standards set forth in the Land Development Code (LDC), including the Environmental Management Act (EMA). Some of the density and/or intensity of development shown on the Conceptual Plans (Exhibit "E") may be reduced as a result of this requirement. Boundaries of natural areas, open space areas, streets, individual land uses and lot boundaries are subject to change in order to ensure compliance with the LDC and EMA. Necessary changes may result in the reduction of lots, reduction in number of multi-family dwelling units, relocation of streets, relocation of storm water ponds, re-positioning of multi-family structures and re-configuration of utilities and private facilities. Such modifications shall be determined at the time of Final Site and Development Plan review.

A. Off-Street Parking Requirements

1. Parking and loading requirements shall conform with the requirements set forth for each use in the Leon County Land Development Code in effect at the time of final development plan approval.

B. Non-Residential Building and Site Design

1. Non-residential buildings and parking areas shall be designed in a pedestrian friendly manner with sidewalk connections to street sidewalks. All parking areas shall be placed in the rear of the building(s). No parking areas may be placed between a building and the street fronting the lot. All buildings shall be placed near the front of the lot. Pedestrian and vehicular connections shall be provided internally to adjacent compatible development.

2. Dumpsters or other trash collection points shall be located to the rear of the principal structure and provided with appropriate truck access. Such facilities shall be screened utilizing 100% opaque fencing of the same material as the principal structure or 100% opaque vegetative buffers.

C. Architectural Control

1. An Architectural Control Committee shall be formed to ensure continuity throughout the development. The Architectural Control Committee Development Standards and Design Guidelines are attached as **Exhibit H.**

2. Retail and Office structures: Primary building facades shall be masonry, brick or stone with complimentary secondary facade building materials. All materials shall be subject to approval by the Architectural Control Committee.

3. Residential structures: All exterior building materials shall be subject to approval by the Architectural Control Committee.

4. Metal structures shall not be allowed.

5. All buildings shall provide clear, lighted visual areas around rear/isolated employee entrances and parking areas. Lighting shall be oriented in a manner that will not create a nuisance to any adjacent residential areas.

6. Street Signage throughout the PUD shall comply with the Manual on Uniform Traffic Control Devices, latest edition at the time of final development plan submittal. Commercial signage for non-residential areas shall comply with the Leon County Sign Ordinance in effect at the time of final development plan submittal. All commercial signage shall be subject to approval by the Architectural Control Committee.

7. Direct driveway access from any individual component of the development to U.S. Highway 27 (North Monroe Street) is prohibited. The PUD shall be limited to two roadway connections to U.S. Highway 27 and one connection to Skyview Drive (View Point Subdivision).

8. Landscaping and buffering shall be in accordance with the Leon County Land Development Code in effect at the time of final development plan approval.

D. Tree Preservation

1. Additional or revised tree survey information may be required at the time of Final Site and Development Plan review. At the time of Final Site and Development Plan review the applicant shall adjust lot boundaries and other proposed development improvements to protect the maximum number of patriarch trees possible and practical, and to preserve, to the greatest extent practical, the maximum number of other large native, viable trees.

E. Summerfield PUD Concept Plan - W/MBE Plan

1. The W/MBE Plan is attached as **Exhibit I.**

SECTION 8: PUBLIC AND PRIVATE FACILITIES

A. Schools

The following public schools may serve *Summerfield:*

High School:	Amos P. Godby High School located on West Tharpe Street
Middle School:	Griffin Middle School located on Alabama Street
Elementary School:	Canopy Oaks Elementary School located on Pointview Drive

B. Fire and Police Protection

The nearest fire station is located on Tower Road, which is northwest of the Site. Police protection and emergency response will be provided by the Leon County Sheriff's Department.

C. Parks

Nearby parks include the Lake Jackson Indian Mounds State Park, located off U.S. 27 south of the PUD, which provides passive recreational facilities and the Canopy Oaks Leon County Park, located immediately south of the PUD, which provides a variety of recreational facilities such as soccer, baseball and softball fields and tennis courts, as well as passive recreational facilities. Also located just northeast of the PUD is Lake Jackson, providing various water related recreational activities.

D. Utilities

Water, sewer and electrical service will be provided by Talquin Electric Cooperative. All utilities will be designed and constructed in accordance with all federal, state and local regulations.

BOARD OF COUNTY COMMISSIONERS

APR 8 2004

301 South Monroe Street
Tallahassee, Florida 32301
(850) 488-4710

missioners:
LIAM C. PROCTOR, JR.
ict 1
E G. SAULS
ict 2
I WINCHESTER
ict 3
IY GRIPPA
ict 4
RACKLEFF
ict 5
Y MALOY
rge
THAELL
rge
VEZ ALAM
ty Administrator
488-9962
BERT W.A. THIELE
ty Attorney
487-1008

Office of Growth & Environmental Management
Division of Environmental Compliance
3401 W. Tharpe Street
Tallahassee, FL 32303
(850) 488-9300

April 7, 2004

Bob Sellers, P.E.
Allen Nobles & Associates, Inc.
2844 Pablo Avenue
Tallahassee, Florida 32308

RE: Approval
Project: Mary Sellers Property (Summerfield PUD)
Natural Features Inventory: LEA 03-0072
Parcel ID 21-04-51-000-012-0

Dear Mr. Sellers:

We have completed a review of your response to our third RAI letter for the referenced project that we received on March 30, 2004. The provided information completed all the remaining outstanding issues and your NFI is hereby approved.

Enclosed is a copy of the approved NFI submittal for your records. If you have any questions concerning this letter please contact me.

Sincerely,

Jill Weisman

Jill Weisman
Environmental Review Specialist

Enclosures

Cc: Development Services
Mary Sellers
File

\\GROWTH\SYS2\USERS\WEISMANJ\NFI\sellers_apr.doc

An equal opportunity/affirmative action employer

EXHIBIT A
Pg. 1 of 4

RESPONSE TO RAI #3.

Allen Nobles & Associates, Inc.
PROFESSIONAL SURVEYING AND ENGINEERING

2844 Pablo Avenue
Tallahassee, Florida 32308
Phone: (850) - 385-1179
Fax: (850) - 385-1404

RECEIVED
MAR 30 2004
Growth & Environmental Management
INTAKE JW

SELLERS DAIRY PROPERTY
PARCEL I.D. NO. 21 04 51 000 012 0

NATURAL FEATURES INVENTORY STATISTICS TABLE

FEATURE	AREA SQ. FT.	AREA ACRES	PER CENT OF SITE
SITE AREA		108.0	
• 100 YR. FLOOD PLAIN	748,488	17.18	15.91
• FLOOD PRONE AREAS	121,974	2.80	2.59
• SIGNIFICANT SLOPES	169,459	3.89	3.60
• CANOPY ROAD PROTECTION ZONE	137,694	3.16	2.93
• SPECIAL DEVELOPMENT ZONE A	4,531	0.10	0.10
• SPECIAL DEVELOPMENT ZONE B	161,550	4.33	4.01
• WETLANDS	149,525	3.43	3.18
• WETLANDS, DEGRADED	143,610	3.30	3.06
• WATER COURSE	6,767	0.16	0.14
• ALTERED WATER COURSE	2,942	0.07	0.06
• CLOSED BASINS	4,321,418	99.21	91.86

APPROVED [signature]
NFI PERMIT #: LEA 03-0072
DATE 4/6/04

☐ Special Conditions Exist For This Permit. Refer to Exhibit(s):

Page 1 of 1

EXHIBIT A
Pa. 2 of 4

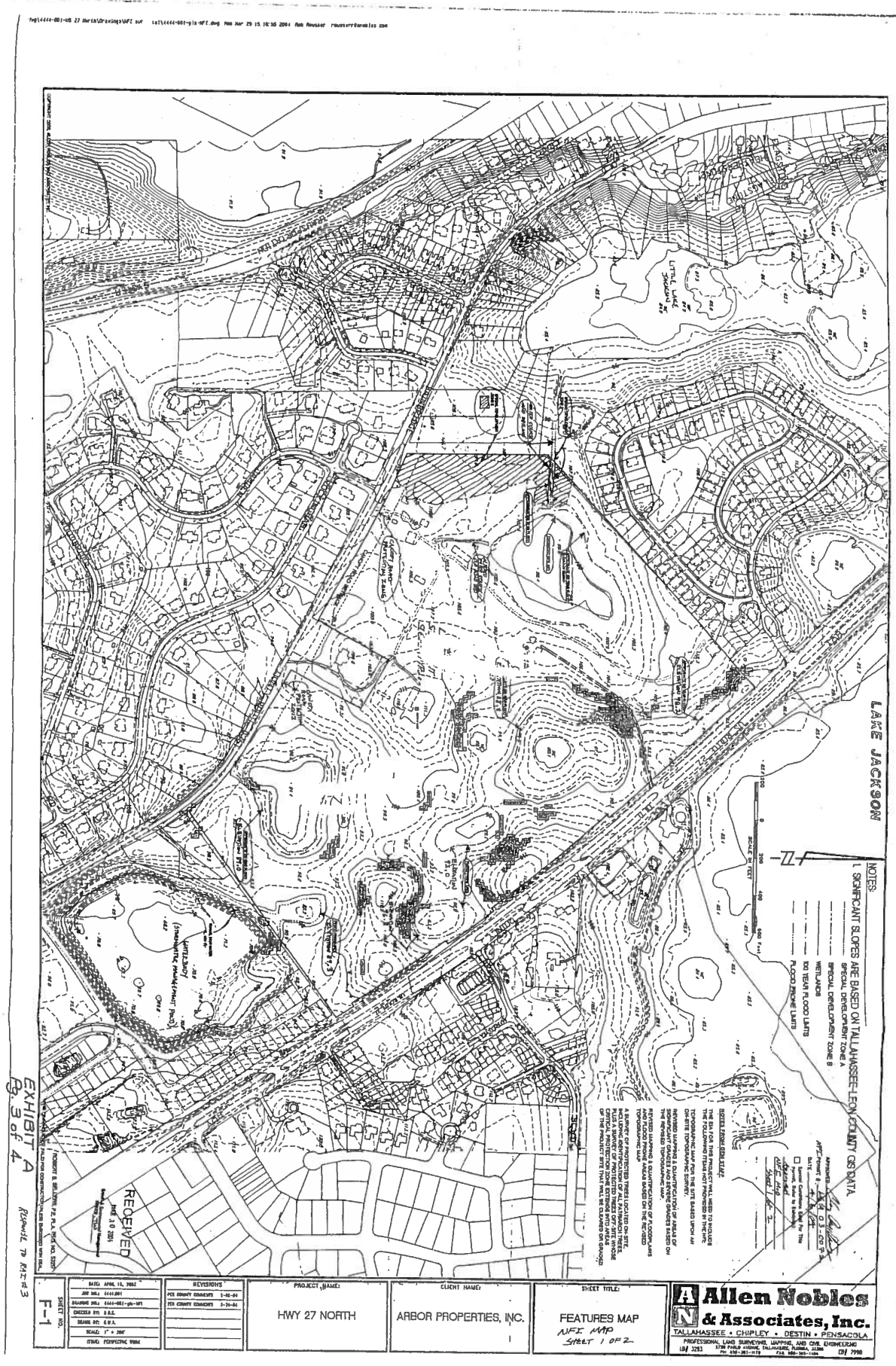
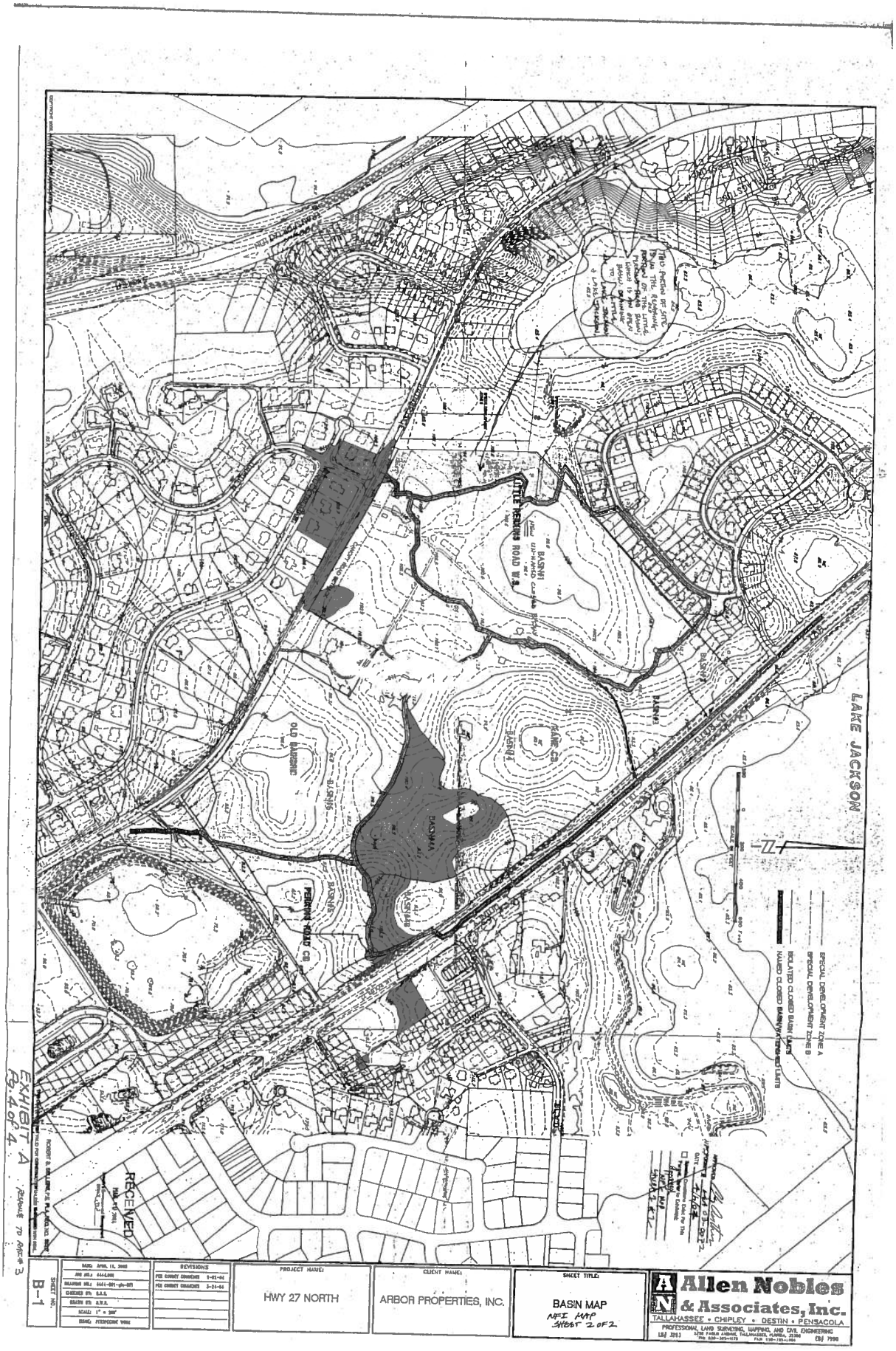


EXHIBIT A
PG 3 of 4
RUNNEL TO RTE #3


LAKE JACKSON
OLD BAINBRIDGE
PERKINS ROAD
LITTLE RIVER ROAD
BASIN A
BASIN B
BASIN C
BASIN D
BASIN E
BASIN F
BASIN G
BASIN H
BASIN I
BASIN J
BASIN K
BASIN L
BASIN M
SPECIAL DEVELOPMENT ZONE A
SPECIAL DEVELOPMENT ZONE B
ISOLATED CLOSED BASIN LAKES
MAJOR CLOSED BASIN LAKES AND LOTS
RECEIVED
EXHIBIT A
PG. 4 of 4
REVISIONS
PER COUNTY COMMENTS 5-21-04
PER COUNTY COMMENTS 5-24-04
PROJECT NAME:
HWY 27 NORTH
CLIENT NAME:
ARBOR PROPERTIES, INC.
SHEET TITLE:
BASIN MAP
NFI MAP
SHEET 2 OF 2
SHEET NO.
B-1
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING
LB# 3913
EB# 7990

District: SR-1	Permitted Uses	
1. District Intent	**2. Principal Uses**	**3. Accessory Uses**
The SR District is intended to compliment existing neighborhood patterns of single family detached housing with development standards similar to those neighborhoods adjoining or adjacent to this PUD. This SR-1 District shall be developed in accordance with the Lake Protection Zoning District of the Leon County Development Code.	(1) 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 25% of the floor area or cubic volume of the principal use or structure. 2. Light infrastructure and/or utility services and facilities necessary to serve permitted uses.

DEVELOPMENT STANDARDS

	4. Minimum Lot Size		5. Minimum Building Setbacks				6. Maximum Building Restrictions
Use Category	a. Lot Area	b. Lot Frontage	a. Front	b. side-interior lot	c. side-corner lot	d. rear	b. Building Height
Single-Family Detached Dwelling	In Accordance With Lake Protection Zoning District Requirements	15 ft.	25 ft.	15 ft.	25 ft.	25 ft.	35 ft.

Exhibit B
Sheet 1 of 2

District: SR-2, SR-3, SR-4	Permitted Uses	
1. District Intent	**2. Principal Uses**	**3. Accessory Uses**
The SR District is intended to compliment existing neighborhood patterns of single family detached housing with development standards similar to those neighborhoods adjoining or adjacent to this PUD. The maximum density for the SR-2 District is 2.3 units per acre, for the SR-3 District is 2.34 units per acre and for the SR-4 District is 2.8 units per acre.	(1) 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 25% of the floor area or cubic volume of the principal use or structure. 2. Light infrastructure and/or utility services and facilities necessary to serve permitted uses.

DEVELOPMENT STANDARDS

	4. Minimum Lot Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot Area	b. Lot Width	c. Lot Depth	a. Front	b. side-interior lot	c. side-corner lot	d. rear	a. Building Size	b. Building Height
Single-Family Detached Dwelling	6,000 sq. ft.	50 ft.	75 ft.	15 ft.	10 ft.	10 ft.	15 ft.	Not Applicable	2 Stories

EXHIBIT B
Sheet 2 of 2

District: MR	Permitted Uses	
1. District Intent	**2. Principal Uses**	**3. Accessory Uses**
The MR District is intended to compliment the single family detached housing and other uses provided for in this PUD. The maximum gross density for the MR District is 11.0 units per acre.	(1) Multi-family dwellings. (2) Single-family detached dwellings.	1. Light infrastructure and/or utility services and facilities necessary to serve permitted uses. 2. A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

DEVELOPMENT STANDARDS

	4. Minimum Lot Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot Area	b. Lot Width	c. Lot Depth	a. Front	b. side-interior lot	c. side-corner lot	d. rear	a. Building Size	b. Building Height
Multi-Family Dwelling	Not applicable	Not Applicable	Not Applicable	25 ft.	15 ft.	15 ft.	25 ft.	Not Applicable	3 Stories
Single-Family Detached Dwelling	6,000 sq. ft.*	50 ft.*	75 ft.*	15 ft.	10 ft.	10 ft.	15 ft.	Not Applicable	2 Stories

*Completely within the MR District of in conjection with the SR-1 District

Exhibit C

District: GRO	Permitted Uses		
1. District Intent	2. Principal Uses		3. Accessory Uses
The GRO District is intended to provide retail commercial, professional, office, community and recreational facilities and other convenience commercial activities in order to provide goods and services that people frequently use in close proximity to their homes The maximum gross density for the GRO District is 12,500 sq. ft. per acre.	(1) Antique Shops. (2) Banks and other financial institutions. (3) Camera and photographic stores. (4) Community facilities including libraries, religious facilities and police/fire stations. (5) Day care centers. (6) Gift, novelty and souvenir shops. (7) Indoor amusements (bowling, billiards, skating, etc.) (8) Indoor theaters. (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) Non-store retailers. (13) Passive and active recreational facilities. (14) Personal services (barber shops, fitness club, etc.). (15) Photocopying and duplicating services. (16) Retail computer, video, record and other electronics. (17) Retail department, apparel and accessory stores. (18) Retail drug store. (19) Retail florist. (20) Retail food and grocery.	(21) Rental and sales of video tapes and games. (22) Restaurants, with or without drive-in facilities. (23) Retail bakeries. (24) Retail furniture, home appliances, accessories. (25) Retail home/garden supply, hardware and nurseries. (26) Retail jewelry store. (27) Retail needlework shops and instruction. (28) Retail news stand, books, greeting cards. (29) Retail office supplies. (30) Retail optical and medical supplies. (31) Retail package liquors. (32) Retail pet stores. (33) Retail picture framing. (34) Retail sporting goods, toys. (35) Retail trophy store. (36) Shoes, luggage and leather goods. (37) Social, fraternal and recreational clubs and lodges. (38) Studios for photography, music, art, dance and voice. (39) Tailoring. (40) Veterinary services, including veterinary hospitals.	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 25% of the floor area or cubic volume of the principal use or structure. 2. Light infrastructure and/or utility services and facilities necessary to serve permitted uses.

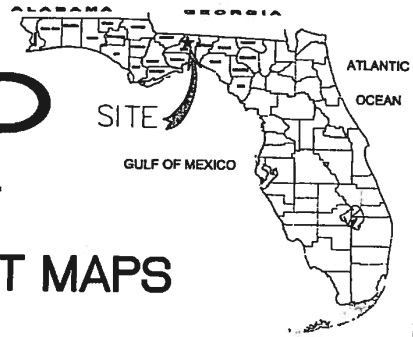
DEVELOPMENT STANDARDS

	4. Minimum Lot Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot Area	b. Lot Width	c. Lot Depth	a. Front	b. side-interior lot	c. side-corner lot	d. rear	a. Building Size	b. Building Height
Any Permitted Principal Use	None	None.	None	25 ft.	15 ft.	25 ft.	15 ft.	12,500 sq. ft. per acre	2 Stories

Exhibit D

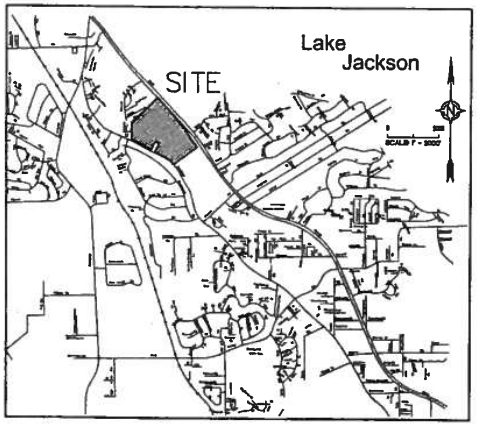
SUMMERFIELD

A PLANNED UNIT DEVELOPMENT
CONCEPTUAL SITE AND DEVELOPMENT MAPS
U.S. HWY. 27 NORTH
TALLAHASSEE, FLORIDA



OWNER, DEVELOPER, AGENT

OWNER:	MARY SELLERS 4910 NORTH MONROE STREET TALLAHASSEE FLORIDA, 32303
APPLICANT:	ARBOR PROPERTIES, INC. 2750 OLD ST. AUGUSTINE ROAD TALLAHASSEE FLORIDA, 32302 (850)656-7667
ENGINEER OF RECORD:	ALLEN NOBLES & ASSOC., INC. 2844 PABLO AVENUE TALLAHASSEE, FL. 32308 PH. (850)385-1179 FAX. (850)385-1404
SURVEYOR OF RECORD:	ALLEN NOBLES & ASSOC., INC. 2844 PABLO AVENUE TALLAHASSEE, FL. 32308 PH. (850)385-1179 FAX. (850)385-1404



PROJECT LOCATION MAP
SCALE: 1" = 2000'

INDEX OF SHEETS

SHEET NO.	SHEET TITLE
CPUD-1	COVER SHEET
CPUD-2	BOUNDARY SURVEY
CPUD-3	EXISTING CONDITIONS MAP
CPUD-4	GENERAL SITE PLAN
CPUD-5	VEHICULAR-PEDESTRIAN CIRCULATION PLAN
CPUD-6	UTILITY CONCEPT PLAN
CPUD-7-12	TREE SURVEY
CPUD-13	SOILS MAP

Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • NICEVILLE • PENSACOLA • LYNN HAVEN
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING

PROJECT NO. 4444.001
AUGUST 16, 2004
REVISED JANUARY 30, 2006

EXHIBIT E
Pg 1 of 13

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ROBERT B. BELLERS, P.E. FLA. REG. NO. 53257
THIS DRAWING IS NOT VALID FOR CONSTRUCTION UNLESS SIGNED WITH SEAL.

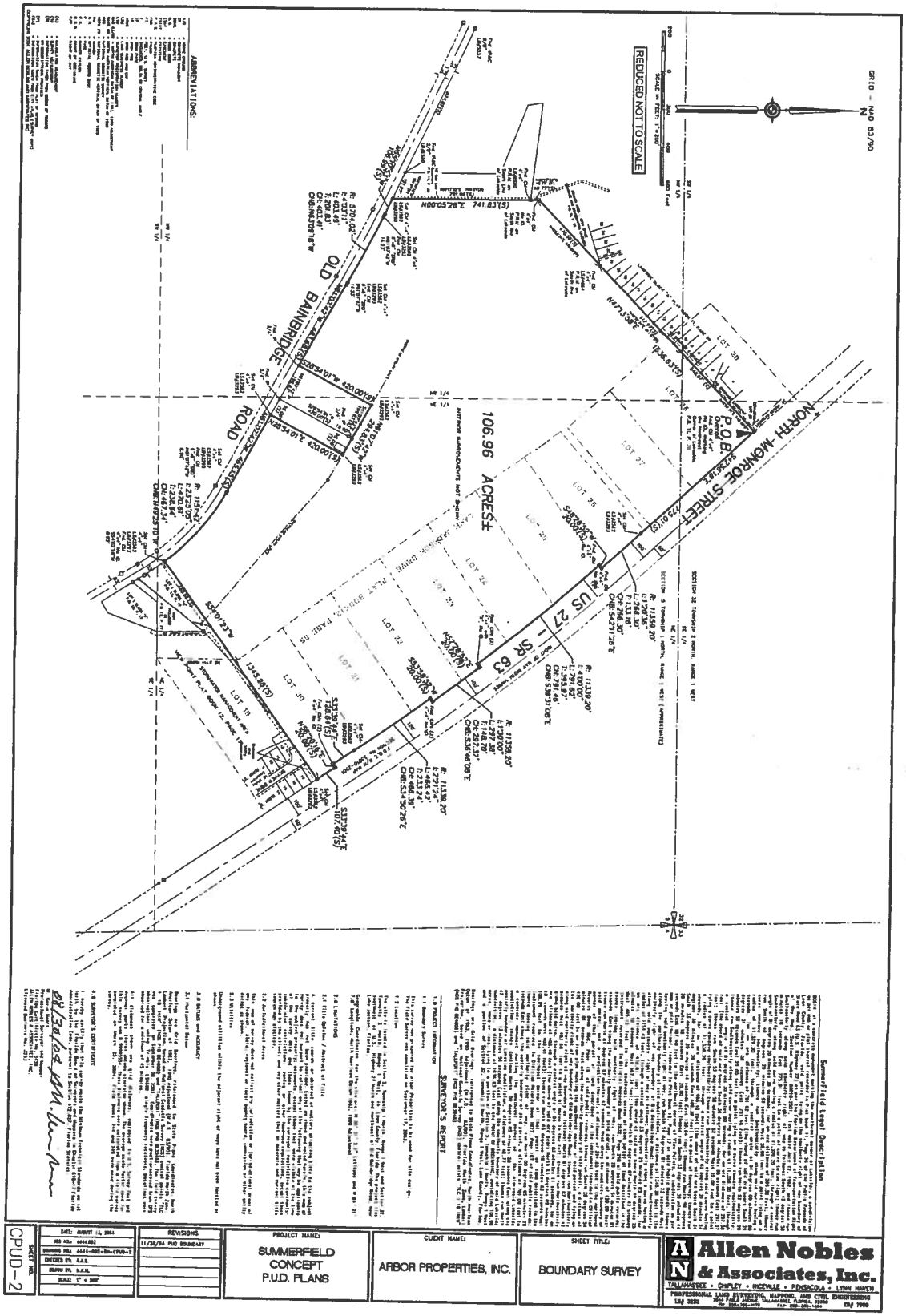
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • NICEVILLE • PENSACOLA • LYNN HAVEN
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING
LB# 3253 2844 PABLO AVENUE, TALLAHASSEE, FLORIDA, 32308 PH: 850-385-1179 FAX: 850-385-1404 EB# 7990

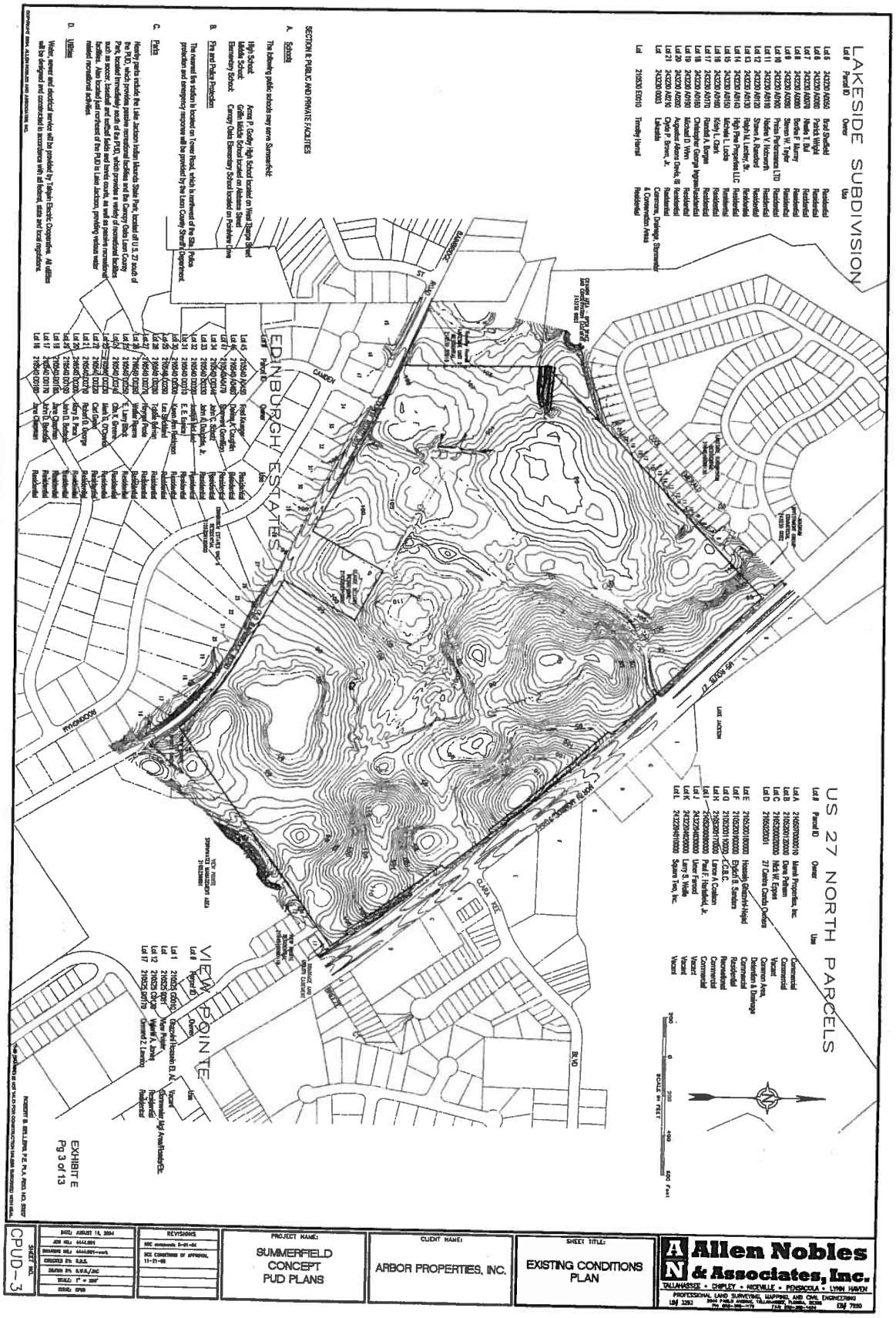
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PROJECT NAME: SUMMERFIELD CONCEPT PUD PLANS

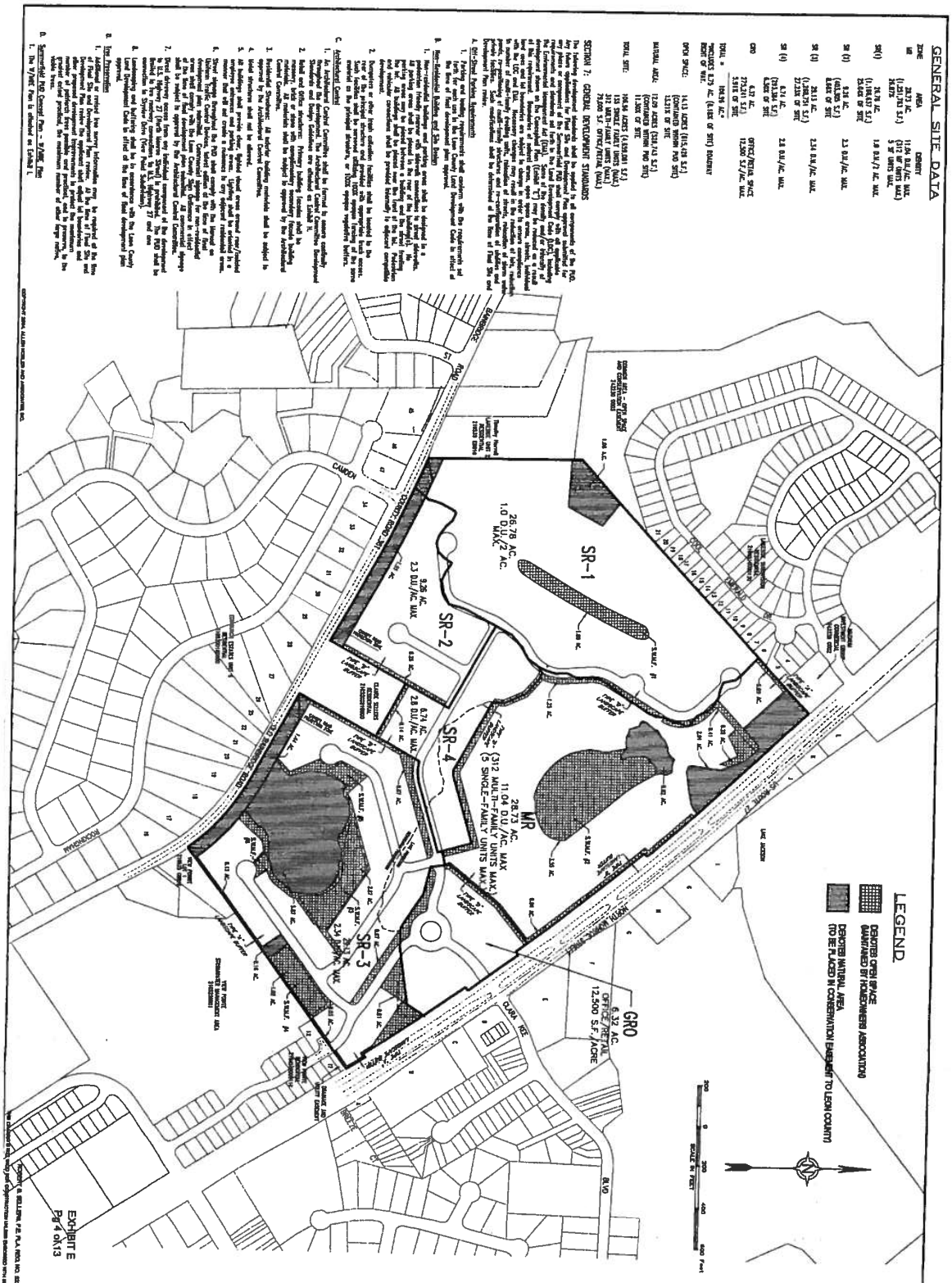
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2. PER COMMENTS, 11-24-04, 1-30-06

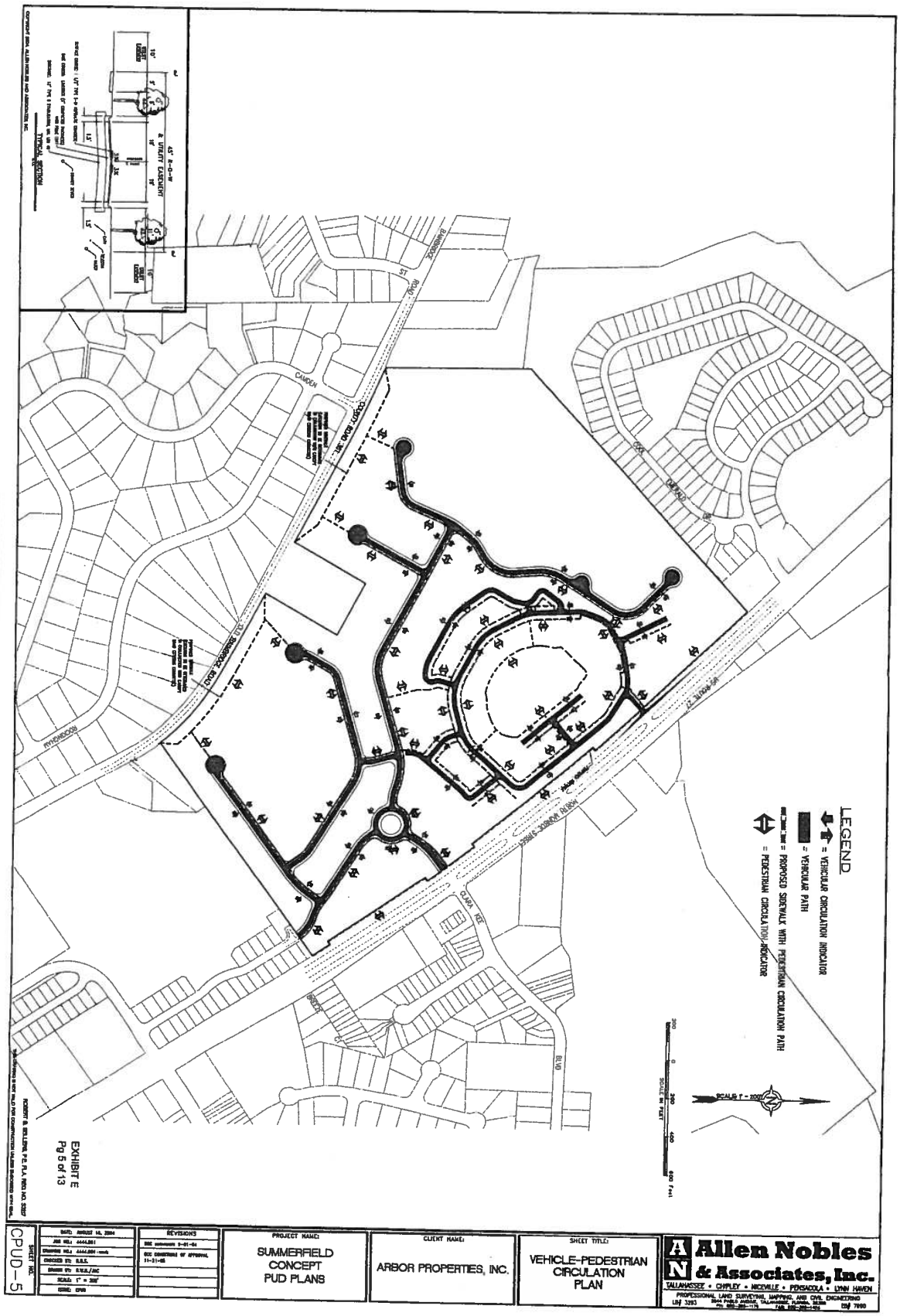
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DESIGNED BY: BAL
CHECKED BY: RBB/JAC
SCALE: 1" = 200'
DATE: 8/16/04

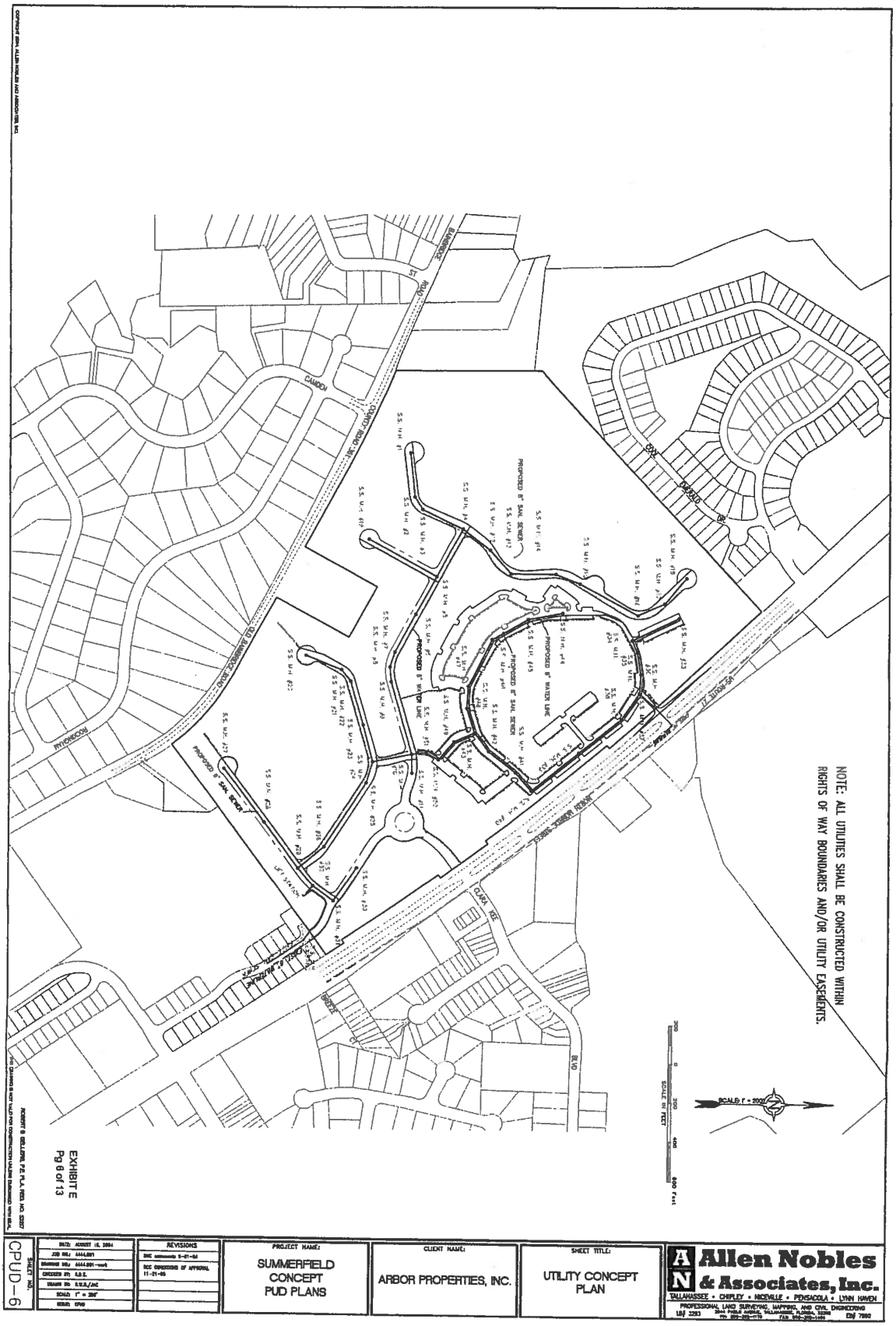
SHEET NO. CPUD-1


REDUCED NOT TO SCALE
GRID - NAD 83/90
OLD BAINBRIDGE ROAD
NORTH MONROE STREET
US 27 - SR 63
106.96 ACRES±
P.O.B.
P.O.C.
SURVEYOR'S REPORT
SUMMERFIELD
CONCEPT
P.U.D. PLANS
ARBOR PROPERTIES, INC.
BOUNDARY SURVEY
Allen Nobles & Associates, Inc.
CPUD-2


LAKESIDE SUBDIVISION
US 27 NORTH PARCELS
EDINBURGH ESTATES
VIEW POINTE
SECTION II PUBLIC AND PRIVATE FACILITIES
A. Schools
B. Fire and Police Protection
C. Parks
D. Utilities
EXHIBIT E
Pg 3 of 13
SUMMERFIELD
CONCEPT
PUD PLANS
ARBOR PROPERTIES, INC.
EXISTING CONDITIONS
PLAN
Allen Nobles & Associates, Inc.
CPUD-3


GENERAL SITE DATA
SR-1
SR-2
SR-3
SR-4
MR
GRO
LEGEND
SUMMERFIELD
CONCEPT
PUD PLANS
ARBOR PROPERTIES, INC.
GENERAL SITE
PLAN
Allen Nobles
& Associates, Inc.
CPUD-4


LEGEND
= VEHICULAR CIRCULATION INDICATOR
= VEHICULAR PATH
= PROPOSED SIDEWALK WITH PEDESTRIAN CIRCULATION PATH
= PEDESTRIAN CIRCULATION INDICATOR
SCALE 1" = 200'
SCALE IN FEET
200 0 200 400 800 Feet
CAMDEN
OAKWOOD
RIVERWOOD
CLARA AVE
BLVD
EXHIBIT E
Pg 5 of 13
CPUD-5
REVISIONS
PROJECT NAME:
SUMMERFIELD
CONCEPT
PUD PLANS
CLIENT NAME:
ARBOR PROPERTIES, INC.
SHEET TITLE:
VEHICLE-PEDESTRIAN
CIRCULATION
PLAN
Allen Nobles
& Associates, Inc.
TALLAHASSEE • CHIPLEY • MILTON • PENSACOLA • LYNN HAVEN


NOTE: ALL UTILITIES SHALL BE CONSTRUCTED WITHIN RIGHTS OF WAY BOUNDARIES AND/OR UTILITY EASEMENTS.
SCALE: 1" = 200'
SCALE IN FEET
200
0
200
400
800 Feet
EXHIBIT E
Pg 6 of 13
CPUD-6
REVISIONS
PROJECT NAME:
SUMMERFIELD
CONCEPT
PUD PLANS
CLIENT NAME:
ARBOR PROPERTIES, INC.
SHEET TITLE:
UTILITY CONCEPT
PLAN
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • MICANOPY • PENSACOLA • LYNN HAVEN
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING

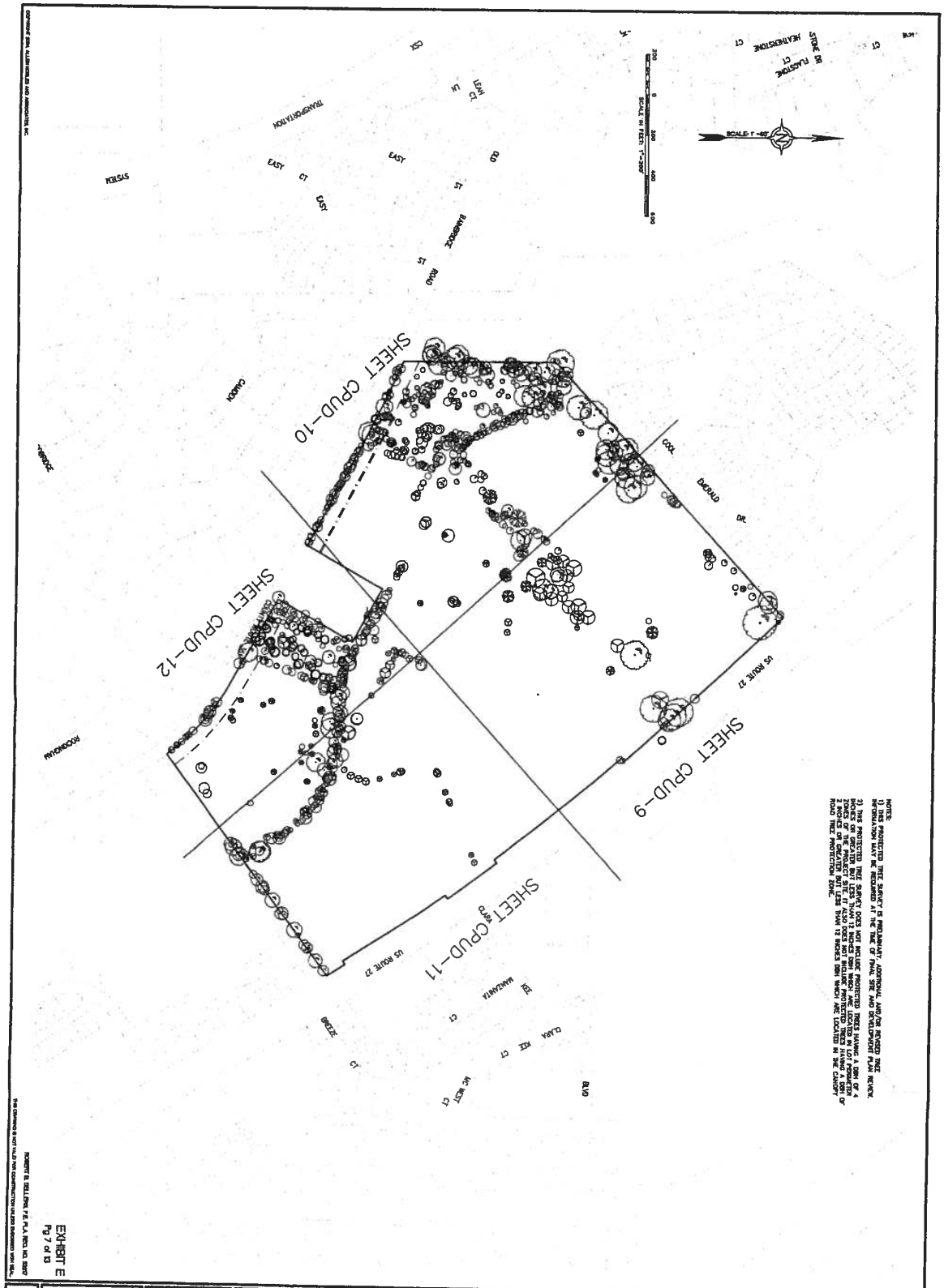


EXHIBIT E
Pg 7 of 13

CPUD-7

REVISIONS	

PROJECT NAME: SUMMERFIELD PUD

CLIENT NAME: ARBOR PROPERTIES, INC.

SHEET TITLE: TREE SURVEY

Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING

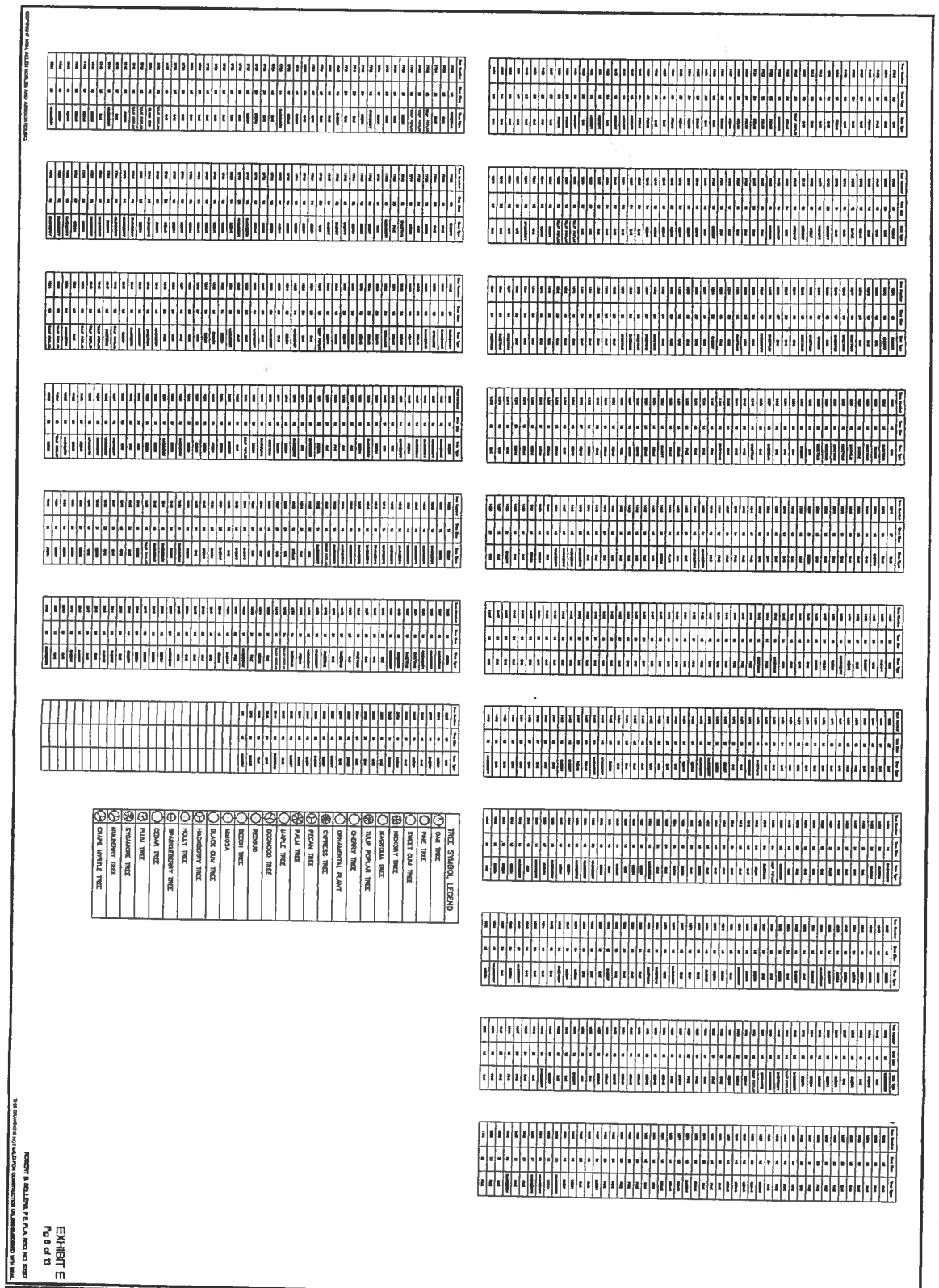


EXHIBIT E
Pg 8 of 13

CPUD-8

DATE:	JULY 16, 2004
JOB NO.:	4444.001
DRAWING NO.:	4444-004 TREESURV
CHECKED BY:	E.S.T.
DRAWN BY:	E.S.T.
SCALE:	N/A
SHEET NO.:	OF 13

REVISIONS
SDC comments 9-01-04

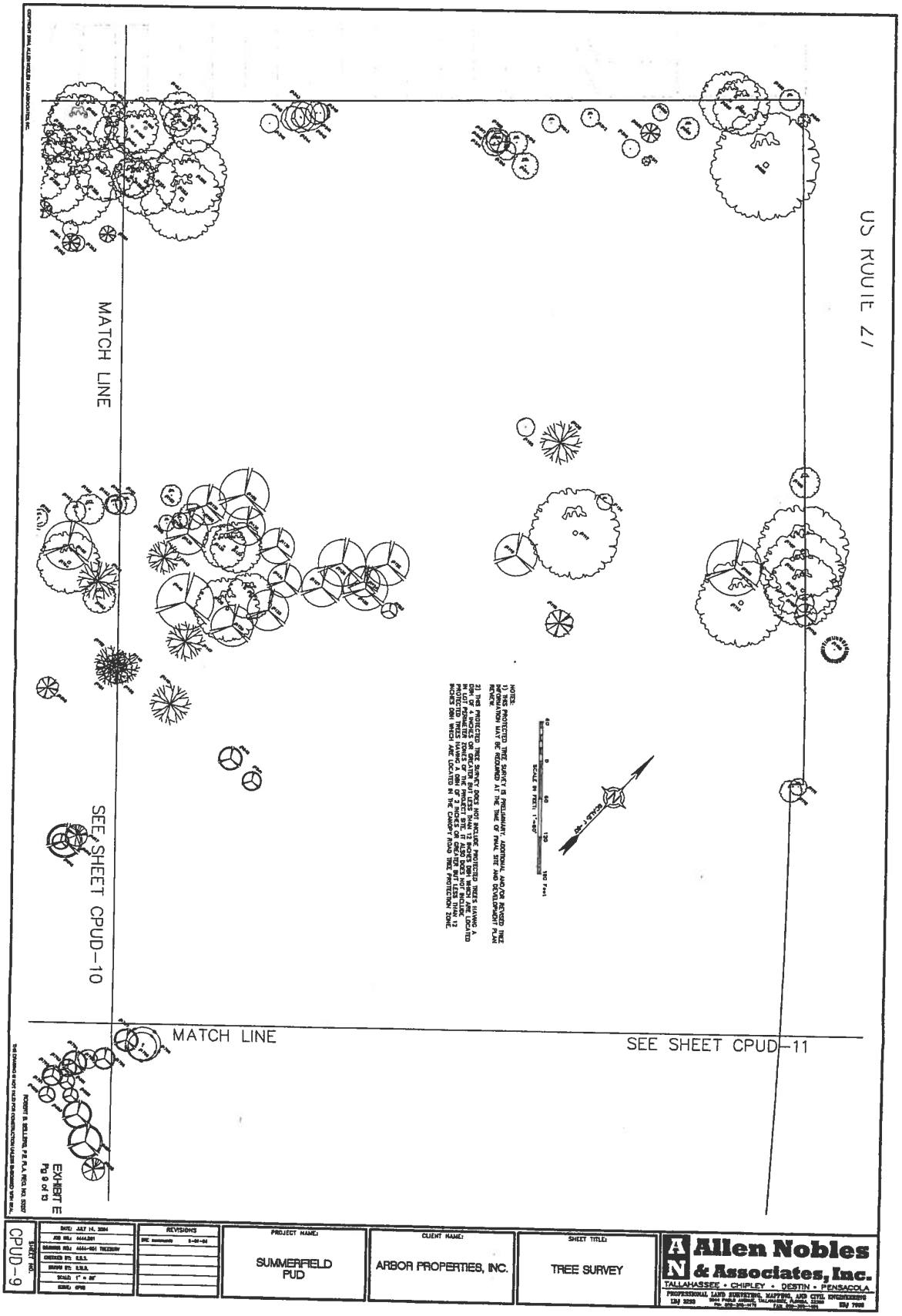
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SUMMERFIELD PUD

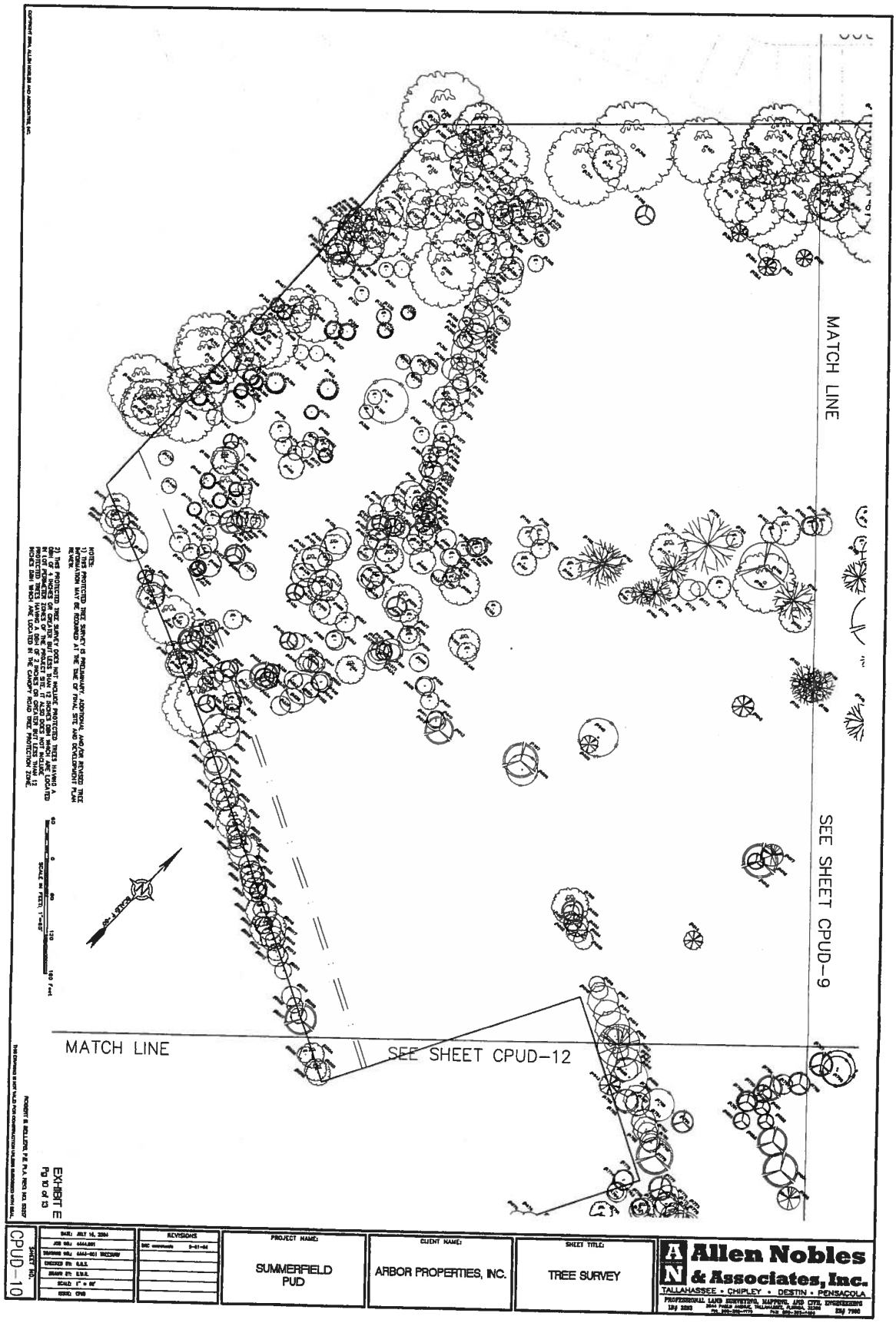
CLIENT NAME:
ARBOR PROPERTIES, INC.

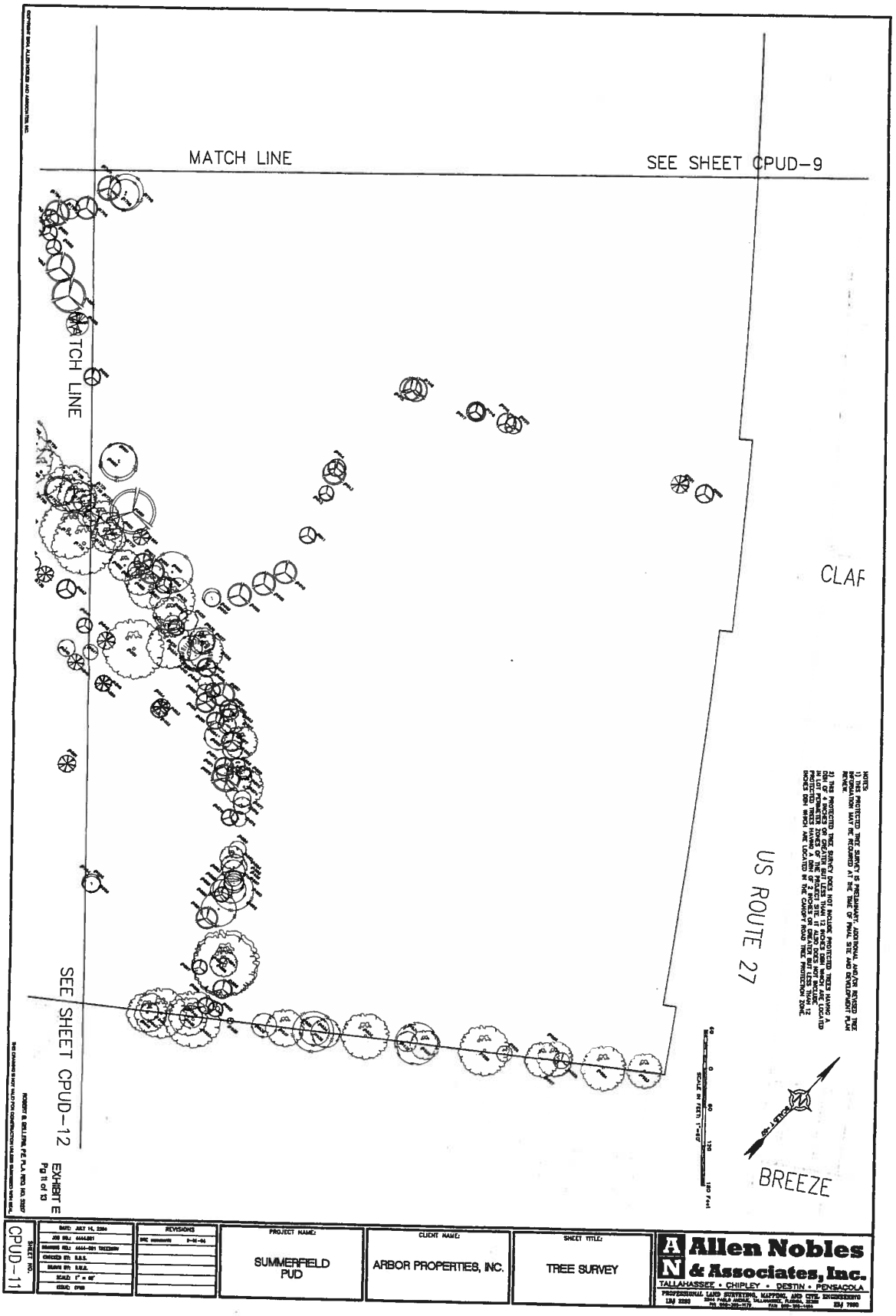
SHEET TITLE:
TREE SURVEY

Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING
LB# 3293 3543 PABLO AVENUE, TALLAHASSEE, FLORIDA, 32308 850# 7990

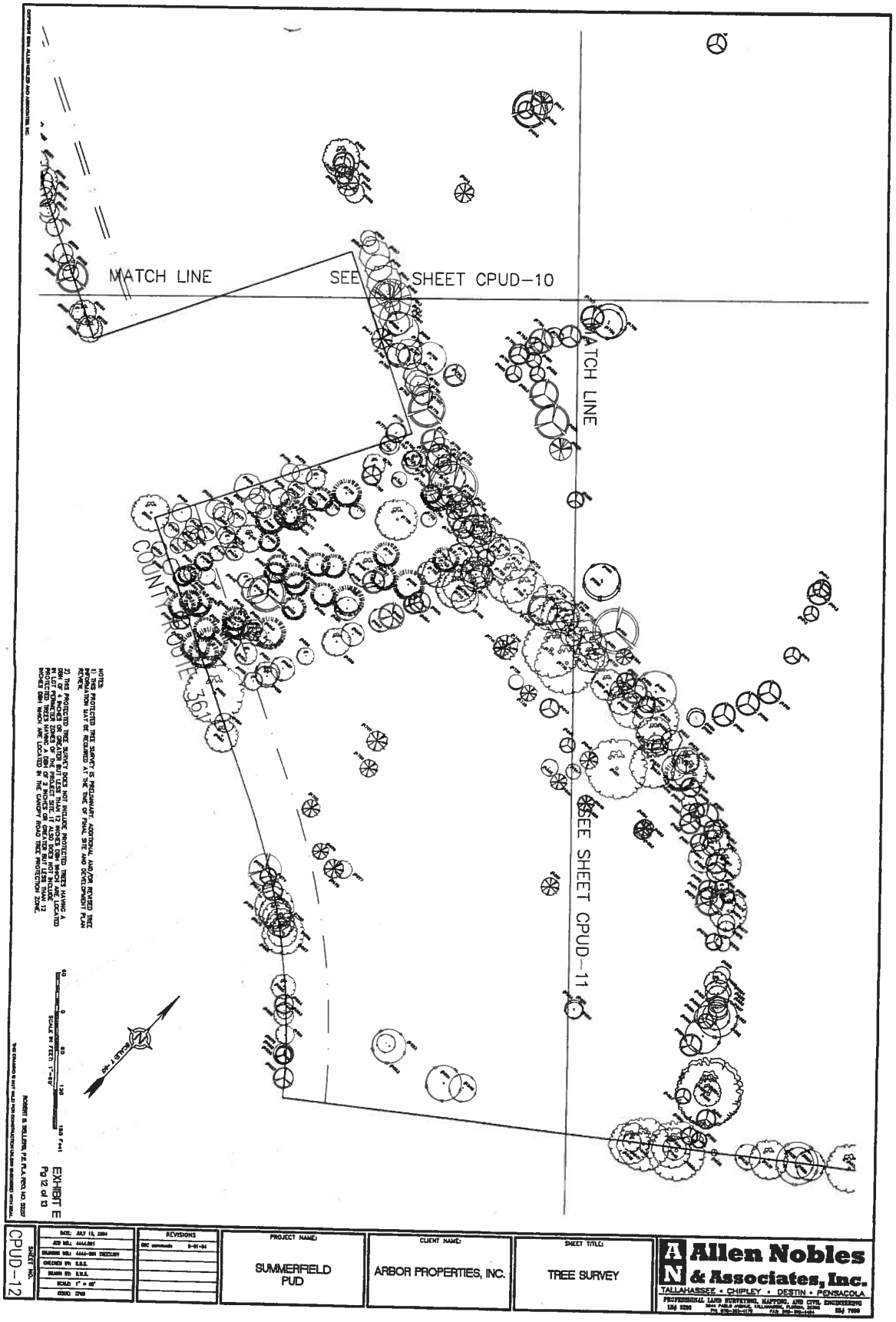
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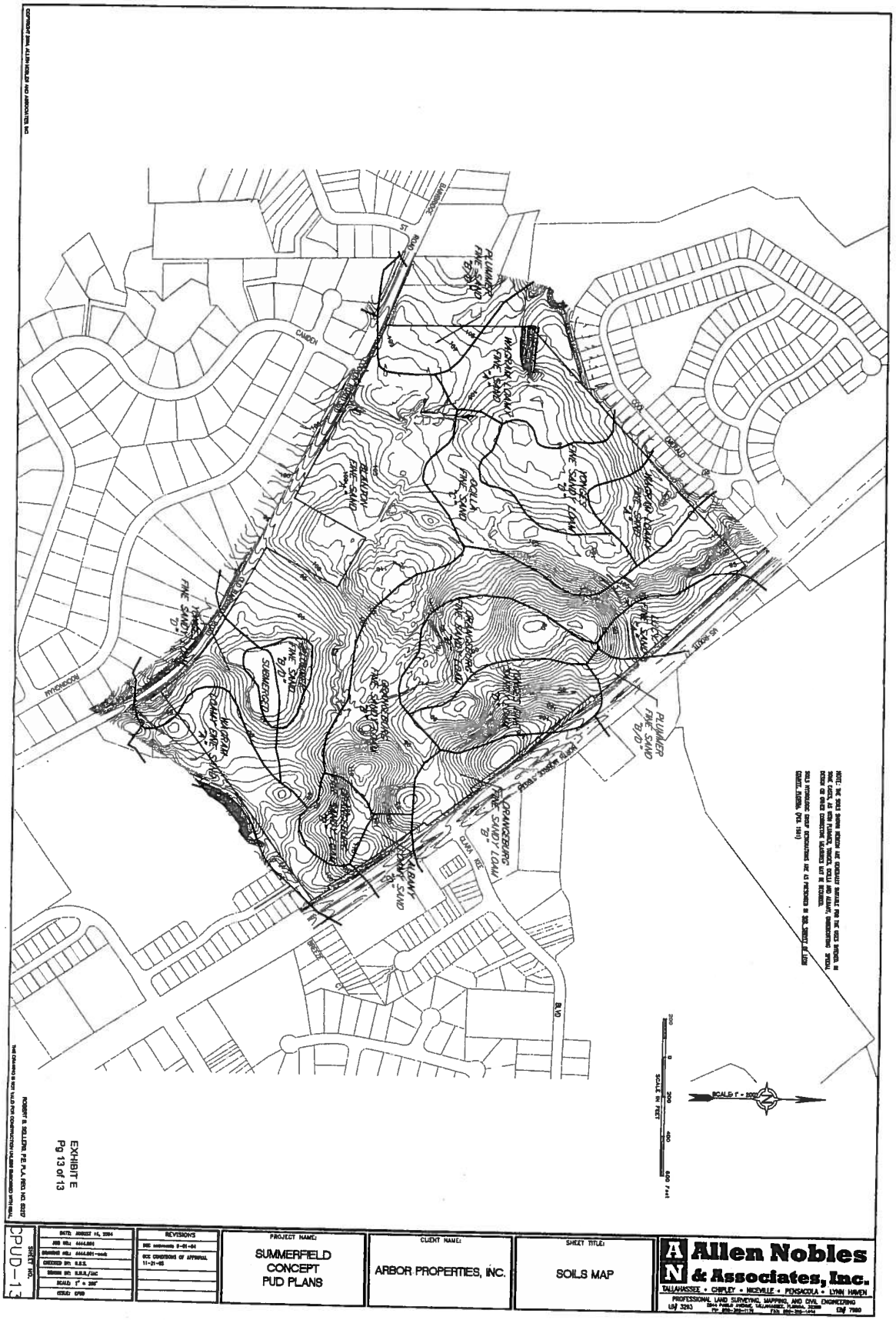

US ROUTE 27
MATCH LINE
SEE SHEET CPUD-10
MATCH LINE
SEE SHEET CPUD-11
NOTES:
1) TREE PROTECTED TREE SURVEY IS PRELIMINARY. ADDITIONAL AND/OR REVISED TREE INFORMATION MAY BE REQUIRED AT THE TIME OF FINAL SITE AND DEVELOPMENT PLAN REVIEW.
2) THE PROTECTED TREE SURVEY DOES NOT INCLUDE PROTECTED TREES HAVING A DIAMETER OF LESS THAN 12 INCHES OR GROUPED BUT LESS THAN 12 INCHES DBH, WHICH ARE LOCATED IN THE CANOPY ROAD TREE PROTECTION ZONE.
SCALE: 1" = 60'
EXHIBIT E
Pg 9 of 10
CPUD-9
DATE: JULY 14, 2004
REVISIONS
PROJECT NAME:
SUMMERFIELD PUD
CLIENT NAME:
ARBOR PROPERTIES, INC.
SHEET TITLE:
TREE SURVEY
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA


MATCH LINE
SEE SHEET CPUD-9
MATCH LINE
SEE SHEET CPUD-12
NOTES:
1) THIS PROTECTED TREE SURVEY IS PRELIMINARY. ADDITIONAL AND/OR REVISED TREE INFORMATION MAY BE REQUIRED AT THE TIME OF FINAL SITE AND DEVELOPMENT PLAN REVIEW.
2) THIS PROTECTED TREE SURVEY DOES NOT INCLUDE PROTECTED TREES HAVING A DBH OF 4 INCHES OR GREATER BUT LESS THAN 12 INCHES DBH WHICH ARE LOCATED WITHIN THE PROJECT SITE. IT ALSO DOES NOT INCLUDE PROTECTED TREES HAVING A DBH OF 12 INCHES OR GREATER BUT LESS THAN 24 INCHES DBH WHICH ARE LOCATED IN THE CANOPY ROAD TREE PROTECTION ZONE.
SCALE IN FEET, 1"=60'
EXHIBIT E
Pg 10 of 13
CPUD-10
REVISIONS
PROJECT NAME:
SUMMERFIELD PUD
CLIENT NAME:
ARBOR PROPERTIES, INC.
SHEET TITLE:
TREE SURVEY
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA

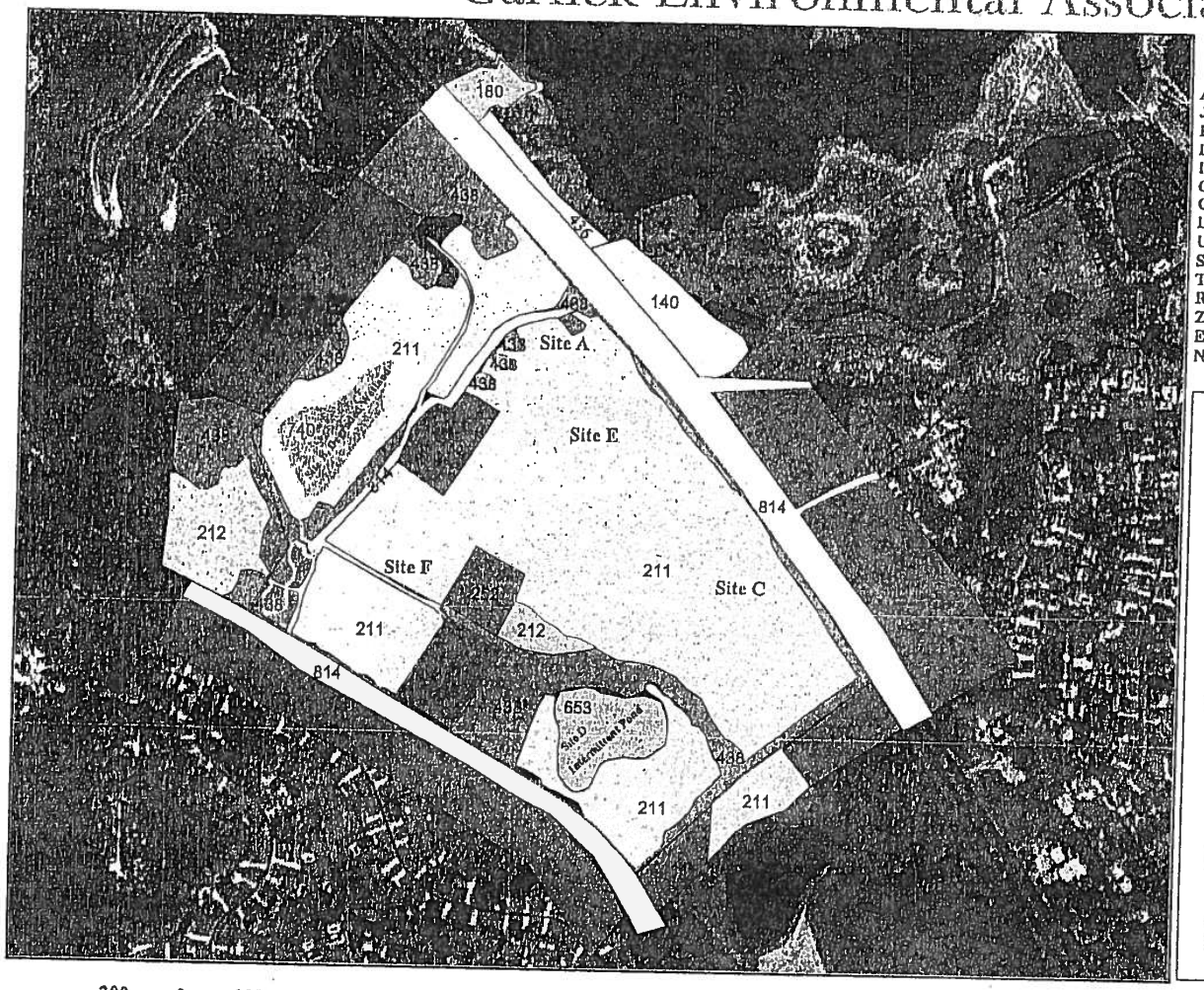


SHEET NO.	DATE: JULY 10, 2006 JOB NO. 4444.001 DRAWING NO.: 4444-001 TREE2006 DESIGNED BY: R.B.G. DRAWN BY: R.B.G. SCALE: 1" = 60' CHKD: RBG	REVISIONS DRC comments 9-01-06	PROJECT NAME: SUMMERFIELD PUD	CLIENT NAME: ARBOR PROPERTIES, INC.	SHEET TITLE: TREE SURVEY	Allen Nobles & Associates, Inc. TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING LB# 2260 3894 PARK AVENUE, TALLAHASSEE, FLORIDA 32308 PH. 850-385-1179 FAX 850-385-1429 EB# 7990
CPUD-11						


MATCH LINE
SEE SHEET CPUD-10
MATCH LINE
SEE SHEET CPUD-11
COUNTY ROUTE 361
NOTES:
1) THIS PROTECTED TREE SURVEY IS PRELIMINARY. ADDITIONAL AND OR REVISED TREE INFORMATION MAY BE REQUIRED AT THE TIME OF FINAL SITE AND DEVELOPMENT PLAN REVIEW.
2) THIS PROTECTED TREE SURVEY DOES NOT INCLUDE PROTECTED TREES HAVING A DIAMETER OF 24" OR GREATER WHICH ARE LOCATED ON LOTS PERIMETER ZONES OF THE PROJECT SITE. IT ALSO DOES NOT INCLUDE PROTECTED TREES OF 24" DIAMETER OR GREATER WHICH ARE LOCATED WITHIN 60 FEET OF A PHASE OR CREATED BUT LESS THAN 12 PHASES OMD WHICH ARE LOCATED IN THE CANOPY ROAD TREE PROTECTION ZONE.
SCALE: 1"=60'
SCALE IN FEET: 1"=60'
EXHIBIT E
Pg 12 of 13
ROBERT S. BELLOTTI, P.E., P.L.A. FLCL NO. 22227
CPUD-12
DATE: JULY 15, 2004
JOB NO.: 4444.001
DRAWING NO.: 4444-001 TREESURV
CHECKED BY: R.S.B.
DRAWN BY: R.M.H.
SCALE: 1" = 60'
FIELD DATE
REVISIONS
DRC comments 9-01-04
PROJECT NAME:
SUMMERFIELD PUD
CLIENT NAME:
ARBOR PROPERTIES, INC.
SHEET TITLE:
TREE SURVEY
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING


PROJECT NAME:
SUMMERFIELD
CONCEPT
PUD PLANS
CLIENT NAME:
ARBOR PROPERTIES, INC.
SHEET TITLE:
SOILS MAP
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • MILTON • PENSACOLA • LYNN HAVEN
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING
LB# 3243
EB# 7980
REVISIONS
SHEET NO.
CPUD-13
EXHIBIT E
Pg 13 of 13
SCALE 1" = 200'
SCALE IN FEET
CAMDEN
RYNOCOS
BLVD

Garlick Environmental Associates, Inc



Applicant/Client: Allen Nobles and Assoc., Inc.
Job: 03-224
Purpose: NFI
Date: 01/23/04
DEP: N/A
COE: N/A
Other: N/A
Location: Leon County, FL
USGS Quad.: Lake Jackson
Section : 5
Township: 1 North
Range: 1 West
Zone: Florida North
Easting: 2,015,132
Northing: 552,265

- Property Boundary
- Unimproved Pasture (FLUCCS 212)
- Improved Pasture (FLUCCS 211)
- Cattle Feeding Area (FLUCCS 231)
- Dairy (FLUCCS 252)
- Residential (FLUCCS 111)
- LPS Transect 01/16/04
- Degraded Wetland (FLUCCS 740)
- Intermittent Pond (FLUCCS 653)
- Mixed Hardwoods (FLUCCS 438)
- Upland Scrub (FLUCCS 436)
- Transportation (FLUCCS 814)
- Commercial (FLUCCS 140
- Boat Launch (FLUCCS 180)

300 0 300 600 900 1200 1500 1800 Feet

EXISTING VEGETATIVE COVER

EXHIBIT F

Posted June 10, 2019

TLCPD
Tallahassee-Leon County Planning Department

Affidavit Waiving Concurrency for a Preliminary Development Order - Rezoning

Submit to Planning Department at City Hall with Rezoning Application

I, William Gordon Thames, Jr., owner or agent of the property described below:

Parcel ID Number: 21-04-51-000-0120
Location address: N. Monroe

do hereby elect to waive concurrency review associated with the proposed preliminary development order (rezoning) of the above referenced project, pursuant to Section 2.2.0 of the Leon County Concurrency Policies and Procedures Manual. In waiving the concurrency review, I acknowledge that I understand the following:

1) Final Development orders for the subject property are subject to a concurrency determination; and

2) No rights to obtain final development orders, nor any other rights to develop the subject property have been granted or implied by the County's approval of the preliminary development order without a concurrency determination of the public facilities.

ACKNOWLEDGEMENT
STATE OF Florida
COUNTY OF Leon

Before me, this 30th day of August, 2004, personally appeared William Gordon Thames, Jr., owner/agent who executed the foregoing instrument, and acknowledged to me that the same was executed for the purposes therein expressed.

Personally known ✓; or
Produced identification _____
Type of identification produced:

_____

(Notary Public)
Print Name: Mary Anne Huckabee

(Owner/Agent Signature)
Print Name: William Gordon Thames, JR.

My Commission Expires: September 30, 2005

MARY ANNE HUCKABEE
MY COMMISSION # DD 061038
EXPIRES: September 30, 2005
Bonded Thru Notary Public Underwriters

Created by AAB July 16, 2004
C:\Documents and Settings\Bob Sellers\Local Settings\Temporary Internet Files\OLKD\County Affidavit Waiving Concurrency.doc

EXHIBIT G

ARTICLE I
DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

Section 1. Membership. The Architectural Control Committee (hereafter "the Committee" in this Article) for the Subdivision shall be appointed by the Declarant until such time that the Declarant waives this right in writing, and then by the Board of Directors of the Association. A majority of the Committee may select a representative to act for it. The Committee shall consist of not less than one (1) and no more than three (3) persons. All members of the Committee shall serve without compensation. All notices or submission requests to be given to the Committee shall be in writing and delivered by mail to: Summerfield Architectural Control Committee, 2750 Old St. Augustine Road, Tallahassee, Florida 32301, or at such other address designated by Declarant, or if no address is given, then to the principal registered office of the Association as from time to time set forth in the records of the office of the Secretary of the State of Florida, Corporate Division.

Section 2. Purpose, Overview and Objectives.

(a) No site development shall be commenced and no building, fence, structure, alteration, addition or improvement of any kind, other than interior alterations not affecting the external appearance of a building or structure, shall be commenced, erected, placed or maintained upon any portion of any Lot (i) unless the plans and specifications therefore comply with the Development Standards and this Declaration and (ii) unless and until the plans and specifications therefore have been approved in writing by the Committee in its sole discretion as to harmony of external design and location in relation to surrounding structures and topography and as to aesthetic quality.

(b) The purpose of the Development Standards is to assist an Owner in achieving the desired level of site development consistent with the design concept and architectural style for Summerfield. The goal of the Development Standards, and in part, this Declaration, is to ensure an overall unified development and to ensure that each dwelling constructed on a Lot exhibits a style, character and quality of development which conforms to the goals and objectives for the Subdivision as provided in the Development Standards and this Declaration.

(c) The Development Standards address the following individual design components: architecture; landscape; site layout; view; lighting; and color. Each component is defined to relate to each other to form a unified whole while allowing for sufficient flexibility for individual expression within the overall theme. The following Goals and Objectives were established to achieve uniform character throughout the Subdivision. The specific Goals are as follows:

(i) Develop a consistent overall design image that is memorable and appropriate to the region;

(ii) Develop aesthetic design solutions that respect the natural beauty of the site and its surroundings; and

(iii) Maintain and enhance the value of the Subdivision as a community.

The specific Objectives are as follows:

EXHIBIT H
Pg 1 of 3

The specific Objectives are as follows:

(i) Preserve and enhance all regulated conservation and preservation areas;

(ii) Establish a design theme that is consistent throughout the Subdivision; and

(iii) Utilize building materials and finishes that are currently being used in regional construction projects, which are similar in size and budget.

Section 3. Approval Procedures.

(a) Any approval requested of the Committee shall be requested in writing pursuant to the Development Standards and shall be submitted to the Committee as provided in this Article and in the Development Standards. In the event the Committee fails to approve or disapprove a complete set of such plans and specifications within forty-five (45) days after the same have been submitted to it, approval shall be deemed to have been given if written notice by the applicant has been given to the Committee stating that no action was taken for forty-five (45) days and requesting immediate action within ten (10) days, and the Committee fails to approve or disapprove within said ten (10) day period.

(b) Before any construction is undertaken, the Owner of the Lot or his representative shall clearly mark or lay out on the Lot the particular dimensions of the dwelling and any other structure permitted to be constructed on the Lot, and these specifically marked dimensions, including a proposed landscape plan, must be approved by the Committee in writing.

(c) Within ten (10) days after the completion of construction of any improvement within the Subdivision, the Owner, builder or other agent for the Owner, shall give written notice to the Committee that the improvement is complete and ready for inspection. Within twenty (20) days after receipt of such notice, the Committee shall inspect the improvement and shall notify the Owner in writing as to any defects or deficiencies which are found. This response from the Committee shall include a statement as to the corrections which should be made to correct any such deficiencies so as to render the improvement in compliance with the approved plans and specifications. The Owner shall be given a reasonable period within which to correct such deficiencies. After being given a reasonable opportunity to do so, the Committee shall make such recommendations to the Board of Directors of the Association as it deems necessary in enforcing compliance with the approved plans and specifications. In the event the Committee fails to inspect the improvement and notify the Owner in writing as to the defects within twenty (20) days after such notice, the improvement will be deemed in compliance with the plans and specifications previously approved.

Section 4. Administration. The Committee shall have the power to adopt rules and establish procedures not inconsistent with the provisions of this Declaration and the Development Standards, including, but not limited to construction and development standards as may be deemed necessary by the Committee to insure a quality development and to insure preservation of the aesthetic qualities of the Subdivision. The written request and submittal of plans and specifications required pursuant to Section 2 hereof shall include, but not be limited to the following:

EXHIBIT H
Pg 2 of 3

Summerfield W/MBE Plan

The Developer of Summerfield will endeavor to utilize the services of a qualified MBE in the development of Summerfield. An eligible MBE is a business concern, which is both owned and controlled by minorities or by women. This means that minorities or women must own at least fifty-one percent (51%) of the business and they must control the management and daily operations of that business.

EXHIBIT I

(a) A completed Design Review Checklist which is provided in the Development Standards.

(b) Two complete sets of drawings, plans and documents along with the Construction Materials Sample Board.

(c) A survey plan by a licensed surveyor, at a scale of 1 inch equals 20 feet indicating proposed changes to the site, including grading, tree removal, tree save areas and the limits of construction. The site plan must show the exact location of the building, and be dimensioned from all property lines. The alignment of the driveway and the location of utility lines and equipment must be shown and dimensioned. Any out buildings must be included on the plans.

(d) A landscape plan at a scale of 1 inch equals 20 feet is required, showing the location, quantities and types of plant material being proposed. A planting schedule shall be included listing the number of each species of plant, their size and condition (balled and burlapped, container grown, etc.).

(e) Two sets of building architectural plans at a scale of one quarter inch equals 1 foot showing floor plans with window locations and entrances. The plans shall include overall dimensions and elevations showing all sides of the proposed structure with critical dimensions, material schedule and proposed color palette.

(f) Construction Materials Sample Board showing actual samples of exterior finishes and colors, along with product literature of exterior light fixtures, unit numbers and architectural features.

The Committee shall have complete discretion in determining whether the information and documentation submitted by the applicant complies with this Declaration and the Development Standards.

EXHIBIT H
Pg 3 of 3



LEON COUNTY
Department of Development Support & Environmental Management

3rd APPLICATION REVIEW MEETING (ARM)
February 6, 2019 @ 3:30 p.m.

STAFF RECOMMENDATION: Approval with conditions

PROJECT COORDINATOR:	Weldon Richardson, Senior Planner, DSEM
PROJECT NAME:	Summerfield PUD Detached Residential Subdivision (LSP180048)
OVERALL ACREAGE:	74.14 +/- acres (Overall Acreage) / 46.03 +/- acres (Project Area)
DISTRICTS:	(SR-2R District 44.80 +/- acres) and (MR District 0.93 +/- acres)
LEVEL OF REVIEW:	Type "A" Site Plan, CPA Track
PROPERTY OWNER:	Summerfield Land, LLC, 4910 N. Monroe St, Tallahassee, FL 32303
APPLICANT:	Same as above
APPLICANT'S AGENT:	Ben Hood, P.E., Moore Bass Consulting, Inc.
CURRENT ZONING:	Summerfield Planned Unit Development (PUD)
FUTURE LAND USE:	Residential Preservation/Lake Protection
DENSITY:	SR-2R District 2.88 dwelling units per acre
	MR District 6.3 dwelling units per acre
LOCATION:	4910 North Monroe Street
ROADWAY ACCESS:	North Monroe Street (FDOT Maintained Principal Arterial Roadway)
UTILITY PROVIDER:	Talquin Electric Cooperative, Inc.
APPROVAL BODY:	County Administrator or designee

PROJECT SUMMARY: The application proposes development of the Summerfield PUD Single-Family Residential Component. The request is for a 134-lot single-family detached residential subdivision, to be constructed in five phases. The referenced parcel is located in the SR-2R and MR zoning districts of the Summerfield PUD. The subject site is designated Residential Preservation and Lake Protection on the Future Land Use Map of the Comprehensive Plan. The subject parcel is located inside the Urban Service Area (USA) and is subject to the City/County Water and Sewer Agreement. The Summerfield PUD establishes a maximum residential density for the SR-2R district of 2.88 dwelling units per acre and the MR district of 11.04 dwelling units per acre. The proposed dwelling units per acre appear to be consistent with the maximum residential density. The site currently has vehicular access to North Monroe Street. The development is proposing access from North Monroe Street (US27) to avoid impacts to the frontage along Old Bainbridge Road, a designated a Canopy Road. The Permitted Use Verification (VC170117) was issued as 'Conditional' on September 20, 2017.

DEVELOPMENT SERVICES STAFF REVIEW:

Article VII. Subdivision and Site and Development Plan Regulations:
Site and Development Plan Criteria, Article VII, Section 10-7.407:
The Leon County Land Development Code requires that a site and development plan comply with three general standards which include:

1. Whether the applicable zoning standards and requirements have been met;
2. Whether the applicable provisions of the Environmental Management Act have been met; and
3. Whether the requirements of Chapter 10 and other applicable regulations or ordinances which impose specific requirements on site and development plans and development have been met.

APPLICATION REVIEW COMMITTEE STAFF FINDINGS:

Ref. No.	Site and Development Plan Criteria	Staff Review
1	**Residential Preservation (Policy 2.2.3 of the Future Land Use Element, Comprehensive Plan):** The Residential Preservation district is characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Commercial, including office as well as any industrial land uses, are prohibited. Single family, townhouse and cluster housing may be permitted within the district. Consistency with surrounding residential type and density shall be a major determinant in granting development approval. **Lake Protection (Policy 2.2.18 of the Future Land Use Element, Comprehensive Plan):** The intent of the Lake Protection category is to ensure that development within the Lake Jackson basin occurs in a sustainable and environmentally sound manner with minimal impact to water quality. The Lake Protection category is the basis for regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin.	Consistency Determination Required from Planning See Attachment #1
2	**Concurrency (Section 10-3.105a):** A Final Certificate of Concurrency (FCOC) has been issued and is valid until 07/27/2019. The FCOC was issued for the following uses: 135 single family residences, 312 apartments, and 60,000 square feet of commercial retail use. No additional transportation concurrency review is required unless the type and/or number of the aforementioned uses are exceeded.	Consistent See Attachment #2
3	**Environmental Management (Article IV):** A Natural Features Inventory (LEA03-0072) was approved on April 7, 2004. The Environmental Impact Analysis (EIA) and Type "A" site plan under the CPA Track are reviewed and approved concurrently. The Environmental Impact Analysis (LEA1800059) was approved with conditions on February 5, 2019.	**Approved with conditions on 2/5/19**
4	**Summerfield Planned Unit Development (PUD):** The application requests residential development within the SR-2R and MR Districts of the Summerfield (PUD). The Summerfield PUD concept plan sets out the applicable development standards for development within the above referenced zoning districts. The SR-2R District is intended to complement existing neighborhood patterns of single-family detached housing with development standards similar to those neighborhoods adjoining or adjacent to this Planned Unit Development.	**Consistent with the Summerfield PUD**
5	**General Layout & Design Standards (Section 10-7.502):** The proposed site plan shall comply with the general layout and design standards of this section. These design standards pertain to streets, driveways, lots and lot designs, stormwater management areas, pedestrian and bikeways and facilities, proposed utility locations including easements, public/private street designations, utility systems and protection of natural features.	**Deficient;** See Finding #2
6	**General Principles of Design (Section 10-7.505):** Developments shall be designed to be as compatible as practical with nearby residences and characteristics of the land. The standards included in this section identify design approaches that can be incorporated to facilitate compatibility.	Consistent

7	**Buffer Standards (Section 10-7.522):** A buffer zone is a landscaped strip along parcel boundaries that serve a buffering and screening function between uses and zoning districts. The width and degree of vegetation required depends on the nature of the adjoining uses. A buffer fence shall be required in addition to minimum landscaping standards, when residential uses are adjacent to existing non-residential uses.	**Consistent with the Summerfield PUD**
8	**Water, Sewer & Electric Utilities (Sections 10-7.523 - 10-7.526):** The applicant shall obtain approval of the proposed utility service plan from Talquin Electric Cooperative, Inc. A copy of the approval must be on file with Development Services prior to site and development plan approval.	**Conceptual Approval Required** Attachment #3
9	**Fire Protection Facilities (Section 10-527):** All development within the USA shall be required to provide fire protection by means of hydrant placement and fire flow in accordance with the requirements and specifications of the City of Tallahassee (COT). The applicant shall obtain approval of the proposed fire protection facilities from prior to site plan approval.	**Conceptual Approval Required** Attachment #4
10	**Sidewalks (Sections 10-7.529):** Within the Urban Service Area (USA), all new development, as well as reconstruction, expansion, and extension, as defined in Article VI, Division 3, shall provide sidewalks along all public and private streets adjoining the development.	**Deficient**; See Finding #3
11	**Plats (Article VII, Div. 6)** A plat is required for non-exempt subdivision of parcels; or any dedications to the public; or, which create common areas for the benefit of a property owner's association. Permits shall not be issued until a plat has been accepted by the Board of County Commissioners and recorded in the plat books of Leon County.	**Deficient**; See Finding #4-6
12	**Aquifer Protection (Article X, Div. 1):** This article is intended to protect and maintain the quality and quantity of groundwater in the county by providing criteria for regulating the use, handling, production, storage and disposal of regulated substances.	**Deficient**; See Finding #7
13	**On-Site Signs (Article IX, Div. 2):** One ground sign and one wall sign are allowed for each premise. The proposed location of the ground sign shall be annotated on the site plan.	Consistent
14	**Street Naming and Property Numbering (Article XI):** Street names, subdivision names, and a uniform numbering system for the assignment of address numbers to properties shall be approved by the DSEM Addressing Unit prior to site plan approval.	**Deficient**; See Finding #8

Summerfield PUD Detached Residential

Residential Development Standards	Provided
Front yard setback	20 feet
Side interior yard setback	7.5 feet
Rear yard setback	15 feet
Side corner setback	20 feet
Maximum Building Height	2 stories

Finding #1 – Residential Density: *The Summerfield PUD establishes a maximum residential density for the SR-2R district of 2.88 dwelling units per acre and the MR district of 11.00 dwelling units per acre. The site and development plan is consistent with the maximum allowable densities.*

Finding #2 –FDOT Approval: *All improvements within the North Monroe Street right-of-way will require conceptual approval from FDOT prior to site plan approval.*

Finding #3 – Sidewalks: *Within urban services area, all new development, as well as reconstruction, expansion, and extension, as defined in article VI, division 3, shall provide sidewalks along all public and private streets adjoining the development. The site and development plan shall be revised to include the required sidewalks along North Monroe Street and Old Bainbridge Road. The applicant shall file a fee-in-lieu request for the required sidewalks along North Monroe Street and Old Bainbridge Road.*

Finding #4- Plats: *A plat is required for non-exempt subdivision of parcels; or any dedications to the public; or, which create common areas for the benefit of a property owner's association. Permits shall not be issued until a plat has been accepted by the Board of County Commissioners and recorded in the plat books of Leon County.*

Finding #5 – Completion of Infrastructure: *Prior to plat approval, all required infrastructure improvements shall be constructed and completed by the developer or agents and inspected and approved by the County. A performance/surety device acceptable to the County shall be provided to the County Attorney. Plats and improvements thus dedicated shall be accepted by the Board of County Commissioners at a public hearing. A plat is required and shall be filed upon completion of the site plan process and installation of infrastructure or guarantee through a bond or similar instrument determined acceptable by Leon County. Prior to approval, the applicant shall provide draft property easements, covenants and restrictions documents that cover access and common area improvements. This is to ensure there is no conflicts with the requirements of the site plan application. No building permits may be issued for a project that requires platting until a plat has been accepted and approved by the Board of County Commissioners and recorded in the plat books of the County.*

Finding #6 – Homeowner's Association: *The Articles of Incorporations and Bylaws have been approved as to form by the Leon County Attorney's Office. The proposed covenants and restrictions are still outstanding and must be approved by the Leon County Attorney's Office, prior to site and development plan approval.*

Finding #7 – Aquifer Protection: *There is a well on-site that was used for the community garden that is now a dog park. The subject well will need to be properly abandoned. Please notify aquifer protection (Cory Seay 850-363-0961) when the well has been capped and a well completion report is provided.*

Finding #8 – Street Naming: *Proposed street names shall first be approved by the Addressing and Street Naming Section prior to site plan approval. It is a requirement of the E-911 Ordinance to prevent sound-alike or duplicate street names.*

STAFF RECOMMENDATION: Approval with Conditions.

PUBLIC NOTIFICATIONS AND RESPONSES:

Agenda posted on County website	11/26/18
Legal advertisement	11/28/18
Mail notification to property owners within 600 feet	11/26/18
Notices Mailed	274
Notices Returned	6
Response: N/A	

ATTACHMENTS:

1. Memorandum from the Tallahassee Leon County Planning Department (TLCPD)
2. Final Certificate of Concurrency
3. Memorandum from Talquin Electric Cooperative, Inc.
4. Memorandum from the City of Tallahassee Fire Department
5. Memorandum from the Environmental Services Division
6. Memorandum from the Leon County Public Works Department
7. Memorandum from the Leon County Addressing Program

Attachment # 1
Page 1 of 1

PLANNING DEPARTMENT
a division of PLACE

MEMORANDUM

TO: Weldon Richardson, Leon County Development Services

FROM: Susan Denny, Senior Planner, Tallahassee-Leon County Planning Department

DATE: February 6, 2018

SUBJECT: Summerfield Single Family Residential (SR-2R-SR)—Type A CPA Track
ARM Meeting December 6, 2018

APPLICANT: Summerfield PUD. LLC
AGENT: Moore Bass Consulting
PARCEL ID: 21-05-20-014-0021
ZONING: Summerfield Planned Unit Development (PUD)
FUTURE LAND USE: Residential Preservation and Lake Protection

Findings of Facts:

1) The application is for the development of a 134 lot single-family subdivision located in the Summerfield Planned Unit Development (PUD). The Summerfield PUD is located adjacent to North Monroe Street (FDOT Principal Arterial) and Old Bainbridge Road (minor arterial and canopy road). The proposed subdivision will have access through N. Monroe Street across the GRO component in the Summerfield PUD.

2) The proposed subdivision on 73.84 acres located in the SR-2R component of Summerfield PUD. The SR-2R portion of the project contains 131 lots. This residential density is consistent with the PUD and Tallahassee-Leon County Comprehensive Plan.

3) The Comprehensive Plan requires sidewalks along N. Monroe Street. (Policy 1.4.3[M], Policy 1.1.8[M], Policy 1.2.3[M].

Preferred Design Alternatives:

The Planning Department recommends alternative designs to the proposed cul-de-sacs.

Recommendation:

The Planning Department recommends approval of the proposed subdivision with sidewalks provided as required by the Comprehensive Plan.

Attachment # 2
Page 1 of 1

Certificate Number: LCM 040039
Date Issued: 10/04/17
Expiration Date: 07/27/2019

LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT

FINAL CERTIFICATE OF CONCURRENCY

Applicant.....Rob Davis, P.E.
Owner.....Summerfield Land LLC
Summerfield PUD LLC
Project Name.....Summerfield PUD
Project Location.....N Monroe Street, North of Faulk & Perkins
Current Zoning....Planned Unit Development (PUD)
Future Land Use Description.....Lake Protection
Parcel ID Number.....21-05-20-014-0010, 21-05-20-014-0020

Type of Land Use

Residential Single Family Detached – 135 Units
Residential Apartments – 312 Units
Specialty Retail – 60,000 Sq Ft.

Note: Extended commensurate with LEM 15 -- 00068

This Final Certificate of Concurrency is issued pursuant to Article VI of Chapter 10 of the Leon County Land Development Code of Laws and the Leon County Concurrency Management Policies and Procedures Manual. This certificate certifies that the development with the land use densities and intensities specified above will have adequate infrastructure capacity reserved. This certificate is not a Final Development Order and is active until either the issuance of a building permit or the expiration date shown above.

Ryan Guffey, AICP CTP 10/04/17

The above project has received Final Development Approval.

Attachment # 3
Page 1 of 1

Post Office Box 1679
Quincy, Florida
32353-1679
Quincy: (850) 627-7651

TALQUIN
ELECTRIC COOPERATIVE, INC.
WATER & WASTEWATER, INC.

1640 West Jefferson Street
Quincy, Florida
32351-5679
Tallahassee: (850) 878-4414

January 31, 2019

MEMORANDUM
RE: LSP180048

To: Weldon Richardson

From: RaSarah Browder Johnson, Development Coordinator (On Behalf of Talquin Engineering and Water Department)

Previous electric comments related to ARM submittal # 2 may still apply or be relative to this submittal. Talquin should be able to provide electric service to all 4 Phases of this proposed development.

TECI Engineering & Operations will need to work with the developer and other property owners that abut this development. In order to acquire the necessary easements to relocate and retrofit an existing aerial (OH) electric line that traverses the subject Subdivision boundary which provides electric services to other properties. (See attached map for reference)

We need to know the electric power requirements for the proposed lift station shown in Phase 1 of this development.
What additional utilities are planned for this development? (City Gas, Phone CATV ?)
We may need additional easements at the proposed sewer lift station site (TBD).
Location (distance) of force main relative to 45 foot R/W?
If solar is still planned for this development we would need to know where the location or area for this alternative renewable energy source is being proposed.

As to water and sewer, we are working with the Developer and Engineer.

Serving Gadsden, Leon, Liberty and Wakulla Counties, Florida

Attachment # 4
Page 1 of 1

TALLAHASSEE FIRE DEPARTMENT
SITE PLAN REQUIREMENTS

Project Name:	Summerfield Residential Development Type A
Parcel ID #	21-05-20-014-002-1
	LSP 180048
AGENT:	Moore Bass, Inc.
PLANNER:	Weldon Richardson
MEETING DATE:	January 9, 2019

Listed below are the Tallahassee Fire Department's requirements concerning the above proposed development. The agent or owner prior to approval shall address the items listed below.

The required width of a fire department access road shall not be obstructed in any manner, including the parking of vehicles. *NFPA 1, 18.2.4.1.1, Sixth Edition of the Florida Fire Prevention Code).*

Prior to construction of buildings or facilities, an approved water supply, capable of providing the required fire flow for fire protection shall be established where hydrants are first installed or that the development is served by existing functioning hydrants located within 500 feet from the furthest building corner as the fire truck would drive. *NFPA 1, 18.3.1, Sixth Edition of the Florida Fire Prevention Code.*

1. If unsupervised and isolated above ground fuel storage tanks are to be located on the property during construction, City of Tallahassee Plans Review staff must be contacted prior to tank installation. *NFPA 1, 66.21.7.2.1 and 66.21.7.2.2, Sixth Edition of the Florida Fire Prevention Code.*

2. The Tallahassee Fire Department has no additional site plan related comments regarding this project.

Gary Donaldson
Tallahassee Fire Department
435 N. Macomb St. – 1st Floor
Tallahassee FL 32301
(850)891-7179

Leon County Government

INTEROFFICE MEMO

Attachment # 5
Page 1 of 1

DATE: February 5, 2019

TO: Weldon Richardson, Senior Planner

FROM: Megan Whitmore, P.E., Senior Environmental Engineer

SUBJECT: Summerfield Single Family Residential (LSP180048)
Parcel ID Number(s): 21-05-20-014-002 1

Environmental Services has reviewed the submitted Site Plan (LSP180048) for the proposed Summerfield Single Family Residential. The following are the Environmental Services Division findings and recommendations:

Environmental Review Process:

- Natural Features Inventory (NFI) – LEA1800056 was approved on 11/26/2018.
- Environmental Impact Analysis (EIA) – LEA1800059 was approved on 2/5/2019.
  - The comments are not expected to affect the site layout. However, if during the EMP review process, the Engineer of Record makes any deviations to the design that result in changes to the project, minor or major modifications to the site plan could be required.
- Environmental Management Permit (EMP) – Standard Form is required for this project.
- As-Built (LAB) & Stormwater Operating Permit (LSW) will be required post construction.

Environmental Services Division Recommendation:

1. As previously requested, the applicant shall provide certification from a qualified biologist that states that the proposed stage increase/decrease in the existing south wetland will not have a negative impact on the wetland.

Environmental Services recommends approval once all of the above conditions and comments have been adequately addressed.

MRW

Leon County Government

INTEROFFICE MEMO

Attachment # 6
Page 1 of 2

DATE: February 5, 2019

TO: Weldon Richardson, Senior Planner

FROM: Kimberly A. Wood, P.E., Chief of Engineering Cooridnation (phn: 850-606-1545)

SUBJECT: Summerfield Residential Development ~ LSP180048 (CPA Track)
PID: 21-05-20-014-002-1
Public Works Review of Third Submittal

Public Works has reviewed the project and has the following comments. We recommend approval with the following conditions.

1) Inside the USA, per Section 10-7.529 and Section 3.Q of the PUD, sidewalks are required along all streets adjoining the development (US Hwy 27 and Old Bainbridge Road). At a minimum the sidewalk along both Old Bainbridge Road and North Monroe Street must be addressed in a note on the site plan.
2) Sidewalk easements along Old Bainbridge Road needs to be distinguished from the required Conservation Easement over the 100 foot Canopy Road Protection Zone. The "mitigation" easement shall be shown separately from the Conservation easement.
3) Adjust the location of the westernmost 15' sidewalk easement so it aligns with Camden Rd or add a note that a sidewalk easement aligning with Camden Rd will be provided when the adjacent land area is developed.
4) Sheets 4.# (Preliminary Plat): Address the following comments.
    a. Blocks should be labeled consecutively.
    b. Provide dedication information on "Temporary Access" Easements.
    c. Ensure underlying ownership and proposed easements are clearly identified for all areas.
    d. Ensure all areas are hatched consistent with the provided legend including colors if used in the legend.
    e. The County cannot maintain the swale behind Block H as proposed. The swale area except for area around the pipe and inlet should be identified as HOA Open Space with HOA drainage easement.
    f. Maintenance for HOA dual usage areas will need to be covered by a licensing agreement.
5) Any off-site easements required for the development shall be obtained prior to site plan approval.
6) Sheets 6.# (Grading Plans): Address the following comments.
    a. Grading between Arbor Landing and the proposed development is unclear/incomplete.
    b. Provide 10:1 slopes at termination of Road C Phase I. Provide a temporary public drainage/access easement until Phase 3 construction complete.
    c. Grading of Road F cul-de-sac extends into the FDOT ROW and impacts trees located therein. Conceptual approval from FDOT required for any improvements within their ROW.

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Leon County Government

INTEROFFICE MEMO

Attachment # 6
Page 2 of 2

7) HOA covenants have not been provided that specifically address the types of improvements and features to be maintained by the HOA (ex. mail kiosk, drainage swales, conservation easements, etc.). HOA documents need to address fence restrictions within drainage easement areas and restrictions to on-street parking and obstructing sidewalks. If planted trees on lots are used to meet tree credits HOA documents should also address.
8) Conceptual approval of any proposed improvements within the US Hwy 27 ROW must be received from FDOT prior to site plan approval.
9) Facilities construction permit will be required from Leon County Public Works for the extension of Talquin water and sewer mains.

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Leon County Government

INTEROFFICE MEMO

Attachment # 7
Page 1 of 1

DATE: February 6, 2019

TO: Weldon Richard, LC Development Services Division

FROM: Lisa Scott, LC Addressing Program

SUBJECT: LSP180048 Summerfield Development

Street Name Findings:

Arbor Landing Drive – approved for use.
Arbor Landing Lane – approved for use.
Bizzy Lane – approved for use.
Boodle Court – approval denied based on definition.
Ella Drive – approved for use.
Honeymoon Court – approved for use.
Mary Owen Road – approved for use.
Millie Lane – approval denied due to pronunciation conflict during an emergency.
Selma Lane – approval denied for pronunciation conflict with Salem Court.
Summerfield Drive – approved for use.
Skyview Drive – the extension of this street from the adjacent View Pointe Subdivision is approved minus the prefix of North. The Addressing Ordinance does not allow prefixes unless the street in question crosses the Tallahassee Prime Meridian or Baseline.

Reminder:
The United States Postal Service (USPS) has determined that centralized delivery (kiosks or cluster box units) is the most efficient, cost effective and safe method of providing delivery services to their customers. More information is available on the USPS Headquarters Blue Page or by contacting the Gulf Atlantic District Growth Management Coordinator via email at "GFAOPPROGSUPPORT@usps.gov".

Additional information can also be obtained through the local USPS Stations:
Adams Street Post Office
West Side Station Post Office
Centerville Station Post Office
Lake Jackson Station Post Office

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Ordinance No. 04-40 sets forth 18 conditions of approval for the Summerfield PUD. The conditions contained in Ordinance No. 04-40, followed by references to the staff approvals indicating compliance are outlined below:

1. Revise the Concept Plan to eliminate all vehicular access to Old Bainbridge Road. Pursuant to the Canopy Road Management Plan Interlocal Agreement and the Canopy Roads Citizens' Committee (CRCC) Bylaws, if the applicant deems it appropriate to provide an emergency vehicle access connection to Old Bainbridge Road, the revised development plan indicating this connection, along with information on impacts to the canopy road resources, should be sent to the CRCC for its review and approval prior to final Public Hearing of this application by the Board of County Commissioners.
   The Summerfield PUD Concept Plan no longer proposes vehicular access to Old Bainbridge Road.

2. To ensure consistency with the LDC and implementation of the Concept Plan as intended, the development standards set forth in Section 7 of the Concept Plan (text booklet) shall be added as noted on the Concept Plan.
   Compliance with this condition has been addressed, as indicated by the Development Review Committee (DRC) February 12, 2006, sign-off of the conditions of approval for the Concept Plan.

3. The Concept Plan shall be revised to include or cross-reference documents establishing the Architectural Control Committee referred to in the Concept Plan, including detailed information as to the composition of the committee, its charge, and any other relevant information.
   Compliance with this condition has been satisfactorily demonstrated, as indicated by the DRC's February 12, 2006, sign-off of the conditions of approval for the Concept Plan.

4. Any future applications for final site and development plan approval submitted for any phase or component of the Summerfield PUD shall comply with all applicable requirements and standards set forth in the LDC, including the Environmental Management Act (EMA). Some of the density and/or intensity of the development shown on the concept plans (Exhibit "E") may be reduced as a result of this requirement. Boundaries of natural areas, open space areas, streets, individual land uses, and lot boundaries are subject to change in order to ensure compliance with the LDC and EMA. Necessary changes may result in the reduction of lots, reduction in the number of multi-family dwelling units, relocation of streets, relocation of stormwater ponds, re-positioning of multi-family structures, and re-configuration of utilities and private facilities. Such modifications shall be determined at the time of final site and development plan review.
   Staff has determined that the proposed Summerfield PUD 134-lot single-family detached residential subdivision site and development plan complies with the requirements and standards in the LDC, including the EMA, as shown in Attachment #4.

5. The First Environmental Impact Analysis (EIA) application submitted for final site and development plan approval must satisfactorily comply with the conditions listed on Sheet

1 of 2, NFI Map/Features Map, contained in the NFI originally approved for the Summerfield property (reference LEA 03-0072 as approved on April 6, 2004).
An EIA (LEA18-00059) was approved for the proposed development on February 5, 2019. An Environmental Management Permit (EMP) (LEM19-00023) submitted on February 25, 2019, is currently under review. The EMP will be issued upon approval by the Board of the referenced site and development plan and satisfaction of any remaining deficiencies.

6. Any changes to the originally approved Natural Features Inventory (NFI) proposed by the applicant, other than revisions required by conditions listed in said NFI, shall be submitted as an application to modify the original NFI. The proposed modifications must be approved by the Environmental Review staff before the first EIA application submitted for final site and development plan review can be approved.
An NFI (LEA18-00056) was approved for the proposed development on November 26, 2018.

7. Prior to final approval of this conceptual PUD, the applicant must make the following changes and revisions to the Conceptual Site and Development Plan (Exhibit "E"). The revised plans must be approved by the DRC, Development Services staff and Environmental Services staff prior to final approval of the conceptual plans.
   a. Sheet CPUD-3 --- Indicate the location and function of existing public facilities (school, parks, fire station, EMS, etc.) that would serve the residents of this PUD. This could be done through notes versus illustrations if the facilities are off-site. Also, show parcel ID, ownership, and current use for all adjacent parcels. The applicant must ensure that information provided for adjacent parcels is correct.
   b. Sheet CPUD-4 --- The following revisions must be made to this drawing:
      (i) All buffers, including landscaped perimeter buffers, shall be hatched as open space.
      (ii) Under the Natural Area section of the site data, delete all the information presented concerning "required" natural area (acres, square feet, percent, etc.). If this change is not made, one of the conditions of approval of the Summerfield PUD shall be as follows: "The required natural area information presented on Sheet CPUD-4 in Exhibit "E" is erroneous. The required natural area shall be determined at the time of final site and development plan review."
      (iii) Show parcel ID, ownership, and current use for all adjacent parcels. The applicant must ensure that information provided for adjacent parcels is correct.
      (iv) The applicant must review and verify the area data (acres, square feet, percentage of site) and density data listed for zone categories MR, SR(1), SR-2R, and Open Space. The applicant shall appropriately revise all data found to be in error.

   Compliance with this condition has been satisfactorily demonstrated, as indicated by the DRC's February 12, 2006, sign-off of the conditions of approval for the Concept Plan.

8. The applicant must review and verify all acres and percent of the site data contained in Section 3.B, 3.E, 3.G, 3.J, and 3.L of the conceptual PUD document. The applicant shall appropriately revise all data found to be in error and shall ensure that the data are consistent with corresponding information presented in the revised Sheet CPUD-4 of the Conceptual Site and Development Plan (Exhibit "E"). The revised PUD document must be approved by the DRC, Development Services staff, and Environmental Compliance staff prior to final approval of the conceptual plans.
   Compliance with this condition has been satisfactorily addressed, as indicated by the DRC's February 12, 2006, sign-off of the conditions of approval for the Concept Plan.

9. The applicant must review and verify all density data contained in Sections 3.C and 3.F of the conceptual PUD document. The applicant shall appropriately revise all data found to be in error and shall also ensure that the data are consistent with corresponding information presented in the revised Sheet CPUD-4 of the Conceptual Site and Development Plans (Exhibit E). The revised PUD document must be approved by the DRC, Development Services staff, and Environmental Compliance staff prior to final approval of the conceptual plans.
   Compliance with this condition has been satisfactorily demonstrated, as indicated by the DRC's February 12, 2006, sign-off of the conditions of approval for the Concept Plan.

10. At the time of Final Development Plan review, the applicant shall adjust lot boundaries and other proposed development improvements to protect the maximum number of patriarch trees possible and to preserve, to the greatest extent practicable, the maximum number of other large, native, viable trees.
    The applicant has submitted documentation as part of the Summerfield PUD 134-lot single-family detached residential subdivision site and development plan that addresses this condition.

11. At the time of final site and development plan review, the applicant should consider revising the site plan to create a wider corridor along the western property boundary that would function as a wildlife corridor and would be preserved through the corrido's inclusion in a conservation easement inuring to Leon County. Inclusion of such a preserved wildlife corridor represents the County's preferred design alternative.
    Conservation Easements will be provided as part of the Summerfield PUD 134-lot single-family detached residential subdivision site and development plan.

12. The applicant shall be eligible for paying a fee in-lieu of constructing sidewalks along Old Bainbridge Road.
    A request for fee-in-lieu of sidewalk construction for Old Bainbridge Road is currently under review.

13. Any revisions to the Concept Plan that may impact the Canopy Road Protection Zone (along Old Bainbridge Road) shall be sent to the CRCC for its review and shall be subject to their approval.

The development does not propose any vehicular access to Old Bainbridge Road. The property's sole vehicular access will be North Monroe Street.

14. The applicant shall be required to submit an environmental impact assessment that is acceptable to the County and approved by the Department of Development Support and Environmental Management prior to filing for Concept Plan approval.
    This condition has been addressed by the approval of the Summerfield PUD Concept Plan.

15. The final site and development plan for the proposed multi-family component of the Concept Plan shall include compliance with the Type D buffering requirements as set forth in the LDC.
    This condition has been addressed, as Type "D" buffers are proposed between the multi-family residential component and adjacent sub components of the PUD.

16. That the portion of the site located at the northwest corner of the project and identified as Single-Family Residential (SR-1) on the Concept Plan, shall be subject to the Open Basin Standards for the Lake Protection Zoning district.
    The proposed Summerfield PUD 134-lot single-family detached residential subdivision site and development plan is not located within the referenced open basin.

17. That the developer shall submit to the County an M/WBE Plan at the time of submittal of the Concept Plan.
    Compliance with this condition has been addressed, as indicated by the DRC's February 12, 2006, sign-off of the conditions of approval for the Concept Plan.

18. That all final Site and Development Plan submitted pursuant to the concept plan shall be subject to the approval of the Leon County Board of County Commissioners as to compliance with the conditions set forth above.
    Staff recommends that the Board of County Commissioners find the proposed Summerfield PUD 134-lot single-family detached residential subdivision in compliance with the Summerfield PUD conditions noted in Ordinance No.04-40.

Leon County
Board of County Commissioners

Notes for Agenda Item #7

Leon County Board of County Commissioners

Agenda Item #7

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Public Pedestrian Access Easement and a Tri-Party Agreement for the Pedestrian Footpath Around View Pointe Pond

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator David McDevitt, Director, Development Support & Environmental Management
Lead Staff/ Project Team:	Ryan Culpepper, Director, Development Services Division Weldon Richardson, Senior Planner, Development Services Kimberly Wood, P.E., Chief of Engineering Coordination

Statement of Issue:

This item seeks Board approval of an alternative pedestrian interconnection solution for the Summerfield Planned Unit Development (PUD) that mitigates adverse impacts to properties on Sky View Drive. The approval of the Public Pedestrian Access Easement and the Tri-Party Agreement implements the alternative solution.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option # 1: Approve the Public Pedestrian Access Easement and the Tri-Party Agreement for the Pedestrian Footpath around View Pointe Pond in a final form approved by the County Attorney (Attachments #1 and #2) and authorize the Chairman to execute .

Report and Discussion

Background:

This item recommends the Board approve a Public Pedestrian Access Easement and Tri-Party Agreement for the Pedestrian Footpath around View Point Pond in connection with the Summerfield PUD (Attachments #1 and #2). The referenced easement and associated agreement would provide a safe and effective alternative solution to the pedestrian interconnection requirement of the PUD while reducing adverse impacts to the constrained Sky View Drive right-of-way located within the adjacent View Point Subdivision.

On October 26, 2004, the Board adopted Ordinance No. 04-40 creating the Summerfield PUD zoning district and approving the PUD Concept Plan. The PUD consists of a mixed-use development located on a 106.96-acre site on the west side of North Monroe Street, across from Lake Jackson. The Summerfield PUD allows a maximum of 135 single-family detached homes, 312 multi-family dwelling units, and either a maximum of 60,000 square feet of general office or a maximum of 58,000 square feet of retail, or a mixture of office and retail uses not to exceed 12,500 square feet per acre.

Subsequent to the Board's approval, two lawsuits were filed seeking to invalidate approval of the Ordinance and Concept Plan: 1) a *Writ of Certiorari* action; and 2) an action under Chapter 163.3215, Florida Statutes, alleging that the Development Order was inconsistent with the Tallahassee-Leon County Comprehensive Plan. The action for *Writ of Certiorari* was resolved favorably to the County with the Circuit Court's denial of the Petition in January 2006. The Chapter 163.3215 action was resolved favorably to the County in December 2010.

Phase I of the Summerfield PUD was approved for 120 multi-family dwelling units and a 2,400 square foot office/clubhouse in 2009. Phase I-A of the Summerfield PUD Final Development Plan was approved for 72 multi-family dwelling units and the relocation of the previously approved office/clubhouse through a separate phase of development in 2012. The remaining 120 multi-family dwelling units were approved in 2014. Additionally, in 2014, a minor modification to the PUD was approved which combined all single-family units into a single district, resulting in a modification of the development standards for the single-family detached component and allowing a ten percent increase of single-family detached dwellings units from 135 to 148. A subsequent PUD minor modification was approved in 2019 to update the sidewalk requirements consistent with the Leon County Land Development Code (LDC). The amended Summerfield PUD is found in Attachment #3.

Analysis:

During the development of the PUD, the roadway system was designed to provide direct connection to the existing public road network. Interconnection of the roadway network helps to disperse traffic while integrating adjacent neighborhoods. In addition, pedestrian interconnections between proposed and existing developments are required by the PUD and the Tallahassee-Leon County Comprehensive Plan.

A site and development plan application for the Summerfield PUD 134-lot single-family detached residential subdivision was reviewed by staff at an Application Review Meeting (ARM) on December 5, 2018. At this meeting, staff determined that the application was not sufficiently complete at the required level of detail to recommend approval or approval with conditions. On February 6, 2019, the ARM staff determined that the application was sufficiently complete to recommend approval with conditions. One of the conditions requires the applicant to address off-site easements and/or agreements to allow the construction of a sidewalk around the View Pointe Stormwater Management Facility (SWMF) due to right-of-way limitations along Skyview Drive located within the View Pointe Subdivision. Skyview Drive was not designed to include sidewalks and thus has a limited amount of right-of-way. With existing developed lots in View Pointe consisting of less than 0.2 acres in size, staff determined that construction of a sidewalk along Skyview Drive would adversely affect the property owners. Thus, staff determined that Skyview Drive was not a viable pedestrian interconnection option.

The request for Board approval of a Public Pedestrian Access Easement and a Tri-Party Agreement to address the interconnection requirement of the Summerfield PUD is summarized below:

- The Summerfield PUD requires interconnection, which includes pedestrian interconnection, to the adjacent Skyview Drive within the View Pointe Subdivision. However, due to limitations of the right-of-way for Skyview Drive, there are significant constraints in implementing the pedestrian interconnection.
- View Pointe Partnership, who owns the associated SWMF within the View Point Subdivision, agrees to grant and reserve a perpetual easement in favor of the County over the SWMF for the purposes of having and maintaining a Pedestrian Footpath Easement. This easement will be granted through a Public Pedestrian Access Easement Agreement between View Pointe Partnership, and the County.
- The Tri-Party Agreement allows the developer, Summerfield Land, LLC, to obtain the permits to construct the footpath and install related facilities and also establishes the County as the responsible maintenance entity of the pedestrian footpath once fully constructed.

Options:

1. Approve the Public Pedestrian Access Easement and the Tri-Party Agreement for the Pedestrian Footpath around View Pointe Pond in a final form approved by the County Attorney and authorize the Chairman to execute (Attachments #1 and #2).
2. Do not approve the Public Pedestrian Access Easement and the Tri-Party Agreement for the Pedestrian Footpath around View Pointe Pond in a final form approved by the County Attorney.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Public Pedestrian Access Easement Agreement
2. Tri-Party Agreement
3. Summerfield PUD

This instrument prepared by:
Charles L. Cooper, Jr.
Bryant Miller Olive P.A.
101 North Monroe Street, Suite 900
Tallahassee, FL 32301

PUBLIC PEDESTRIAN ACCESS EASEMENT AGREEMENT
(And Temporary Construction Easements)

THIS PUBLIC PEDESTRIAN ACCESS EASEMENT AGREEMENT (this "Agreement") is executed this _____ day of _____, 2019, by VIEW POINTE PARTNERSHIP, an unregistered Florida general partnership, whose mailing address is 4708 Capital Circle NW, Tallahassee, Florida 32303 ("Grantor"), and LEON COUNTY, FLORIDA, a charter county and political subdivision of the State of Florida, whose address for purposes of notices hereunder is Attn: Real Estate Management, 301 South Monroe Street, Suite 202, Tallahassee, Florida 32301 ("Grantee").

RECITALS

A. Grantor is the record owner of the certain parcel(s) of real property located in Leon County, Florida, more particularly described on Exhibit "A" attached hereto and by reference made a part hereof (the "Property").

B. Summerfield Land, LLC, a Florida limited liability company ("Developer"), owns certain lands adjacent to the Property, and intends to improve such adjacent lands and develop the same as a residential subdivision (the "Project").

C. Developer, Grantor and Grantee desire to provide for a pedestrian footpath (the "Pedestrian Footpath") to be constructed and maintained upon the Property as generally depicted on the plan or drawing attached hereto as Exhibit "B" and by reference made a part hereof for the use and enjoyment of the public, generally, and for the benefit of the Project.

D. To facilitate the construction of the Pedestrian Footpath, the parties have entered into that certain Tri-Party Agreement dated _____, 2019 (The "Tri-Party Agreement"), pursuant to which Grantor has agreed to grant the easements contained in this Agreement and Developer has agreed to undertake certain responsibilities in connection with the initial construction of the Footpath Improvements (as hereafter defined). A copy of the Tri-Party Agreement is attached hereto as Exhibit "C" and incorporated herein by this reference.

NOW, THEREFORE, in consideration of the premises, the mutual covenants herein set forth and for $1.00 and other valuable consideration, the receipt and sufficiency of which is hereby conclusively acknowledged, Grantor and Grantee agree as follows:

ARTICLE ONE – PEDESTRIAN FOOTPATH EASEMENT

1.1 Pedestrian Path Easement. To the full extent of Grantor's lawful right, power and authority to do so, Grantor hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, for the benefit of Grantee, and Grantee's successors and assigns, a nonexclusive easement, over, upon and across the Property, for the purposes of maintaining a pedestrian footpath to be constructed by Developer in accordance with the Tri-Party Agreement, for use by Grantee, Grantee's employees, contractors and representatives, and the public in general (the "Pedestrian Footpath Easement"). Such Pedestrian Footpath Easements shall provide pedestrian ingress and egress to and from publicly dedicated rights-of-way adjoining the Property and related purposes, including such recreational purposes as Grantee may determine from time to time, in its sole discretion. Notwithstanding the forgoing, no improvements may be constructed upon any part of the Property, and no use shall be made of the Pedestrian Footpath Easement, which might prevent or materially interfere with Grantee's access to, use and maintenance of the existing storm and surface water drainage and retention facilities located upon the Property and which are now or in the future maintained by Grantee. This grant of easement is expressly made subject to any applicable ad valorem tax liens for ad valorem taxes; easements, covenants, restrictions and other matters of record; and Grantee's existing rights to use, improve and maintain the existing storm and surface water facilities located upon the Property.

1.2 Term. The Pedestrian Footpath Easement shall be perpetual and shall be a covenant running with the lands described herein until the sooner of the date on which (i) it is terminated by Grantor and Grantee in the manner provided for in Section 3.3 of Article Three below; or upon the annexation of the Property (or a substantial portion thereof) by Grantee.

1.3 Construction and Maintenance. Pursuant to the attached Tri-Party Agreement, Developer is responsible for constructing and installing the Pedestrian Footpath within the Pedestrian Footpath Easement, and for constructing all improvements incident thereto (including, without limitation, installing any gravel or paved sidewalk, boardwalk and other trail components of the footpath, and such bridges, fences, protection barricades, guard rails, and lighting facilities as may be reasonably necessary to permit the safe and enjoyable use of the Pedestrian Footpath, and to secure the Pedestrian Footpath Easement from the remainder of the Property and from all stormwater drainage facilities, electrical and gas facilities and other potentially dangerous facilities and conditions (collectively, the "Footpath Improvements")). After the Footpath Improvements have been fully installed, Grantee shall be responsible, at its

sole cost and expense for maintaining the Pedestrian Footpath in good, safe and clean condition, suitable for its intended purposes.

1.4 Compliance. All improvements shall be constructed by Developer, and maintained by Grantee, in compliance with all applicable federal, state and local laws, rules, regulations, codes, permits and governmental consents.

ARTICLE TWO – TEMPORARY CONSTRUCTION EASEMENT

2.1 Temporary Construction Easement. In connection with the Pedestrian Footpath Easement, Grantor further hereby grants to Developer a temporary license and easement to enter upon the Property, for the purposes of accessing the Property and constructing the Footpath Improvements.

ARTICLE THREE – GENERAL PROVISIONS

3.1 Easement Area Relocation. Grantor shall have the right to require Grantee to redefine or relocate any of the easement areas provided for herein only to the extent reasonably necessary to (i) comply with or accommodate the requirements of any utility provider; or (ii) comply with any development order, permit conditions or other regulations or orders of any state, federal or local governmental agency. Such relocation shall be accomplished at the sole cost and expense of Grantee; provided, however, that Grantor shall bear such costs of relocation if the need or requirement for such relocation results solely and directly out of any intentional conduct of Grantor.

3.2 No Obstruction. Neither of Grantor nor Grantee shall have the right to close, block, barricade, chain off, fence or otherwise obstruct (collectively "block") any part of the Pedestrian Footpath Easement or any of the Temporary Construction Easements granted herein, except on a temporary basis for the purpose of performing installation, maintenance or making repairs or replacements thereto or otherwise permitted or contemplated for the exercise of the easement rights granted pursuant hereto. If Grantee, being entitled to do so, temporarily blocks any portion of the Pedestrian Footpath Easement for the purposes hereinbefore provided, then it shall promptly and diligently effect (or cause its contractors or representatives to effect) such installation, maintenance, repairs, replacements or work as expeditiously as is practical under the circumstances.

3.3 Termination of Agreement. This Agreement may be amended or terminated only by a written amendment or notice of termination, as the case may be, executed by Grantor and Grantee, and duly recorded in the Official Records in and for Leon County, Florida.

ARTICLE FOUR - MISCELLANEOUS

4.1 Recording. This Agreement shall become effective upon its recording in the public records of Leon County, Florida.

4.2 Severability. Invalidation of any of the provisions contained in this Agreement, or of the application thereof to any person or entity, by judgment or court order shall in no way affect any of the other provisions hereof or the application thereof to any other person, entity or circumstance; and the same shall remain in full force and effect, unless enforcement of this Agreement as so invalidated would be unreasonable or grossly inequitable under all the circumstances or would frustrate the purposes of this Agreement.

4.3 Captions. The captions preceding the text of each Article and Section herein are included only for convenience of reference and shall be disregarded in the construction and interpretation of this Agreement.

4.4 Preparer. This Agreement has been prepared by the preparer named in the top left margin of the first page of this Agreement (the "Preparer"). The Preparer has prepared this Agreement upon instructions given by Grantor and Grantee, in the capacity solely of scrivener and without benefit of a survey or complete title review. Said Preparer has not provided legal counsel or advice to either of Grantor or Grantee in connection with the negotiation and preparation of this Agreement or the Tri-Party Agreement, and each of Grantor and Grantee has had the full and fair opportunity to consult with its own independent counsel and consultants in such regard.

[This space intentionally left blank. Signatures appear on the next succeeding pages.]

GRANTOR:

Signed, sealed and delivered
in the presence of:

VIEW POINTE PARTNERSHIP,
an unregistered Florida general partnership

_____
Name _____

By:_____
Name: Steve Ghazvini
Title: General Partner

_____
Name _____

STATE OF FLORIDA
COUNTY OF LEON

The foregoing Agreement was acknowledged before me this ___ day of _____, 2019, by Steve Ghazvini as General Partner of View Pointe Partnership, an unregistered Florida general partnership, on behalf of the partnership. He/she (___) is personally known to me or (____) produced _____ as identification.

_____
NOTARY PUBLIC
My Commission Expires:

GRANTEE:

LEON COUNTY, FLORIDA

BY:_____
Jimbo Jackson, Chairman
Board of County Commissioners

Date:_____

ATTESTED BY:
Gwendolyn Marshall, Clerk of Court &
Comptroller, Leon County, Florida

By:_____

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W.A. Thiele, Esq.
County Attorney

Exhibit "A"

Grantor's Parcel

GRAPHIC SCALE

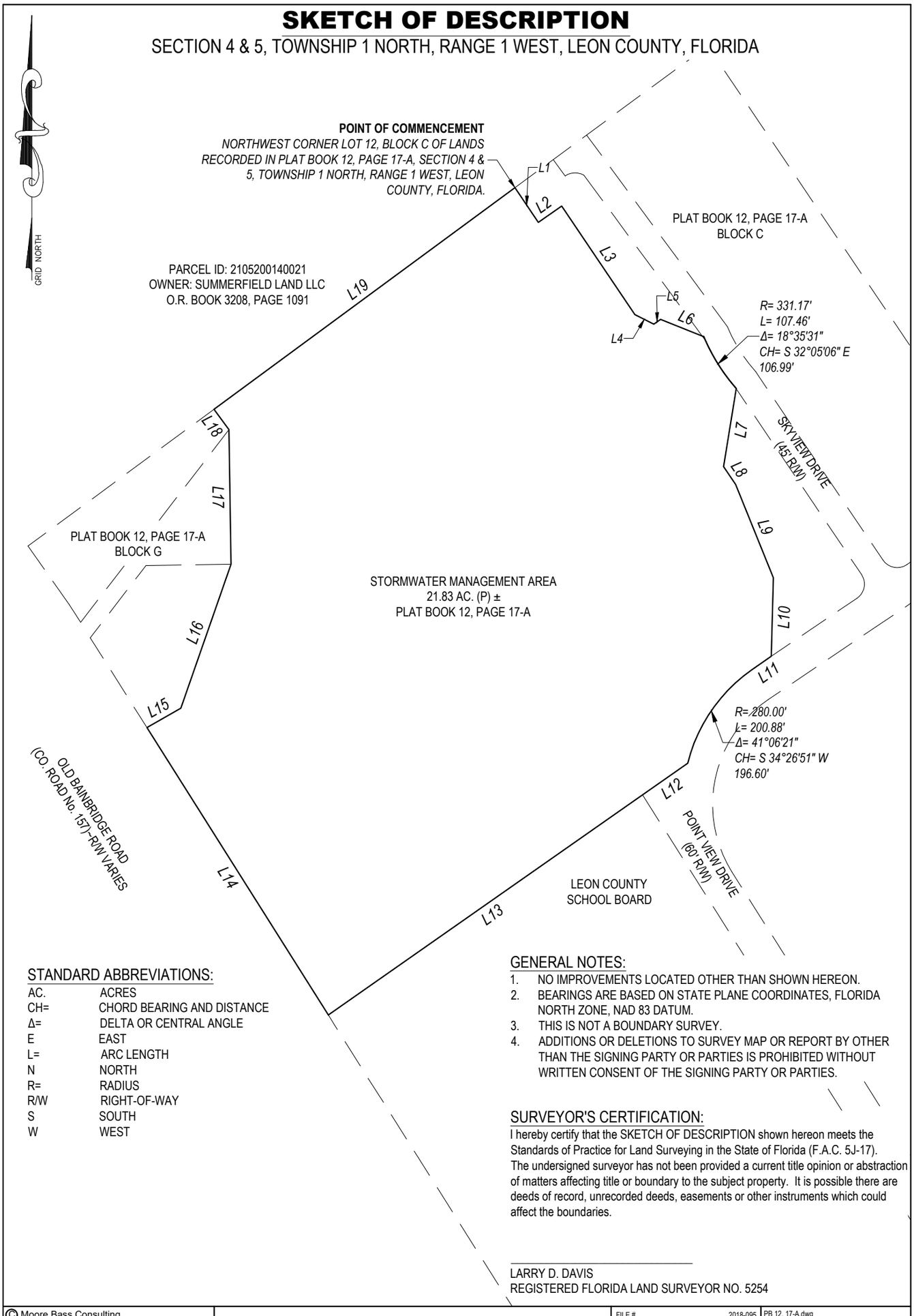
0 100 200 400

1 inch = 200 ft.

MooreBass CONSULTING
TALLAHASSEE DESTIN ATLANTA
www.moorebass.com

SKETCH OF DESCRIPTION

SECTION 4 & 5, TOWNSHIP 1 NORTH, RANGE 1 WEST, LEON COUNTY, FLORIDA



STANDARD ABBREVIATIONS:

AC.	ACRES
CH=	CHORD BEARING AND DISTANCE
Δ=	DELTA OR CENTRAL ANGLE
E	EAST
L=	ARC LENGTH
N	NORTH
R=	RADIUS
R/W	RIGHT-OF-WAY
S	SOUTH
W	WEST

GENERAL NOTES:

1. NO IMPROVEMENTS LOCATED OTHER THAN SHOWN HEREON.
2. BEARINGS ARE BASED ON STATE PLANE COORDINATES, FLORIDA NORTH ZONE, NAD 83 DATUM.
3. THIS IS NOT A BOUNDARY SURVEY.
4. ADDITIONS OR DELETIONS TO SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

SURVEYOR'S CERTIFICATION:

I hereby certify that the SKETCH OF DESCRIPTION shown hereon meets the Standards of Practice for Land Surveying in the State of Florida (F.A.C. 5J-17). The undersigned surveyor has not been provided a current title opinion or abstraction of matters affecting title or boundary to the subject property. It is possible there are deeds of record, unrecorded deeds, easements or other instruments which could affect the boundaries.

LARRY D. DAVIS
REGISTERED FLORIDA LAND SURVEYOR NO. 5254

© Moore Bass Consulting
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT, OR MAP IS FOR INFORMATION PURPOSES ONLY AND IS NOT VALID.

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FILE #	2018-095	PB 12, 17-A.dwg	
CONTRACT #	Q75.004	ARCHIVE	N/A
NOTEBOOK #	N/A	PAGE #	N/A
DATE	6/4/2019	DRAWN BY	BG

MOORE BASS CONSULTING, INC. 805 N. GADSDEN STREET TALLAHASSEE, FL. 32303 (850) 222-5678 CERTIFICATE OF AUTHORIZATION No.00007245	CLIENT NAME SUMMERFIELD SINGLE FAMILY	PROJECT NAME ARBOR CHASE, LLC	SHEET TITLE SKETCH AND DESCRIPTION

1/2

F:\BRIAN GEORGE\PB 12, 17-A.dwg, legal-SK, bgeorge, Jun 04, 2019 - 1:41:23pm

GRAPHIC SCALE

0 100 200 400

1 inch = 200 ft.

Moore Bass
CONSULTING
TALLAHASSEE DESTIN ATLANTA
www.moorebass.com

SKETCH OF DESCRIPTION

SECTION 4 & 5, TOWNSHIP 1 NORTH, RANGE 1 WEST, LEON COUNTY, FLORIDA

LEGAL DESCRIPTION

A portion of lands lying in Section 4 and 5, Township 1 North, Range 1 West, Leon County, Florida being more particularly described as follows:

BEGIN at the Northwest corner of lot 12, Block C of lands recorded in Plat Book 12, Page 17-A, Leon County, Florida; thence S 34° 01' 30" E, 72.73 feet; thence N 55° 00' 00" E, 49.51 feet; thence S 34° 01' 30" E, 227.69 feet; thence S 63° 13' 00" E, 36.70 feet; thence N 55° 00' 00" E, 14.43 feet; thence S 68° 06' 56" E, 80.65 feet to a point lying on a curve concave Northeasterly having a radius of 331.17 feet for an arc length of 107.46 feet through a central angle of 18°35'31" (chord bears: S 32°05'06" E, 106.99 feet) along the Westerly right of way boundary of Skyview drive; thence leaving said right of way S 09° 19' 13" W, 136.82 feet; thence S 34° 01' 30" E, 37.73 feet; thence S 22° 00' 40" E, 175.06 feet; thence S 01° 35' 37" W, 136.27 feet to the Northerly right of way boundary of Point View Drive; thence S 55° 00' 00" W, 41.38 feet to a point lying on a curve concave Southeasterly having a radius of 280.00 feet for an arc length of 200.88 through a central angle of 41°06'21" (chord bears: S 34°26'51" W, 196.60 feet); thence S 55° 00' 00" W, 95.92 feet; thence leaving said right of way S 55° 00' 00" W, 667.35 feet to the Easterly right of way boundary of Old Bainbridge Road; thence N 32° 15' 54" W, 591.12 feet; thence leaving said right of way N 60° 27' 39" E, 67.83 feet; thence N 19° 13' 32" E, 265.08 feet; thence N 00° 52' 00" W, 234.00 feet; thence N 36° 19' 51" W, 44.01 feet to the Southerly boundary of lands described in Official Records Book 3208, Page 1091, Leon County, Florida; thence N 53° 40' 09" E, 649.85 feet to the **POINT OF BEGINNING.** Containing 21.83 acres, more or less; subject to Utility Easements and 100' Canopy setback as shown on Record Plat.

LINE TABLE		
LINE #	*BEARING*	*DISTANCE*
L1	*S 34° 01' 30" E*	*72.73'*
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L3	*S 34° 01' 30" E*	*227.69'*
L4	*S 63° 13' 00" E*	*36.70'*
L5	*N 55° 00' 00" E*	*14.43'*
L6	*S 68° 06' 56" E*	*80.65'*
L7	*S 09° 19' 13" W*	*136.82'*
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L9	*S 22° 00' 40" E*	*175.06'*
L10	*S 01° 35' 37" W*	*136.27'*
L11	*S 55° 00' 00" W*	*41.38'*
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FILE #	2018-095	PB 12, 17-A.dwg	
CONTRACT #	Q75.004	ARCHIVE	N/A
NOTEBOOK #	N/A	PAGE #	N/A
DATE	6/4/2019	DRAWN BY	BG

MOORE BASS CONSULTING, INC.
805 N. GADSDEN STREET
TALLAHASSEE, FL. 32303 (850) 222-5678
CERTIFICATE OF AUTHORIZATION No.00007245

CLIENT NAME	PROJECT NAME	SHEET TITLE	
SUMMERFIELD SINGLE FAMILY	ARBOR CHASE, LLC	SKETCH AND DESCRIPTION	**2/2**

F:\BRIAN GEORGE\PB 12, 17-A.dwg, legal-SK (2), bgeorge, Jun 04, 2019 - 1:40:50pm

Exhibit "B"

Footpath Improvements

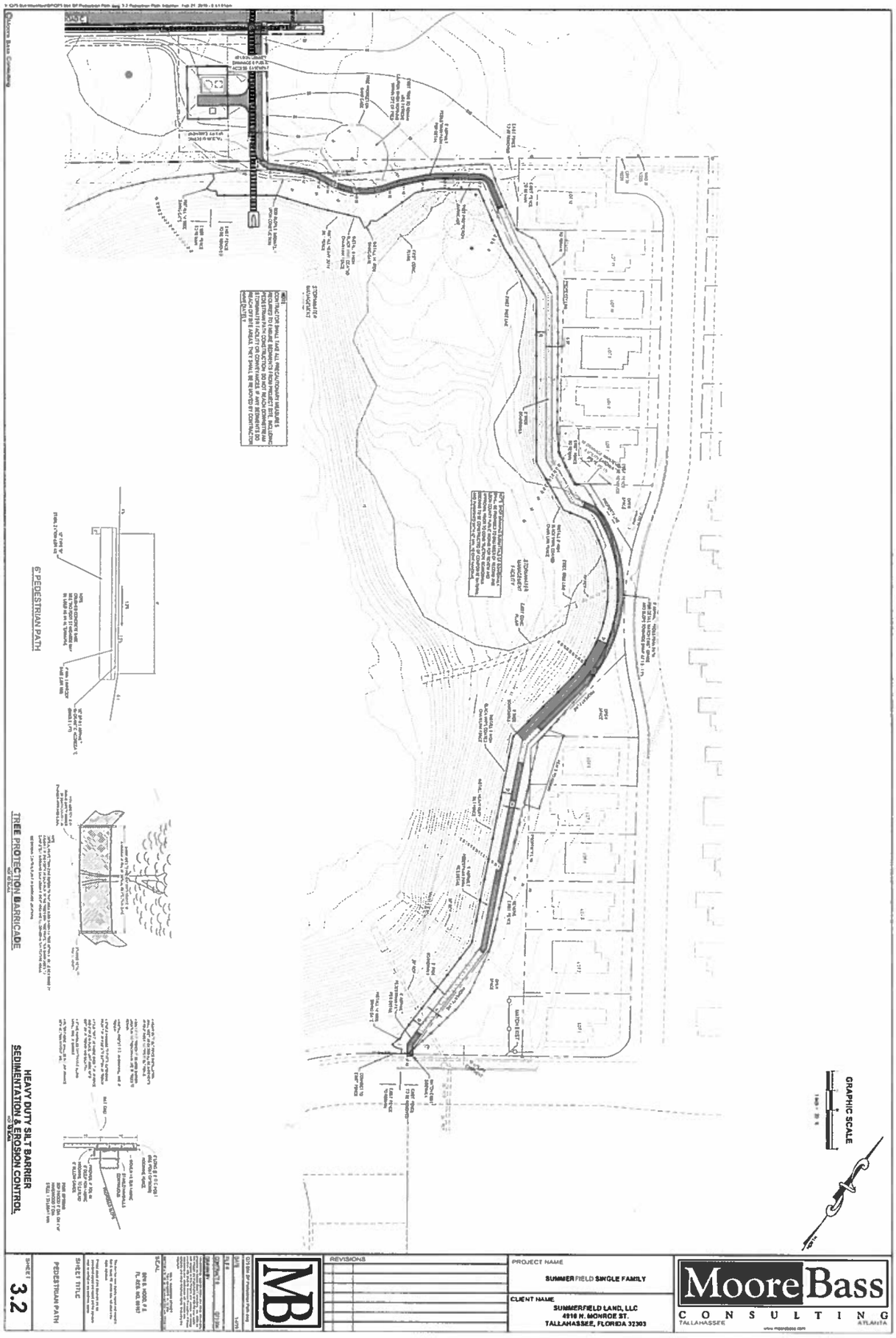

6' PEDESTRIAN PATH
TREE PROTECTION BARRICADE
HEAVY DUTY SILT BARRIER
SEDIMENTATION & EROSION CONTROL
GRAPHIC SCALE
REVISIONS
PROJECT NAME
SUMMERFIELD SINGLE FAMILY
CLIENT NAME
SUMMERFIELD LAND, LLC
4916 N. MONROE ST.
TALLAHASSEE, FLORIDA 32303
SHEET TITLE
PEDESTRIAN PATH
SHEET #
3.2
MooreBass
CONSULTING
TALLAHASSEE
ATLANTA

Exhibit "C"

Copy of Tri-Party Agreement

TRI-PARTY AGREEMENT

THIS AGREEMENT made and entered into this ____ day of _____, 2019, by and among VIEW POINTE PARTNERSHIP, an unregistered Florida general partnership ("Owner"), LEON COUNTY, FLORIDA, a charter county and political subdivision of the State of Florida ("County"), and SUMMERFIELD LAND, LLC, a Florida limited liability company ("Developer"). Owner, County and Developer are sometimes referred to collectively herein as the "parties" and each, separately, as a "party."

R E C I T A L S

1. Owner is the record owner of that certain parcel of land located in Leon County, Florida, as more specifically described on Exhibit "A" attached hereto and by reference made a part hereof (the "Easement Parcel").

2. Developer is the owner of certain lands located in Leon County, Florida, as more specifically described on Exhibit "B" attached hereto and by reference made a part hereof, which Developer intends to improve and develop as a residential subdivision (the "Development").

3. In connection with the Development, County desires that Developer should provide a footpath upon the Easement Parcel to be used and enjoyed by the general public for recreational purposes, as depicted on the drawing attached hereto as Exhibit "C" and by reference made a part hereof (the "Pedestrian Footpath"), and obtain a perpetual easement over, upon, and across the Easement Parcel for such purposes (the "Pedestrian Footpath Easement"). The Pedestrian Footpath shall be for use by pedestrians only, and not any type of manually propelled or motorized vehicle or device.

4. Owner is willing to grant and reserve, in accordance with the provisions and stipulations hereinafter set out, a perpetual easement in favor of County for the purposes of (i) having and maintaining the Pedestrian Footpath Easement upon the Easement Parcel for the use and benefit of the general public; and (ii) allowing Developer to construct the footpath and to install related facilities (collectively, the "Footpath Improvements").

ACCORDINGLY, for and in consideration of the Recitals, the undertakings and agreements herein contained and assumed, and other good and valuable consideration the receipt and sufficiency of which are acknowledged by the parties, it is agreed as follows:

SECTION 1. RECITALS. The above Recitals are true and correct, and form a material part of this Agreement.

SECTION 2. EASEMENT AND RIGHT OF ACCESS. Owner agrees to execute and deliver for recording the Pedestrian Footpath Easement. The Pedestrian Footpath Easement shall be recorded in the Official Records in and for Leon County, Florida, upon the occurrence of all of the following: (i) this Agreement shall have been fully executed by all of the parties; and (ii) the issuance by the County of all necessary permits and approvals, including site plan

approvals, necessary for Developer to improve the Development as a residential subdivision. If such final approvals have not been issued on or before December 31, 2021, then this Agreement shall automatically terminate and shall be of no further force and effect.

SECTION 3. CONSTRUCTION OF FOOTPATH IMPROVEMENTS.

3.1. To induce Owner and County to enter into this Agreement and perform their respective obligations hereunder, Developer hereby covenants and agrees, at its sole cost and expense, to construct (or cause to be constructed) the Footpath Improvements.

3.2. The Footpath Improvements shall be constructed as depicted on Exhibit "C" and in a manner reasonably consistent therewith subject to the following:

(a) Developer shall not be required to use or install (i) decorative walls or fencing; (ii) landscaping; (iii) benches or seating; (iv) picnic areas or covered area; or (v) any other amenities, lighting, water fountains or spigots, or restroom facilities. Any fencing shall be industrial grade "chain link" fencing, unless Developer elects to use more expensive products.

(b) Developer shall be solely responsible for securing any of its property placed or kept upon any part of the Easement Parcel, and hereby fully and voluntarily releases Owner and County from any and all liability for any loss, cost or damage to any of Developer's vehicles, equipment, materials and other property brought upon the Easement Parcel arising due to theft, casualty, or otherwise (but not any loss, cost or damage resulting solely and directly from any grossly negligent or illegal action of Owner).

SECTION 4. OWNERSHIP OF FACILITIES. Developer understands and agrees that it is constructing the Footpath Improvements for County and not for itself. Upon completion of the Footpath Improvements, Developer agrees that such improvements shall be the sole property of County. Developer will execute such instruments as County may reasonably request to confirm County's ownership of the Footpath Improvements.

SECTION 5. BINDING AGREEMENT; ASSIGNMENTS BY DEVELOPER. This Agreement shall be binding upon and shall inure to the benefit of Developer, Owner and County, and their respective assigns and successors by merger, consolidation or conveyance. This Agreement shall not be sold, conveyed, assigned or otherwise disposed of by Developer, except to any successor in interest of Developer to the ownership of the Development.

SECTION 6. ENTIRE AGREEMENT; AMENDMENTS; APPLICABLE LAW; ATTORNEY'S FEES. This Agreement supersedes all previous agreements or representations, either verbal or written, heretofore in effect between Developer, Owner and County, made with respect to the matters herein contained, and when duly executed, constitutes the entire agreement of the said parties. No additions, alterations or variations of the terms of this

Agreement shall be valid, nor can provisions of the Agreement be waived by either party, unless such additions, alterations, variations or waivers are expressed in writing and duly signed. This Agreement shall be governed by the laws of the State of Florida.

SECTION 7. DISCLAIMERS; LIMITATIONS ON LIABILITY.

7.1. FORCE MAJEURE. No party shall be liable or responsible to any other party to this Agreement by reason of the failure or inability of such party to take any action it is required to take or to comply with the requirements imposed hereby, which failure or inability is caused directly or indirectly by force majeure as hereinafter set forth). The term "force majeure" as employed herein shall mean acts of god, strikes, lock-outs, or other industrial disturbance; acts of public enemies, war, blockades, riots, acts of armed forces, militia, or public authority; epidemics; breakdown of or damage to machinery, pumps, or pipe lines; landslides, earthquakes, fires, storms, floods, or washouts; arrests, title disputes, or other litigation; governmental restraints of any nature whether federal, state, city, municipal or otherwise, civil or military; civil disturbances; explosions, failure or inability to obtain necessary materials, supplies, labor or permits or governmental approvals whether resulting from or pursuant to existing or future rules, regulations, orders, laws or proclamations whether federal, state, city, municipal or otherwise, civil or military.

7.2. DISCLAIMER OF THIRD PARTY BENEFICIARIES. This Agreement is solely for the benefit of and shall be binding upon the parties hereto and their respective authorized successors and assigns, and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a party to this Agreement or an authorized successor or assignee thereof.

SECTION 8. SEVERABILITY. If any part of this Agreement is found invalid or unenforceable by any court, such invalidity or unenforceability shall not affect the other parts of this Agreement if the rights and obligations of the parties contained therein are not materially prejudiced, and if the intentions of the parties can continue to be effected. To that end, this Agreement is declared severable.

SECTION 9. AUTHORITY TO EXECUTE AGREEMENT. The signature by any person to this Agreement shall be deemed a personal warranty by that person that he has the full power and authority to bind any corporation, partnership, or any other business entity for which he purports to act hereunder.

[Signatures on the following pages]

IN WITNESS WHEREOF, the parties have executed or have caused this Agreement, with the named Exhibits attached, if any, to be duly executed in several counterparts, each of which counterpart shall be considered an original executed copy of this Agreement.

COUNTY:
Leon County, Florida

By: _____
Jimbo Jackson, Chairman
Board of County Commissioners

Date: _____

ATTESTED BY:

Gwendolyn Marshall, Clerk of Court &
Comptroller, Leon County, Florida

By:_____

APPROVED AS TO FORM:

Leon County Attorney's Office

By: _____
Herbert W.A. Thiele, Esq.,
County Attorney

Signed, sealed and delivered
in the presence of:

_____

Print name: _____

_____

Print name: _____

DEVELOPER

Summerfield Land, LLC, a Florida limited liability company

By: _____
William G. Thames, Jr.
Manager

Signed, sealed and delivered
in the presence of:

_____

Print name: _____

_____

Print name: _____

OWNER

View Pointe Partnership, an unregistered Florida general partnership

By: _____
Steve Ghazvini
General Partner

EXHIBIT "A"

EASEMENT PARCEL LEGAL DESCRIPTION

GRAPHIC SCALE

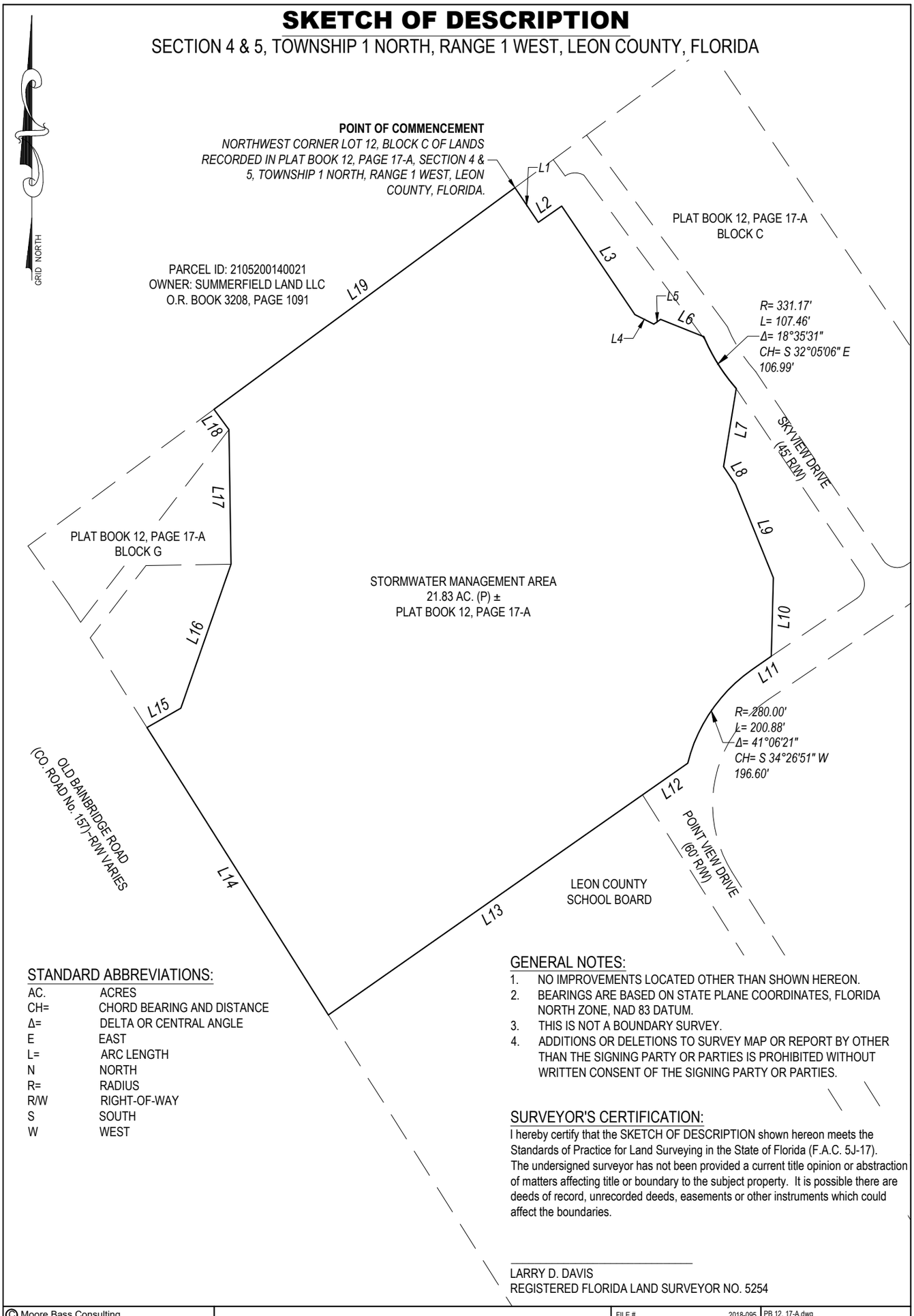
0 100 200 400

1 inch = 200 ft.

MooreBass CONSULTING
TALLAHASSEE DESTIN ATLANTA
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SKETCH OF DESCRIPTION

SECTION 4 & 5, TOWNSHIP 1 NORTH, RANGE 1 WEST, LEON COUNTY, FLORIDA



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LARRY D. DAVIS
REGISTERED FLORIDA LAND SURVEYOR NO. 5254

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CONTRACT #	Q75.004	ARCHIVE	N/A
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DATE	6/4/2019	DRAWN BY	BG

MOORE BASS CONSULTING, INC. 805 N. GADSDEN STREET TALLAHASSEE, FL. 32303 (850) 222-5678 CERTIFICATE OF AUTHORIZATION No.00007245	CLIENT NAME SUMMERFIELD SINGLE FAMILY	PROJECT NAME ARBOR CHASE, LLC	SHEET TITLE SKETCH AND DESCRIPTION

1/2

F:\BRIAN GEORGE\PB 12, 17-A.dwg, legal-SK, bgeorge, Jun 04, 2019 - 1:41:23pm

GRAPHIC SCALE

0 100 200 400

1 inch = 200 ft.

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TALLAHASSEE DESTIN ATLANTA
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SKETCH OF DESCRIPTION

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LINE TABLE		
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MOORE BASS CONSULTING, INC.
805 N. GADSDEN STREET
TALLAHASSEE, FL. 32303 (850) 222-5678
CERTIFICATE OF AUTHORIZATION No.00007245

CLIENT NAME	PROJECT NAME	SHEET TITLE	
SUMMERFIELD SINGLE FAMILY	ARBOR CHASE, LLC	SKETCH AND DESCRIPTION	**2/2**

F:\BRIAN GEORGE\PB 12, 17-A.dwg, legal-SK (2), bgeorge, Jun 04, 2019 - 1:40:50pm

EXHIBIT "B"

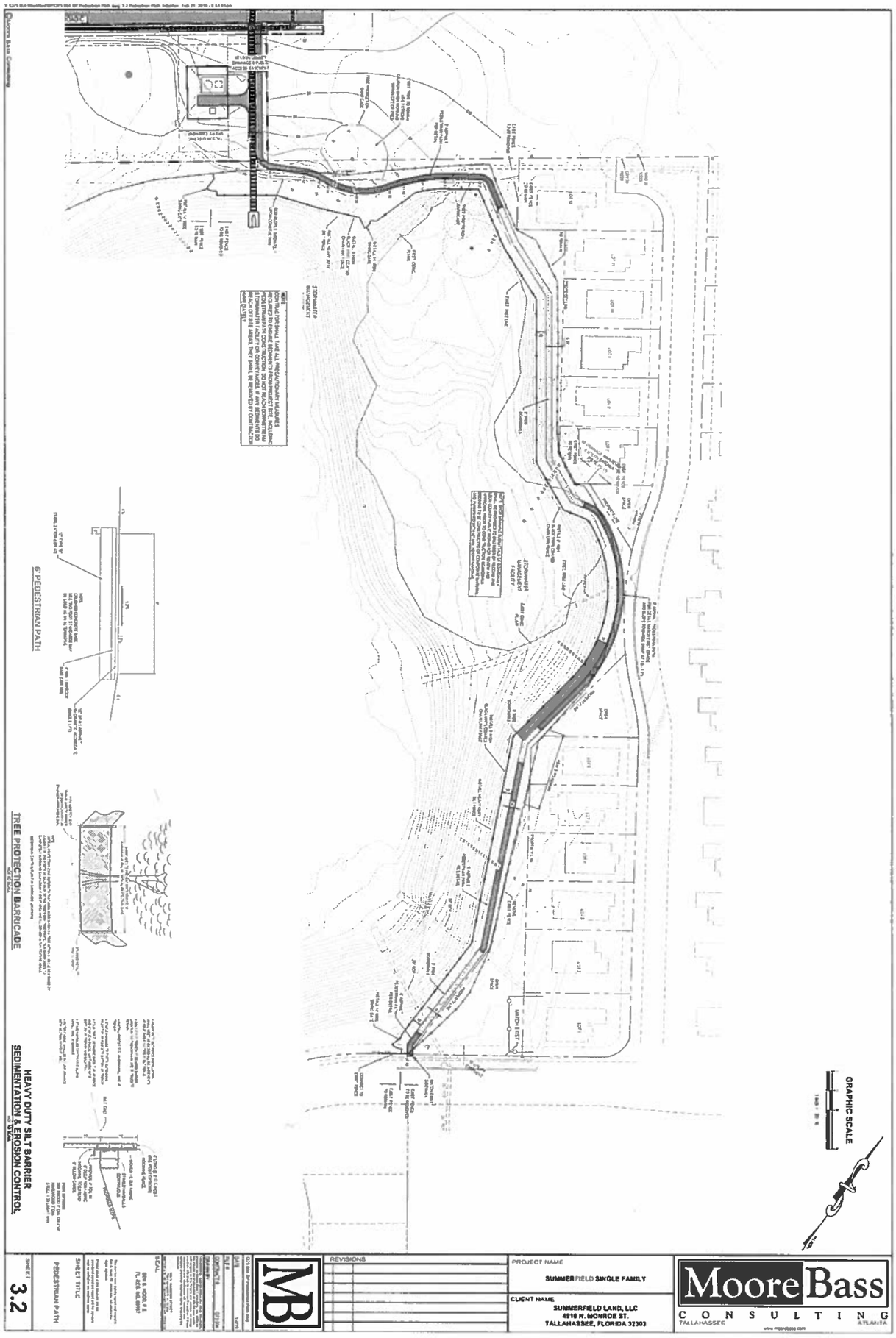
DEVELOPMENT LEGAL DESCRIPTION

REVISED LOT 1:
Commence at a concrete monument marking the Northeast Corner of LAKESIDE, a subdivision as per map or plat thereof recorded in Plat Book 11, Page 26 of the Public Records of Leon County, Florida, thence run South 47 degrees 13 minutes 58 seconds West a distance of 374.12 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING thence run South 47 degrees 47 minutes 11 seconds East a distance of 387.42 feet to a point on a curve concave to the southwest, thence run southeasterly along said curve having a radius of 149.05 feet, through a central angle of 32 degrees 09 minutes 20 seconds for an arc distance of 83.65 feet (the chord of said arc bears South 31 degrees 18 minutes 16 seconds East for a distance of 82.56 feet), thence run South 15 degrees 13 minutes 45 seconds East a distance of 10.95 feet to a point of curve to the right having a radius of 125.00 feet and a central angle of 43 degrees 11 minutes 41 seconds; thence southerly along the arc a distance of 94.24 feet, thence run South 27 degrees 57 minutes 56 seconds West a distance of 74.01 feet, thence continue South 27 degrees 57 minutes 56 seconds West along said line a distance of 83.96 feet to a point of curve to the right having a radius of 230.00 feet and a central angle of 07 degrees 51 minutes 54 seconds; thence southwesterly along the arc a distance of 31.57 feet, thence run South 35 degrees 49 minutes 51 seconds West a distance of 119.12 feet to a point of curve to the left having a radius of 100.00 feet and a central angle of 08 degrees 10 minutes 23 seconds; thence southwesterly along the arc a distance of 14.26 feet, thence run South 27 degrees 39 minutes 28 seconds West a distance of 61.83 feet to a point of curve to the left having a radius of 100.00 feet and a central angle of 26 degrees 57 minutes 38 seconds; thence southerly along the arc a distance of 47.05 feet, thence run South 00 degrees 41 minutes 50 seconds West a distance of 15.15 feet, thence run South 09 degrees 08 minutes 37 seconds East a distance of 138.95 feet, thence run South 18 degrees 21 minutes 18 seconds West a distance of 94.48 feet, thence run South 50 degrees 16 minutes 50 seconds West a distance of 172.85 feet, thence run South 40 degrees 34 minutes 23 seconds West a distance of 83.16 feet, thence run South 26 degrees 39 minutes 54 seconds West a distance of 172.88 feet, thence run South 63 degrees 11 minutes 34 seconds East a distance of 200.87 feet, thence run South 81 degrees 15 minutes 09 seconds East a distance of 124.47 feet, thence run North 24 degrees 39 minutes 19 seconds East a distance of 172.61 feet, thence run North 79 degrees 31 minutes 29 seconds East a distance of 90.96 feet, thence run North 22 degrees 59 minutes 46 seconds East a distance of 92.74 feet, thence run South 66 degrees 34 minutes 16 seconds East a distance of 128.80 feet, thence run North 42 degrees 19 minutes 53 seconds East a distance of 212.30 feet, thence run South 87 degrees 10 minutes 03 seconds East a distance of 198.04 feet, thence run South 79 degrees 01 minutes 30 seconds East a distance of 148.99 feet, thence run South 39 degrees 10 minutes 56 seconds East a distance of 265.76 feet, thence run North 51 degrees 32 minutes 33 seconds East a distance of 423.27 feet to a point on the Southerly right of way boundary of North Monroe (U.S. 27), said point being on a curve concave to the southwest, thence run Southeasterly along the Southerly right of way boundary of North Monroe (U.S. 27) as follows: run southeasterly along said curve having a radius of 11339.20 feet, through a central angle of 00 degrees 11 minutes 42 seconds for an arc distance of 38.61 feet (the chord of said arc bears South 37 degrees 36 minutes 55 seconds East for a distance of 38.61 feet), thence run North 52 degrees 28 minutes 56 seconds East a distance of 20.00 feetto a point on a curve concave to the southwest, thence run southeasterly along said curve having a radius of 11359.20 feet, through a central angle of 01 degrees 30 minutes 00 seconds for an arc distance of 297.38 feet (the chord of said arc bears South 36 degrees 46 minutes 04 seconds East for a distance of 297.37 feet), thence run South 53 degrees 58 minutes 56 seconds West a distance of 20.00 feetto a point on a curve concave to the southwest, thence run southeasterly along said curve having a radius of 11339.20 feet, through a central angle of 02 degrees 21 minutes 24 seconds for an arc distance of 466.42 feet (the chord of said arc bears South 34 degrees 50 minutes 22 seconds East for a distance of 466.39 feet), thence run South 33 degrees 39 minutes 39 seconds East a distance of 128.64 feet, thence run North 56 degrees 20 minutes 21 seconds East a distance of 20.00 feet, thence run South 33 degrees 39 minutes 39 seconds East a distance of 107.40 feet, thence leaving said Southerly right of way boundary run South 54 degrees 01 minutes 23 seconds West a distance of 1345.21 feet to the Northerly right of way boundary of Old Bainbridge Road, said point being on a curve concave to the southwest, thence run northwesterly along said curve having a radius of 1151.42 feet, through a central angle of 23 degrees 25 minutes 06 seconds for an arc distance of 470.61 feet (the chord of said arc bears North 49 degrees 25 minutes 10 seconds West for a distance of 467.34 feet), thence run North 61 degrees 07 minutes 42 seconds West a distance of 465.15 feet, thence leaving said right of way boundary run North 28 degrees 54 minutes 01 seconds East a distance of 420.00 feet, thence run North 61 degrees 07 minutes 42 seconds West a distance of 294.83 feet, thence run South 28 degrees 54 minutes 01 seconds West a distance of 420.00 feet to the aforesaid Northerly right of way boundary of Old Bainbridge Road, thence run North 61 degrees 07 minutes 42 seconds West a distance of 483.68 feet to a point on a curve concave to the southwest, thence run northwesterly along said curve having a radius of 5704.02 feet, through a central angle of 04 degrees 03 minutes 11 seconds for an arc distance of 403.49 feet (the chord of said arc bears North 63 degrees 09 minutes 18 seconds West for a distance of 403.41 feet), thence run North 65 degrees 10 minutes 53 seconds West a distance of 106.99 feet, thence leaving said Northerly right of way boundary run North 00 degrees 05 minutes 28 seconds East a distance of 741.83 feet, thence run North 47 degrees 13 minutes 58 seconds East a distance of 1262.52 feet to the POINT OF BEGINNING, containing 79.47 acres, more or less.

B-2

EXHIBIT "C"

FOOTPATH LOCATION DRAWING AND CONSTRUCTION PLANS


6' PEDESTRIAN PATH
TREE PROTECTION BARRICADE
HEAVY DUTY SILT BARRIER
SEDIMENTATION & EROSION CONTROL
GRAPHIC SCALE
REVISIONS
PROJECT NAME
SUMMERFIELD SINGLE FAMILY
CLIENT NAME
SUMMERFIELD LAND, LLC
4916 N. MONROE ST.
TALLAHASSEE, FLORIDA 32303
MooreBass
CONSULTING
TALLAHASSEE
ATLANTA
SHEET TITLE
PEDESTRIAN PATH
SHEET
3.2

Summerfield

a

Planned Unit Development

CONCEPTUAL SITE AND DEVELOPMENT PLAN
MINOR MODIFICATION

Applicant
Arbor Properties, Inc.
2750 Old St. Augustine Road
Tallahassee, FL 32301

Consultant Team
Moore Bass Consulting, Inc.
805 N. Gadsden Street
Tallahassee, FL 32303

September 1, 2004
Revised January 30, 2006
Revised April 15, 2019

MINOR MODIFICATION
APPROVAL

DIRECTOR OF DEVELOPMENT
SERVICES, LEON COUNTY

NAME

DATE 5/8/19

Summerfield

a

Planned Unit Development

SECTION 1: GENERAL PLAN OF LAND USES

A. Project Name

The name of the project is *Summerfield.*

B. Project Overview

Summerfield (the "Site") is a parcel of land located in northwest Leon County, Florida containing approximately 106.96 acres, bordered on the west by *Old Bainbridge Road*, on the north by *Lakeside* single family residential subdivision, on the east by *U.S. Highway 27* and on the south by *View Pointe* single family residential subdivision and *View Pointe Storm Water Management Area.* *Summerfield* will be designed as a privately maintained Planned Unit Development (PUD) and will contain a maximum of 135 single-family homes, 312 multi-family dwelling units, plus either a maximum of 60,000 square feet of general office, a maximum of 58,000 square feet of retail or a mixture of office and retail not to exceed 12,500 square feet/acre consistent with the standards of the GRO district.

The varied uses within the PUD will be divided into six distinct internal use districts including the SR-1, SR-2, SR-3 and SR-4 districts to be developed for single-family residential use, the MR district to be developed for multi-family and single-family use and the GRO district to be developed for retail and office uses. Retail and office uses shall be confined to the GRO district. The SR-1 district shall be developed in accordance with the development standards of the Lake Protection zoning district as defined in the Leon County Land Development Code and the Lake Protection Land Use designation as defined in the Tallahassee-Leon County Comprehensive Plan. The SR-2, SR-3 and SR-4 districts will provide single-family uses without restrictions on the amount of open space required with the exception of natural areas required by the Comprehensive Plan necessary to provide protection to the adjacent canopy road (Old Bainbridge Road) and the onsite wetland area. The multi-family community, located in the MR district, will include a storm water management facility which is to be planted with wetland and upland vegetation to provide wildlife habitat as well as an aesthetically pleasing atmosphere for the residents. Each internal district will contain

open space and/or other conservation areas which will provide for the protection of numerous large oak trees, wildlife habitat, and recreational opportunities for the residents of the PUD. Natural and/or open space areas and landscape buffers will provide buffering between the various proposed uses. All development activities and land uses will be consistent with the Comprehensive Plan and will comply with the Leon County Land Development Code, as well as all applicable state and federal regulations.

C. Project Planning Objectives

Summerfield has been planned and designed to ensure a superior quality way of life for its residents, to provide and conserve natural features and to be compatible with other neighborhoods in this area of Leon County.

D. Graphic Portions of PUD Concept Plan

The Graphic Portions of the PUD Concept Plan which depict the land use of all areas of the PUD (location of the SR, MR and GRO Districts, vehicle and pedestrian circulation, natural areas, landscape areas, storm water management facilities and natural features) are contained in the **CONCEPTUAL SITE AND DEVELOPMENT PLANS, EXHIBIT E (SHEET CPUD-1 THROUGH SHEET CPUD-13) AND THE NFI MAPS INCLUDED IN EXHIBIT A.**

E. PUD Concept Plan

The PUD Concept Plan contains the following:

a. boundary survey and legal description, dated and signed and sealed by a licensed surveyor.

b. the name of the PUD.

c. the name, address and telephone number of the owner-developer.

d. the name, address and telephone number of the engineer of record.

e. the name, address and telephone number of the surveyor of record.

f. scale, date, north arrow and general location map showing relationship of the site to external uses, structures and features.

g. boundaries of the subject property, all existing streets, buildings, water courses, easements, section lines and other important physical features.

h. existing topography.

i. the location and size of all existing drainage facilities and a utility concept plan.

j. information about the existing vegetative cover and general soil types, and their appropriateness for the development.

k. the location and function of all other existing public facilities which would serve the residents of the development including but not limited to schools, parks and fire stations.

and are contained in the **CONCEPTUAL SITE AND DEVELOPMENT PLANS, THIS PUD NARRATIVE INCLUDING THE NFI MAPS INCLUDED IN EXHIBIT A, AND THE EXISTING VEGETATIVE COVER MAP ATTACHED IN THE APPENDIX AS EXHIBIT F.**

F. Environmental Analysis

The Site has been subject to and has received approval of a Natural Features Inventory (NFI). Copies of the NFI County Approval Letter and approved NFI Maps are attached as **Exhibit A.**

G. Preliminary Certificate of Concurrency

A Concurrency Application has been submitted to the County and is currently under review. An Affidavit Waving Concurrency is attached as **Exhibit G.**

SECTION 2: DEFINITIONS

Summarized below is a list of definitions used in this PUD Narrative.

A. "Code" shall mean and refer to Land Development Code contained as Chapter 10 of the Code of Laws of Leon County, Florida in effect at the time of final site and development plan approval.

B. "Commission" shall mean the Board of County Commissioners of Leon County, Florida.

C. "Comprehensive Plan" shall mean the Tallahassee-Leon County Comprehensive Plan in effect at the time of final site and development plan approval.

D. "County" shall mean Leon County, Florida.

E. "Department" shall mean the Leon County Growth and Environmental Management Department or it's successor agency if hereafter changed.

F. "EMA" shall mean and refer to Article VII of the Code.

G. "Open Space" shall mean land within the PUD to be owned by the Homeowner's Association, not to be individually owned or dedicated to the public, which is intended for the common use and enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate as long as these structures and improvements are first approved by the Department where applicable and are consistent with the Comprehensive Plan.

H. "Homeowners' Association" shall mean a non-profit organization established for *Summerfield* and recognized as such under the laws of this state operated under recorded land agreements through which each owner of a portion of *Summerfield,* be it a lot, home, property or other interest, is automatically subject to a charge for a prorated share of expenses either direct or indirect for maintaining common properties within *Summerfield,* such as roads, parks, recreational areas, storm water management facilities, open space, natural areas, or other similar properties.

I. "PUD" is an acronym for Planned Unit Development and shall mean the Planned Unit Development Zoning District authorized by Section 10-914(23), the requirements and procedures for which are contained in Section 10-915 of the Land Development Code and specifically refers to the *Summerfield PUD.*

J. "Restrictive Covenants" shall mean the Declaration of Restrictive Covenants applicable to the PUD and Easements to be recorded in the public records for *Summerfield.*

K. "Natural Area" shall mean an area on a development site designated by a permit, plans, easement or other legal means to remain in a natural condition or state. Natural Areas do not include Open Space areas. All Natural Areas will be placed in a conservation easement granted to Leon County. Natural Areas will be maintained and managed by the Homeowners' Association. These areas will be preserved in their natural state and there will be no allowed uses with the possible exception of pedestrian pathways, nature trails, and sidewalks

(restricted to along Old Bainbridge Road and U.S. 27) subject to the approval of the Department.

SECTION 3: LAND USE STANDARDS

A. Total acreage of the subdivision

The *Summerfield* PUD consists of a total of approximately 106.96 acres.

B. Number of acres and percentage of total acreage in subdivision represented by single-family residences (SR Districts)

The total number of acres in the SR Districts is 71.91 which represents 67.23% of the *Summerfield* PUD.

C. Maximum number of lots in SR Districts

The maximum number of lots in the SR Districts is 130 at an average overall maximum density of 1.81 units per acre.

D. Minimum lot size in SR Districts

The minimum lot area in the SR 1 District is in accordance with the Lake Protection Zoning District Requirements. The minimum lot area in SR 2, SR 3, and SR 4 Districts is 6,000 square feet.

E. Number of acres and percentage of total acreage in subdivision represented by multi-family residential (MR District)

The total number of acres in the MR District is 28.73 which represents 26.87% of the *Summerfield* PUD.

F. Maximum number of units in the MR District

The MR District will contain a maximum of 312 multi-family units and 5 single-family units for a maximum total of 317 dwelling units at a maximum density of 11.04 units per acre.

G. Number of acres and percentage of total acreage in subdivision represented by retail-office (GRO District)

The total number of acres in the GRO District is 6.32 which represents 5.91% of the *Summerfield* PUD.

H. Maximum number of lots in the GRO District

The GRO District will contain a maximum of two lots.

I. Maximum building square feet in the GRO District

The maximum building square feet in the GRO District shall be 58,000 square feet of retail, or 60,000 square feet of office, or a mixture of retail and office buildings as long as the gross density of these types of buildings does not exceed 12,500 square feet per acre.

J. Number of acres and percentage of total acreage in subdivision represented by Open Space maintained by the Homeowners Association (Open Space)

The extent of Open Space will be approximately 14.13 acres which represents approximately 13.21% of the Summerfield PUD. The amount of Open Space may increase or decrease during the Final Site and Development Plan approval process associated with the various components of the PUD.

K. Number of acres and percentage of total acreage in subdivision represented by Natural Area to be placed in a conservation easement to the County (Natural Area)

The approximate extent of Natural Areas will be 12.09 acres which represents approximately 11.30% of the *Summerfield* PUD. The amount of natural areas may increase or decrease slightly during the Final Site and Development Plan approval process associated with the various components of the PUD. All preserved conservation and preservation area features will be identified as Natural Areas and protected by a conservation easement granted to Leon County.

L. Total number of acres and percentage of total acreage in subdivision represented by roadway which is located in the SR and GRO Districts

The total number of acres represented by roadway right-of-way is 8.75 acres which represents 8.18% of the PUD Site.

M. Permitted Uses and Development Standards for the SR District

Single-family detached residential dwelling and those uses accessory to single-family residential use, including storm water conveyance systems, storm water management facilities and other infrastructure as necessary and appropriate, are the only permitted uses for the SR District. Accessory uses shall comply with the rules, regulations and laws of Leon County, Florida. Full Development

Standards and Permitted Uses are attached in the Appendix as **Exhibit B**.

N. Permitted Uses and Development Standards for the MR District

Multi-family residential dwellings, single-family detached residential dwellings and those uses accessory to multi-family residential and single-family residential use, including storm water conveyance systems, storm water management facilities and other infrastructure as necessary and appropriate, are the only permitted uses for the MR District. Accessory uses shall comply with the rules, regulations and laws of Leon County, Florida. Full Development Standards and Permitted Uses are attached in the Appendix as **Exhibit C**.

O. Permitted Uses and Development Standards for the GRO District

Retail, office and those uses accessory to retail and office uses, including storm water conveyance systems, storm water management facilities and other infrastructure as necessary and appropriate, are the only permitted uses in the GRO District. Accessory uses shall comply with the rules, regulations and laws of Leon County, Florida. Full Development Standards and Permitted Uses are attached in the Appendix as **Exhibit D**.

P. Storm Water Management

There will be at least six separate Storm Water Management Facilities located on the Site. Each facility will be designed in accordance with the requirements of the Leon County Land Development Code.

Storm Water Management Facility (SWMF) No. 1 is located in the northwestern portion of the project. This facility will provide storm water treatment and detention in accordance with the Lake Jackson Special Development Zone of the Code.

Storm Water Management Facility (SWMF) No. 2 is located in the northeastern portion of the project and is within a closed basin. This facility will provide storm water treatment and retention for the multi-family portion of the project as well as the single-family, retail/office portions within the post-development drainage basin.

Storm Water Management Facility (SWMF) No. 3 is located in the southern portion of the project adjacent to the preserved wetlands and is located within a closed basin.

Storm Water Management Facility (SWMF) No. 4 is located in the southeastern portion of the site adjacent to the View Pointe Storm Water Management Facility.

Storm Water Management Facility (SWMF) No. 5 and No. 6 are located in the southern portion of the project adjacent to SWMF No. 3 and are within the post-development drainage basin for SWMF No. 3.

Q. Streets

Streets within *Summerfield* will be permitted within each internal district and represent approximately 8.75 acres or approximately 8% of the PUD. Streets shall consist of roadways with 45 foot wide rights-of-way and parallel 10 foot wide utility easements on each side of the right-of-way. A 5 foot wide sidewalk will be provided along all streets within the subdivision. **A Typical Section is contained in the Conceptual Site and Development Maps.**

A homeowners' association will be established in accordance with Chapter 10 of the Leon County Land Development Code to provide maintenance for the streets, rights-of-way, common areas, open space areas, natural areas, storm water management facilities, and utility and drainage easements. Any easements granted to Leon County, other than conservation easements, will be maintained by the County if so approved by the County during the final Site and Development Plan review and approval process. The HOA is responsible for maintaining the natural areas (conservation easement areas).

Five-foot wide sidewalks shall be required consistent with the provisions of Chapter 10 of the Leon County Land Development Code and adopted guidelines of the County.

New development will not be allowed within the canopy protection zone except for the above mentioned sidewalk.

SECTION 4: BINDING COMMITMENT

In compliance with the Leon County PUD submittal requirements, the developer commits itself and any subsequent assigns, purchasers and users to compliance with this the *Summerfield* Conceptual Site and Development Plan submittal as well as all conditions of approval associated with the Conceptual PUD.

SECTION 5: COMPREHENSIVE PLAN CONSISTENCY ANALYSIS

Consistency with the Comprehensive Plan is summarized as follows:

Urban Sprawl This Site is the remaining area of the Sellers Dairy property and is probably the only tract of land of this size, suitable for development, remaining within the Urban Service Area in this section of the County. This Site is surrounded by residential subdivisions, community service facilities and small commercial sites. This proposed development provides the unique opportunity to decrease urban sprawl by providing a mixture of residential uses and on-site employment opportunities in the office and retail districts.

Cost of Development The costs associated with the infrastructure for this proposed development will be borne by the developer. Additionally, offsite infrastructure which may be impacted by this proposed development will be further supported by the increased taxes generated.

Natural Environment This Site, having been utilized for years as a dairy farm, contains very little natural area. Those areas that may be considered somewhat natural: the wetland in the southeast, forested portions of special development zones in the far west, and the floodplain area near the northern-most corner of the site, will be preserved and placed in a conservation easement.

Residential Neighborhoods

This Site is designated on the Future Land Use Map of the Comprehensive Plan as Lake Protection and Residential Preservation. Section 10-919 of the Land Development Code provides that any land in the Lake Protection district lying within a closed basin may be rezoned through the Planned Unit Development process. The areas surrounding this site are shown on the Future Land Use Map as Residential Preservation and Lake Protection, therefore it is reasonable that this proposed PUD rezoning be compatible with the Residential Preservation and Lake Protection designations. This compatibility is achieved by providing a residential community and small to moderate size commercial development (retail and/or office use) to give local and surrounding residents access to basic shopping opportunities.

SECTION 6: CONSISTENCY WITH SECTION 10-915 OF THE LEON COUNTY LAND DEVELOPMENT CODE

Consistency with the intent of Section 10-915 of the Code is summarized as follows:

1. The *Summerfield* PUD proposes three different land use categories in one comprehensive development along a major arterial highway with direct connection to downtown Tallahassee as well as to an interstate highway, creating a diverse and efficient use of property.

2. While the majority of the PUD is devoted to single-family residential use, other uses provided offer flexibility allowing the development to adapt to market demands.

3. The proposed plan provides retail, office and residential uses with a roadway and pedestrian path system interconnected throughout the development. The office and retail components may offer a wide variety of shopping, restaurants and employment opportunities. These uses are incorporated into a plan which allows residential uses immediate access to the other uses without utilizing public transportation facilities, including the public roadway system. The proximity to the interstate and direct connection to downtown and larger shopping facilities allows easy vehicular access for all components of the PUD, potentially reducing the energy consumption that would be required to travel additional distances in less direct urban traffic patterns.

4. The property has historically been actively used for agricultural activities and has few remaining natural features. The PUD has been designed to preserve or minimize impact to the natural features remaining.

5. Open spaces are provided to a greater extent than might be possible under a conventional zoning district.

6. The private roadway system has been designed to provide direct connection to the public roadway system with emphasis on minimizing traffic within the residential components. Architectural controls are planned that will encourage aesthetics, energy efficient design, yet allow economy of building materials throughout the development.

7. A conventional zoning district may not allow the varieties of uses in such proximity to each other and maintain the standards to be required throughout the PUD. While the PUD utilizes many of the conventional development standards associated with conventional zoning, additional standards will be implemented through an Architectural Control Committee, Restrictive Covenants, etc. to provide a cohesive overall theme throughout the entire development. In addition to architectural controls, these standards will provide landscape requirements for residential units, signage and lighting requirements for consistency throughout the PUD, contributing to the divergence from conventional zoning.

SECTION 7: GENERAL DEVELOPMENT STANDARDS

The following development standards shall be applied to all components of the PUD. Any future applications for Final Site and Development Plan approval submitted for any phase or component of the Summerfield PUD shall comply with all applicable requirements and standards set forth in the Land Development Code (LDC), including the Environmental Management Act (EMA). Some of the density and/or intensity of development shown on the Conceptual Plans (Exhibit "E") may be reduced as a result of this requirement. Boundaries of natural areas, open space areas, streets, individual land uses and lot boundaries are subject to change in order to ensure compliance with the LDC and EMA. Necessary changes may result in the reduction of lots, reduction in number of multi-family dwelling units, relocation of streets, relocation of storm water ponds, re-positioning of multi-family structures and re-configuration of utilities and private facilities. Such modifications shall be determined at the time of Final Site and Development Plan review.

A. Off-Street Parking Requirements

1. Parking and loading requirements shall conform with the requirements set forth for each use in the Leon County Land Development Code in effect at the time of final development plan approval.

B. Non-Residential Building and Site Design

1. Non-residential buildings and parking areas shall be designed in a pedestrian friendly manner with sidewalk connections to street sidewalks. All parking areas shall be placed in the rear of the building(s). No parking areas may be placed between a building and the street fronting the lot. All buildings shall be placed near the front of the lot. Pedestrian and vehicular connections shall be provided internally to adjacent compatible development.

2. Dumpsters or other trash collection points shall be located to the rear of the principal structure and provided with appropriate truck access. Such facilities shall be screened utilizing 100% opaque fencing of the same material as the principal structure or 100% opaque vegetative buffers.

C. Architectural Control

1. An Architectural Control Committee shall be formed to ensure continuity throughout the development. The Architectural Control Committee Development Standards and Design Guidelines are attached as **Exhibit H.**

2. Retail and Office structures: Primary building facades shall be masonry, brick or stone with complimentary secondary facade building materials. All materials shall be subject to approval by the Architectural Control Committee.

3. Residential structures: All exterior building materials shall be subject to approval by the Architectural Control Committee.

4. Metal structures shall not be allowed.

5. All buildings shall provide clear, lighted visual areas around rear/isolated employee entrances and parking areas. Lighting shall be oriented in a manner that will not create a nuisance to any adjacent residential areas.

6. Street Signage throughout the PUD shall comply with the Manual on Uniform Traffic Control Devices, latest edition at the time of final development plan submittal. Commercial signage for non-residential areas shall comply with the Leon County Sign Ordinance in effect at the time of final development plan submittal. All commercial signage shall be subject to approval by the Architectural Control Committee.

7. Direct driveway access from any individual component of the development to U.S. Highway 27 (North Monroe Street) is prohibited. The PUD shall be limited to two roadway connections to U.S. Highway 27 and one connection to Skyview Drive (View Point Subdivision).

8. Landscaping and buffering shall be in accordance with the Leon County Land Development Code in effect at the time of final development plan approval.

D. Tree Preservation

1. Additional or revised tree survey information may be required at the time of Final Site and Development Plan review. At the time of Final Site and Development Plan review the applicant shall adjust lot boundaries and other proposed development improvements to protect the maximum number of patriarch trees possible and practical, and to preserve, to the greatest extent practical, the maximum number of other large native, viable trees.

E. Summerfield PUD Concept Plan - W/MBE Plan

1. The W/MBE Plan is attached as **Exhibit I.**

SECTION 8: PUBLIC AND PRIVATE FACILITIES

A. Schools

The following public schools may serve *Summerfield:*

High School:	Amos P. Godby High School located on West Tharpe Street
Middle School:	Griffin Middle School located on Alabama Street
Elementary School:	Canopy Oaks Elementary School located on Pointview Drive

B. Fire and Police Protection

The nearest fire station is located on Tower Road, which is northwest of the Site. Police protection and emergency response will be provided by the Leon County Sheriff's Department.

C. Parks

Nearby parks include the Lake Jackson Indian Mounds State Park, located off U.S. 27 south of the PUD, which provides passive recreational facilities and the Canopy Oaks Leon County Park, located immediately south of the PUD, which provides a variety of recreational facilities such as soccer, baseball and softball fields and tennis courts, as well as passive recreational facilities. Also located just northeast of the PUD is Lake Jackson, providing various water related recreational activities.

D. Utilities

Water, sewer and electrical service will be provided by Talquin Electric Cooperative. All utilities will be designed and constructed in accordance with all federal, state and local regulations.

BOARD OF COUNTY COMMISSIONERS

APR 8 2004

301 South Monroe Street
Tallahassee, Florida 32301
(850) 488-4710

missioners:
LIAM C. PROCTOR, JR.
ict 1
E G. SAULS
ict 2
I WINCHESTER
ict 3
IY GRIPPA
ict 4
RACKLEFF
ict 5
Y MALOY
rge
THAELL
rge
VEZ ALAM
ty Administrator
488-9962
ERT W.A. THIELE
ty Attorney
487-1008

Office of Growth & Environmental Management
Division of Environmental Compliance
3401 W. Tharpe Street
Tallahassee, FL 32303
(850) 488-9300

April 7, 2004

Bob Sellers, P.E.
Allen Nobles & Associates, Inc.
2844 Pablo Avenue
Tallahassee, Florida 32308

RE: Approval
Project: Mary Sellers Property (Summerfield PUD)
Natural Features Inventory: LEA 03-0072
Parcel ID 21-04-51-000-012-0

Dear Mr. Sellers:

We have completed a review of your response to our third RAI letter for the referenced project that we received on March 30, 2004. The provided information completed all the remaining outstanding issues and your NFI is hereby approved.

Enclosed is a copy of the approved NFI submittal for your records. If you have any questions concerning this letter please contact me.

Sincerely,

Jill Weisman

Jill Weisman
Environmental Review Specialist

Enclosures

Cc: Development Services
Mary Sellers
File

\\GROWTH\SYS2\USERS\WEISMANJ\NFI\sellers_apr.doc

An equal opportunity/affirmative action employer

EXHIBIT A
Pg. 1 of 4

RESPONSE TO RAI #3.

Allen Nobles & Associates, Inc.
PROFESSIONAL SURVEYING AND ENGINEERING

2844 Pablo Avenue
Tallahassee, Florida 32308
Phone: (850) - 385-1179
Fax: (850) - 385-1404

RECEIVED
MAR 30 2004
Growth & Environmental Management
INTAKE JW

SELLERS DAIRY PROPERTY
PARCEL I.D. NO. 21 04 51 000 012 0

NATURAL FEATURES INVENTORY STATISTICS TABLE

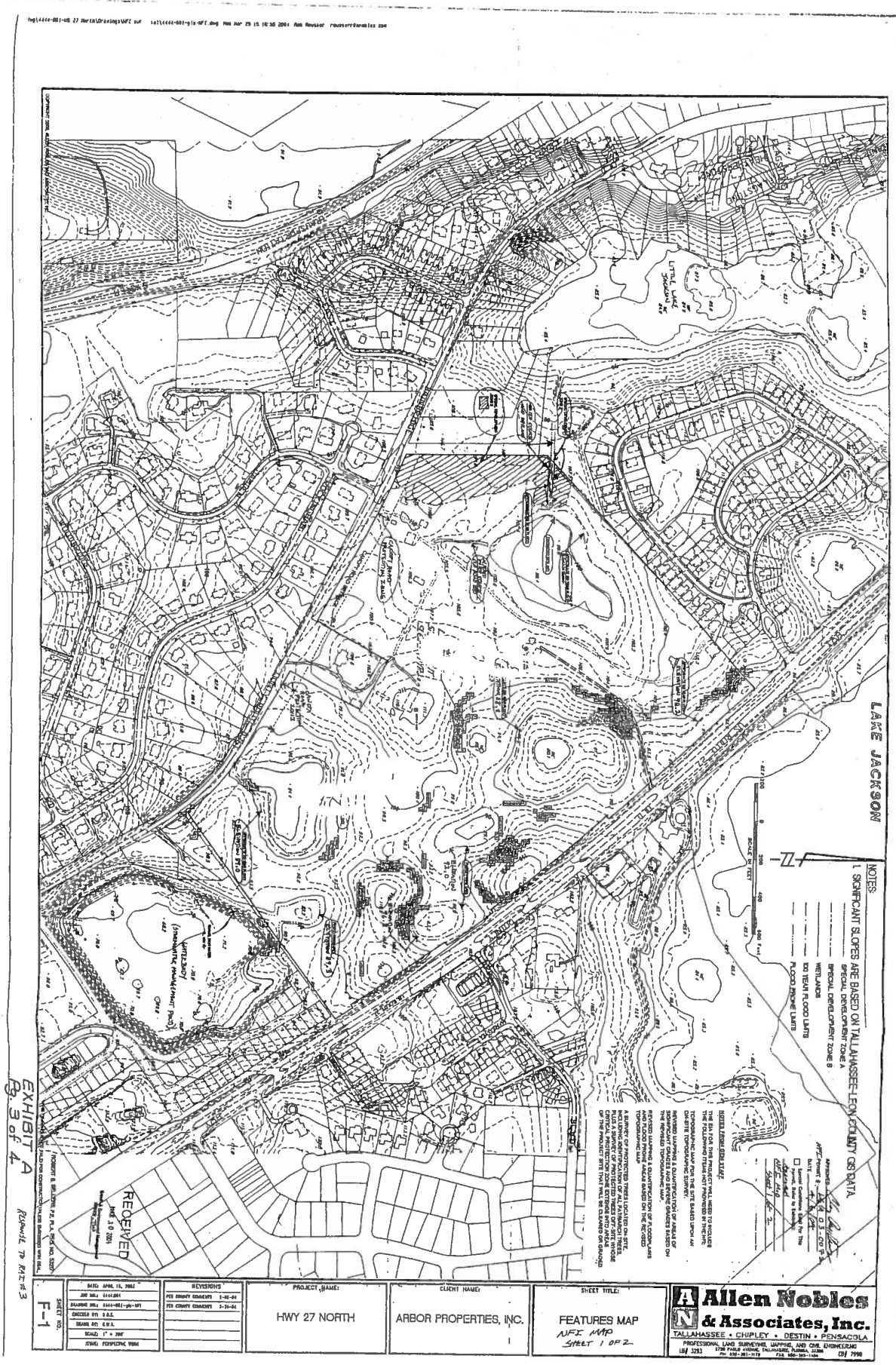
FEATURE	AREA SQ. FT.	AREA ACRES	PER CENT OF SITE
SITE AREA		108.0	
• 100 YR. FLOOD PLAIN	748,488	17.18	15.91
• FLOOD PRONE AREAS	121,974	2.80	2.59
• SIGNIFICANT SLOPES	169,459	3.89	3.60
• CANOPY ROAD PROTECTION ZONE	137,694	3.16	2.93
• SPECIAL DEVELOPMENT ZONE A	4,531	0.10	0.10
• SPECIAL DEVELOPMENT ZONE B	161,550	4.33	4.01
• WETLANDS	149,525	3.43	3.18
• WETLANDS, DEGRADED	143,610	3.30	3.06
• WATER COURSE	6,767	0.16	0.14
• ALTERED WATER COURSE	2,942	0.07	0.06
• CLOSED BASINS	4,321,418	99.21	91.86

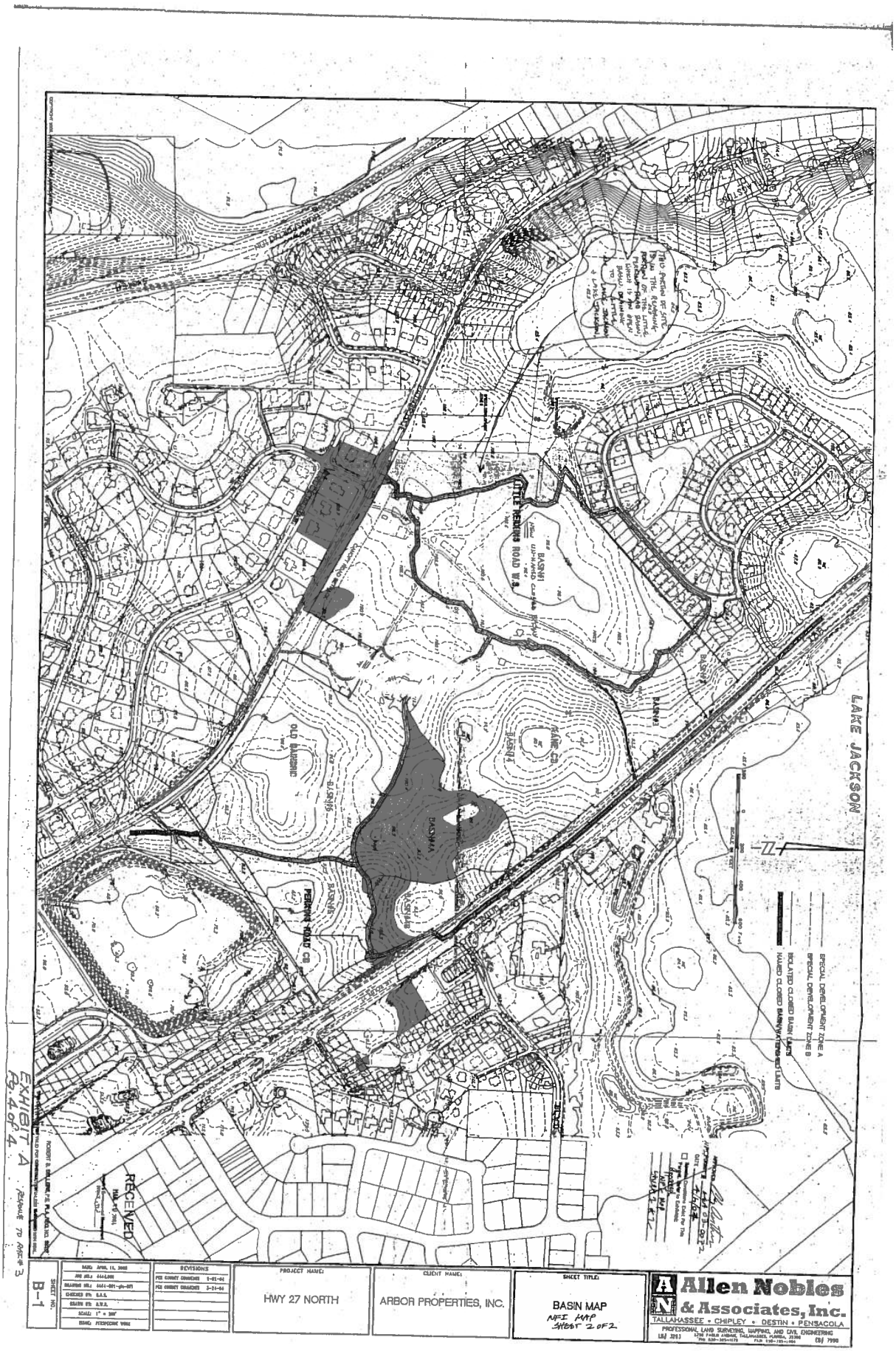
APPROVED [signature]
NFI PERMIT #: ~~LEA~~ LEA 03-0072
DATE 4/6/04

☐ Special Conditions Exist For This Permit. Refer to Exhibit(s):

Page 1 of 1

EXHIBIT A
Pa. 2 of 4


LAKE JACKSON
NOTES:
1. SIGNIFICANT SLOPES ARE BASED ON TALLAHASSEE-LEON COUNTY GIS DATA.
SPECIAL DEVELOPMENT ZONE A
SPECIAL DEVELOPMENT ZONE B
WETLANDS
100 YEAR FLOOD LIMITS
FLOOD PRONE LIMITS
SCALE: 1 INCH = 200 FEET
REVISED MAPPING & IDENTIFICATION OF FLOODPLAINS BASED ON THE REVISED TOPOGRAPHIC MAP.
A SURVEY OF PROTECTED TREES LOCATED ON SITE, PLUS A SURVEY OF THE LOCATION OF ALL PLANNED TREES, SHALL BE PROVIDED AT THE TIME OF SUBMITTAL OF THE CRITICAL PROTECTION ZONE EXTENDS INTO AREAS OF THE PROJECT SITE THAT WILL BE CLEARED OR GRADED.
THE SIA FOR THIS PROJECT WILL NEED TO INCLUDE THE FOLLOWING ITEMS NOT PROVIDED IN THE NFI:
TOPOGRAPHIC MAP FOR THE SITE BASED UPON AN ON-SITE TOPOGRAPHIC SURVEY.
DELINEATION OF AREAS OF SIGNIFICANT GRADES AND SEVERE GRADES BASED ON THE REVISED TOPOGRAPHIC MAP.
RECEIVED
MAR 30 2001
PROJECT NAME: HWY 27 NORTH
CLIENT NAME: ARBOR PROPERTIES, INC.
SHEET TITLE: FEATURES MAP
NFI MAP
SHEET 1 OF 2
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA
PROFESSIONAL LAND SURVEYORS, MAPPING, AND CIVIL ENGINEERING
SHEET NO. F-1
EXHIBIT A
PG 3 of 4
RESUBMIT TO RFI #3


LAKE JACKSON
OLD BAINBRIDGE
PERKINS ROAD
LITTLE RIVER ROAD W.S.
BASIN A
BASIN B
BASIN C
BASIN D
BASIN E
BASIN F
BASIN G
BASIN H
BASIN I
BASIN J
SPECIAL DEVELOPMENT ZONE A
SPECIAL DEVELOPMENT ZONE B
ISOLATED CLOSED BASIN LAKES
MAJOR CLOSED BASIN LAKES
RECEIVED
EXHIBIT A
PG. 4 of 4
REVISIONS
PER COUNTY COMMENTS 9-01-04
PER COUNTY COMMENTS 3-24-04
PROJECT NAME:
HWY 27 NORTH
CLIENT NAME:
ARBOR PROPERTIES, INC.
SHEET TITLE:
BASIN MAP
NFI MAP
SHEET 2 OF 2
SHEET NO.
B-1
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING
LB# 3913
EB# 7990

District: SR-1	Permitted Uses	
1. District Intent	**2. Principal Uses**	**3. Accessory Uses**
The SR District is intended to compliment existing neighborhood patterns of single family detached housing with development standards similar to those neighborhoods adjoining or adjacent to this PUD. This SR-1 District shall be developed in accordance with the Lake Protection Zoning District of the Leon County Development Code.	(1) 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 25% of the floor area or cubic volume of the principal use or structure. 2. Light infrastructure and/or utility services and facilities necessary to serve permitted uses.

DEVELOPMENT STANDARDS

	4. Minimum Lot Size		5. Minimum Building Setbacks				6. Maximum Building Restrictions
Use Category	a. Lot Area	b. Lot Frontage	a. Front	b. side-interior lot	c. side-corner lot	d. rear	b. Building Height
Single-Family Detached Dwelling	In Accordance With Lake Protection Zoning District Requirements	15 ft.	25 ft.	15 ft.	25 ft.	25 ft.	35 ft.

Exhibit B
Sheet 1 of 2

District: SR-2, SR-3, SR-4	Permitted Uses	
1. District Intent	**2. Principal Uses**	**3. Accessory Uses**
The SR District is intended to compliment existing neighborhood patterns of single family detached housing with development standards similar to those neighborhoods adjoining or adjacent to this PUD. The maximum density for the SR-2 District is 2.3 units per acre, for the SR-3 District is 2.34 units per acre and for the SR-4 District is 2.8 units per acre.	(1) 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 25% of the floor area or cubic volume of the principal use or structure. 2. Light infrastructure and/or utility services and facilities necessary to serve permitted uses.

DEVELOPMENT STANDARDS

	4. Minimum Lot Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot Area	b. Lot Width	c. Lot Depth	a. Front	b. side-interior lot	c. side-corner lot	d. rear	a. Building Size	b. Building Height
Single-Family Detached Dwelling	6,000 sq. ft.	50 ft.	75 ft.	15 ft.	10 ft.	10 ft.	15 ft.	Not Applicable	2 Stories

EXHIBIT B
Sheet 2 of 2

District: MR	Permitted Uses	
1. District Intent	**2. Principal Uses**	**3. Accessory Uses**
The MR District is intended to compliment the single family detached housing and other uses provided for in this PUD. The maximum gross density for the MR District is 11.0 units per acre.	(1) Multi-family dwellings. (2) Single-family detached dwellings.	1. Light infrastructure and/or utility services and facilities necessary to serve permitted uses. 2. A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

DEVELOPMENT STANDARDS

	4. Minimum Lot Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot Area	b. Lot Width	c. Lot Depth	a. Front	b. side-interior lot	c. side-corner lot	d. rear	a. Building Size	b. Building Height
Multi-Family Dwelling	Not applicable	Not Applicable	Not Applicable	25 ft.	15 ft.	15 ft.	25 ft.	Not Applicable	3 Stories
Single-Family Detached Dwelling	6,000 sq. ft.*	50 ft.*	75 ft.*	15 ft.	10 ft.	10 ft.	15 ft.	Not Applicable	2 Stories

*Completely within the MR District of in conjection with the SR-1 District

Exhibit C

District: GRO	Permitted Uses		
1. District Intent	2. Principal Uses		3. Accessory Uses
The GRO District is intended to provide retail commercial, professional, office, community and recreational facilities and other convenience commercial activities in order to provide goods and services that people frequently use in close proximity to their homes The maximum gross density for the GRO District is 12,500 sq. ft. per acre.	(1) Antique Shops. (2) Banks and other financial institutions. (3) Camera and photographic stores. (4) Community facilities including libraries, religious facilities and police/fire stations. (5) Day care centers. (6) Gift, novelty and souvenir shops. (7) Indoor amusements (bowling, billiards, skating, etc.) (8) Indoor theaters. (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) Non-store retailers. (13) Passive and active recreational facilities. (14) Personal services (barber shops, fitness club, etc.). (15) Photocopying and duplicating services. (16) Retail computer, video, record and other electronics. (17) Retail department, apparel and accessory stores. (18) Retail drug store. (19) Retail florist. (20) Retail food and grocery.	(21) Rental and sales of video tapes and games. (22) Restaurants, with or without drive-in facilities. (23) Retail bakeries. (24) Retail furniture, home appliances, accessories. (25) Retail home/garden supply, hardware and nurseries. (26) Retail jewelry store. (27) Retail needlework shops and instruction. (28) Retail news stand, books, greeting cards. (29) Retail office supplies. (30) Retail optical and medical supplies. (31) Retail package liquors. (32) Retail pet stores. (33) Retail picture framing. (34) Retail sporting goods, toys. (35) Retail trophy store. (36) Shoes, luggage and leather goods. (37) Social, fraternal and recreational clubs and lodges. (38) Studios for photography, music, art, dance and voice. (39) Tailoring. (40) Veterinary services, including veterinary hospitals.	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 25% of the floor area or cubic volume of the principal use or structure. 2. Light infrastructure and/or utility services and facilities necessary to serve permitted uses.

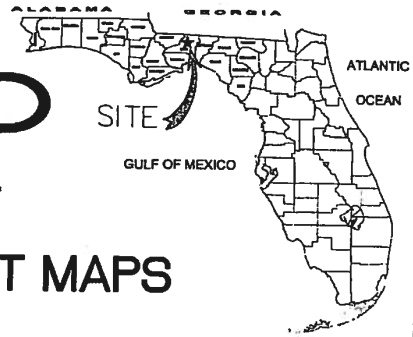
DEVELOPMENT STANDARDS

	4. Minimum Lot Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot Area	b. Lot Width	c. Lot Depth	a. Front	b. side-interior lot	c. side-corner lot	d. rear	a. Building Size	b. Building Height
Any Permitted Principal Use	None	None.	None	25 ft.	15 ft.	25 ft.	15 ft.	12,500 sq. ft. per acre	2 Stories

Exhibit D

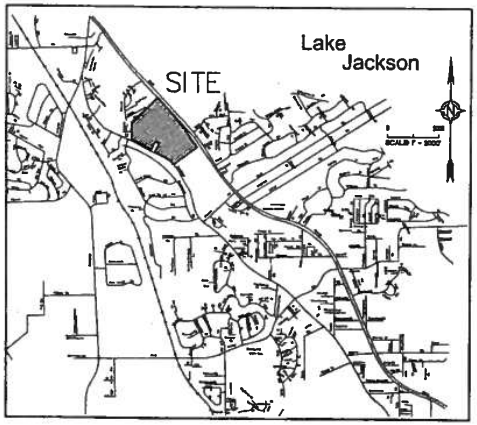
SUMMERFIELD

A PLANNED UNIT DEVELOPMENT
CONCEPTUAL SITE AND DEVELOPMENT MAPS
U.S. HWY. 27 NORTH
TALLAHASSEE, FLORIDA



OWNER, DEVELOPER, AGENT

OWNER:	MARY SELLERS 4910 NORTH MONROE STREET TALLAHASSEE FLORIDA, 32303
APPLICANT:	ARBOR PROPERTIES, INC. 2750 OLD ST. AUGUSTINE ROAD TALLAHASSEE FLORIDA, 32302 (850)656-7667
ENGINEER OF RECORD:	ALLEN NOBLES & ASSOC., INC. 2844 PABLO AVENUE TALLAHASSEE, FL. 32308 PH. (850)385-1179 FAX. (850)385-1404
SURVEYOR OF RECORD:	ALLEN NOBLES & ASSOC., INC. 2844 PABLO AVENUE TALLAHASSEE, FL. 32308 PH. (850)385-1179 FAX. (850)385-1404



PROJECT LOCATION MAP
SCALE: 1" = 2000'

INDEX OF SHEETS

SHEET NO.	SHEET TITLE
CPUD-1	COVER SHEET
CPUD-2	BOUNDARY SURVEY
CPUD-3	EXISTING CONDITIONS MAP
CPUD-4	GENERAL SITE PLAN
CPUD-5	VEHICULAR-PEDESTRIAN CIRCULATION PLAN
CPUD-6	UTILITY CONCEPT PLAN
CPUD-7-12	TREE SURVEY
CPUD-13	SOILS MAP

Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • NICEVILLE • PENSACOLA • LYNN HAVEN
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING

PROJECT NO. 4444.001
AUGUST 16, 2004
REVISED JANUARY 30, 2006

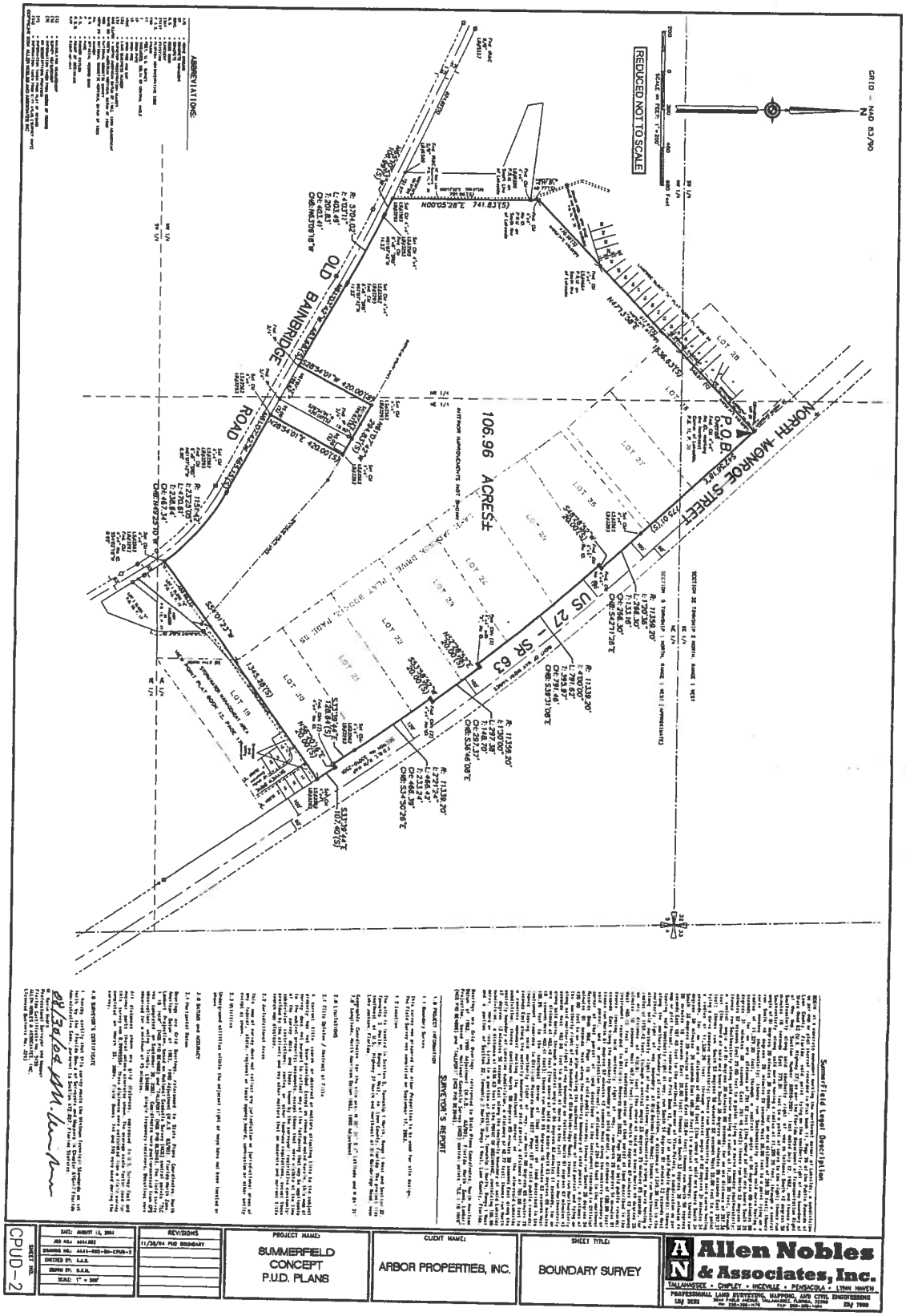
EXHIBIT E
Pg 1 of 13

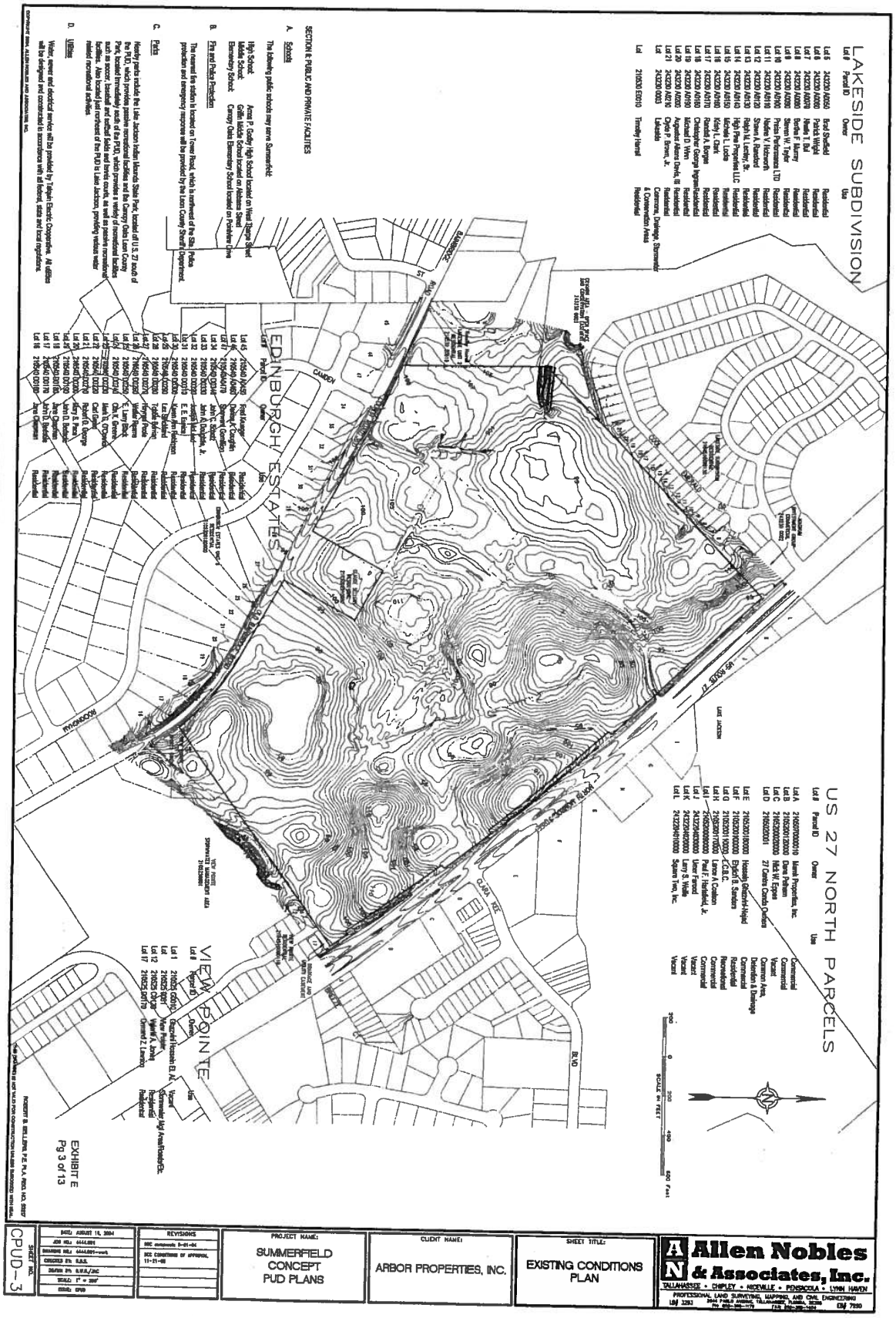
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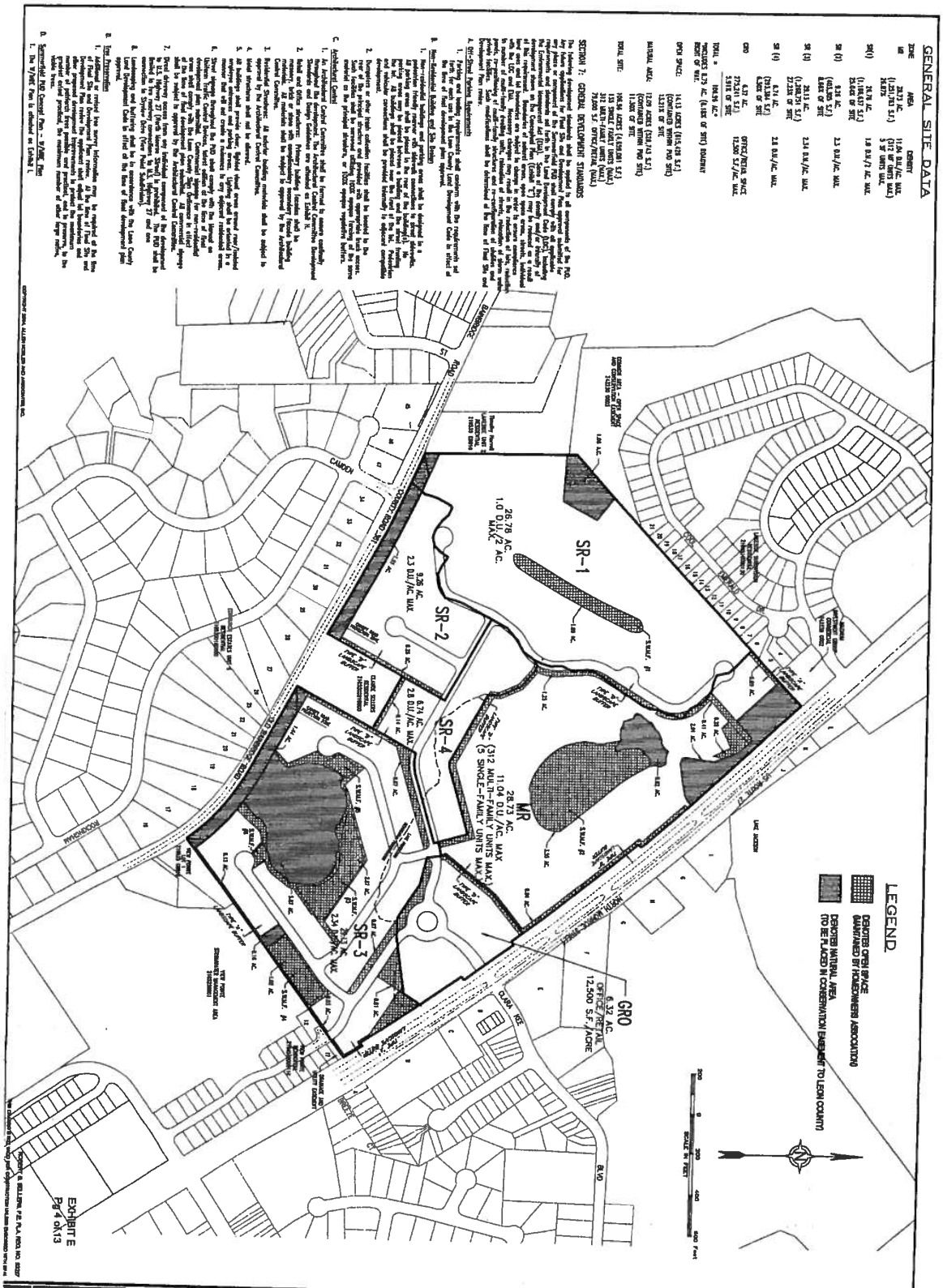
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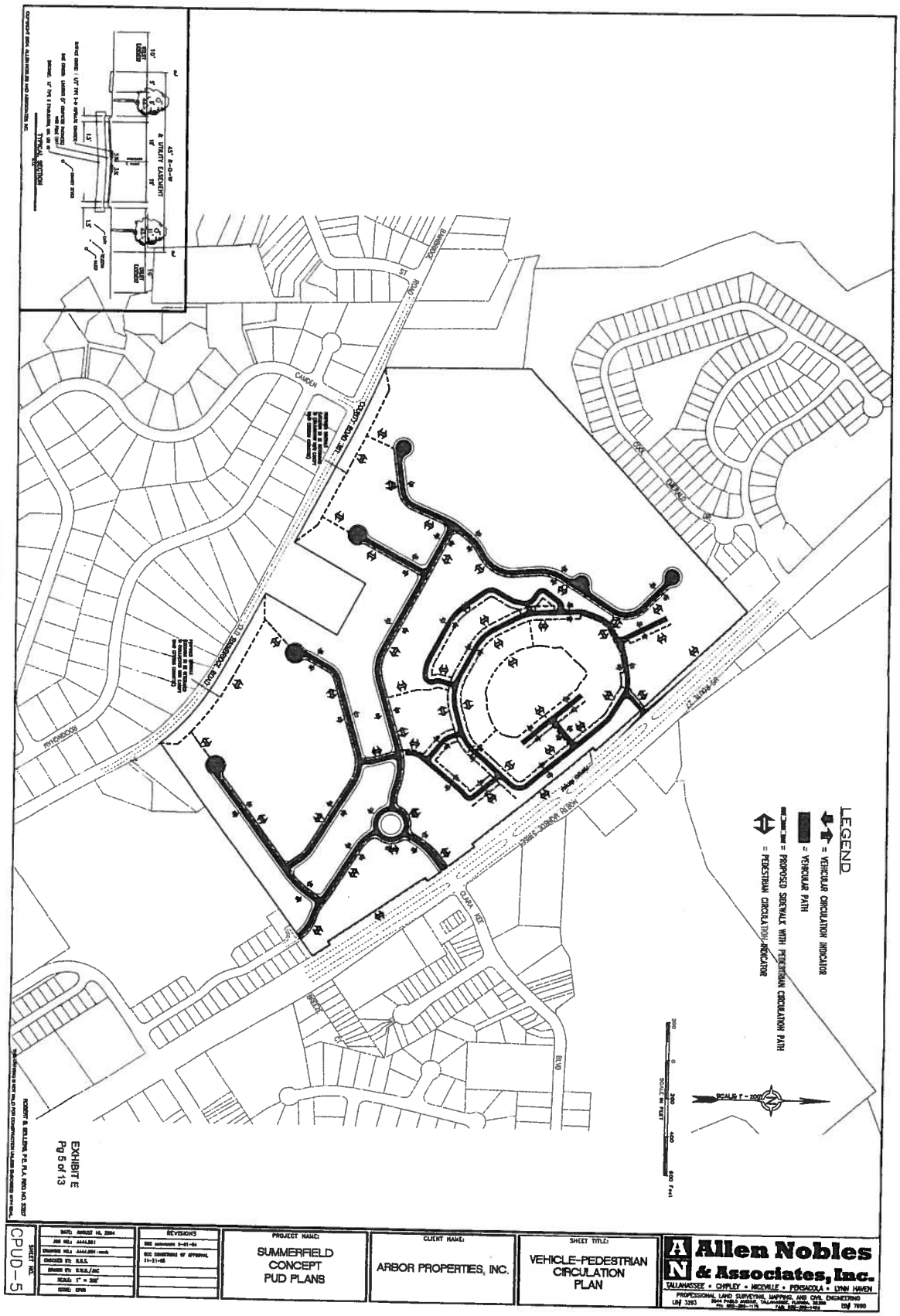
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • NICEVILLE • PENSACOLA • LYNN HAVEN
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING

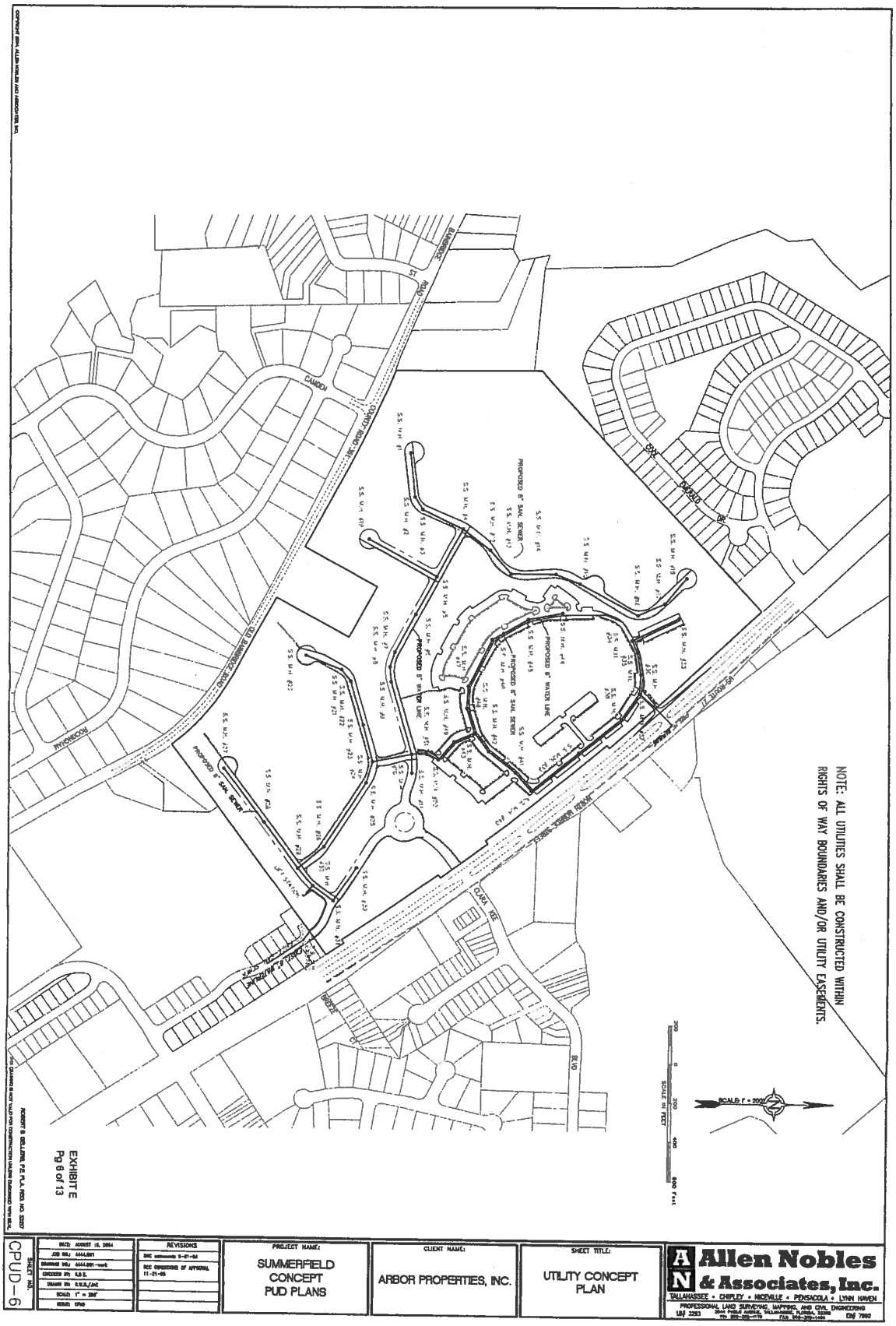
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CLIENT NAME: ARBOR PROPERTIES, INC.
PROJECT NAME: SUMMERFIELD CONCEPT PUD PLANS
REVISIONS
SHEET NO. CPUD–1

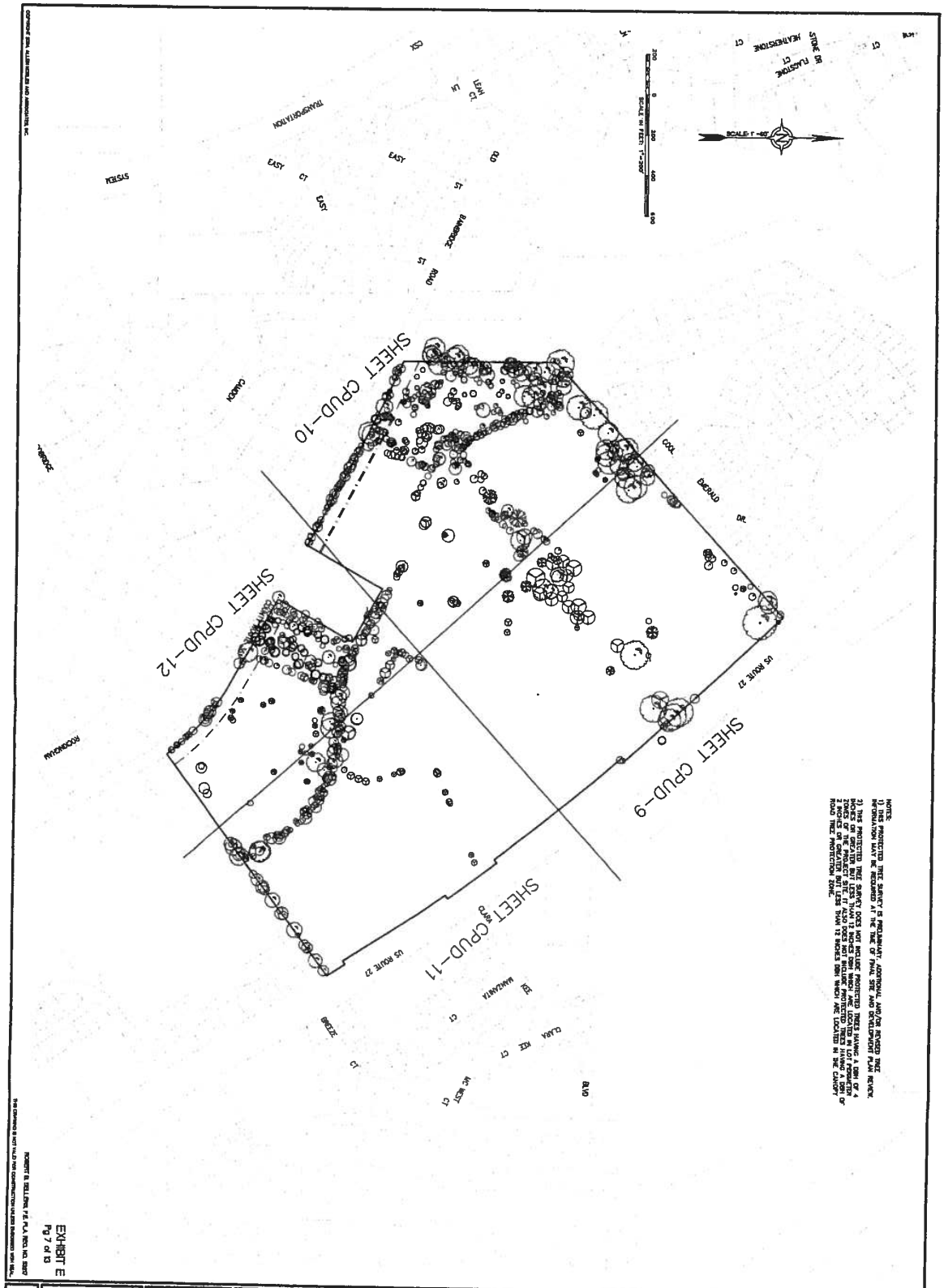

REDUCED NOT TO SCALE
GRID - NAD 83/90
OLD BAINBRIDGE ROAD
NORTH MONROE STREET
US 27 - SR 63
106.96 ACRES±
P.O.B.
P.O.C.
SURVEYOR'S REPORT
SUMMERFIELD
CONCEPT
P.U.D. PLANS
ARBOR PROPERTIES, INC.
BOUNDARY SURVEY
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • MCEVILLE • PENSACOLA • LYNN HAVEN
CPUD-2


LAKESIDE SUBDIVISION
US 27 NORTH PARCELS
EDINBURGH ESTATES
VIEW POINTE
SECTION II PUBLIC AND PRIVATE FACILITIES
A. Schools
B. Fire and Police Protection
C. Parks
D. Utilities
EXHIBIT E
Pg 3 of 13
SUMMERFIELD
CONCEPT
PUD PLANS
ARBOR PROPERTIES, INC.
EXISTING CONDITIONS
PLAN
Allen Nobles & Associates, Inc.
CPUD-3


GENERAL SITE DATA
SR-1
SR-2
SR-3
SR-4
MR
GRO
LEGEND
SUMMERFIELD CONCEPT PUD PLANS
ARBOR PROPERTIES, INC.
GENERAL SITE PLAN
Allen Nobles & Associates, Inc.
CPUD-4


LEGEND
= VEHICULAR CIRCULATION INDICATOR
= VEHICULAR PATH
= PROPOSED SIDEWALK WITH PEDESTRIAN CIRCULATION PATH
= PEDESTRIAN CIRCULATION INDICATOR
SCALE 1" = 200'
SCALE IN FEET
200 0 200 400 800 Feet
CAMDEN
CAMDEN ROAD
CAMDEN ROAD DR.
CAMDEN ROAD CIR.
RIVERWOOD
RIVERWOOD DRIVE
CLARA AVE
BLVD
EXHIBIT E
Pg 5 of 13
CPUD-5
SUMMERFIELD CONCEPT PUD PLANS
ARBOR PROPERTIES, INC.
VEHICLE-PEDESTRIAN CIRCULATION PLAN
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • MILTON • PENSACOLA • LYNN HAVEN


NOTE: ALL UTILITIES SHALL BE CONSTRUCTED WITHIN RIGHTS OF WAY BOUNDARIES AND/OR UTILITY EASEMENTS.
SCALE: 1" = 200'
SCALE IN FEET
PROPOSED 8" SAN. SEWER
PROPOSED 8" WATER LINE
PROPOSED 8" SAN. SEWER
PROPOSED 8" WATER LINE
PROPOSED 8" SAN. SEWER
CAMDEN
RYEHOUSE
BLANDFORD
EXHIBIT E
Pg 6 of 13
CPUD-6
REVISIONS
PROJECT NAME:
SUMMERFIELD
CONCEPT
PUD PLANS
CLIENT NAME:
ARBOR PROPERTIES, INC.
SHEET TITLE:
UTILITY CONCEPT
PLAN
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • MICANOPY • PENSACOLA • LYNN HAVEN
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING


SHEET CPUD-10
SHEET CPUD-12
SHEET CPUD-9
SHEET CPUD-11
US ROUTE 27
EMERALD DR.
SCALE: 1" = 400'
SCALE IN FEET: 1"=200'
NOTES:
1) THIS PROTECTED TREE SURVEY IS PRELIMINARY. ADDITIONAL AND/OR REVISED TREE INFORMATION MAY BE REQUIRED AT THE TIME OF FINAL SITE AND DEVELOPMENT PLAN REVIEW.
2) THIS PROTECTED TREE SURVEY DOES NOT INCLUDE PROTECTED TREES HAVING A DBH OF 4 INCHES OR GREATER WHICH ARE LOCATED IN THE CANOPY ROAD GREENBELT. IT DOES INCLUDE PROTECTED TREES IN HAMMOCK AREAS.
3) PORTIONS OF THE PROJECT SITE IT ALSO DOES NOT INCLUDE PROTECTED TREES IN HAMMOCK ZONES OF THE PROJECT SITE IT ALSO DOES NOT INCLUDE PROTECTED TREES IN HAMMOCK AREAS.
4) THIS PROTECTED TREE SURVEY DOES NOT INCLUDE TREES LESS THAN 12 INCHES DBH WHICH ARE LOCATED IN THE CANOPY ROAD TREE PROTECTION ZONE.
EXHIBIT E
Pg 7 of 13
CPUD-7
SHEET NO.
REVISIONS
PROJECT NAME:
SUMMERFIELD PUD
CLIENT NAME:
ARBOR PROPERTIES, INC.
SHEET TITLE:
TREE SURVEY
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA

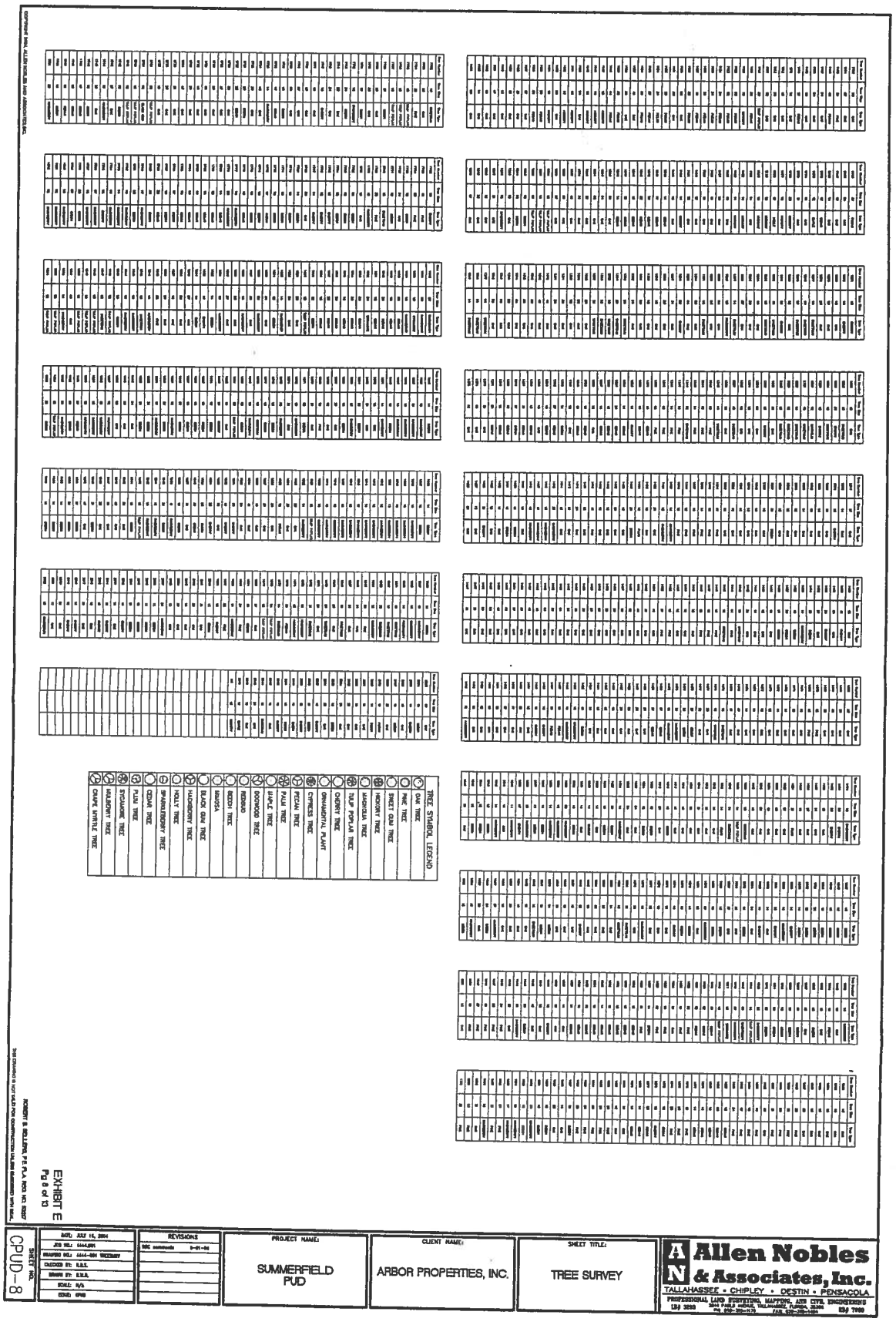


EXHIBIT E
Pg 8 of 13

CPUD-8

DATE:	JULY 16, 2004
JOB NO.:	4444.001
DRAWING NO.:	4444-004 TREESURV
CHECKED BY:	E.S.T.
DRAWN BY:	E.S.H.
SCALE:	N/A
SHEET NO.:	OF 13

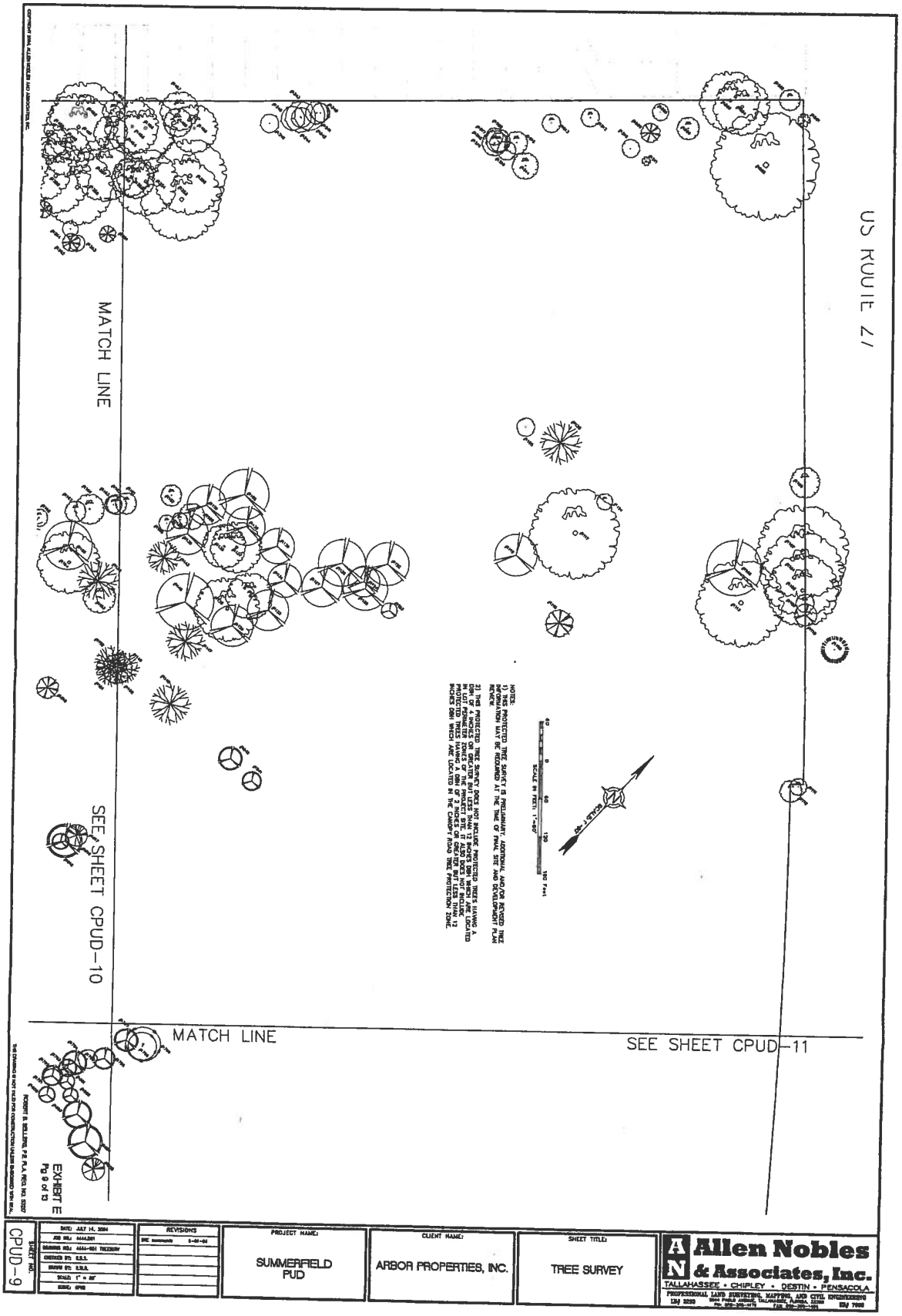
REVISIONS
SDC comments 9-01-04

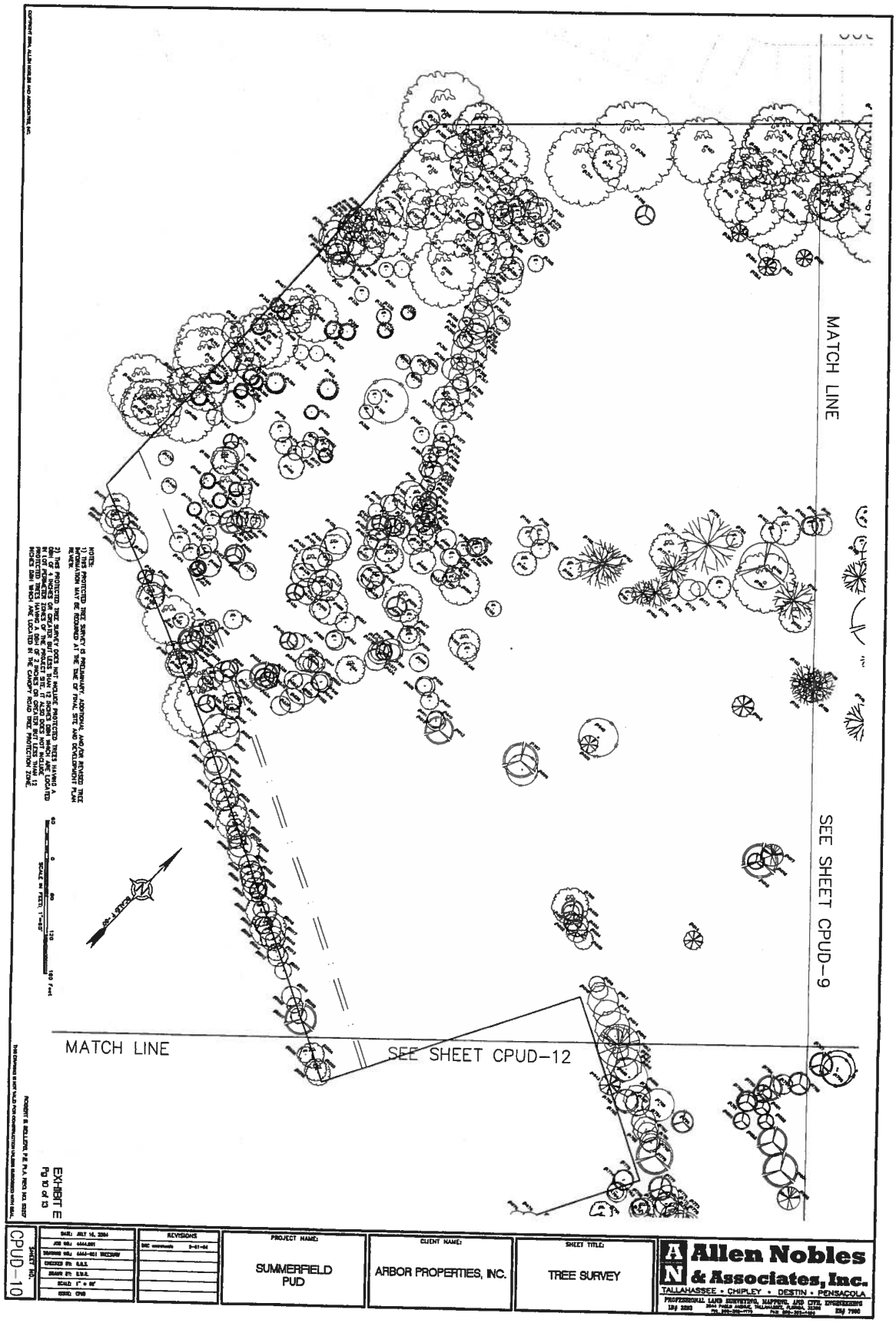
PROJECT NAME:
SUMMERFIELD PUD

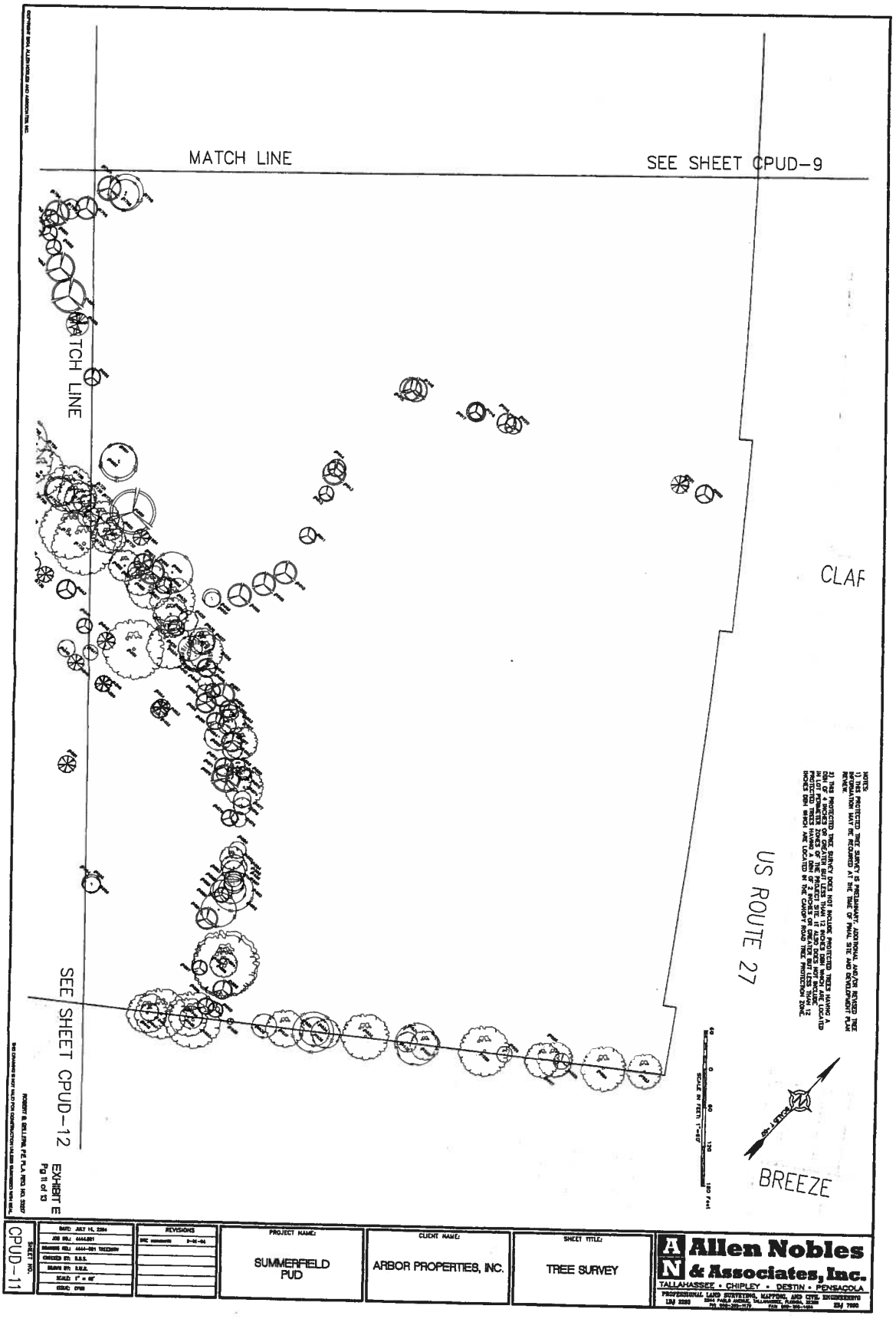
CLIENT NAME:
ARBOR PROPERTIES, INC.

SHEET TITLE:
TREE SURVEY

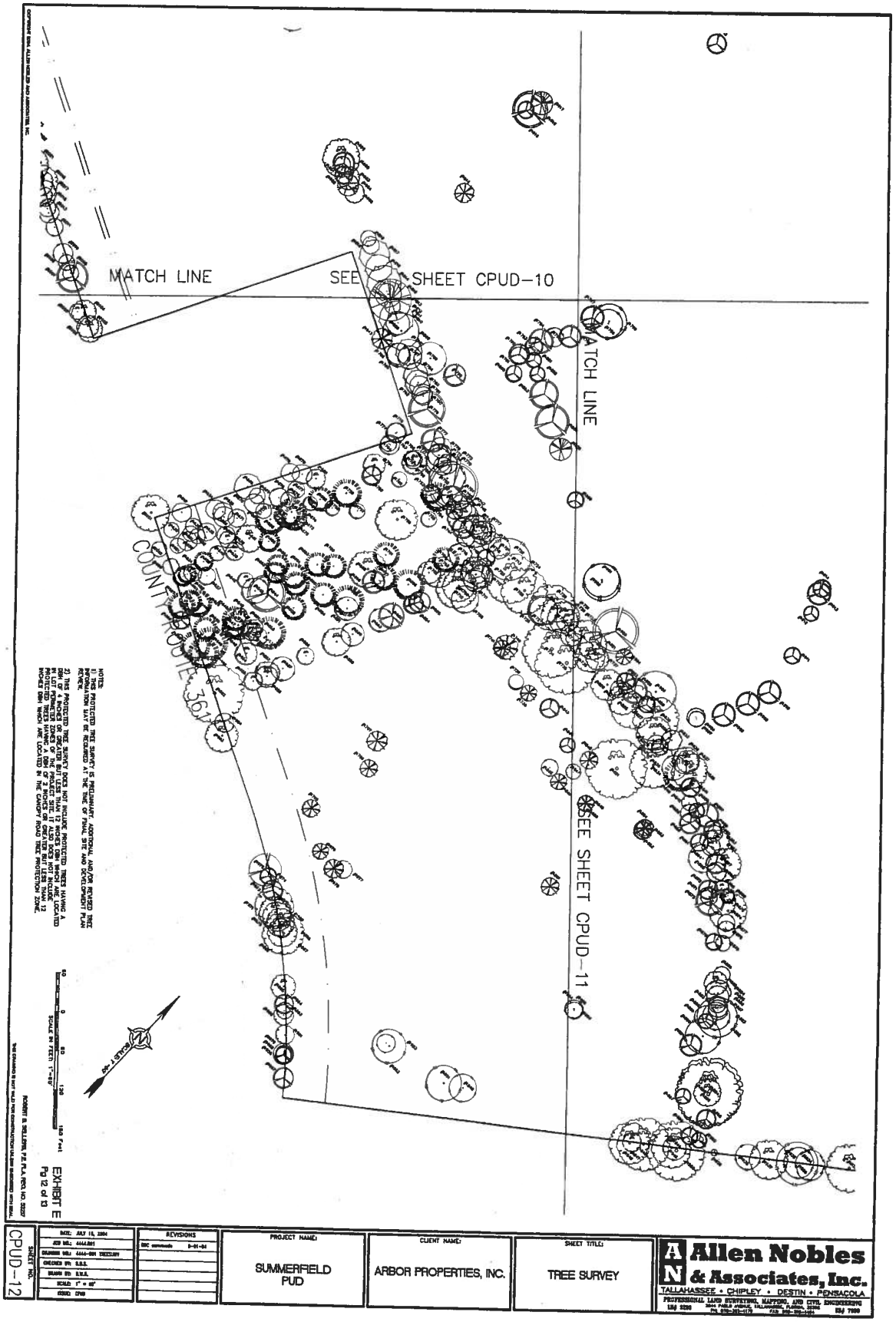
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING
LB# 3293 3543 PABLO AVENUE, TALLAHASSEE, FLORIDA, 32308 LB# 7990


US ROUTE 27
MATCH LINE
SEE SHEET CPUD-10
MATCH LINE
SEE SHEET CPUD-11
NOTES:
1) TREE PROTECTED TREE SURVEY IS PRELIMINARY. ADDITIONAL AND/OR REVISED TREE INFORMATION MAY BE REQUIRED AT THE TIME OF FINAL SITE AND DEVELOPMENT PLAN REVIEW.
2) THE PROTECTED TREE SURVEY DOES NOT INCLUDE PROTECTED TREES HAVING A DIAMETER OF LESS THAN 12 INCHES OR GROUPED BUT LESS THAN 12 INCHES DBH, WHICH ARE LOCATED IN THE CANOPY ROAD TREE PROTECTION ZONE.
SCALE: 1" = 60'
EXHIBIT E
Pg 9 of 10
CPUD-9
REVISIONS
PROJECT NAME:
SUMMERFIELD PUD
CLIENT NAME:
ARBOR PROPERTIES, INC.
SHEET TITLE:
TREE SURVEY
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA


MATCH LINE
SEE SHEET CPUD-9
MATCH LINE
SEE SHEET CPUD-12
NOTES:
1) THIS PROTECTED TREE SURVEY IS PRELIMINARY. ADDITIONAL AND/OR REVISED TREE INFORMATION MAY BE REQUIRED AT THE TIME OF FINAL SITE AND DEVELOPMENT PLAN REVIEW.
2) THIS PROTECTED TREE SURVEY DOES NOT INCLUDE PROTECTED TREES HAVING A DBH OF 4 INCHES OR GREATER BUT LESS THAN 12 INCHES DBH WHICH ARE LOCATED IN THE PROTECTED TREE BUFFER ZONE ON THE SITE. IT ALSO DOES NOT INCLUDE PROTECTED TREES HAVING A DBH OF 4 INCHES OR GREATER BUT LESS THAN 12 INCHES DBH WHICH ARE LOCATED IN THE CANOPY ROAD TREE PROTECTION ZONE.
SCALE IN FEET, 1"=60'
EXHIBIT E
Pg 10 of 13
CPUD-10
SUMMERFIELD PUD
ARBOR PROPERTIES, INC.
TREE SURVEY
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA



SHEET NO. CPUD-11	DATE: JULY 10, 2006 JOB NO. 4444.001 DRAWING NO.: 4444-001 TREE2006 DESIGNED BY: R.B.G. DRAWN BY: R.B.G. SCALE: 1" = 60' CHKD: DRB	REVISIONS DRC comments 9-01-06	PROJECT NAME: SUMMERFIELD PUD	CLIENT NAME: ARBOR PROPERTIES, INC.	SHEET TITLE: TREE SURVEY	Allen Nobles & Associates, Inc. TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING LB# 2260 3554 PAUL RUSSELL ROAD, TALLAHASSEE, FLORIDA 32309 LB# 7990 PH. 850-385-1179 FAX 850-385-1429


MATCH LINE
SEE SHEET CPUD-10
MATCH LINE
SEE SHEET CPUD-11
COUNTY ROUTE 361
SCALE: 1"=60'
EXHIBIT E
Pg 12 of 13
CPUD-12
SUMMERFIELD PUD
ARBOR PROPERTIES, INC.
TREE SURVEY
Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • DESTIN • PENSACOLA

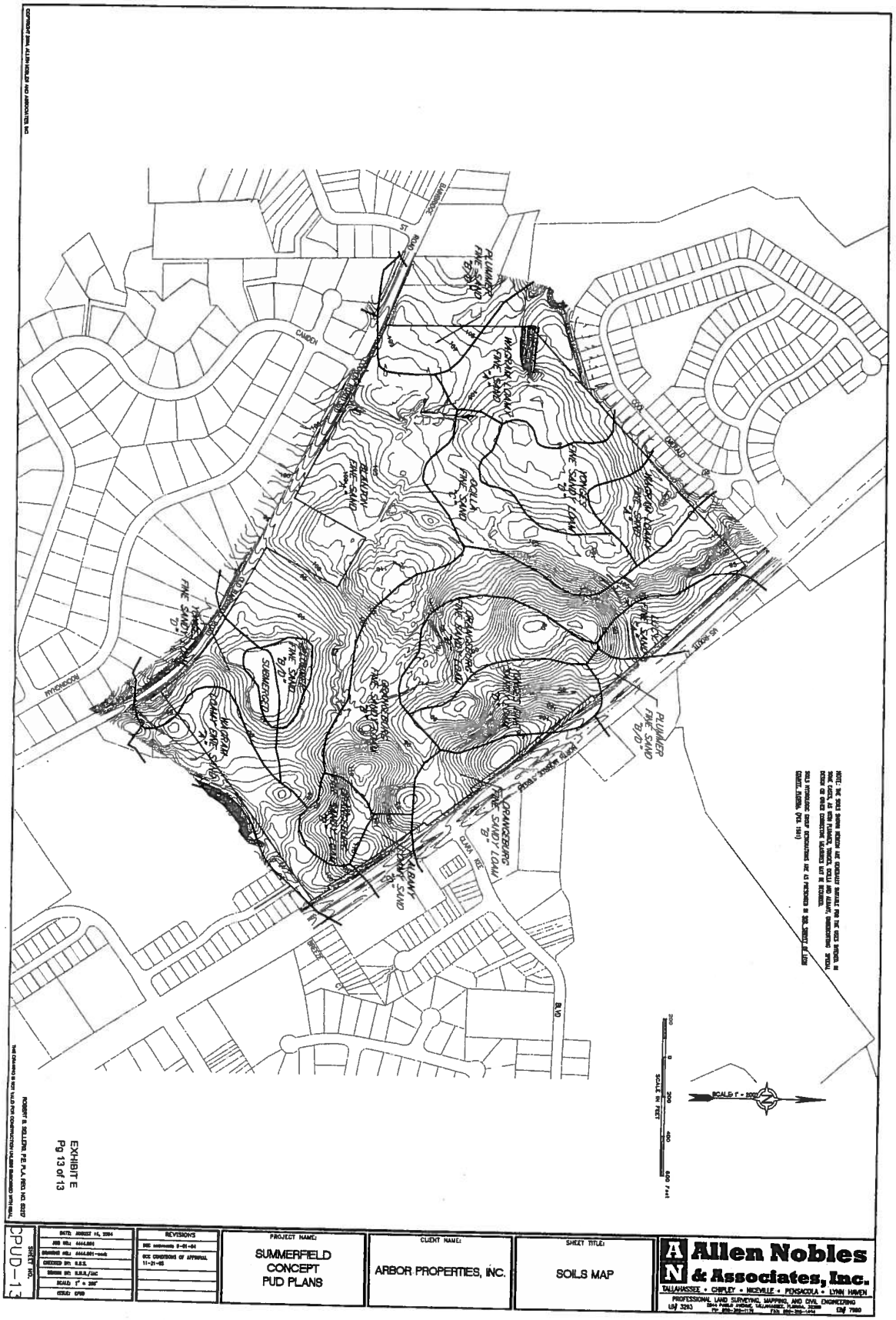
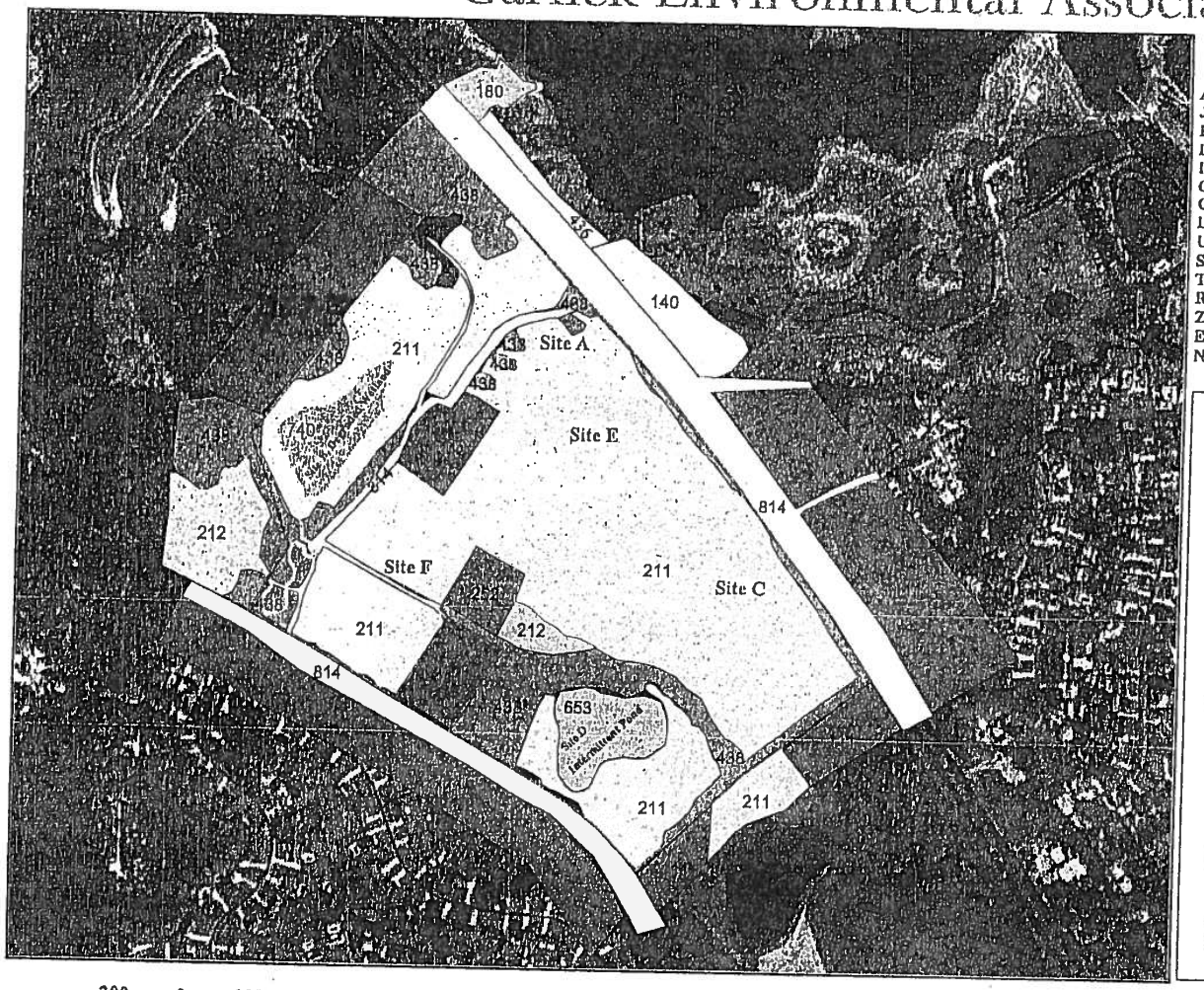


EXHIBIT E
Pg 13 of 13

DATE: AUGUST 14, 2004 JOB NO.: 4444.001 DRAWING NO.: 4444.001-cncb CHECKED BY: R.E.S. DRAWN BY: R.E.S./JAC SCALE: 1" = 200' CODE: CPUD	REVISIONS PER comments 9-01-04 PER CONDITIONS OF APPROVAL 11-21-05	PROJECT NAME: SUMMERFIELD CONCEPT PUD PLANS	CLIENT NAME: ARBOR PROPERTIES, INC.	SHEET TITLE: SOILS MAP	Allen Nobles & Associates, Inc. TALLAHASSEE • CHIPLEY • NICEVILLE • PENSACOLA • LYNN HAVEN PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING LB# 3243 EB# 7980

SHEET NO. CPUD-13

Garlick Environmental Associates, Inc



Applicant/Client: Allen Nobles and Assoc., Inc.
Job: 03-224
Purpose: NFI
Date: 01/23/04
DEP: N/A
COE: N/A
Other: N/A
Location: Leon County, FL
USGS Quad.: Lake Jackson
Section : 5
Township: 1 North
Range: 1 West
Zone: Florida North
Easting: 2,015,132
Northing: 552,265

- Property Boundary
- Unimproved Pasture (FLUCCS 212)
- Improved Pasture (FLUCCS 211)
- Cattle Feeding Area (FLUCCS 231)
- Dairy (FLUCCS 252)
- Residential (FLUCCS 111)
- LPS Transect 01/16/04
- Degraded Wetland (FLUCCS 740)
- Intermittent Pond (FLUCCS 653)
- Mixed Hardwoods (FLUCCS 438)
- Upland Scrub (FLUCCS 436)
- Transportation (FLUCCS 814)
- Commercial (FLUCCS 140
- Boat Launch (FLUCCS 180)

300 0 300 600 900 1200 1500 1800 Feet

EXISTING VEGETATIVE COVER

EXHIBIT F

TLCPD
Tallahassee-Leon County Planning Department

Affidavit Waiving Concurrency for a Preliminary Development Order - Rezoning

Submit to Planning Department at City Hall with Rezoning Application

I, William Gordon Thames, Jr., owner or agent of the property described below:

Parcel ID Number: 21-04-51-000-0120
Location address: N. Monroe

do hereby elect to waive concurrency review associated with the proposed preliminary development order (rezoning) of the above referenced project, pursuant to Section 2.2.0 of the Leon County Concurrency Policies and Procedures Manual. In waiving the concurrency review, I acknowledge that I understand the following:

1) Final Development orders for the subject property are subject to a concurrency determination; and

2) No rights to obtain final development orders, nor any other rights to develop the subject property have been granted or implied by the County's approval of the preliminary development order without a concurrency determination of the public facilities.

ACKNOWLEDGEMENT
STATE OF Florida
COUNTY OF Leon

Before me, this 30th day of August, 2004, personally appeared William Gordon Thames, Jr., owner/agent who executed the foregoing instrument, and acknowledged to me that the same was executed for the purposes therein expressed.

Personally known ✓; or
Produced identification _____
Type of identification produced:

_____

_____ (Notary Public)
Print Name: Mary Anne Huckabee

_____, Pres
(Owner/Agent Signature)
Print Name: William Gordon Thames, JR.

My Commission Expires: September 30, 2005

MARY ANNE HUCKABEE
MY COMMISSION # DD 061038
EXPIRES: September 30, 2005
Bonded Thru Notary Public Underwriters

Created by AAB July 16, 2004
C:\Documents and Settings\Bob Sellers\Local Settings\Temporary Internet Files\OLKD\County Affidavit Waiving Concurrency.doc

EXHIBIT G

ARTICLE I
DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

Section 1. Membership. The Architectural Control Committee (hereafter "the Committee" in this Article) for the Subdivision shall be appointed by the Declarant until such time that the Declarant waives this right in writing, and then by the Board of Directors of the Association. A majority of the Committee may select a representative to act for it. The Committee shall consist of not less than one (1) and no more than three (3) persons. All members of the Committee shall serve without compensation. All notices or submission requests to be given to the Committee shall be in writing and delivered by mail to: Summerfield Architectural Control Committee, 2750 Old St. Augustine Road, Tallahassee, Florida 32301, or at such other address designated by Declarant, or if no address is given, then to the principal registered office of the Association as from time to time set forth in the records of the office of the Secretary of the State of Florida, Corporate Division.

Section 2. Purpose, Overview and Objectives.

(a) No site development shall be commenced and no building, fence, structure, alteration, addition or improvement of any kind, other than interior alterations not affecting the external appearance of a building or structure, shall be commenced, erected, placed or maintained upon any portion of any Lot (i) unless the plans and specifications therefore comply with the Development Standards and this Declaration and (ii) unless and until the plans and specifications therefore have been approved in writing by the Committee in its sole discretion as to harmony of external design and location in relation to surrounding structures and topography and as to aesthetic quality.

(b) The purpose of the Development Standards is to assist an Owner in achieving the desired level of site development consistent with the design concept and architectural style for Summerfield. The goal of the Development Standards, and in part, this Declaration, is to ensure an overall unified development and to ensure that each dwelling constructed on a Lot exhibits a style, character and quality of development which conforms to the goals and objectives for the Subdivision as provided in the Development Standards and this Declaration.

(c) The Development Standards address the following individual design components: architecture; landscape; site layout; view; lighting; and color. Each component is defined to relate to each other to form a unified whole while allowing for sufficient flexibility for individual expression within the overall theme. The following Goals and Objectives were established to achieve uniform character throughout the Subdivision. The specific Goals are as follows:

(i) Develop a consistent overall design image that is memorable and appropriate to the region;

(ii) Develop aesthetic design solutions that respect the natural beauty of the site and its surroundings; and

(iii) Maintain and enhance the value of the Subdivision as a community.

The specific Objectives are as follows:

EXHIBIT H
Pg 1 of 3

The specific Objectives are as follows:

(i) Preserve and enhance all regulated conservation and preservation areas;

(ii) Establish a design theme that is consistent throughout the Subdivision; and

(iii) Utilize building materials and finishes that are currently being used in regional construction projects, which are similar in size and budget.

Section 3. Approval Procedures.

(a) Any approval requested of the Committee shall be requested in writing pursuant to the Development Standards and shall be submitted to the Committee as provided in this Article and in the Development Standards. In the event the Committee fails to approve or disapprove a complete set of such plans and specifications within forty-five (45) days after the same have been submitted to it, approval shall be deemed to have been given if written notice by the applicant has been given to the Committee stating that no action was taken for forty-five (45) days and requesting immediate action within ten (10) days, and the Committee fails to approve or disapprove within said ten (10) day period.

(b) Before any construction is undertaken, the Owner of the Lot or his representative shall clearly mark or lay out on the Lot the particular dimensions of the dwelling and any other structure permitted to be constructed on the Lot, and these specifically marked dimensions, including a proposed landscape plan, must be approved by the Committee in writing.

(c) Within ten (10) days after the completion of construction of any improvement within the Subdivision, the Owner, builder or other agent for the Owner, shall give written notice to the Committee that the improvement is complete and ready for inspection. Within twenty (20) days after receipt of such notice, the Committee shall inspect the improvement and shall notify the Owner in writing as to any defects or deficiencies which are found. This response from the Committee shall include a statement as to the corrections which should be made to correct any such deficiencies so as to render the improvement in compliance with the approved plans and specifications. The Owner shall be given a reasonable period within which to correct such deficiencies. After being given a reasonable opportunity to do so, the Committee shall make such recommendations to the Board of Directors of the Association as it deems necessary in enforcing compliance with the approved plans and specifications. In the event the Committee fails to inspect the improvement and notify the Owner in writing as to the defects within twenty (20) days after such notice, the improvement will be deemed in compliance with the plans and specifications previously approved.

Section 4. Administration. The Committee shall have the power to adopt rules and establish procedures not inconsistent with the provisions of this Declaration and the Development Standards, including, but not limited to construction and development standards as may be deemed necessary by the Committee to insure a quality development and to insure preservation of the aesthetic qualities of the Subdivision. The written request and submittal of plans and specifications required pursuant to Section 2 hereof shall include, but not be limited to the following:

EXHIBIT H
Pg 2 of 3

Summerfield W/MBE Plan

The Developer of Summerfield will endeavor to utilize the services of a qualified MBE in the development of Summerfield. An eligible MBE is a business concern, which is both owned and controlled by minorities or by women. This means that minorities or women must own at least fifty-one percent (51%) of the business and they must control the management and daily operations of that business.

EXHIBIT I

(a) A completed Design Review Checklist which is provided in the Development Standards.

(b) Two complete sets of drawings, plans and documents along with the Construction Materials Sample Board.

(c) A survey plan by a licensed surveyor, at a scale of 1 inch equals 20 feet indicating proposed changes to the site, including grading, tree removal, tree save areas and the limits of construction. The site plan must show the exact location of the building, and be dimensioned from all property lines. The alignment of the driveway and the location of utility lines and equipment must be shown and dimensioned. Any out buildings must be included on the plans.

(d) A landscape plan at a scale of 1 inch equals 20 feet is required, showing the location, quantities and types of plant material being proposed. A planting schedule shall be included listing the number of each species of plant, their size and condition (balled and burlapped, container grown, etc.).

(e) Two sets of building architectural plans at a scale of one quarter inch equals 1 foot showing floor plans with window locations and entrances. The plans shall include overall dimensions and elevations showing all sides of the proposed structure with critical dimensions, material schedule and proposed color palette.

(f) Construction Materials Sample Board showing actual samples of exterior finishes and colors, along with product literature of exterior light fixtures, unit numbers and architectural features.

The Committee shall have complete discretion in determining whether the information and documentation submitted by the applicant complies with this Declaration and the Development Standards.

EXHIBIT H
Pg 3 of 3

Leon County
Board of County Commissioners

Notes for Agenda Item #8

Leon County Board of County Commissioners

Agenda Item #8

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Reject all Bids for Solicitation BC-05-21-19-22, the Linene Woods Drainage Improvements Phase 1 Project

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Scott Ross, Director, Office of Financial Stewardship Brent Pell, P.E., Director, Public Works Charles Wu, P.E., Director, Engineering Services
Lead Staff/ Project Team:	Shelly Kelley, Director, Purchasing Theresa Heiker, P.E., Stormwater Management Coordinator

Statement of Issue:

As required by the Leon County Purchasing Policy, this agenda item seeks the Board's authorization to reject all bids received for the Linene Woods Drainage Improvements Phase I Project, as the lowest responsive bid submitted is 83% more than the amount budgeted for the project.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Authorize the Purchasing Director to the reject all bids for Solicitation BC-05-21-19-22 for the Linene Woods Drainage Improvements Phase I Project.

Report and Discussion

Background:

This item seeks Board authorization for the County to reject all bids submitted for the Linene Woods Drainage Improvements Phase I solicitation. The County received only one responsive bid for this project and it exceeded the engineer's estimated budget by 83% or $272,203.

The project is one of the Fords Arm South projects to improve stormwater entering the southeast arm of Lake Jackson, and to reduce flooding and erosion associated with high runoff velocity in the natural channel.

Analysis:

The Invitation to Bid for the Linene Woods Drainage Improvements Phase 1 project was advertised locally on April 29, 2019. A total of 735 vendors were notified through the automated procurement system. A total of 38 vendors requested bid packages. The County received three bids on May 21, 2019, with the apparent low bidder being Pyramid Excavation, Inc. for a bid amount of $389,000 (Attachment #1).

During review of the bids, an error in the solicitation regarding the Contractor's Qualification requirements was identified. As a result, the two lowest bidders are not eligible to perform the contract. With the lowest responsive bid from Capital Asphalt at $598,710 or 83% more than the $326,506 budgeted for this project, staff recommendation is to reject all bids and re-advertise the project with corrected qualification requirements. Pursuant to the Purchasing Policy No. 96-1, Section 5.08, subsection J., Cancellation of Invitations for Bids, the Board reserves the right to reject all bids when it is in the best interest of the County.

Should the Board authorize the Purchasing Director to reject all bids for this solicitation, staff will re-advertise the project with the correct qualification requirements. The anticipated bid award agenda item will be brought back to the Board for approval in September.

Options:

1. Authorize the Purchasing Director to reject all bids for Solicitation BC-05-21-19-22 for the Linene Woods Drainage Improvements Phase 1 Project.
2. Do not reject all bids in response to Solicitation BC-05-21-19-22 for the Linene Woods Drainage Improvements Phase 1 Project.
3. Board direction.

Recommendation:

Option #1

Attachment:

1. Bid Tabulation Sheet

LEON COUNTY PURCHASING DIVISION

BID TABULATION SHEET
BC-05-21-19-22

Bid Title: Linene Woods Drainage Improvements Phase 1 **Opening Date: Thursday, May 21, 2019 at 2:00 PM**

Item/Vendor	Pyramid excavation	Capital Asphalt inc	Hale Contracting	
Response Sheet with Manual Signature	✓	✓	✓	
Affidavit Immigration	✓	✓	✓	
Insurance Certification Form	✓	✓	✓	
Contractor's Business Information/Applicable Licenses/Registrations	✓	✓	✓	
Equal Opportunity and Affirmative Action	✓	✓	✓	
MWSBE	✓	✓	✓	
Local Vendor Certification	✓	✓	✓	
Non-Collusion Affidavit	✓	✓	✓	
Certification/Debarment	✓	✓	✓	
Identical Tie Bid	✓	✓	✓	
E-Verify	✓	✓	✓	
Bid Bond	✓	✓	✓	
Addendum	✓	✓	✓	
Total Unit Price	$389,000.00	$598,710.00	$414,019.00	

RECEIVED
2019 MAY 21 PM 2:01
PURCHASING DIVISION
LEON COUNTY

Tabulated By: Austin Carr

Leon County
Board of County Commissioners

Notes for Agenda Item #9

Leon County Board of County Commissioners

Agenda Item #9

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Florida Department of Transportation Grant for the Design of Safety Improvements on Old Bainbridge Road from I-10 to Capital Circle NW

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Brent Pell, P.E., Director of Public Works Charles Wu, P.E., Director of Engineering Services
Lead Staff/ Project Team:	Chris Muehlemann, P.E., Chief of Engineering Design George Su, P.E., Water Quality Engineer

Statement of Issue:

This item seeks Board's acceptance of a grant from the Florida Department of Transportation (FDOT) for the design of safety improvements on Old Bainbridge Road from I-10 to Capital Circle NW, to address the high number of lane departure crashes along this segment. To realize the grant funds, the Florida Department of Transportation requires Board approval of a Local Agency Program Agreement (Attachment #1) and adoption of a Resolution (Attachment #2).

Fiscal Impact:

This item has a fiscal impact. This agenda item realizes $74,974 from Florida Department of Transportation toward the project costs for the design of the safety improvements with no County match required. The Florida Department of Transportation funding is anticipated to cover the full cost of this project.

Staff Recommendation:

See next page.

Staff Recommendations:

Option #1: Approve the Local Agency Program Agreement with FDOT for the design of safety improvements on Old Bainbridge Road from I-10 to Capital Circle NW (Attachment #1) and authorize the County Administrator to execute.

Option #2: Adopt the Resolution authorizing the Local Agency Program Agreement for the design of safety improvements on Old Bainbridge Road from I-10 to Capital Circle NW (Attachment #2) and authorize the Chairman to execute.

Option #3: Approve the Resolution and associated Budget Amendment Request realizing $74,974 from the Florida Department of Transportation into the County budget (Attachment #3).

Report and Discussion

Background:

The Old Bainbridge Road Safety Improvements Project is essential to the following FY 2017-FY 2021 Strategic Initiative:

- *Continue to work with the Florida Department of Transportation for safety improvements on State and County roadways to include accessibility enhancements, street lighting installations, sidewalk additions, safety audits, and intersection improvements. (2017-9)*

This particular Strategic Initiative aligns with the Board's Quality of Life Strategic Priorities:

- *(Q5) Support strong neighborhoods.*
- *(Q6) Promote livability, health and sense of community by enhancing mobility, encouraging human scale development, and creating public spaces for people.*

Leon County was awarded design and construction grants by the Florida Department of Transportation (FDOT) in 2019 for safety improvements on Old Bainbridge Road Interstate 10 (I-10) and Capital Circle NW. To implement these safety improvements, FDOT awards the project grants separately for the design and construction phases through Local Agency Program (LAP) Agreements. This item seeks the Board's acceptance of the FDOT grant for this project, in the amount of $74,974 for the design of safety improvements on Old Bainbridge Road from I-10 to Capital Circle NW. After execution of this LAP agreement by Leon County and FDOT, a Request for Proposal (RFP) process will begin to select a design consultant. After the engineering design work is completed, another LAP Agreement with FDOT will be brought back to the Board for approval to receive the funding for construction.

To ensure the County maximizes grant leveraging opportunities, the Office of Management and Budget (OMB) coordinates with department liaisons and actively seeks grant funding opportunities throughout the fiscal year. These efforts include contacting and communicating with previous funders for any new or forthcoming grant opportunities. Through timely submittals of reporting and invoices, satisfactory compliance with grant closeouts, as well as on-site and desk monitoring by the granting agencies, Leon County has proactively positioned itself as a responsive and accountable funding partner. Because of this accountability, agencies often contact Leon County when grant funds become available. In addition, the County's partnership with Patton Boggs also garners access to recently announced federal funding opportunities and OMB routinely monitors the federal Grants.gov portal for grant opportunities. The County aggressively seeks state and federal grant funding to support County projects and initiatives and has achieved considerable success in leveraging County dollars. The total County grant leverage ratio is $3.53 to $1 (grant to County); excluding the significant septic to sewer related grants which require one-to-one dollar match, the leveraging ratio would be $11.22 to $1.

Analysis:

Old Bainbridge Road from Interstate 10 to Capital Circle NW, is a 4.3-mile two-lane paved County maintained collector road inside the Canopy Road Protection Zone (Attachment #4). The adjacent land use is primarily residential, with a school zone between north of Sherborne Road and south of Scawthorne Road. The posted speed limit is 35 miles per hour (MPH) for this segment and the Average Annual Daily Traffic (AADT) volume is approximately 7,600 vehicles per day (south of Homewood Road in 2012). This segment of roadway has no sidewalks, medians, bike lanes, or street lighting.

A qualitative assessment was conducted on April 11, 2014 to observe the existing roadway conditions in the field and develop potential corrective measures. Crash analysis data was conducted through the compilation of five years of crash reports from 2008 to 2012. There was a total of 109 crashes during the five-year study period and three caused serious injury. No crash involved fatality. Forty seven percent (47% or 51) of these crashes were coded as Intersection or Intersection and Lane Departure. Thirty seven percent (37% or 40) of these crashes were coded as Lane Departure.

With the high number of crashes, this section of Old Bainbridge was selected by Leon County Public Works Department in 2014 to apply for the Highway Safety Improvement Program (HSIP) funds to improve the roadway safety and reduce the serious injuries. The proposed project goal is to address the Lane Departure type crashes along this segment of Old Bainbridge Road. The existing roadway has two 11' lanes with limited or no shoulders. The existing advanced warning and advisory signs for the horizontal curves along this route do not conform to the existing standards for placement or paint with required retro-reflectivity. Potential improvements include adding minor shoulder pavement, enclosing steep ditches directly adjacent to the edge of pavement with drainage pipes, adding new signage, upgrading pavement markings, adding delineators, tree trimming, and shielding of obstructions in limited circumstances.

Under the proposed LAP Agreement, FDOT will provide funding of $74,974 for design (Attachment #1). Upon execution of the LAP Agreement, it is anticipated that the design consultant selection process will begin in Fall 2019 and be completed by the end of November 2019.

After the engineering design work is completed, another LAP Agreement with FDOT will be brought back to the Board for approval to receive the funding for construction.

Options:

1. Approve the Local Agency Program Agreement with Florida Department of Transportation for the design of safety improvements on Old Bainbridge Road from I-10 to Capital Circle NW (Attachment #1) and authorize the County Administrator to execute.
2. Approve the Resolution approving the Local Agency Program Agreement as referenced in the Locally Funded Agreement for the design of safety improvements on Old Bainbridge Road from I-10 to Capital Circle NW (Attachment #2) and authorize the Chairman to execute.
3. Approve the Resolution and associated Budget Amendment Request realizing $74,974 from the Florida Department of Transportation into the County budget (Attachment #3).
4. Do not approve the Local Agency Program Agreement with Florida Department of Transportation.
5. Board direction.

Recommendations:

Options #1, #2 and #3

Attachments:

1. Proposed Local Agency Program Agreement
2. Resolution approving Local Agency Program Agreement
3. Resolution and associated Budget Amendment Request
4. Project Location Map

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

LOCAL AGENCY PROGRAM AGREEMENT

FPN: 440655-1-38-01	FPN:	FPN:
Federal No (FAIN): D318-81-b	Federal No (FAIN):	Federal No (FAIN):
Federal Award Date:	Federal Award Date:	Federal Award Date:
Fund:	Fund:	Fund:
Org Code:	Org Code:	Org Code:
FLAIR Approp:	FLAIR Approp:	FLAIR Approp:
FLAIR Obj:	FLAIR Obj:	FLAIR Obj:

County No:55(Leon) Contract No:
Recipient Vendor No: F596000435090 Recipient DUNS No: 80-939-7102
Catalog of Federal Domestic Assistance (CFDA): 20.205 Highway Planning and Construction

THIS LOCAL AGENCY PROGRAM AGREEMENT ("Agreement"), is entered into on _____, by and between the State of Florida Department of Transportation, an agency
(This date to be entered by DOT only)
of the State of Florida ("Department"), and Leon County, Florida, a charter county and political subdivision of the State of Florida ("Recipient").

NOW, THEREFORE, in consideration of the mutual benefits to be derived from joint participation on the Project, the Parties agree to the following:

1. **Authority:** The Department is authorized to enter into this Agreement pursuant to Section 339.12, Florida Statutes. The Recipient by Resolution or other form of official authorization, a copy of which is attached as **Exhibit "D"** and made a part of this Agreement, has authorized its officers to execute this Agreement on its behalf.

2. **Purpose of Agreement:** The purpose of this Agreement is to provide for the Department's participation in Design of a Safety Project for CR 361 (Old Baibridge Rd), as further described in **Exhibit "A",** Project Description and Responsibilities attached to and incorporated in this Agreement ("Project"), to provide Department financial assistance to the Recipient; state the terms and conditions upon which Department funds will be provided; and to set forth the manner in which the Project will be undertaken and completed.

3. **Term of Agreement:** The Recipient agrees to complete the Project on or before December 31, 2020. If the Recipient does not complete the Project within this time period, this Agreement will expire on the last day of the scheduled completion as provided in this paragraph unless an extension of the time period is requested by the Recipient and granted in writing by the Department prior to the expiration of this Agreement. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed after the term of this Agreement will not be reimbursed by the Department.

4. **Project Cost:**

   a. The estimated cost of the Project is $ 74,974.00. This amount is based upon the Schedule of Financial Assistance in **Exhibit "B"**, attached to and incorporated in this Agreement. **Exhibit "B"** may be modified by mutual execution of an amendment as provided for in paragraph 5.i.

   b. The Department agrees to participate in the Project cost up to the maximum amount of $74,974.00 and as more fully described in **Exhibit "B"**. This amount includes Federal-aid funds which are limited to the actual amount of Federal-aid participation. The Department's participation may be increased or reduced upon determination of the actual bid amounts of the Project by the mutual execution of an amendment. The Recipient agrees to bear all expenses in excess of the total cost of the Project and any deficits incurred in connection with the completion of the Project.

   c. Project costs eligible for Department participation will be allowed only from the date of this Agreement. It is understood that Department participation in eligible Project costs is subject to:

i. Legislative approval of the Department's appropriation request in the work program year that the Project is scheduled to be committed;

ii. Availability of funds as stated in paragraphs 5.l. and 5.m. of this Agreement;

iii. Approval of all plans, specifications, contracts or other obligating documents and all other terms of this Agreement; and

iv. Department approval of the Project scope and budget at the time appropriation authority becomes available.

5. Requisitions and Payments

a. The Recipient shall provide quantifiable, measurable, and verifiable units of deliverables. Each deliverable must specify the required minimum level of service to be performed and the criteria for evaluating successful completion. The Project and the quantifiable, measurable, and verifiable units of deliverables are described more fully in **Exhibit "A"**.

b. Invoices shall be submitted by the Recipient in detail sufficient for a proper pre-audit and post-audit based on the quantifiable, measurable and verifiable units of deliverables as established in **Exhibit "A"**. Deliverables must be received and accepted in writing by the Department's Project Manager prior to payments. Requests for reimbursement by the Recipient shall include an invoice, progress report and supporting documentation for the period of services being billed that are acceptable to the Department. The Recipient shall use the format for the invoice and progress report that is approved by the Department.

c. The Recipient shall charge to the Project account all eligible costs of the Project except costs agreed to be borne by the Recipient or its contractors and subcontractors. Costs in excess of the programmed funding or attributable to actions which have not received the required approval of the Department shall not be considered eligible costs. All costs charged to the Project, including any approved services contributed by the Recipient or others, shall be supported by properly executed payrolls, time records, invoices, contracts or vouchers evidencing in proper detail the nature and propriety of the charges.

d. Supporting documentation must establish that the deliverables were received and accepted in writing by the Recipient and must also establish that the required minimum level of service to be performed based on the criteria for evaluating successful completion as specified in **Exhibit "A"** was met. All costs invoiced shall be supported by properly executed payrolls, time records, invoices, contracts or vouchers evidencing in proper detail the nature and propriety of charges as described in **Exhibit "F",** Contract Payment Requirements.

e. Bills for travel expenses specifically authorized in this Agreement shall be submitted on the Department's Contractor Travel Form No. 300-000-06 and will be paid in accordance with Section 112.061, Florida Statutes and the most current version of the Disbursement Handbook for Employees and Managers.

f. Payment shall be made only after receipt and approval of goods and services unless advance payments are authorized by the Chief Financial Officer of the State of Florida under Chapters 215 and 216, Florida Statutes or the Department's Comptroller under Section 334.044(29), Florida Statutes.

☐ If this box is selected, advance payment is authorized for this Agreement and **Exhibit "H"**, Alternative Advance Payment Financial Provisions is attached and incorporated into this Agreement.

If the Department determines that the performance of the Recipient is unsatisfactory, the Department shall notify the Recipient of the deficiency to be corrected, which correction shall be made within a time-frame to be specified by the Department. The Recipient shall, within thirty (30) days after notice from the Department, provide the Department with a corrective action plan describing how the Recipient will address all issues of contract non-performance, unacceptable performance, failure to meet the minimum performance levels, deliverable deficiencies, or contract non-compliance. If the corrective action plan is unacceptable to the

Department, the Recipient will not be reimbursed to the extent of the non-performance. The Recipient will not be reimbursed until the Recipient resolves the deficiency. If the deficiency is subsequently resolved, the Recipient may bill the Department for the unpaid reimbursement request(s) during the next billing period. If the Recipient is unable to resolve the deficiency, the funds shall be forfeited at the end of the Agreement's term.

g. Agencies providing goods and services to the Department should be aware of the following time frames. Inspection and approval of goods or services shall take no longer than 20 days from the Department's receipt of the invoice. The Department has 20 days to deliver a request for payment (voucher) to the Department of Financial Services. The 20 days are measured from the latter of the date the invoice is received or the goods or services are received, inspected, and approved.

If a payment is not available within 40 days, a separate interest penalty at a rate as established pursuant to ***Section 55.03(1), F.S.***, will be due and payable, in addition to the invoice amount, to the Recipient. Interest penalties of less than one (1) dollar will not be enforced unless the Recipient requests payment. Invoices that have to be returned to an Recipient because of Recipient preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department.

A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for Agencies who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516.

h. The Recipient shall maintain an accounting system or separate accounts to ensure funds and projects are tracked separately. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the Department at all times during the period of this Agreement and for five years after final payment is made. Copies of these documents and records shall be furnished to the Department upon request. Records of costs incurred include the Recipient's general accounting records and the project records, together with supporting documents and records, of the contractor and all subcontractors performing work on the project, and all other records of the Contractor and subcontractors considered necessary by the Department for a proper audit of costs.

i. Prior to the execution of this Agreement, a Project schedule of funding shall be prepared by the Recipient and approved by the Department. The Recipient shall maintain said schedule of funding, carry out the Project, and shall incur obligations against and make disbursements of Project funds only in conformity with the latest approved schedule of funding for the Project. The schedule of funding may be revised by execution of a Local Agency Program ("LAP") Supplemental Agreement between the Department and the Recipient. The Recipient acknowledges and agrees that funding for this project may be reduced upon determination of the Recipient's contract award amount.

j. If, after Project completion, any claim is made by the Department resulting from an audit or for work or services performed pursuant to this Agreement, the Department may offset such amount from payments due for work or services done under any agreement which it has with the Recipient owing such amount if, upon demand, payment of the amount is not made within 60 days to the Department. Offsetting any amount pursuant to this paragraph shall not be considered a breach of contract by the Department.

k. The Recipient must submit the final invoice on the Project to the Department within 120 days after the completion of the Project. Invoices submitted after the 120-day time period may not be paid.

l. The Department's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature. If the Department's funding for this Project is in multiple fiscal years, funds approval from the Department's Comptroller must be received each fiscal year prior to costs being incurred. See **Exhibit "B"** for funding levels by fiscal year. Project costs utilizing these fiscal year funds are not eligible for reimbursement if incurred prior to funds approval being received. The Department will notify the Recipient, in writing, when funds are available.

m. In the event this Agreement is in excess of $25,000 and has a term for a period of more than one year, the provisions of Section 339.135(6)(a), Florida Statutes, are hereby incorporated:

"The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the comptroller of the Department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years, and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of $25,000 and which have a term for a period of more than 1 year."

6. Department Payment Obligations:

Subject to other provisions of this Agreement, the Department will honor requests for reimbursement to the Recipient pursuant to this Agreement. However, notwithstanding any other provision of this Agreement, the Department may elect by notice in writing not to make a payment if:

a. The Recipient shall have made misrepresentation of a material nature in its application, or any supplement or amendment to its application, or with respect to any document or data furnished with its application or pursuant to this Agreement;

b. There is any pending litigation with respect to the performance by the Recipient of any of its duties or obligations which may jeopardize or adversely affect the Project, the Agreement or payments to the Project;

c. The Recipient shall have taken any action pertaining to the Project which, under this Agreement, requires the approval of the Department or has made a related expenditure or incurred related obligations without having been advised by the Department that same are approved;

d. There has been any violation of the conflict of interest provisions contained in paragraph 14.f.; or

e. The Recipient has been determined by the Department to be in default under any of the provisions of the Agreement.

The Department may suspend or terminate payment for that portion of the Project which the Federal Highway Administration ("FHWA"), or the Department acting in lieu of FHWA, may designate as ineligible for Federal-aid.

In determining the amount of the payment, the Department will exclude all Project costs incurred by the Recipient prior to the Department's issuance of a Notice to Proceed ("NTP"), costs incurred after the expiration of the Agreement, costs which are not provided for in the latest approved schedule of funding in **Exhibit "B"** for the Project, costs agreed to be borne by the Recipient or its contractors and subcontractors for not meeting the Project commencement and final invoice time lines, and costs attributable to goods or services received under a contract or other arrangements which have not been approved in writing by the Department.

7. General Requirements:

The Recipient shall complete the Project with all practical dispatch, in a sound, economical, and efficient manner, and in accordance with the provisions in this Agreement, and all applicable laws. The Project will be performed in accordance with all applicable Department procedures, guidelines, manuals, standards, and directives as described in the Department's **Local Agency Program Manual** (FDOT Topic No. 525-010-300), which by this reference is made a part of this Agreement. Time is of the essence as to each and every obligation under this Agreement.

a. A full time employee of the Recipient, qualified to ensure that the work being pursued is complete, accurate, and consistent with the terms, conditions, and specifications of this Agreement shall be in responsible charge of the Project, which employee should be able to perform the following duties and functions:

i. Administers inherently governmental project activities, including those dealing with cost, time,

adherence to contract requirements, construction quality and scope of Federal-aid projects;

ii. Maintains familiarity of day to day Project operations, including Project safety issues;

iii. Makes or participates in decisions about changed conditions or scope changes that require change orders or supplemental agreements;

iv. Visits and reviews the Project on a frequency that is commensurate with the magnitude and complexity of the Project;

v. Reviews financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste, and abuse;

vi. Directs Project staff, agency or consultant, to carry out Project administration and contract oversight, including proper documentation;

vii. Is aware of the qualifications, assignments and on-the-job performance of the Recipient and consultant staff at all stages of the Project.

b. Once the Department issues the NTP for the Project, the Recipient shall be obligated to submit an invoice or other request for reimbursement to the Department no less than once every 90 days (quarterly), beginning from the day the NTP is issued. If the Recipient fails to submit quarterly invoices to the Department, and in the event the failure to timely submit invoices to the Department results in the FHWA removing any unbilled funding or the loss of state appropriation authority (which may include the loss of state and federal funds, if there are state funds programmed to the Project), then the Recipient will be solely responsible to provide all funds necessary to complete the Project and the Department will not be obligated to provide any additional funding for the Project. The Recipient waives the right to contest such removal of funds by the Department, if the removal is related to FHWA's withdrawal of funds or if the removal is related to the loss of state appropriation authority. In addition to the loss of funding for the Project, the Department will also consider the de-certification of the Recipient for future LAP Projects. No cost may be incurred under this Agreement until after the Recipient has received a written NTP from the Department. The Recipient agrees to advertise or put the Project out to bid thirty (30) days from the date the Department issues the NTP to advertise the Project. If the Recipient is not able to meet the scheduled advertisement, the Department District LAP Administrator should be notified as soon as possible.

c. If all funds are removed from the Project, including amounts previously billed to the Department and reimbursed to the Recipient, and the Project is off the State Highway System, then the Department will have to request repayment for the previously billed amounts from the Recipient. No state funds can be used on off-system projects, unless authorized pursuant to **Exhibit "I",** State Funds Addendum, which will be attached to and incorporated in this Agreement in the event state funds are used on the Project.

d. In the event that any election, referendum, approval, permit, notice or other proceeding or authorization is required under applicable law to enable the Recipient to enter into this Agreement or to undertake the Project or to observe, assume or carry out any of the provisions of the Agreement, the Recipient will initiate and consummate, as provided by law, all actions necessary with respect to any such matters.

e. The Recipient shall initiate and prosecute to completion all proceedings necessary, including Federal-aid requirements, to enable the Recipient to provide the necessary funds for completion of the Project.

f. The Recipient shall submit to the Department such data, reports, records, contracts, and other documents relating to the Project as the Department and FHWA may require. The Recipient shall make such submissions using Department-designated information systems.

g. Federal-aid funds shall not participate in any cost which is not incurred in conformity with applicable federal and state laws, the regulations in 23 Code of Federal Regulations (C.F.R.) and 49 C.F.R., and policies and procedures prescribed by the Division Administrator of FHWA. Federal funds shall not be paid on account of any cost incurred prior to authorization by FHWA to the Department to proceed with the Project or part thereof involving such cost (23 C.F.R. 1.9 (a)). If FHWA or the Department determines that any amount

claimed is not eligible, federal participation may be approved in the amount determined to be adequately supported and the Department shall notify the Recipient in writing citing the reasons why items and amounts are not eligible for federal participation. Where correctable non-compliance with provisions of law or FHWA requirements exists federal funds may be withheld until compliance is obtained. Where non-compliance is not correctable, FHWA or the Department may deny participation in parcel or Project costs in part or in total. For any amounts determined to be ineligible for federal reimbursement for which the Department has advanced payment, the Recipient shall promptly reimburse the Department for all such amounts within 90 days of written notice.

h. For any project requiring additional right-of-way, the Recipient must submit to the Department an annual report of its real property acquisition and relocation assistance activities on the project. Activities shall be reported on a federal fiscal year basis, from October 1 through September 30. The report must be prepared using the format prescribed in 49 C.F.R. Part 24, Appendix B, and be submitted to the Department no later than October 15 of each year.

8. Audit Reports:

The administration of resources awarded through the Department to the Recipient by this Agreement may be subject to audits and/or monitoring by the Department. The following requirements do not limit the authority of the Department to conduct or arrange for the conduct of additional audits or evaluations of federal awards or limit the authority of any state agency inspector general, the State of Florida Auditor General, or any other state official. The Recipient shall comply with all audit and audit reporting requirements as specified below.

a. In addition to reviews of audits conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, monitoring procedures may include, but not be limited to, on-site visits by Department staff and/or other procedures including, reviewing any required performance and financial reports, following up, ensuring corrective action, and issuing management decisions on weaknesses found through audits when those findings pertain to federal awards provided through the Department by this Agreement. By entering into this Agreement, the Recipient agrees to comply and cooperate fully with any monitoring procedures/processes deemed appropriate by the Department. The Recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Department, State of Florida Chief Financial Officer ("CFO"), or State of Florida Auditor General.

b. The Recipient, a non-federal entity as defined by 2 CFR Part 200, as a subrecipient of a federal award awarded by the Department through this Agreement is subject to the following requirements:

i. In the event the Recipient expends a total amount of federal awards equal to or in excess of the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, the Recipient must have a federal single or program-specific audit for such fiscal year conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements. **Exhibit "E"** to this Agreement provides the required federal award identification information needed by the Recipient to further comply with the requirements of 2 CFR Part 200, Subpart F – Audit Requirements. In determining federal awards expended in a fiscal year, the Recipient must consider all sources of federal awards based on when the activity related to the federal award occurs, including the federal award provided through the Department by this Agreement. The determination of amounts of federal awards expended should be in accordance with the guidelines established by 2 CFR Part 200, Subpart F – Audit Requirements. An audit conducted by the State of Florida Auditor General in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, will meet the requirements of this part.

ii. In connection with the audit requirements, the Recipient shall fulfill the requirements relative to the auditee responsibilities as provided in 2 CFR Part 200, Subpart F – Audit Requirements.

iii. In the event the Recipient expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in federal awards, the Recipient is exempt from federal audit requirements for that fiscal year. However, the Recipient must provide a single audit exemption statement to the Department at FDOTSingleAudit@dot.state.fl.us no later than nine months after the end of the Recipient's audit period for each applicable audit year. In the event the Recipient expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in federal awards in a fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, the cost of the audit must be paid from non-federal resources (*i.e.*, the cost of such an audit must be paid from the Recipient's resources obtained from other than federal entities).

iv. The Recipient must electronically submit to the Federal Audit Clearinghouse ("FAC") at https://harvester.census.gov/facweb/ the audit reporting package as required by 2 CFR Part 200, Subpart F – Audit Requirements, within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period. The FAC is the repository of record for audits required by 2 CFR Part 200, Subpart F – Audit Requirements, and this Agreement. However, the Department requires a copy of the audit reporting package also be submitted to FDOTSingleAudit@dot.state.fl.us within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period as required by 2 CFR Part 200, Subpart F – Audit Requirements.

v. Within six months of acceptance of the audit report by the FAC, the Department will review the Recipient's audit reporting package, including corrective action plans and management letters, to the extent necessary to determine whether timely and appropriate action on all deficiencies has been taken pertaining to the federal award provided through the Department by this Agreement. If the Recipient fails to have an audit conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, the Department may impose additional conditions to remedy noncompliance. If the Department determines that noncompliance cannot be remedied by imposing additional conditions, the Department may take appropriate actions to enforce compliance, which actions may include but not be limited to the following:

1. Temporarily withhold cash payments pending correction of the deficiency by the Recipient or more severe enforcement action by the Department;
2. Disallow (deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;
3. Wholly or partly suspend or terminate the federal award;
4. Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and federal awarding agency regulations (or in the case of the Department, recommend such a proceeding be initiated by the federal awarding agency);
5. Withhold further federal awards for the Project or program;
6. Take other remedies that may be legally available.

vi. As a condition of receiving this federal award, the Recipient shall permit the Department or its designee, the CFO, or State of Florida Auditor General access to the Recipient's records including financial statements, the independent auditor's working papers, and project records as necessary. Records related to unresolved audit findings, appeals, or litigation shall be retained until the action is complete or the dispute is resolved.

vii. The Department's contact information for requirements under this part is as follows:

Office of Comptroller, MS 24
605 Suwannee Street
Tallahassee, Florida 32399-0450
FDOTSingleAudit@dot.state.fl.us

c. The Recipient shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of five years from the date the audit report is issued and shall allow the Department or its designee, the CFO, or State of Florida Auditor General access to such records upon request. The Recipient shall ensure that the audit working papers are made available to the Department or its designee, the CFO, or State of Florida Auditor General upon request for a period of five years from the date the audit report is issued, unless extended in writing by the Department.

9. Termination or Suspension of Project:

The Department may, by written notice to the Recipient, suspend any or all of the Department's obligations under this Agreement for the Recipient's failure to comply with applicable law or the terms of this Agreement until such time as the event or condition resulting in such suspension has ceased or been corrected.

a. If the Department intends to terminate the Agreement, the Department shall notify the Recipient of such termination in writing at least thirty (30) days prior to the termination of the Agreement, with instructions to the effective date of termination or specify the stage of work at which the Agreement is to be terminated.

b. The Parties to this Agreement may terminate this Agreement when its continuation would not produce beneficial results commensurate with the further expenditure of funds. In this event, the Parties shall agree upon the termination conditions.

c. If the Agreement is terminated before performance is completed, the Recipient shall be paid only for that work satisfactorily performed for which costs can be substantiated. Such payment, however, may not exceed the equivalent percentage of the Department's maximum financial assistance. If any portion of the Project is located on the Department's right-of-way, then all work in progress on the Department right-of-way will become the property of the Department and will be turned over promptly by the Recipient.

d. In the event the Recipient fails to perform or honor the requirements and provisions of this Agreement, the Recipient shall promptly refund in full to the Department within thirty (30) days of the termination of the Agreement any funds that were determined by the Department to have been expended in violation of the Agreement.

e. The Department reserves the right to unilaterally cancel this Agreement for failure by the Recipient to comply with the Public Records provisions of Chapter 119, Florida Statutes.

10. Contracts of the Recipient:

a. Except as otherwise authorized in writing by the Department, the Recipient shall not execute any contract or obligate itself in any manner requiring the disbursement of Department funds, including consultant or construction contracts or amendments thereto, with any third party with respect to the Project without the written approval of the Department. Failure to obtain such approval shall be sufficient cause for nonpayment by the Department. The Department specifically reserves the right to review the qualifications of any consultant or contractor and to approve or disapprove the employment of such consultant or contractor.

b. It is understood and agreed by the parties to this Agreement that participation by the Department in a project with the Recipient, where said project involves a consultant contract for engineering, architecture or surveying services, is contingent on the Recipient's complying in full with provisions of Section 287.055, Florida Statutes, Consultants' Competitive Negotiation Act, the federal Brooks Act, 23 C.F.R. 172, and 23 U.S.C. 112. At the discretion of the Department, the Recipient will involve the Department in the consultant selection process for all projects funded under this Agreement. In all cases, the Recipient shall certify to the Department that selection has been accomplished in compliance with the Consultants' Competitive Negotiation Act and the federal Brooks Act.

c. The Recipient shall comply with, and require its consultants and contractors to comply with applicable federal law pertaining to the use of Federal-aid funds. The Recipient shall comply with the provisions in the FHWA-1273 form as set forth in **Exhibit "G",** FHWA 1273 attached to and incorporated in this Agreement. The Recipient shall include FHWA-1273 in all contracts with contractors performing work on the Project.

11. Disadvantaged Business Enterprise (DBE) Policy and Obligation:

It is the policy of the Department that DBE's, as defined in 49 C.F.R. Part 26, as amended, shall have the opportunity to participate in the performance of contracts financed in whole or in part with Department funds under this Agreement. The DBE requirements of applicable federal and state laws and regulations apply to this Agreement.

The Recipient and its contractors agree to ensure that DBE's have the opportunity to participate in the performance of this Agreement. In this regard, all recipients and contractors shall take all necessary and reasonable steps in accordance with applicable federal and state laws and regulations to ensure that the DBE's have the opportunity to compete for and perform contracts. The Recipient and its contractors and subcontractors shall not discriminate on the basis of race, color, national origin or sex in the award and performance of contracts, entered pursuant to this Agreement.

12. Compliance with Conditions and Laws:

The Recipient shall comply and require its contractors and subcontractors to comply with all terms and conditions of this Agreement and all federal, state, and local laws and regulations applicable to this Project. Execution of this Agreement constitutes a certification that the Recipient is in compliance with, and will require its contractors and subcontractors to comply with, all requirements imposed by applicable federal, state, and local laws and regulations, including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions," in 49 C.F.R. Part 29, and 2 C.F.R. Part 200 when applicable.

13. Performance Evaluations:

Recipients are evaluated on a project-by-project basis. The evaluations provide information about oversight needs and provide input for the recertification process. Evaluations are submitted to the Recipient's person in responsible charge or designee as part of the Project closeout process. The Department provides the evaluation to the Recipient no more than 30 days after final acceptance.

a. Each evaluation will result in one of three ratings. A rating of Unsatisfactory Performance means the Recipient failed to develop the Project in accordance with applicable federal and state regulations, standards and procedures, required excessive District involvement/oversight, or the Project was brought in-house by the Department. A rating of Satisfactory Performance means the Recipient developed the Project in accordance with applicable federal and state regulations, standards and procedures, with minimal District involvement/oversight. A rating of Above Satisfactory Performance means the Recipient developed the Project in accordance with applicable federal and state regulations, standards and procedures, and the Department did not have to exceed the minimum oversight and monitoring requirements identified for the project.

b. The District will determine which functions can be further delegated to Recipients that continuously earn Satisfactory and Above Satisfactory evaluations.

14. Restrictions, Prohibitions, Controls, and Labor Provisions:

During the performance of this Agreement, the Recipient agrees as follows, and agrees to require its contractors and subcontractors to include in each subcontract the following provisions:

a. The Recipient will comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964, the regulations of the U.S. Department of Transportation issued thereunder, and the assurance by the Recipient pursuant thereto. The Recipient shall include the attached **Exhibit "C",** Title VI Assurances in all contracts with consultants and contractors performing work on the Project that ensure compliance with Title VI of the Civil Rights Act of 1964, 49 C.F.R. Part 21, and related statutes and regulations.

b. The Recipient will comply with all the requirements as imposed by the ADA, the regulations of the Federal Government issued thereunder, and assurance by the Recipient pursuant thereto.

c. 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, supplier, 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, Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

d. In accordance with Section 287.134, Florida Statutes, an entity or affiliate who has been placed on the Discriminatory Vendor List, kept by the Florida Department of Management Services, may not submit a bid on a contract to provide 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, supplier, subcontractor or consultant under a contract with any public entity; and may not transact business with any public entity.

e. An entity or affiliate who has had its Certificate of Qualification suspended, revoked, denied or have further been determined by the Department to be a non-responsible contractor may not submit a bid or perform work for the construction or repair of a public building or public work on a contract with the Recipient.

f. Neither the Recipient nor any of its contractors or their subcontractors shall enter into any contract, subcontract or arrangement in connection with the Project or any property included or planned to be included in the Project in which any member, officer or employee of the Recipient or the locality during tenure or for 2 years thereafter has any interest, direct or indirect. If any such present or former member, officer or employee involuntarily acquires or had acquired prior to the beginning of tenure any such interest, and if such interest is immediately disclosed to the Recipient, the Recipient, with prior approval of the Department, may waive the prohibition contained in this paragraph provided that any such present member, officer or employee shall not participate in any action by the Recipient or the locality relating to such contract, subcontract or arrangement. The Recipient shall insert in all contracts entered into in connection with the Project or any property included or planned to be included in any Project, and shall require its contractors to insert in each of their subcontracts, the following provision:

"No member, officer or employee of the Recipient or of the locality during his tenure or for 2 years thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof."

The provisions of this paragraph shall not be applicable to any agreement between the Recipient and its fiscal depositories or to any agreement for utility services the rates for which are fixed or controlled by a governmental agency.

g. No member or delegate to the Congress of the United States shall be admitted to any share or part of this Agreement or any benefit arising therefrom.

15. Indemnification and Insurance:

a. It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of any part of this Agreement to create in the public or any member thereof, a third-party beneficiary under this Agreement, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement. The Recipient guarantees the payment of all just claims for materials, supplies, tools, or labor and other just claims against the Recipient or any subcontractor, in connection with this Agreement.

b. To the extent provided by law, Recipient shall indemnify, defend, and hold harmless the Department against any actions, claims, or damages arising out of, relating to, or resulting from negligent or wrongful act(s) of Recipient, or any of its officers, agents, or employees, acting within the scope of their office or employment, in connection with the rights granted to or exercised by Recipient hereunder, to the extent and within the limitations of Section 768.28, Florida Statutes. The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond the limits set forth in Florida Statutes, Section 768.28, nor shall the same be construed to constitute agreement by Recipient to indemnify the Department for the negligent acts or omissions of the Department, its officers, agents, or employees, or for the acts of third parties. Nothing herein shall be construed as consent by Recipient to be sued by third parties in any manner arising out of this Agreement. This indemnification shall survive the termination of this Agreement.

c. Recipient agrees to include the following indemnification in all contracts with contractors, subcontractors, consultants, or subconsultants (each referred to as “Entity” for the purposes of the below indemnification) who perform work in connection with this Agreement:

“To the extent provided by law, [ENTITY] shall indemnify, defend, and hold harmless the

[RECIPIENT] and the State of Florida, Department of Transportation, including the Department's officers, agents, and employees, against any actions, claims, or damages arising out of, relating to, or resulting from negligent or wrongful act(s) of [ENTITY], or any of its officers, agents, or employees, acting within the scope of their office or employment, in connection with the rights granted to or exercised by [ENTITY] hereunder, to the extent and within the limitations of Section 768.28, Florida Statutes.

The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond the limits set forth in Florida Statutes, Section 768.28. Nor shall the same be construed to constitute agreement by [ENTITY] to indemnify [RECIPIENT] for the negligent acts or omissions of [RECIPIENT], its officers, agents, or employees, or third parties. Nor shall the same be construed to constitute agreement by [ENTITY] to indemnify the Department for the negligent acts or omissions of the Department, its officers, agents, or employees, or third parties. This indemnification shall survive the termination of this Agreement."

16. Maintenance Obligations: In the event the Project includes construction then the following provisions are incorporated into this Agreement:

a. The Recipient agrees to maintain any portion of the Project not located on the State Highway System constructed under this Agreement for its useful life. If the Recipient constructs any improvement on Department right-of-way, the Recipient

☐ shall

☐ shall not

maintain the improvements located on the Department right-of-way for their useful life. If the Recipient is required to maintain Project improvements located on the Department right-of-way beyond final acceptance, then Recipient shall, prior to any disbursement of the state funding provided under this Agreement, also execute a Maintenance Memorandum of Agreement in a form that is acceptable to the Department. The Recipient has agreed to the foregoing by resolution, and such resolution is attached and incorporated into this Agreement as **Exhibit "D"**. This provision will survive termination of this Agreement.

17. Miscellaneous Provisions:

a. The Recipient will be solely responsible for compliance with all applicable environmental regulations, for any liability arising from non-compliance with these regulations, and will reimburse the Department for any loss incurred in connection therewith. The Recipient will be responsible for securing any applicable permits. The Recipient shall include in all contracts and subcontracts for amounts in excess of $150,000, a provision requiring compliance with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387).

b. The Department shall not be obligated or liable hereunder to any individual or entity not a party to this Agreement.

c. In no event shall the making by the Department of any payment to the Recipient constitute or be construed as a waiver by the Department of any breach of covenant or any default which may then exist on the part of the Recipient and the making of such payment by the Department, while any such breach or default shall exist, shall in no way impair or prejudice any right or remedy available to the Department with respect to such breach or default.

d. If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected. In such an instance, the remainder would then continue to conform to the terms and requirements of applicable law.

e. By execution of the Agreement, the Recipient represents that it has not paid and, also agrees not to pay, any bonus or commission for the purpose of obtaining an approval of its application for the financing hereunder.

f. Nothing in the Agreement shall require the Recipient to observe or enforce compliance with any provision or perform any act or do any other thing in contravention of any applicable state law. If any of the provisions of the Agreement violate any applicable state law, the Recipient will at once notify the Department in writing in order that appropriate changes and modifications may be made by the Department and the Recipient to the end that the Recipient may proceed as soon as possible with the Project.

g. In the event that this Agreement involves constructing and equipping of facilities, the Recipient shall submit to the Department for approval all appropriate plans and specifications covering the Project. The Department will review all plans and specifications and will issue to the Recipient a written approval with any approved portions of the Project and comments or recommendations covering any remainder of the Project deemed appropriate. After resolution of these comments and recommendations to the Department's satisfaction, the Department will issue to the Recipient a written approval with said remainder of the Project. Failure to obtain this written approval shall be sufficient cause of nonpayment by the Department.

h. Upon completion of right-of-way activities on the Project, the Recipient must certify compliance with all applicable federal and state requirements. Certification is required prior to authorization for advertisement for or solicitation of bids for construction of the Project, including if no right-of-way is required.

i. The Recipient will certify in writing, prior to Project closeout that the Project was completed in accordance with applicable plans and specifications, is in place on the Recipient's facility, adequate title is in the Recipient's name, and the Project is accepted by the Recipient as suitable for the intended purpose.

j. The Recipient agrees that no federally-appropriated funds have been paid, or will be paid by or on behalf of the Recipient, to any person for influencing or attempting to influence any officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement. If any funds other than federally-appropriated funds have been paid by the Recipient to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The Recipient shall require that the language of this paragraph be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. No funds received pursuant to this contract may be expended for lobbying the Legislature, the judicial branch or a state agency.

k. The Recipient may not permit the Engineer of Record to perform Construction, Engineering and Inspection services on the Project.

l. The Recipient shall comply with all applicable federal guidelines, procedures, and regulations. If at any time a review conducted by Department and or FHWA reveals that the applicable federal guidelines, procedures, and regulations were not followed by the Recipient and FHWA requires reimbursement of the funds, the Recipient will be responsible for repayment to the Department of all funds awarded under the terms of this Agreement.

m. The Recipient shall:

i. utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by Recipient during the term of the contract; and

ii. expressly require any contractor and subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

n. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute the same Agreement. A facsimile or electronic transmission of this Agreement with a signature on behalf of a party will be legal and binding on such party.

o. The Parties agree to comply with s.20.055(5), Florida Statutes, and to incorporate in all subcontracts the obligation to comply with s.20.055(5), Florida Statutes.

p. If the Project is procured pursuant to Chapter 255 for construction services and at the time of the competitive solicitation for the Project 50 percent or more of the cost of the Project is to be paid from state-appropriated funds, then the Recipient must comply with the requirements of Section 255.0991, Florida Statutes.

18. Exhibits:

a. **Exhibits "A"**, **"B"**, **"C", "D"**, **"E"** and **"F"** are attached to and incorporated into this Agreement.

b. ☐ If this Project includes Phase 58 (construction) activities, then **Exhibit "G"**, FHWA FORM 1273, is attached and incorporated into this Agreement.

c. ☐ Alternative Advance Payment Financial Provisions are used on this Project. If an Alternative Pay Method is used on this Project, then **Exhibit "H"**, Alternative Advance Payment Financial Provisions, is attached and incorporated into this Agreement.

d. ☐ State funds are used on this Project. If state funds are used on this Project, then **Exhibit "I"**, State Funds Addendum, is attached and incorporated into this Agreement. **Exhibit "J"**, State Financial Assistance (Florida Single Audit Act), is attached and incorporated into this Agreement.

e. ☐ This Project utilizes Advance Project Reimbursement. If this Project utilizes Advance Project Reimbursement, then **Exhibit "K"**, Advance Project Reimbursement is attached and incorporated into this Agreement.

f. ☐ This Project includes funding for landscaping. If this Project includes funding for landscaping, then **Exhibit "L",** Landscape Maintenance, is attached and incorporated into this Agreement.

g. ☐ This Project includes funding for a roadway lighting system. If the Project includes funding for roadway lighting system, **Exhibit "M"**, Roadway Lighting Maintenance is attached and incorporated into this Agreement.

h. ☐ This Project includes funding for traffic signals and/or traffic signal systems. If this Project includes funding for traffic signals and/or traffic signals systems, **Exhibit "N"**, Traffic Signal Maintenance is attached and incorporated into this Agreement.

i. ☐ A portion or all of the Project will utilize Department right-of-way and, therefore, **Exhibit "O"**, Terms and Conditions of Construction in Department Right-of-Way, is attached and incorporated into this Agreement.

j. ☐ The following Exhibit(s) are attached and incorporated into this Agreement: _____

k. Exhibit and Attachment List

Exhibit A: Project Description and Responsibilities
Exhibit B: Schedule of Financial Assistance
Exhibit C: Title VI Assurances
Exhibit D: Recipient Resolution
Exhibit E: Federal Financial Assistance (Single Audit Act)
Exhibit F: Contract Payment Requirements
* Exhibit G: FHWA Form 1273
* Exhibit H: Alternative Advance Payment Financial Provisions
* Exhibit I: State Funds Addendum
* Exhibit J: State Financial Assistance (Florida Single Audit Act)
* Exhibit K: Advance Project Reimbursement
* Exhibit L: Landscape Maintenance

* Exhibit M: Roadway Lighting Maintenance
* Exhibit N: Traffic Signal Maintenance
* Exhibit O: Terms and Conditions of Construction in Department Right-of-Way

* Additional Exhibit(s):

*** Indicates that the Exhibit is only attached and incorporated if applicable box is selected.**

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year written above.

RECIPIENT Leon County, Florida

By: _____
Name: Vincent S. Long
Title: County Administrator

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: _____
Name: Jared Perdue, P.E.
Title: Director of Transportation Development

Approved as to Form:
Leon County Attorney's Office
By: _____
Herbert W. A. Thiele, Esq.
County Attorney

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT

EXHIBIT "A"

PROJECT DESCRIPTION AND RESPONSIBILITIES

FPN: 440655-1-38-01

This exhibit forms an integral part of the Local Agency Program Agreement between the State of Florida, Department of Transportation and

Leon County, Florida (the Recipient)

PROJECT LOCATION:

☐ The project is on the National Highway System.

☐ The project is on the State Highway System.

PROJECT LENGTH AND MILE POST LIMITS: 4.279

PROJECT DESCRIPTION: The SR 8 (I-10) to SR 263 (Capital Circle NW) segment of the roadway is approximately 4.3-miles long and it is inside the Canopy Road Protection Zone. Proposed safety improvements include limited piping of steep ditches at selected sharp curves, new signage, upgraded pavement markings, delineators, and shielding of obstructions in limited circumstances, as well as adding curve ahead signs, advisory speed signs (if warranted) and chevron plaques at all curves (8 curves).

SPECIAL CONSIDERATIONS BY RECIPIENT:

The Recipient shall not begin until a Notice to Proceed has been issued by the Department.

The Recipient shall ensure that the project will be designed and constructed within the existing right of way. If right of way is needed, the Recipient shall notify the Department prior to commencement of any right-of-way activities. The Recipient will be required to be in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act).

The Recipient shall provide a copy of the 60%, 90% and final design plans for the Department's review and approval.

The Recipient shall be responsible for verifying that the NEPA document is adhered to for the life of the project.

When developing plans and specifications the Recipient shall consider the following:

Off the State Highway System (Off-System) LAP construction projects must be administered in accordance with either Local Agency Specifications that have been approved by the Department; the pre-approved FDOT LAP ("Big Four") Specifications; or Divisions II and III of the FDOT Standard Specifications for Road and Bridge Construction and implemented modifications in accordance with the LAP Manual. The Recipient will be responsible for all project level inspection and verification testing. In addition, the construction of any new building must comply with Florida Building Code.

On the State Highway System (On-System) LAP construction projects must be administered in accordance with the FDOT Construction Project Administration Manual (Topic no. 700-000-000). Materials will be inspected in accordance with the FDOT Sampling Testing and Reporting Guide by Material Description and the FDOT Materials Manual (Topic No. 675-000-000). Divisions II and III of the FDOT Standard Specifications for Road and Bridge Construction and implemented modifications must be used in accordance with the LAP Manual. The Recipient will be responsible for all project level inspection, verification testing, and assuring all data are entered into Laboratory Information Management Systems (LIMS). In addition, the following Off the State Highway System (Off-System) and Off the National Highway System

EXHIBIT "A"

PROJECT DESCRIPTION AND RESPONSIBILITIES

projects will be administered as above: all bridge projects; box culverts; and all projects with a construction value of $10 million or more.

The Agency shall commence the project's activities subsequent to the execution of this Agreement and shall perform in accordance with the following schedule:

a) Study to be completed by .
b) Design to be completed by December 31, 2020.
c) Right-of-Way requirements identified and provided to the Department by .
d) Right-of-Way to be certified by .
e) Construction contract to be let by .
f) Construction to be completed by .

If this schedule cannot be met, the Recipient will notify the Department in writing with a revised schedule or the project is subject to the withdrawal of funding.

SPECIAL CONSIDERATIONS BY DEPARTMENT: The Cultural Resource Assessment Survey (including coordination with the State Historic Preservation Officer) and all documentation necessary to support the environmental Class of Action Determination will be the responsibility of the Department.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT

EXHIBIT "B"
SCHEDULE OF FINANCIAL ASSISTANCE

RECIPIENT NAME & BILLING ADDRESS:	FINANCIAL PROJECT NUMBER: 4420655-1-38-01
Leon County, FL 301 S. Monroe Street, 5th Floor Tallahassee, FL 32301	

PHASE OF WORK By Fiscal Year	MAXIMUM PARTICIPATION (1) TOTAL PROJECT FUNDS	(2) LOCAL FUNDS	(3) STATE FUNDS	(4) FEDERAL FUNDS
Total PD&E Cost				
Design- Phase 38				
FY: 2019 (Eastern Federal Lands)	$74,974.00	0.00	0.00	$74,974.00
FY: 2020 (Insert Program Name)	0.00	0.00	0.00	0.00
FY: 2021 (Insert Program Name)	0.00	0.00	0.00	0.00
Total Design Cost	$74,974.00	0.00	0.00	$74,974.00
Right-of-Way- Phase 48				
FY: (Insert Program Name)				
FY: (Insert Program Name)				
FY: (Insert Program Name)				
Total Right-of-Way Cost				
Construction- Phase 58				
FY: (Insert Program Name)				
FY: (Insert Program Name)				
FY: (Insert Program Name)				
Total Construction Cost				
Construction Engineering and Inspection (CEI)- Phase 68				
FY: (Insert Program Name)				
FY: (Insert Program Name)				
FY: (Insert Program Name)				
Total CEI Cost				
(Insert Phase)				
FY: (Insert Program Name)				
FY: (Insert Program Name)				
FY: (Insert Program Name)				
Total Phase Costs				
TOTAL COST OF THE PROJECT	$74,974.00	0.00	0.00	$74,974.00

COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:
I certify that the cost for each line item budget category has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, F.S. Documentation is on file evidencing the methodology used and the conclusions reached.

Dustin Castells
District Grant Manager Name

Signature Date

Exhibit "C"
TITLE VI ASSURANCES

During the performance of this contract, the consultant or contractor, for itself, its assignees and successors in interest (hereinafter collectively referred to as the "contractor") agrees as follows:

(1.) **Compliance with REGULATIONS:** The contractor shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") ***Title 49, Code of Federal Regulations, Part 21,*** as they may be amended from time to time, (hereinafter referred to as the ***REGULATIONS),*** which are herein incorporated by reference and made a part of this contract.

(2.) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the basis of race, color, national origin, or sex in the selection and retention of sub-contractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by ***Section 21.5*** of the ***REGULATIONS,*** including employment practices when the contract covers a program set forth in ***Appendix B*** of the ***REGULATIONS.***

(3.) **Solicitations for Sub-contractors, including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under sub-contract, including procurements of materials or leases of equipment, each potential sub-contractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the ***REGULATIONS*** relative to nondiscrimination on the basis of race, color, national origin, or sex.

(4.) **Information and Reports:** The contractor shall provide all information and reports required by the ***REGULATIONS*** or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Florida Department of Transportation* or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such ***REGULATIONS,*** orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the *Florida Department of Transportation,* or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, or Federal Motor Carrier Safety Administration* as appropriate, and shall set forth what efforts it has made to obtain the information.

(5.) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Florida Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, or

Federal Motor Carrier Safety Administration may determine to be appropriate, including, but not limited to:

a. withholding of payments to the contractor under the contract until the contractor complies, and/or
b. cancellation, termination or suspension of the contract, in whole or in part.

(6.) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (7) in every sub-contract, including procurements of materials and leases of equipment, unless exempt by the ***REGULATIONS,*** or directives issued pursuant thereto. The contractor shall take such action with respect to any sub-contract or procurement as the *Florida Department of Transportation* or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, or Federal Motor Carrier Safety Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance, provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the contractor may request the *Florida Department of Transportation* to enter into such litigation to protect the interests of the *Florida Department of Transportation,* and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

(7.) **Compliance with Nondiscrimination Statutes and Authorities**: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT

EXHIBIT "E"

FEDERAL FINANCIAL ASSISTANCE (SINGLE AUDIT ACT)

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:

CFDA No.:	20.205
CFDA Title:	Highway Planning and Construction Federal-Aid Highway Program, Federal Lands Highway Program
CFDA Program Site:	**https://www.cfda.gov/**
Award Amount:	**$74,974.00**
Awarding Agency:	Florida Department of Transportation
Award is for R&D:	No
Indirect Cost Rate:	N/A

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE SUBJECT TO THE FOLLOWING:

2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles & Audit Requirements for Federal Awards
http://www.ecfr.gov/

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT MAY ALSO BE SUBJECT TO THE FOLLOWING:

Title 23 – Highways, United States Code
http://uscode.house.gov/browse/prelim@title23&edition=prelim

Title 49 – Transportation, United States Code
http://uscode.house.gov/browse/prelim@title49&edition=prelim

Map-21 – Moving Ahead for Progress in the 21st Century, Public Law 112-141
http://www.gpo.gov/fdsys/pkg/PLAW-112publ141/pdf/PLAW-112publ141.pdf

Federal Highway Administration – Florida Division
http://www.fhwa.dot.gov/fldiv/

Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS)
https://www.fsrs.gov/

EXHIBIT "F"

CONTRACT PAYMENT REQUIREMENTS
Florida Department of Financial Services, Reference Guide for State Expenditures
Cost Reimbursement Contracts

Invoices for cost reimbursement contracts must be supported by an itemized listing of expenditures by category (salary, travel, expenses, etc.). Supporting documentation shall be submitted for each amount for which reimbursement is being claimed indicating that the item has been paid. Documentation for each amount for which reimbursement is being claimed must indicate that the item has been paid. Check numbers may be provided in lieu of copies of actual checks. Each piece of documentation should clearly reflect the dates of service. Only expenditures for categories in the approved agreement budget may be reimbursed. These expenditures must be allowable (pursuant to law) and directly related to the services being provided.

Listed below are types and examples of supporting documentation for cost reimbursement agreements:

(1) Salaries: A payroll register or similar documentation should be submitted. The payroll register should show gross salary charges, fringe benefits, other deductions and net pay. If an individual for whom reimbursement is being claimed is paid by the hour, a document reflecting the hours worked times the rate of pay will be acceptable.

(2) Fringe Benefits: Fringe Benefits should be supported by invoices showing the amount paid on behalf of the employee (e.g., insurance premiums paid). If the contract specifically states that fringe benefits will be based on a specified percentage rather than the actual cost of fringe benefits, then the calculation for the fringe benefits amount must be shown.

Exception: Governmental entities are not required to provide check numbers or copies of checks for fringe benefits.

(3) Travel: Reimbursement for travel must be in accordance with Section 112.061, Florida Statutes, which includes submission of the claim on the approved State travel voucher or electronic means.

(4) Other direct costs: Reimbursement will be made based on paid invoices/receipts. If nonexpendable property is purchased using State funds, the contract should include a provision for the transfer of the property to the State when services are terminated. Documentation must be provided to show compliance with Department of Management Services Rule 60A-1.017, Florida Administrative Code, regarding the requirements for contracts which include services and that provide for the contractor to purchase tangible personal property as defined in Section 273.02, Florida Statutes, for subsequent transfer to the State.

(5) In-house charges:Charges which may be of an internal nature (e.g., postage, copies, etc.) may be reimbursed on a usage log which shows the units times the rate being charged. The rates must be reasonable.

(6) Indirect costs:If the contract specifies that indirect costs will be paid based on a specified rate, then the calculation should be shown.

Contracts between state agencies, and or contracts between universities may submit alternative documentation to substantiate the reimbursement request that may be in the form of FLAIR reports or other detailed reports.

The Florida Department of Financial Services, online Reference Guide for State Expenditures can be found at this web address http://www.myfloridacfo.com/aadir/reference_guide/.

RESOLUTION: 19-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA APPROVING LOCAL AGENCY PROGRAM AGREEMENT BETWEEN THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, AND LEON COUNTY, FLORIDA FOR THE DESIGN OF A SAFETY PROJECT FOR CR 361 (OLD BAINBRIDGE ROAD)

WHEREAS, The State of Florida, Department of Transportation (the "DEPARTMENT") and Leon County, Florida, a charter county and political subdivision of the State of Florida (the "COUNTY") are desirous of having the DEPARTMENT participate in the design of a safety project for CR 361 (Old Bainbridge Road), the details of which are described in the Local Agency Participation Agreement between the DEPARTMENT and the COUNTY as presented to the Board of County Commissioners of Leon County, Florida at its regular meeting on June 18, 2019 (the "LAP Agreement"); and

WHEREAS, the Design of safety project for CR 361 (Old Bainbridge Road) (the "PROJECT"), will be conducted in Leon County, and the DEPARTMENT is prepared to contribute funds in an amount up to Seventy-Four Thousand Nine Hundred Seventy-Four and 00/100 Dollars ($74,974.00) toward the PROJECT; and

WHEREAS, completion of the PROJECT is in the interest of the DEPARTMENT and the COUNTY, as the project will substantially improve the safety, operation, and efficiency of Old Bainbridge Road (CR 361).

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, assembled in regular session this 18th day of June 2019, that the Board hereby approves the LAP Agreement and hereby authorizes the County Administrator to execute the LAP Agreement in a form approved by the County Attorney.

Passed and adopted on this 18th day of June 2019.

LEON COUNTY, FLORIDA

BY: _____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTESTED BY:
Gwendolyn Marshall, Clerk of Court & Comptroller, Leon County, Florida

BY:_____

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W. A. Thiele, Esq.
County Attorney

RESOLUTION NO.

WHEREAS, the Board of County Commissioners of Leon County, Florida, approved a budget for fiscal year 2018/2019; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 129, Florida Statutes, desires to amend the budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Leon County, Florida, hereby amends the budget as reflected on the Departmental Budget Amendment Request Form attached hereto and incorporated herein by reference.

Adopted this 18th day of June, 2019.

LEON COUNTY, FLORIDA

BY: _____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTEST:
Gwendolyn Marshall, 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

FISCAL YEAR 2018/2019
BUDGET AMENDMENT REQUEST

No: BAB19026
Date: 5/30/2019

Agenda Item No:
Agenda Item Date: 6/18/2019

County Administrator
Vincent S. Long

Deputy County Administrator
Alan Rosenzweig

Request Detail:

Revenues

Account Information					Current Budget	Change	Adjusted Budget
Fund	*Org*	*Acct*	*Prog*	*Title*			
125	053010	331417	000	DOT Old Bainbridge Rd I-10 to CC NW Improvement	-	74,974	74,974
				Subtotal:		74,974	

Expenditures

Account Information					Current Budget	Change	Adjusted Budget
Fund	*Org*	*Acct*	*Prog*	*Title*			
125	053010	56300	541	Improvements Other Than Buildings	-	74,974	74,974
				Subtotal:		74,974	

Purpose of Request:

This budget amendment realizes $74,974 from Florida Department of Transportation toward the project costs for the design of safety improvements on Old Bainbridge Road from I-10 to Capital Circle NW to address the high number of lane departure crashes along this segment.

Group/Program Director **Tim Barden, Budget Manager**

Scott Ross, Director, Office of Financial Stewardship

Approved By: **Resolution** [X] **Motion** [ ] **Administrator** [ ]

OLD BAINBRIDGE RD. from I-10 to CAPITAL CIRCLE NW (Canopy Rd. Section)



Figure 1. Project Location Map

Leon County
Board of County Commissioners

Notes for Agenda Item #10

Leon County Board of County Commissioners

Agenda Item #10

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Resolution to Approve a Temporary Road Closure of Talpeco Road for the Florida Department of Transportation

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Brent Pell, P.E., Director, Public Works
Lead Staff/ Project Team:	Charles Wu, P.E., Director, Engineering Services

Statement of Issue:

As requested by the Florida Department of Transportation (FDOT), this agenda item seeks the Board's approval of a Resolution to allow a temporary road closure on a portion of Talpeco Road in order for the FDOT to complete intersection improvements at North Monroe Street and Talpeco Road.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Adopt the Resolution to approve a temporary road closure of Talpeco Road for the Florida Department of Transportation to complete intersection improvements at North Monroe Street and Talpeco Road (Attachment #1).

Report and Discussion

Background:

The intersection improvement project at North Monroe Street and Talpeco Road is essential to the following FY 2017- FY 2021 Strategic Initiative:

- *Continue to work with the Florida Department of Transportation for safety improvements on State and County roadways to include accessibility enhancements, street lighting installations, sidewalk additions, safety audits, and intersection improvements. (2017-9)*

This particular Strategic Initiative aligns with the Board's Quality of Life Strategic Priorities:

- *(Q5) Support strong neighborhoods.*
- *(Q6) Promote livability, health and sense of community by enhancing mobility, encouraging human scale development, and creating public spaces for people.*

The FDOT requires a resolution of the local governing body to approve a temporary road closure when work will be performed on a County Road. During construction of the proposed intersection improvements, the North Monroe Street median opening at Talpeco Road would be closed. Talpeco Road between Monroe Street and Sherry Lane would be closed to allow one-lane two-way traffic.

The intersection at North Monroe Street and Talpeco Road is an unsignalized intersection. While Leon County maintains Talpeco Road, North Monroe Street is a state road maintained by Florida Department of Transportation (FDOT). In 2013, Leon County made improvements to Talpeco Road on the west side of North Monroe Street with a turn lane addition and all associated drainage, signage, and pavement markings. As the traffic volume increases, the intersection is warranted to be signalized. This intersection improvement project has been included in the FDOT's five-year program and the design is anticipated for completion by the end of Fiscal Year 2019.

Analysis:

The proposed intersection improvements to North Monroe Street at Talpeco Road includes the addition of a westbound right turn lane to Talpeco Road, and modifications to the median on North Monroe Street to enhance safety by separating the left turn lane from the inside through lane. During construction of the westbound right turn lane, only one lane, two-way traffic will be allowed on Talpeco Road east of Monroe Street. Additionally, during construction of the new median on Monroe Street, a concrete barrier wall will be used to complete drainage work in the median. The concrete barrier wall will interrupt westbound traffic turning south from Talpeco Road. As a result, FDOT proposes closing the North Monroe Street median opening at Talpeco Road for 45 days during construction. The proposed road closure will reduce the Florida Department of Transportation's costs and construction time and minimize right-of-way purchases.

FDOT will be required to follow the County's Public Notification of Road Closing and Road Closure Request Procedure Policy, which requires them to provide actual start and end dates of the closure and certified maintenance of traffic plans for review and approval in advance of any lane closure work. Preliminary maintenance of traffic plans for the proposed road closure have been submitted to the County, which includes alternative travel routes through other adjacent roads owned and maintained by Leon County (Attachment #2).

After review of the construction plans and further coordination with FDOT, staff recommends adopting the Resolution to approve a temporary road closure of a portion of Talpeco Road for the intersection improvements at North Monroe Street and Talpeco Road. All construction work will be performed at night between sunrise and sunset and the one-lane, two-way traffic condition will only exist during the construction hours. The construction of this project is anticipated to begin by the end of 2019.

Options:

1. Adopt the Resolution to approve a temporary road closure of Talpeco Road for the Florida Department of Transportation to complete intersection improvements at North Monroe Street and Talpeco Road (Attachment #1).
2. Do not adopt the Resolution to approve a temporary road closure of Talpeco Road for the Florida Department of Transportation to complete intersection improvements at North Monroe Street and Talpeco Road.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Proposed Resolution
2. Alternative travel routes

RESOLUTION NO. R19-____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA TO APPROVE A TEMPORARY ROAD CLOSURE PURSUANT TO COMPLETION OF FPID 438140-1-52-01, SR 63 (US 27) MONROE STREET AT TALPECO ROAD INTERSECTION

WHEREAS, the Florida Department of Transportation ("DEPARTMENT") proposes to undertake and complete an intersection improvement project in Fiscal Year 2020 in Leon County, Florida, and

WHEREAS, this intersection improvement project is identified as Financial Project ID (FPID) 438140-1-52-01, SR 63 (US 27) Monroe Street at Talpeco Road Intersection (the "PROJECT"), and

WHEREAS, Leon County supports the DEPARTMENT's efforts in these regards, and

WHEREAS, the successful completion of the PROJECT will necessitate the temporary closure of a portion of Talpeco Rd., owned and maintained by Leon County, for an approximate duration of forty-five (45) days; and

WHEREAS, during the temporary closure of Talpeco Road a detour route for traffic will be established through other adjacent roads owned and maintained by Leon County, namely Ray Road, Laris Drive, Cangrove Road, Sherry Lane, and Hopkins Drive; and

WHEREAS, said road closure will reduce the DEPARTMENT's construction time and costs, and minimize right-of-way purchase and/or construction easements; and

WHEREAS, said road closure will be performed in accordance with the Contract Plans dated February 19, 2019, including any updates and/or revisions thereof as exist on file with the DEPARTMENT for this PROJECT (the "PLANS"), which are herein incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, assembled in regular session this ____ day of _____, 2019, as follows:

1. The Board of County Commissioners does hereby authorize the DEPARTMENT to temporarily close Talpeco Road in accordance with the PLANS.

2. The Board of County Commissioners does hereby agree that Leon County will continue to maintain County owned detour roads during construction of the PROJECT.

3. The DEPARTMENT agrees to repair and restore any Leon County roads that are damaged by the construction traffic along the detour routes.

4. A certified copy of this resolution shall be forwarded to the DEPARTMENT at 1074 Highway 90, Chipley, Florida 32428.

5. This resolution shall be effective upon passage.

PASSED AND ADOPTED this ____ day of _____, 2019.

LEON COUNTY, FLORIDA

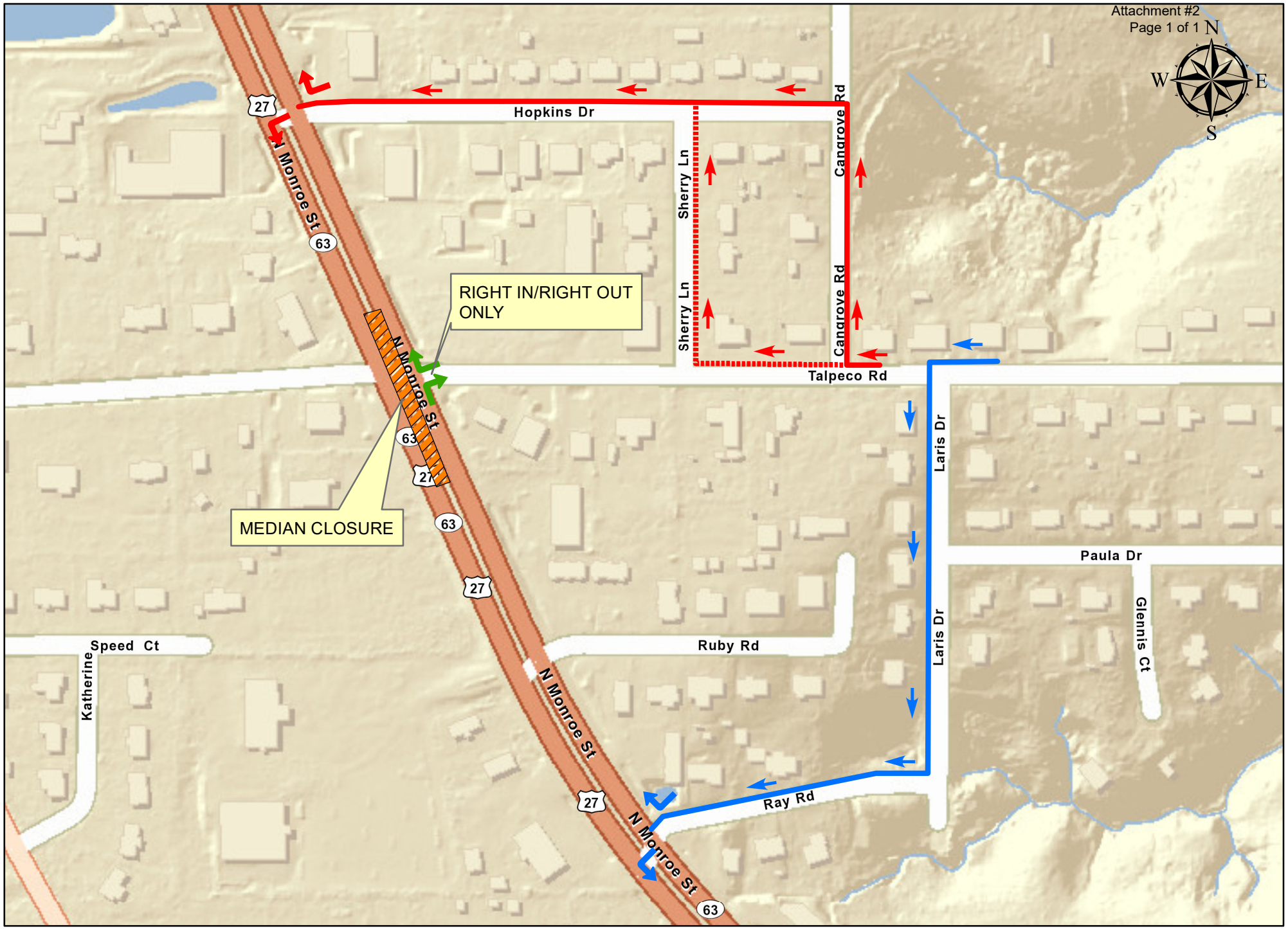
BY: _____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTEST:
Gwendolyn Marshall, Clerk of the Court
and Comptroller, Leon County, Florida

BY: _____

APPROVED AS TO FORM:
Office of the County Attorney
Leon County, Florida

BY: _____
Herbert W. A. Thiele, Esq.
County Attorney



Talpeco Road Intersection Improvement

Posted June 10, 2019

Leon County
Board of County Commissioners

Notes for Agenda Item #11

Leon County Board of County Commissioners

Agenda Item #11

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Second Performance Agreement and Surety Device for Brookside Village Subdivision

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Brent Pell, P.E., Director, Public Works Charles Wu, P.E., Director, Engineering Services
Lead Staff/ Project Team:	Joseph D. Coleman, P.S.M., County Surveyor Kimberly Wood, P.E., Chief of Engineering Coordination

Statement of Issue:

In accordance with Leon County land development regulations for the recording of plats in the Public Records prior to infrastructure being completed, this item seeks Board acceptance of a Second Performance Agreement and Surety Device for Brookside Village Subdivision.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Accept the Second Performance Agreement and Surety Device for Brookside Village Subdivision in a form approved by the County Attorney (Attachment #1).

Report and Discussion

Background:

In accordance with Leon County land development regulations for the recording of a plat in the Public Records prior to infrastructure being completed, this item seeks Board acceptance of a Second Performance Agreement and Surety Device for Brookside Village Subdivision.

Brookside Village Subdivision is located in Sections 19 and 30; Township 2 North; Range 1 East, on the north side of Ox Bottom Road approximately 0.34 miles east of the intersection of Meridian and Ox Bottom Roads.

On April 23, 2019, the Board approved the plat of the Brookside Village Subdivision for recording in the Public Records, prior to infrastructure being completed and contingent upon staff's final review and approval. The Board also accepted a Performance Agreement and Surety Device in the amount of $1,016,275 to guarantee completion of the infrastructure. This Performance Agreement will terminate on April 23, 2020. The developer has requested a Second Performance Agreement and Surety Device be prepared to reflect a reduction in the cost of infrastructure (Attachment#1).

Analysis:

The developer began the platting and bonding process for Brookside Village Subdivision in March 2019. At that time, there was a significant amount of infrastructure that needed to be completed, including the construction of stormwater management facilities and retaining walls. The estimated cost of the retaining walls was $295,000. The retaining walls and the majority of work associated with the Stormwater management facilities have been substantially completed and the developer has requested a reduction to the Letter of Credit from $1,016,275 to $449,354 as a guarantee for completion of the remaining items.

Public Works' Division of Engineering has inspected the site and reviewed the construction estimates for completion of the remaining infrastructure and concurs with the estimated amount (Attachment #2).

As allowed by Section 10-7.612 of the Land Development Code, the Director of Public Works will affect the release of the existing Agreement and Surety Device upon the acceptance of the Second Performance Agreement and Surety Device.

Options:

1. Accept the Second Performance Agreement and Surety Device for Brookside Village Subdivision in a form approved by the County Attorney (Attachment #1).
2. Do not accept the Second Performance Agreement and Surety Device for Brookside Village Subdivision in a form approved by the County Attorney.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Performance Agreement and Surety Device
2. County Engineer Memorandum of Recommendation

SECOND PERFORMANCE AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____, 2019, between **GOLDEN OAKS LAND GROUP, LLC.,** a Florida corporation, whose mailing address is **4708 Capital Circle NW Tallahassee, Leon, FL 32303** hereinafter collectively called the "DEVELOPER," and **LEON COUNTY, FLORIDA,** a charter county and a political subdivision of the State of Florida, hereinafter called the "COUNTY.

WHEREAS, on April 23, 2019, the Developer will present to the Board of County Commissioners of Leon County, Florida, a certain map or plat of a subdivision named and designated **Brookside Village Subdivision** which map or plat, recorded at the Leon County Official Records Plat Book 23, Page 21, is hereby referred to and made a part hereof by reference, and,

WHEREAS, the Developer entered into an initial Performance Agreement with the County for the construction of outstanding infrastructure with Letter of Credit as the Surety Device in the amount of $1,016,275.00, and

WHEREAS, the Developer has made significant progress in the construction of the infrastructure and has requested that the County release the existing Performance Agreement and Surety Device in exchange for a new Performance Agreement and Surety Device in the amount of $449,354.00, to cover the remaining construction including of the final overlay of asphalt, any work/repair to the initial base and asphalt, temporary pavement markings and final thermoplastic pavement markings on the subdivision streets, any work/repair of concrete sidewalks, curbing, driveways, etc., installation of all ADA mats at each curb ramps, any work/repair to the stormwater conveyance system, any work/repair of the Stormwater Management Facilities, all monumentation, and all other improvements in said subdivision in accordance with plans and specifications approved by the County within a period of ten (10) months from date hereof and to post surety in the amount of $449,354.00 conditioned for the faithful performance of said agreement.

NOW THEREFORE, THIS INDENTURE WITNESSETH: That the Developer hereby agrees to construct and install the final overlay of asphalt, any work/repair to the initial base asphalt, temporary pavement markings and final thermoplastic pavement markings on the subdivision streets, any work/repair of concrete sidewalks, curbing, driveways, etc., installation of all ADA mats at each

curb ramps, any work/repair to the stormwater conveyance system, any work/repair of the Stormwater Management Facilities, all monumentation, and all other improvements in **Brookside Village Subdivision** in accordance with plans and specifications approved by the County, within a period of ten (10) months from date hereof.

PERFORMANCE OF THIS AGREEMENT by the Developer shall be secured by an Irrevocable Letter of Credit in the amount of $449,354.00 with surety thereon approved by the County.

IN WITNESS WHEREOF, GOLDEN OAKS LAND GROUP, LLC., and **LEON COUNTY** have caused these presents to be executed in their names on the date first above written, its corporate seal affixed by its appropriate officers and Leon County Commissioners and its seal affixed by the Clerk of said Board, the day and year first above written.

(Witnesses)
_____(signature)
_____(typed or printed name)
_____(signature)
_____(typed or printed name)

DEVELOPER:
GOLDEN OAKS LAND GROUP, LLC.
By: _____(seal)
As its: Manager
Date: May 28th 2019

COUNTY OF LEON
STATE OF FLORIDA

The foregoing instrument was acknowledged before me this 28th day of May, 2019, by JASON GRAZIANI and N/A, ~~President and Secretary, respectively,~~ on behalf of (corporation), and who are ~~personally known~~ to me, or have produced N/A as identification. MGR

NOTARY PUBLIC

FRANKLIN MICHAEL DIMITROFF
Commission # GG 149495
Expires October 22, 2021
Bonded Thru Troy Fain Insurance 800-385-7019

Signature _____
Typed or Printed Name _____
Commission Number GG149495
My Commission expires 10/22/21

LEON COUNTY, FLORIDA

BY:_____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTEST:
Gwen Marshall, Clerk of the Circuit Court
Leon County, Florida

BY_____

APPROVED AS TO FORM:
Leon County Attorney's Office

BY:_____
Herbert W.A. Thiele, Esq.

SmartBank

IRREVOCABLE STANDBY LETTER OF CREDIT NO. 401250800

LETTER OF CREDIT AMOUNT	ISSUE DATE	EXPIRATION DATE
USD $449,354.00	6/4/2019	3/18/2020

Beneficiary:
Leon County
435 N Macomb Street
Tallahassee, FL 32301

Applicant:
Golden Oak Land Group, LLC
4708 Capital Circle NW
Tallahassee, FL 32308

RE: Brookside Subdivision, Parcel # 14192000010000

To Whom It May Concern:

This Irrevocable Standby Letter of Credit is conditioned upon and subject to the written termination by Leon County of the Irrevocable Standby Letter of Credit Number 401204000. Subject to the above, we hereby establish our Irrevocable Letter of Credit in your favor for the account of Golden Oak Land Group, LLC. ("Account Party") whose current address is 4708 Capital Circle NW, Tallahassee, FL 32308 available by your demand on us, payable at sight for Four Hundred Forty Nice Thousand Three Hundred Fifty-Four Dollars ($449,354.00), when accompanied by the following:

> An affidavit from an appropriate party affiliated with Leon County stating that, regarding the Brookside Subdivision, the Account Party has failed to: construct and install the final overlay of asphalt, finish any work/repair to the initial base asphalt, install temporary pavement markings and final thermoplastic pavement markings on the subdivision streets, finish any work/repair of concrete sidewalks, curbing, driveways, etc., install all ADA mats at each curb ramps, finish any work/repair to the stormwater conveyance system, finish any work/repair of the Stormwater Management Facilities, complete the subdivision's monumentation, and finish all other improvements in the subdivision in accordance with plans and specifications approved by Leon County by the deadline of March 7, 2020.

We hereby agree that a demand presented in compliance with the terms of this Letter of Credit, will be duly honored upon presentation and delivery of the document specified above on or before 5:00 p.m. on March 18, 2020 at our offices located at 2411 Jenks Ave, Panama City, Florida 32405.

If we shall fail to act by honor or dishonor within three (3) business days following receipt of your demand and affidavit as provided above, we shall be precluded from claiming that the same is not in accordance with the terms and conditions of this agreement.

Except as otherwise expressly stated, this credit is subject to the "Uniform Customs and Practice for Documentary Credit" (2007 Revision), International Chamber of Commerce Publication No. 600.

SmartBank

By: _____
Emory Singletary, III
Its: Senior Vice President

Leon County Government

INTEROFFICE MEMO

DATE: May 24, 2019

TO: Brent Pell, P.E., Director of Public Works

FROM: Charles Wu, P.E., Director of Engineering Services

SUBJECT: Brookside Village Subdivision Performance Agreement and Surety Device

I have reviewed the inspection reports regarding the stage of completion of the infrastructure in the Brookside Village subdivision. It is my recommendation that the original Performance Agreement and Surety Device be released and the infrastructure yet to be completed be guaranteed by the Performance Agreement and Surety Device in the amount of $449,354.00.

Cc: Jessica Icerman, Esq., Assistant County Attorney

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Leon County
Board of County Commissioners

Notes for Agenda Item #12

Leon County Board of County Commissioners

Agenda Item #12

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Funding for the Emergency Short-Term Housing Repair Program

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Wanda Hunter, Assistant County Administrator Shington Lamy, Director, Office of Human Services & Community Partnerships
Lead Staff/ Project Team:	Matthew Wyman, Housing Services Manager

Statement of Issue:

This agenda item seeks Board approval to accept an additional $15,000 allocation from the Housing Finance Authority to support the Emergency Short-Term Housing Repair Program through FY 2019.

Fiscal Impact:

This item has a fiscal impact. The Housing Finance Authority of Leon County has approved a one-time allocation of an additional $15,000 to support the Emergency Short-Term Housing Repair Program for the remainder of FY 2019.

Staff Recommendation:

Option #1: Approve the Resolution and associated Budget Amendment Request in the amount of $15,000 for the Housing Finance Authority's allocation to the Emergency Short-Term Housing Repair Program (Attachment #1).

Report and Discussion

Background:

This item seeks Board approval to accept $15,000 in additional funds from Housing Finance Authority as a one-time allocation to the support the Emergency Short Term Repair Program through FY 2019.

The Emergency Short-Term Housing Repair Program was established by the Housing Finance Authority of Leon County (HFA) in 2014 as a joint effort between Leon County Housing Services and the HFA. With funds provided by the HFA, Leon County Housing Services Division offers emergency repairs to address short-term remedies for issues that pose an immediate threat to the health or safety of households meeting the eligibility criteria.

Analysis:

Over the past two years the HFA has allocated $30,000 annually to fund the Emergency Short-Term Housing Repair Program. The Emergency Short-Term Housing Repair Program has experienced significant increases in the number of requests for assistance over the past two years. In the first seven months of FY 2019, the number of requests for emergency housing repair services (60) has nearly doubled the number received in FY 2018 (33).

The Short-Term Emergency Program funding for FY 2019 is nearly exhausted with approximately $400 remaining in the budget. Recognizing the need for the Program, during their May 9, 2019 meeting, the HFA voted to provide an additional $15,000 to ensure adequate funding was available to support any new requests for short-term emergency repairs through the remainder of FY 2019. Board approval of a resolution and budget amendment request is required to realize the additional funds.

Options:

1. Approve the Resolution and associated Budget Amendment Request in the amount of $15,000 for the Housing Finance Authority's allocation to the Emergency Short-Term Housing Repair Program (Attachment #2).
2. Do not approve the Resolution and associated Budget Amendment Request in the amount of $15,000 for the Housing Finance Authority's allocation to the Emergency Short-Term Housing Repair Program.
3. Board direction.

Recommendations:

Option #1

Attachment:

1. Resolution and Budget Amendment Request

RESOLUTION NO.

WHEREAS, the Board of County Commissioners of Leon County, Florida, approved a budget for fiscal year 2018/2019; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 129, Florida Statutes, desires to amend the budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Leon County, Florida, hereby amends the budget as reflected on the Departmental Budget Amendment Request Form attached hereto and incorporated herein by reference.

Adopted this 18th day of June, 2019.

LEON COUNTY, FLORIDA

BY: _____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTEST:
Gwendolyn Marshall, 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

FISCAL YEAR 2018/2019
BUDGET AMENDMENT REQUEST

No: BAB19024
Date: 6/5/2019

Agenda Item No:
Agenda Item Date: 6/18/2019

County Administrator

Vincent S. Long

Deputy County Administrator

Alan Rosenzweig

Request Detail:

Revenues

Account Information					Current Budget	Change	Adjusted Budget
Fund	*Org*	*Acct*	*Prog*	*Title*			
125	932019	337502	000	Housing Finance Authority Emergency Short-Term Housing Repair Program	30,000	15,000	45,000
				Subtotal:		15,000	

Expenditures

Account Information					Current Budget	Change	Adjusted Budget
Fund	*Org*	*Acct*	*Prog*	*Title*			
125	932019	585000	554	Housing Rehabilitation	30,000	15,000	45,000
				Subtotal:		15,000	

Purpose of Request:

This budget amendment allocates $15,000 in funding from the Housing Finance Authority. The HFA funds the Emergency Short-Term Housing Repair Program. For FY19, the HFA allocated $30,000 to the Program which has nearly been exhausted. As a result, the HFA has allocated an additional $15,000 to the Program for the remainder of FY19.

Group/Program Director

Budget Manager

Scott Ross, Director, Office of Financial Stewardship

Approved By: **Resolution** [X] **Motion** [ ] **Administrator** [ ]

Leon County
Board of County Commissioners

Notes for Agenda Item #13

Leon County Board of County Commissioners

Agenda Item #13

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Solar Energy Systems Ordinance and Proposed Comprehensive Plan Text Amendment

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator David McDevitt, Director, Development Support and Environmental Management Benjamin H. Pingree, Director, Planning, Land Management, and Community Enhancement (PLACE) Cherie Bryant, Director, Planning Department Maggie Theriot, Director of the Office of Resource Stewardship
Lead Staff/ Project Team:	Andy Johnson, Assistant to the County Administrator Ryan Culpepper, Director, Development Services Artie White, Administrator of Comprehensive Planning Stephen Hodges, Senior Planner

Statement of Issue:

This item seeks the Board's approval to schedule two public hearings to consider an Ordinance that will encourage the use of solar energy systems as an alternative and sustainable source of renewable energy by providing a minimal and expedited permitting process with minimal permit costs for prospective applicants and by establishing a new section in the Land Development Code to consolidate the County's guidelines for the installation of solar energy systems. This item also requests the Board initiate an out-of-cycle text amendment to the Tallahassee-Leon County Comprehensive Plan to allow for solar energy systems as provided in the draft Ordinance.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

See next page.

Staff Recommendation:

Option #1: Schedule two public hearings to adopt a proposed Ordinance amending Section 10-1.101, entitled "Definitions" and creating a new Section 10-6.820, entitled "Solar Energy Systems," (Attachment #1) for July 9 and September 17, 2019 at 6:00 p.m.

Option #2: Initiate an out-of-cycle text amendment to the Tallahassee-Leon County Comprehensive Plan to recognize solar electric generating systems as Light Infrastructure and to resolve internal inconsistencies in the Plan.

Report and Discussion

Background:

The proposed Ordinance and Comprehensive Plan Text Amendment are essential to the following FY2017-FY2021 Strategic Initiative:

- *Pursue NACo's SolSmart designation. (2018-4)*

This particular Strategic Initiative aligns with the Board's Environmental Strategic Priorities:

- *(EN3) Promote orderly growth and sustainable practices.*
- *(EN4) Reduce our carbon footprint.*

This item seeks the Board's authorization to initiate the next steps in the development of an Ordinance to provide specific standards within the Leon County Land Development Code (LDC) for proposed solar energy systems. The Board authorized staff to proceed with the development of the Ordinance at the March 12, 2019 meeting. The proposed Ordinance will encourage the use of solar energy systems as an alternative and sustainable source of renewable energy by providing a minimal and expedited permitting process with minimal permit costs for prospective applicants and by establishing a new section in the LDC to consolidate the County's guidelines for the installation of solar energy systems. This item seeks the Board's approval to schedule two public hearings to consider the Ordinance.

Additionally, adoption of the Ordinance will require a text amendment to the Tallahassee-Leon County Comprehensive Plan to allow a finding of consistency between the proposed Ordinance and the Comprehensive Plan. Accordingly, this item also seeks the Board's approval to initiate an out-of-cycle text amendment to the Comprehensive Plan. As discussed in further detail in the Analysis section below, the Plan is currently silent with regard to solar energy systems; as such, solar energy systems would fall under the definition of "Heavy Infrastructure," which is not permitted in many land use categories and zoning districts. The proposed amendment would recognize solar electric generating systems as "Light Infrastructure," which will allow for the use of rooftop, accessory and neighborhood-scale solar energy systems in all zoning districts as provided in the proposed Ordinance. This designation would also allow utility-scale solar energy systems connected to the local utility power grid for distribution of electricity to consumers to be allowed within the Industrial, Light Industrial, Urban Fringe, and Rural zoning districts as provided in the proposed Ordinance.

The Board has consistently demonstrated a commitment to supporting renewable and sustainable energy sources by investing in solar alternatives, including establishing a Strategic Initiative in the FY 2017-FY 2021 Strategic Plan to pursue designation as a "SolSmart" community. The SolSmart designation recognizes local governments that take proactive steps to remove obstacles to solar energy development, such as implementing best practices in permitting, land development regulations, and community engagement regarding solar energy. The adoption of an Ordinance specifically addressing solar development is a key requisite to achieving designation as a SolSmart community. Additionally, staff has noted a continued increase in permit activity for residential solar energy system installations and has received several recent inquiries regarding zoning districts that would allow solar energy systems serving multiple properties. The proposed

Ordinance would assist prospective applicants by defining several types of solar energy systems and consolidating the associated development standards within a single section of the LDC.

Analysis:

At the 2018 Annual Retreat, the Board adopted a Strategic Initiative to pursue designation as a SolSmart community. The SolSmart initiative is a partnership among several national organizations (including the National Association of Counties, National League of Cities, the International City/County Management Association and others) to assist local governments to reduce barriers to solar energy development within their communities. SolSmart awards Gold, Silver, and Bronze designations to cities and counties recognizing their achievement in removing obstacles to solar energy development, such as implementing best practices in permitting, land development regulations, and community engagement regarding solar energy. As indicated above, the adoption of an Ordinance specifically addressing solar development is a key requisite to achieving designation as a SolSmart community. In addition to the Ordinance contemplated in this item, Leon County has taken several steps in recent years to encourage the development of alternative, renewable energy sources. These include developing a new methodology in 2011 for building permit review and inspection fee assessments for solar-related installations to existing buildings, which resulted in a substantial reduction in total permit costs for applicants and creating a Solar Photovoltaic Permitting Guidelines brochure (Attachment #2) to outline the permit review process and the reduced permit review fees for solar energy system installations. Leon County also initiated a residential Property Assessed Clean Energy (or PACE) program in 2017, which provides financing for homeowners to make residential energy efficiency, solar, and wind resistance improvements while paying for upgrades over time through their property tax bill. Leon County was the first local government in Florida to launch a PACE program and among the first nationwide. Further, the County expanded its PACE program in 2019 to also benefit commercial properties.

Overview of Proposed Ordinance:

Leon County has historically received permit requests for solar energy systems that are limited to a single structure. Most applications have been for rooftop solar energy systems, and some have involved installation of equipment on the ground as an accessory to the principal structure. Leon County has not yet received any formal permit applications for larger-scale solar energy systems, but as indicated earlier in this item, staff has received several recent inquiries regarding zoning districts that would allow large solar energy systems or "solar farms." As discussed earlier in the Background section of this agenda item, the Comprehensive Plan and Land Development Code are silent with regard to solar energy systems, and as such, these systems would fall under the definition of "Heavy Infrastructure" which is not allowed in many land use categories and zoning districts.

In support of Strategic Initiative 2018-4, the Board authorized staff at its March 12, 2019 meeting to proceed with the development of an Ordinance amending the Land Development Code to provide standards for solar energy systems. The proposed Ordinance (Attachment #1) would encourage the use of solar energy systems as an alternative and sustainable source of renewable energy by expediting permitting timeframes for prospective applicants, minimizing permitting costs, and consolidating guidelines for installation of solar energy systems within a single section

of the LDC. To accomplish this, the draft Ordinance provides for definitions, permits, and development standards for a variety of solar installations or systems. The types of systems specified in the Ordinance include the following:

> *Solar energy system shall mean a complete assembly consisting of one or more solar collectors and associated mounting hardware or equipment. Examples of this may include, but are not limited to, photovoltaic (solar electric) systems and thermal solar energy systems:*
>
> *(1) Accessory ground-mounted solar energy system shall mean a solar energy system that is a stand-alone ground-mounted accessory structure in conjunction with a principal use or structure on the site.*
>
> *(2) Building-mounted solar energy system shall mean a solar energy system that is mounted on a principal structure and may include solar thermal panels, solar hot water system panels and photovoltaic panels.*
>
> *(3) Neighborhood-scale solar energy system shall mean a photovoltaic system that serves a group of structures or dwellings and does not exceed the threshold for a utility-scale solar energy system and are not intended for the primary purpose of providing power generation to the local electric grid.*
>
> *(4) Utility-scale solar energy system shall mean a photovoltaic system that is connected to the local utility power grid for distribution to consumers in the electricity market as a commercial venture and providing more than 1 megawatt of power generation.*

The first three types of solar energy systems listed above are relatively small and would not be intended to provide power generation to the local electrical grid. Accordingly, they are proposed to be allowed in any zoning district, subject to the applicable zoning district development standards such as building height and setback requirements. Under current LDC provisions, utility-scale solar energy systems would be allowed in the Urban Fringe, Industrial, and M-1 Light Industrial zoning districts. The proposed Ordinance and the corresponding proposed Comprehensive Plan amendment (described in greater detail below) would additionally allow utility-scale solar facilities within the Rural zoning district. To ensure compatibility with adjacent and nearby properties, the Ordinance provides that utility-scale systems are considered "restricted uses" within each zoning district, which applies additional criteria for these types of systems, such as lot setback and maximum height requirements.

The proposed Ordinance would complement recent enhancements made by Leon County in the area of permitting and inspections for solar facilities. In 2011, the Board adopted a revised building permit review and inspection fee assessment methodology for solar-related installation to existing buildings. The revised methodology reduced permit fees by approximately $371 per permit. The proposed Ordinance would codify the County's current practice of permitting solar installations that serve a single property (whether building-mounted or ground-mounted) through a single building permit. This is also consistent with SolSmart's criteria in the area of permitting, which encourages communities to require no more than one permit application for these types of solar

energy systems. For new construction, the installation of a solar energy system is included as a component of the project's master building permit. For the addition of a stand-alone system to an existing structure, the permit process requires a plan review for electrical or plumbing components based on the type of solar equipment, pursuant to Florida Building Code requirements. The Board's adoption of the proposed Ordinance and associated Comprehensive Plan amendment will also enable staff to fulfill additional SolSmart criteria and best practices such as posting an online checklist for residential solar permit requirements, promoting the County's online permitting process for solar projects, and others.

With respect to neighborhood-scale solar energy systems, the proposed Ordinance makes several enhancements to encourage the development of these systems while ensuring the continued protection of the County's environmental resources. First, the proposed Ordinance (and the associated Comprehensive Plan text amendment discussed below) would allow neighborhood-scale systems in all zoning districts. As indicated earlier in this item, because the Comprehensive Plan is currently silent with regard to solar energy systems, neighborhood-scale solar energy systems would fall under the definition of "Heavy Infrastructure," which is not currently permitted in many land use categories and zoning districts.

Further, the Ordinance provides a minimal and expedited permitting process that supports sustainable and renewable solar energy production while mitigating off-site impacts and ensuring environmental protection. Unlike other types of development which involve the permanent installation of impervious surfaces such as concrete slabs, driveways, and parking lots, solar energy systems are often installed over vegetated areas and generally yield a much lower environmental impact. As such, the proposed Ordinance would waive the requirement to submit a Natural Features Inventory (NFI) application and allow environmental permitting for solar energy systems to be conducted via a "short form" process for low intensity projects, which is designed for projects that are not anticipated to have a significant impact on stormwater runoff and is the least intensive environmental permitting process that the County provides for non-residential projects. The information customarily provided in the NFI process would instead be included in the environmental permitting phase, thereby streamlining the permitting process and reducing permit review timeframes, which will yield cost savings to prospective applicants.

Furthermore, the Ordinance would allow an Administrative Streamlined Application Process (ASAP) review for neighborhood-scale systems, which ensures compliance with LDC provisions related to environmental management, zoning district criteria, and site and development plan regulations. Based on the thresholds provided in the Ordinance, the existing stormwater requirements in the LDC, and the characteristics of photovoltaic solar arrays, it is anticipated that most proposed neighborhood-scale systems would not require the installation of costly stormwater control structures that may otherwise discourage the development of these systems. Waiving the requirement for a Natural Features Inventory and providing an ASAP compliance review as discussed above could save applicants $1,500 and 25 days for neighborhood-scale solar projects.

Consistency with Current Comprehensive Plan Language:

In preparation of this proposed Ordinance, the Tallahassee-Leon County Planning Department conducted a consistency review with the Comprehensive Plan. Pursuant to Section 163.3194 (b),

Florida Statutes, all land development regulations enacted or amended must be consistent with the adopted comprehensive plan. This item recommends initiating a text amendment to the Comprehensive Plan Glossary and the Land Use Element to provide for a classification of solar energy systems as "Light Infrastructure" and affirmatively allowing Light Infrastructure as a permitted use within the Rural/Agriculture land use category, subject to design standards that preserve the rural character of these areas. This text amendment would ensure consistency between the proposed Ordinance and the Comprehensive Plan as required by Florida law.

First, the proposed text amendment (Attachment #3) would provide a classification for solar energy systems in the Glossary of the Comprehensive Plan. The Glossary provides definitions of terms used in various objectives and policies in the Plan. Currently, the Glossary classifies electric generating facilities as "Heavy Infrastructure"; however, there is no differentiation between passive electric generating facilities (such as solar energy systems, windmills, or water dams), and electric generating facilities that utilize fossil fuels (i.e., natural gas, coal, fuel oil) or "clean energy" (i.e., pelletized wood) for power generation. Accordingly, under the existing Glossary, utility-scale solar energy systems would be considered Heavy Infrastructure. The inclusion of electric generating facilities under the definition of Heavy Infrastructure in the Glossary is based on the perception of such facilities as having significant effects on nearby property, including noise, visual impacts, possible air pollution, and traffic from the delivery of fuels either by rail or by heavy trucks. Solar energy systems are quiet and have minimal staffing when operational. Although large solar energy systems may have some visual impacts, the overall impact on adjacent and nearby properties are assumed to be relatively minimal. Given the scale of these systems, the need for large tracts of land to support them, and the general lack of significant offsite impacts, this analysis supports allowing such uses in the Industrial, Light Industrial, Urban Fringe, and Rural zoning districts.

Comprehensive Plan Policy 2.2.1, which establishes the Rural/Agriculture land use, explicitly permits Light Infrastructure, but does not allow Heavy Infrastructure. Section 10-6.612 of the County's Land Development Code, which establishes the Rural zoning district, accordingly also prohibits Heavy Infrastructure. In order to allow utility-scale solar energy systems in zoning districts that currently do not allow Heavy Infrastructure but instead allow Light Infrastructure, as provided in the proposed Ordinance, this item recommends amending the Comprehensive Plan Glossary to define solar energy systems as Light Infrastructure instead of Heavy Infrastructure as shown in Attachment #3. Non-solar electric generating facilities would continue to be classified as Heavy Infrastructure.

Second, this item also recommends an amendment to the Land Use Element to clarify where Light Infrastructure and Heavy Infrastructure are intended to be permitted (Attachment #4). Currently, Light Infrastructure is allowed in most land use categories and zoning districts, including residential areas. The Government Operational land use designation, established in Policy 2.2.16: [L] in the Land Use Element, is the only land use category that explicitly allows Heavy Infrastructure (specifically including electric generating facilities). However, the Leon County land use development matrix in the Comprehensive Plan (Attachment #5) allows Heavy Infrastructure in the Urban Fringe, Rural, Lake Talquin, Government Operational, and Heavy Industrial land use categories. The proposed text amendment would resolve this inconsistency by

clarifying that Light Infrastructure (including solar energy systems) is permitted in the Rural land use category and that Heavy Infrastructure is prohibited.

Process and Timeline:

At its regular meeting on May 7, 2019, the Local Planning Agency (LPA) voted unanimously to recommend that the Board initiate a text amendment to recognize solar electric generating systems as Light Infrastructure and to resolve the internal inconsistency between Policy 2.2.1 and the land use development matrix regarding Heavy Infrastructure in the Land Use Element of the Plan. The next steps in processing this proposed amendment is to hold a public hearing with the LPA. The anticipated date of this public hearing is July 2, 2019. The transmittal public hearing with the Board is anticipated for July 9, 2019 followed by the transmittal public hearing with the City on July 10, 2019 (the Rural land use area is within the unincorporated area, but the Glossary applies to both the City and the County). The proposed amendment would be submitted to the State Land Planning Agency for review following the Expedited State Review Process. The adoption public hearing is anticipated for September 17, 2019 with the Board and September 25, 2019 with the City Commission. As discussed above, this item recommends scheduling the public hearings for adoption of the Ordinance to be concurrent with the with the Board's public hearing dates for the Comprehensive Plan Amendment.

Status Update on City of Tallahassee and Talquin Electric Cooperative Solar Initiatives:

At the March 12, 2019 meeting, the Board requested that staff provide a status update on the City of Tallahassee's and Talquin's solar energy initiatives and to explore opportunities for the County's and City's solar permitting process to be aligned. A discussion of these issues is provided below.

City of Tallahassee Solar Initiatives:

The City of Tallahassee has taken several steps in recent years to expand its renewable energy supply and to encourage further private development of renewable energy systems. In January 2018, the City completed the first phase of a 20 megawatt solar farm located near the Tallahassee International Airport. This system offsets approximately 2% of the City's electricity production. A second phase of this solar farm, which will provide an additional 40 megawatts of power output, is in development and is projected to be online in early 2020. This second phase will bring the City's total utility production offset to an estimated 6% once complete.

The City has also adopted a resolution to achieve a community-wide renewable energy goal. The City's resolution established a goal to reach 100% renewable energy in Tallahassee by the year 2050, including all public and private uses of energy. The County supported the City's goal through the adoption of a resolution at the April 23, 2019 workshop. To begin planning for the 100% goal, the City released a Request for Proposals on May 9, 2019 to hire a consultant to provide consulting services to complete an Energy Integrated Resource Plan (EIRP) for the Electric and Natural Gas Utility. The scope of work will include looking into the City's current energy planning, developing an EIRP to reach the 100% renewable energy goal, and providing a framework for community participation in the plan development process. The City is expected to select a consultant later this year.

Finally, the City of Tallahassee has provided a "net metering" option to its utility customers for several years. Net metering is a billing structure that allows residential and commercial customers who generate their own electricity from solar power to sell excess, unused electricity back to the grid. For example, if a utility customer has a solar array on their roof, it may produce more energy than the building is using during daylight hours. Net metering allows the electricity meter to "run backwards" to provide a credit against what electricity is consumed at night or other periods when the building's electricity use is more than the system's output, and customers are only billed for their "net" energy use. Currently, the City of Tallahassee places a cap on the size of net-metered systems of 100 kilowatts. For comparison, Leon County's largest solar array at Cooperative Extension is 60 kilowatts.

Talquin Electric Cooperative Solar Initiatives:

Talquin Electric Cooperative, which serves most unincorporated Leon County citizens, is also taking steps to expand renewables in their energy supply. Currently, renewable energy makes up 14% of Talquin's energy mix through sources including solar, biomass, and hydropower. Talquin serves as a distribution cooperative, which means it generates little to none of its own energy and is under contract to buy most of its power from its generation cooperative partner, Seminole Electric Cooperative. As such, Talquin largely relies on Seminole Electric to generate and provide renewable energy in its fuel mix for Talquin to purchase and distribute. Recently, Seminole's contract with Talquin has been changed to allow Talquin to generate 5% of its power demand with renewable resources, which equates to 11 MW of demand. Talquin plans to install 11 MW of its own solar generation in Wakulla, Gadsden, and Liberty counties by 2023. In addition, Seminole recently announced their plans to build out 300 MW of solar by 2023, some of which will be purchased by Talquin. Talquin projects that its energy mix by 2023 will consist of 26% renewable energy sources. Talquin Electric allows net metering for its members, and its cap on the size of net-metered systems is 1 MW based on location. Currently, for net-metered accounts, credits carry throughout an entire year and are trued-up at the end of the year. Talquin is considering potential changes to its net-metering program in the near future.

Alignment of the County's and City's Permitting Processes for Solar Installations:

With regard to aligning the County's and City's permitting process for solar installations, the proposed County Ordinance would require only a building permit for solar energy systems serving a single property (whether building-mounted or as an accessory ground-mounted system). As indicated earlier in this item, the permit process requires a plan review for electrical or plumbing components based on the type of solar equipment, pursuant to Florida Building Code requirements. The City of Tallahassee currently requires a similar permit for building-mounted and accessory ground-mounted solar installations. The proposed County Ordinance would, however, provide specific development standards for neighborhood-scale and utility-scale systems that are not currently contemplated in the City's land development regulations. Where the County Ordinance would specifically define thresholds for these types of systems, prescribe the development standards applicable to each type, and establish permit processes, the City of Tallahassee does not currently have a regulatory process in place for neighborhood-scale or utility-scale systems. The County Ordinance would specify a minimal site plan review process for either system, whereas the City may require as much as a Type "B" review, requiring Development Review Committee approval, which was the case for the City's most recent utility-scale system near the Tallahassee

International Airport. Based upon conversations with City of Tallahassee Growth Management personnel, the City considers its existing processes and regulations adequate for the review of solar energy systems and does not intend to implement changes to its solar permitting requirements at this time.

Summary and Conclusion:
As a summary of the recommendations presented in this agenda item, the Board's adoption of the proposed Ordinance and associated Comprehensive Plan amendment would result in the following specific enhancements:

- Creating a new section of the Leon County Land Development Code to provide specific development criteria for solar energy systems;
- Providing specific standards for building-mounted and accessory ground-mounted solar energy systems (currently, all solar energy systems are treated as an "accessory structure" as defined in Section 10-6.802 of the LDC; however, the accessory structure requirements are tailored for structures like barns, boat houses, and gazebos and do not contemplate solar energy systems);
- Affirmatively allowing building-mounted and accessory ground-mounted solar energy systems in all zoning districts in unincorporated Leon County (staff has historically interpreted the LDC to allow these systems in all zoning districts as an accessory structure; the proposed Ordinance would ensure consistency in the future application of solar energy standards by specifying that these systems "shall be allowed in any zoning district");
- Allowing a neighborhood-scale solar energy systems in all zoning districts in unincorporated Leon County (not allowable under the current LDC except as an accessory structure);
- Allowing utility-scale solar energy systems in the Industrial, Light Industrial, Urban Fringe and Rural zoning districts (not allowable under the current LDC except as an accessory structure);
- Streamlining permitting requirements for neighborhood-scale solar energy systems and which could save applicants $1,500 in fees and 25 days of permit review time; and
- Fulfilling a key requisite for achieving designation as a SolSmart community.

Consistent with Leon County's Strategic Priority to be a responsible steward of our community's natural resources, the County has demonstrated a commitment to supporting renewable and sustainable energy sources. In recent years, the County developed a new methodology for building permit review and inspection fee assessments for solar installations which reduced permit costs for applicants, created a permitting brochure for solar energy systems which provided guidance for property owners and contractors interested in installing solar energy systems, and established a Strategic Initiative to pursue designation as a SolSmart community. The proposed Ordinance and Comprehensive Plan amendment recommended in this item further expand the areas where solar development is allowed in the community, reduce permit costs, and streamline the development review process, representing yet another significant step forward in the County's efforts to encourage the development of alternative energy sources.

Options:

1. Schedule two public hearings to adopt a proposed Ordinance amending Section 10-1.101, entitled "Definitions" and creating a new Section 10-6.820, entitled "Solar Energy Systems," (Attachment #1) for July 9 and September 17, 2019 at 6:00 p.m.
2. Initiate an out-of-cycle text amendment to the Tallahassee-Leon County Comprehensive Plan to recognize solar electric generating systems as Light Infrastructure and to resolve internal inconsistencies in the Plan.
3. Do not initiate an out-of-cycle text amendment to the Tallahassee-Leon County Comprehensive Plan.
4. Do not schedule public hearings to adopt the proposed Solar Energy Systems Ordinance.
5. Board direction.

Recommendations:

Options #1 and #2

Attachments:

1. Proposed Ordinance
2. Solar Photovoltaic Permitting Guidelines Brochure
3. Proposed Comprehensive Plan Glossary Change
4. Proposed changes to Land Use Policy 2.2.1
5. Proposed changes to Land Use Table 6

LEON COUNTY ORDINANCE NO. 2019-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING SECTION 10-1.101, DEFINITIONS; CREATING A NEW SECTION 10-6.820 ENTITLED "SOLAR ENERGY SYSTEMS"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Board of County Commissioners desires to encourage the use of alternative and sustainable forms of energy such as solar energy systems;

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

Section 1. Amending Section 10-1.101, Definitions.

Section 10-1.101 of Article I of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled "Definitions", is hereby amended to read as follows:

Sec. 10-1.101 - Definitions.

* * *

Accessory ground-mounted solar system. See *Solar energy system.*

* * *

Building-mounted solar system. See *Solar energy system.*

* * *

Photovoltaic (PV) shall pertain to the direct conversion of light into electricity.

Photovoltaic (PV) array or *array* shall mean an interconnected system of PV modules that function as a single electricity-producing unit. The modules are assembled as a discrete structure, with common support or mounting. In smaller systems, an array can consist of a single module.

Photovoltaic (PV) module shall mean the smallest environmentally protected essentially planar assembly of solar cells and ancillary parts, such as interconnections, terminals, (and protective devices such as diodes) intended to generate direct current power under unconcentrated sunlight.

Photovoltaic (PV) system shall pertain to a complete set of components for converting sunlight into electricity by the photovoltaic process, including the array and balance of system components.

* * *

Small-scale solar system. See *Solar energy system.*

* * *

Solar access easement shall mean an easement obtained for the purpose of maintaining exposure of a solar energy device to receive sunlight and in compliance with section 704.07, F.S.

Solar energy system shall mean a complete assembly consisting of one or more solar collectors and associated mounting hardware or equipment. Examples of this may include, but are not limited to, photovoltaic (solar electric) systems and thermal solar energy systems.

(1) *Accessory ground-mounted solar system* shall mean *a* solar energy system that is a stand-alone ground-mounted accessory structure in conjunction with a principal use or structure on the site.

(2) *Building-mounted solar system* shall mean a solar energy system that is mounted on a principal structure and may include solar thermal panels, solar hot water system panels and photovoltaic panels.

(3) *Neighborhood-scale solar system* shall mean a photovoltaic system that serves a group of structures or dwellings and does not exceed the threshold for a utility-scale solar system and are not intended for the primary purpose of providing power generation to the local electric grid.

(4) *Utility-scale solar system* shall mean a photovoltaic system that is connected to the local utility power grid for distribution to consumers in the electricity market as a commercial venture and providing more than 1 megawatt of power generation.

* * *

Utility-scale solar system. See *Solar energy system.*

* * *

Section 2. Creating Section 10-6.820, Solar Energy Systems.

Section 10-6.820 of Article VI of Chapter 10, the Land Development Code, of the Code of Laws of Leon County, Florida, entitled "Solar Energy Systems," is hereby created to read as follows:

Sec. 10-6.820 – Solar Energy Systems.

1. *Purpose and Intent*. The purpose of this section is to provide the appropriate development standards to support sustainable and renewable solar energy production while mitigating off-site impacts, the

protection of environmental features and ensuring the continued health, safety and welfare of the public.

2. *Development Standards*. The installation of solar energy systems shall require, at minimum, a building permit but may also require additional review based upon the type and scope of the installation. The installation of solar energy systems for both residential and non-residential uses shall comply with the following standards.

    a. *Building-mounted solar systems*. The following standards apply to building-mounted solar systems:

        1) *Location*. Building-mounted solar systems shall be allowed in any zoning district. No part of the building-mounted solar system shall be mounted on a free-standing wall or fence.

        2) *Height*. Shall not exceed four feet above the height of any principal building and in no instance shall the building-mounted solar system structure and associated equipment exceed the maximum building height of the zoning district, unless granted a variance by the Board of Adjustment and Appeals in accordance with Article II, Division 3.

        3) *Permit requirements*. All building-mounted solar systems shall require submittal of a building permit application. The building permit application shall include the following information at minimum:

            a) The manufacturer's installation instructions of the solar equipment;

            b) An electrical diagram of the system and all electrical connections, including inverter placements, storage devices and system disconnect locations. Electrical connections shall be completed by a Florida licensed electrical contractor;

            c) A wind load analysis for 120 mph (3 second gust) hurricane-force winds (or the minimum required by the latest revision of the Florida Building Code); and

            d) A sketch diagram identifying the location of the solar energy equipment on the structure.

    b. *Accessory ground-mounted solar systems*. Accessory ground-mounted solar systems shall be considered accessory structures and will be subject to the accessory structure requirements noted in Article VI, Division 8 of the LDC, in addition to the following standards.

        1) *Location*. Accessory ground-mounted solar systems shall be allowed in any zoning district on a developed parcel with a principal structure, provided the accessory ground-mounted solar system:

a) Shall not be located within the required front yard setback as defined in the applicable zoning district;

b) shall not be located over a septic system or drainfield unless approved by the Florida Department of Health in Leon County;

c) shall not be located within preservation areas as defined in Article IV of the LDC; and

d) if located within a conservation area and/or special development zone, the accessory ground-mounted solar system shall be consistent with Article IV of the LDC.

2) *Height*. Shall not exceed the height allowed in the zoning district as measured from average grade at the base of the structure to the highest point of the array or solar structure.

3) *Permit requirement*. A building permit application for a residential accessory ground-mounted solar system shall require submittal of the information noted in subsection 2.a.3. above, along with the following information:

a) Site plan identifying the location of the proposed accessory ground-mounted solar system in relation to property boundaries, any existing improvements on the property, trees and/or easements. Measurements for setback compliance shall be measured from the outermost edge of the structure (including the panels and/or associated mounting equipment) to any other structure or property line; and

b) Height of the proposed structure and associated equipment.

4) *Modification of site plan.* Accessory ground mounted systems for non-residential uses may require modification to the associated site and development plan and environmental permit, if applicable.

c. *Neighborhood-scale solar systems*. The following standards apply to neighborhood-scale solar systems:

1) *Location*. Shall be allowed in all zoning districts.

2) *Height*. Shall not exceed the height allowed in the zoning district as measured from average grade at the base of the structure to the highest point of the array or solar structure.

3) *Screening*. A 10 foot-wide Type "A" buffer, as outlined in Article VII, Division 5, shall be required between the neighborhood-scale solar energy facility and existing, adjacent residential development.

4) *Setbacks*. Shall meet the primary structure setback requirements of the applicable zoning district.

5) *Permit requirement*. Proposed neighborhood-scale solar energy systems may be included in the site and development plan for any proposed residential or non-residential development utilizing such system. For all developments and redevelopments, the following shall apply in addition to subsection 2.a.3:

a) Permitted Use Verification, consistent with Article VII, Division 4, is required to determine eligibility and permit process;

b) An Administrative Streamlined Application review (ASAP) pursuant to Article VII, Division 4 is required;

c) A Natural Features Inventory (NFI) shall not be required for this type of system. Environmental permitting shall be addressed through the Short Form B-Low permit process. The applicant shall provide documentation demonstrating the project's compliance with the stormwater treatment and attenuation requirements provided in Sections 10-4.301, 10-4.302, and 10-4.303 of the LDC based on proposed project specifics and site drainage characteristics.

d) Building Permit Application shall be required to demonstrate compliance with applicable provisions of the Florida Building Code and may be submitted and reviewed concurrently with the ASAP application.

d. *Utility-scale solar systems*. The following standards shall apply to utility-scale solar systems:

1) *Location*. Utility-scale solar systems shall only be allowed in the Industrial, M-1, UF and Rural zoning districts. Due to the anticipated scale and off-site impacts to residential properties and rural viewsheds, proposed utility-scale solar systems shall be considered restricted uses and shall be further regulated by Article VI, Division 6 of the LDC, as applicable.

2) *Height*. Shall not exceed the height allowed in the zoning district as measured from average grade at the base of the structure to the highest point of the array or solar structure.

3) *Setbacks*. Shall be set back no less than 50 feet from any adjacent residential land use, habitable dwelling on an adjacent property or roadway. A deviation, pursuant to Section

10-1.106, to reduce these setbacks may be requested provided additional screening is utilized to mitigate the reduction in setback.

4) *Screening*. The use shall provide, at minimum, a Type "A" buffer utilizing native vegetation between residential properties and roadways. Existing vegetation may satisfy some, if not all, of the required buffer.

5) *Security*. A utility-scale solar energy facility shall be enclosed by a security fence no less than six feet in height. Access gates and equipment cabinets shall be locked when not in use.

6) *Glare and lighting*. The solar energy system components shall be designed with an anti-reflective coating or at least shall not produce glare that would constitute a nuisance to occupants of neighboring properties, aircraft, or persons traveling adjacent or nearby roads. If lighting is required, it shall be activated by motion sensors, fully shielded or fitted with recessed bulbs so as to minimize light trespass.

7) *Local utility approval*. If connection to a local utility grid is proposed, the applicant shall provide documentation from the local utility provider demonstrating conceptual plan approval prior to site plan approval.

8) *Performance bond*. The applicant must provide the County with a security bond acceptable to the County in the amount of 125% of the estimated total cost of demolition, removal and proper disposal of the solar energy system and associated equipment. Estimates shall be determined by a licensed Florida engineer. A lapse in the performance bond shall be a violation of this section.

9) *Permit process*. Proposed utility-scale solar energy systems may be included in the site and development plan for any proposed residential or non-residential development utilizing such system. For all developments and redevelopments the following shall apply in addition to subsection 2.a.3:

   a) Permitted Use Verification, consistent with Article VII, Division 4, is required to determine eligibility and permit process;

   b) Pursuant to Article IV, Division 2, a Natural Features Inventory is required to identify environmental features and constraints;

   c) An Administrative Streamlined Application review (ASAP) pursuant to Article VII, Division 4, is required provided the application proposes gross building area of no greater than 1,000 square feet or an increase in impervious surface area on the subject parcel of no greater than ten percent. If the proposed utility-scale solar energy system exceeds the ASAP threshold, the application shall be

reviewed under a Type "A" site and development plan review in accordance with Article VII, Division 4;

d) Environmental Permit shall be required consistent with Article IV of the LDC;

e) Building Permit Application shall be required to demonstrate compliance with applicable provisions of the Florida Building Code.

10) *Removal of abandoned systems*. Any solar energy system component or device that is not operated for a period of 12 months shall be considered abandoned. Determination of the date of abandonment shall be made by the County Administrator or designee, based upon documentation and/or affidavits from the solar energy system owner/operator regarding the issue of usage. Upon the determination of such abandonment, the owner/operator of the solar energy system shall have an additional 180 days within which to: (1) reactivate the use of the solar energy system or transfer the system to another owner/operator who makes actual use of the system, or (2) dismantle and remove the solar energy system. The owner(s) of an abandoned solar energy system and the owner of the property where the system is located shall be responsible for the removal of the abandoned system or abandoned portions of a system. Should the owner or operator of the solar energy system fail to remove the system within 180 days from the date of abandonment, the County shall proceed with the removal of the abandoned solar energy system.

11) *Restoration of a site*. Once a solar energy system has been removed, the site shall be restored to condition that will allow effective reuse comparable to surrounding properties within six months of non-use unless the site is exempt pursuant to F.S. 823.14 or has received approval for redevelopment.

Section 3. 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 2030 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 4. Severability.

If any word, phrase, clause, section, 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 5. 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 _____, 2019.

LEON COUNTY, FLORIDA

By:_____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTESTED BY:
Gwendolyn Marshall, Clerk of Court
& Comptroller, Leon County, Florida

By:_____

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W. A. Thiele, Esq.
County Attorney

LEON COUNTY

DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT

SOLAR PHOTOVOLTAIC PERMITTING GUIDELINES



Is solar PV right for your building?

Prior to the installation of a solar photovoltaic (PV) system in your home, there are some conservation measures that should be taken to reduce your current energy use. These measures will not only reduce energy investments and greenhouse gas emissions, but may also allow for the possibility of installing a smaller PV system. Some examples of such conservation measures include:

- A preliminary FREE energy and water audit from Tallahassee City Utilities at **891-4Y0U** or Talquin Electric at **627-7651**.
- LED light replacements and retrofits
- Additional insulation in your attic
- Weather stripping
- Heating and air vent sealants
- HVAC cleaning and maintenance
- Upgraded HVAC units with higher energy efficiencies
- Appliances with higher energy efficiencies

Installation:

The 2014 Edition of the Florida Building Code (FBC) and the 2011 National Electrical Code (NEC) require permits and inspections for solar PV and thermal water heater installations. The FBC requirements include a wind analysis of the host structure prepared by a Florida Register Engineer. This document is required to ensure that the panels have been attached properly and can withstand hurricane force winds up to 120 mph. Additional requirements include field inspections to verify the proper installation of the panels to the roof system, or foundation if the system is ground mounted.

The NEC outlines the proper installation of all electrical components of the PV system. Obtaining a solar permit may require review approvals within Development Support and Environmental Management (DSEM), including Development Services and Environmental Services. To assist with timely review and permit issuance, please contact the Building Plans Review and Inspection Service Advisor at 606-1300 to get complete permit application and inspection information.

Required Submittal Documents:

1. A building permit application will need to be completed for all solar installations. The application can be accessed online at www.LeonCountyFl.gov/DSEM/Applications.
2. The manufacturer's installation instructions of the solar panels.
3. An electrical diagram of the system and all electrical connections, including inverter placements and system disconnect locations. Electrical connections shall be completed by a Florida licensed electrical contractor.
4. A wind load analysis for 120 mph (3 second gust) hurricane-force winds.



5. If the system is to be ground mounted, additional information shall include a site plan to show location of the proposed structure in relation to existing improvements, property boundaries, trees and/or easements.

Other Reviews and Approvals:

1. If trees are to be removed as a component of the solar installation, an environmental permit will be required as outlined in the County's Land Development Code (LDC).
2. Ground-mounted solar installations are considered to be accessory structures, and will require a Project Status Determination. As a result, the proposed improvement will be subject to the applicable accessory structure requirements noted in the County's LDC.
3. After review and approval of the building permit, the licensed contractor for the solar installation may wish to expedite the permitting process for future installations by requesting that the submitted information be placed in a "master solar permit file" for future reviews.

Permit Fees:

In keeping with the County's commitment to sustainable practices within our community, DSEM recognizes the impact of utilizing solar power to reduce our carbon footprint, our reliance on fossil fuels, and property owner's utility costs. Solar installations including photovoltaic and thermal water heating equipment that are proposed as a component of a new building or structure will be covered under the building permit and no additional solar-related permit review fees will apply. Specific to retrofit or stand-alone solar systems, the Board of County Commissioners revised and reduced the fee structure for solar permits in 2011. The following fees are reflective of the Building Review and Inspection fees only.

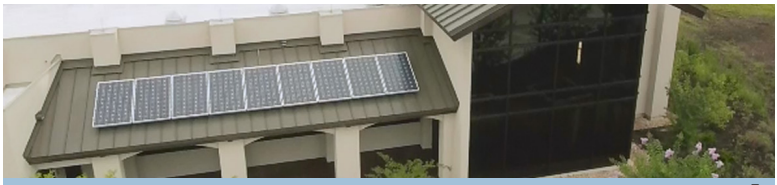
Solar Photovoltaic (PV)	
Building permit review	$91.38
Electrical permit review	$78.32
Total fee	**$169.70**

Solar Thermal (Water Heating)	
Building permit review	$91.38
Plumbing permit review	$91.38
Total fee	**$182.76**

Ground mounted (accessory structure) solar permits for structures (PV or Solar Thermal) consisting of 300 or more square feet shall include the following additional fees:

Ground Mounted Solar Permit Fees	
Development Services review	$120.00
Environmental Services review	$180.00*
Total fee	**$300.00**

**Note: The Environmental Services review fee of $180 will not be charged for parcels of five acres or larger.*



Permit Submission:

1. Solar PV and thermal permit applications may be submitted electronically through Leon County's web permitting program (Velocity Hall). This web-based permitting is available only for licensed contractors that have a master solar permit on file at DSEM.
2. Permits may be delivered to the offices of DSEM (435 N. Macomb, 2nd floor) during regular business hours.

Solar Installation Inspection:

1. Inspections for roof-mounted solar PV systems include review of the connections between the solar panel brackets and the roof structure to ensure that proper connections have been made and that the roof penetrations have been properly sealed.
2. Ground-mounted PV systems will require a foundation inspection, which includes verification of the width and thickness of the foundation and the placement of reinforcing steel.
3. Electrical inspections for PV systems are required for both roof- and ground-mounted systems to ensure the wiring is properly installed, the system inverters are located in the proper locations and that the equipment disconnects are installed as per the NEC. Proper labeling of the breakers in the main distribution panel is also verified during the electrical inspection.
4. Thermal water heating systems will require inspections of the roof panel connection and piping, including a pressure test.
5. Additional requirements such as meter locations may be mandated by your electric utility provider. The applicant or homeowner will need to contact the utility provider directly to determine these requirements.

Notification of Electric Utility Provider:

1. Upon receipt of a solar installation permit application at DSEM, the permit tracking system will automatically notify the electric utility provider of the submittal.
2. After final inspections of the solar PV system are completed and approved by DSEM, the permit tracking system will notify the electric utility provider that all inspections have been approved and that the system is released for service.

Please note, however, that final approval of the Leon County permit does not qualify the owner for installation of a special metering system, as this is determined directly by the utility provider.





LEON COUNTY
Development Support and Environmental Management
435 North Macomb Street, Tallahassee, FL 32301
(850) 606-1300
www.LeonCountyFL.gov/DSEM

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space, which may or may not be used for development at a later date.

COMMERCIAL: (REV. EFF. 6/25/96) Generally, an activity or business involving the sale of goods and/or services carried out for profit.

MINOR: (EFF. 7/16/90) Provide for the sale of convenience goods and services to the immediate residential area. Gross floor area—less than 20,000 square feet except at a local street intersection where maximum allowable is 10,000 square feet.

NEIGHBORHOOD: (REV. EFF. 9/19/91) Provide for the sale of convenience goods and personal services such as food, drugs, sundries and hardware items to one or more neighborhoods. Gross floor area—20,000 to 100,000 square feet. Except at intersection of collectors where maximum allowable is 50,000 square feet.

COMMUNITY: (EFF. 7/16/90) Same functions of neighborhood commercial but on a larger scale. Provide for sale of retail goods such as clothing, variety items, appliances and furniture, hardware and home improvement items. Gross floor area—100,000 to 200,000 square feet.

REGIONAL: (EFF. 7/16/90) 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. Gross floor area - 200,000 to 1,000,000 square feet.

HIGHWAY: (EFF. 7/16/90) Provide for consumer oriented retail services designed for drive-in convenience. Gross floor area - 1,000 to 10,000 square feet.

COMMUNITY FACILITIES: (REV. EFF. 8/17/92) Facility or service which may be public or privately owned, established, and intended to provide significant public benefit.

COMMUNITY SERVICES: (EFF. 7/16/90; REV. EFF. 8/27/17) A facility owned or operated by a public or private entity or agency that provides a service or significant public benefit directly to the general public, such as libraries, religious facilities, police/fire stations, hospitals, museums, and schools.

LIGHT INFRASTRUCTURE: (EFF. 7/16/90) Water wells, water tanks, sewage pump stations, electric substations, and solar power stations and systems.

HEAVY INFRASTRUCTURE: (EFF. 7/16/90; REV. EFF. 12/24/10) Government operational facilities, which have significant off-site impacts. Also included are such facilities operated by semi-public or private utility providers. These facilities shall include but are not limited to:

Waste-to-energy facilities
Materials recovery facilities
Sanitary sewer facilities
Sanitary sewer percolation ponds
Sewage treatment plants
Airports
~~Electric generating facilities~~Power stations (non-solar powered)
Landfills
Sludge disposal facilities
Incinerators
Correctional facilities
Water treatment plants
Outdoor storage facilities
Vehicle maintenance facilities
Solid waste transfer station
Correctional facilities

POST-SECONDARY: (EFF. 7/16/90) Public or private - Universities, colleges, vocational/technical schools.

COMMUNITY PARK: (EFF. 7/16/90) Means those parks that serve several neighborhoods with total populations of up to 25,000 and have a service area of up to a three mile radius. "Ride-

Policy 2.2.1: [L]

RURAL/AGRICULTURE (REV. EFF. 8/17/92; REV. EFF. 7/26/06; REV. EFF. 12/24/10; REV. EFF. 7/6/15)

INTENT

Leon County's agricultural and silvicultural lands have a long and productive history. They have served as both a source of food and materials for urbanized areas of the County and as a significant economic engine for the region. Decades of suburbanization have dramatically reduced the amount of arable land available for agriculture and silviculture within the County. These lands are now at a premium and require protection to ensure that they remain viable, unfragmented, and productive for future generations.

The intent of the Rural category is to maintain and promote agriculture, silviculture, and natural resource-based activities, to preserve natural systems and ecosystem functions, and to protect the scenic vistas and pastoral development patterns that typify Leon County's rural areas. Typical land uses within this category shall include agriculture, silviculture, and natural resource-based activities. Due to the very low intensity development pattern that is intended for the category, urban services are not planned or programmed for the area.

To promote infill and redevelopment within the Urban Service Area (USA) and Rural Communities, higher density residential, and non-residential activities that are not functionally related to and supportive of agriculture, silviculture and other natural resource based activities shall be prohibited within the Rural category.

ALLOWABLE USES, DENSITIES, AND INTENSITIES

1. Residential

   The Rural category shall allow for single family residential uses at a maximum density of one (1) dwelling unit per ten (10) gross acres.

2. Non-residential

   Agriculture, silviculture, and other natural resource based activities shall comprise the primary non-residential uses within the Rural category.

   Consistent with Florida's Right to Farm Act, bona-fide agricultural uses, on land classified as agricultural land by the Leon County Property Appraiser, shall not be subject to a non-residential intensity limitation.

   Non-residential uses functionally related to and directly in support of agricultural, silvicultural, and other natural resource based activities, including ecotourism activities, may be permitted at a maximum intensity of 2,000 sq. ft. per gross acre. The location of such uses shall be limited to the intersection of major collector and arterial or arterial and arterial designated roadways. Total development at any one intersection shall not exceed 10,000 sq. ft.

   To ensure that such uses are developed in a manner that is compatible with the rural nature of the area, additional standards and limitations shall be included in the land development code.

3. Community and Recreational Facilities

   Community services~~, light infrastructure~~, and recreational uses may be permitted provided they are compatible with the natural and rural surroundings. Facilities associated with

these uses may be permitted at a maximum intensity of 2,000 sq. ft. per gross acre.

Active recreational uses not functionally related to or supportive of agriculture, silviculture, natural resource based, or ecotourism activities, including, but not limited to golf courses, drag strips, and racetracks for motorized vehicles, are prohibited.

To ensure that such uses are developed in a manner that is compatible with the rural nature of the area, additional design standards and limitations shall be included in the land development code.

SPECIAL CONDITIONS

The following special conditions shall apply to the Rural future land use category:

1. Development proposals within the Rural area shall be evaluated for compatibility with adjacent agricultural uses and shall consider the land management activities associated with such uses. Development that is incompatible with agricultural uses, or has the potential to fragment, encroach upon, or displace such uses, shall not be permitted.
2. Property within the Rural category shall not be converted to a more intense land use category unless the subject site adjoins the Urban Service Area or a designated Rural Community.
3. Non-residential development and light infrastructure shall be subject to design standards that preserve the scenic and rural character of this category and protect existing rural residential development from offsite impacts of non-residential development. Design standards shall include, but not be limited to, signage, lighting, parking, landscape buffers, and building materials.
4. Existing uses and structures listed on the local or national historic register at the time of adoption of this amendment shall be considered conforming.

Policy 2.2.2: [L]

URBAN FRINGE* (REV. EFF. 8/17/92; REV. EFF. 7/26/06; REV. EFF. 4/10/09; REV. EFF. 12/24/10; REV. EFF. 12/15/11)

The Urban Fringe category is intended to provide the opportunity for very low-density residential areas mixed with open space and agricultural activity on the periphery of the Urban Service Area. To protect Rural areas from premature development, facilitate infill and redevelopment inside the Urban Service Area, and in recognition of the significant area already mapped as Urban Fringe, no additional lands designated Rural or Urban Fringe as of August 26, 2006 shall be converted to a more dense or intense land use category unless adjoining lands are also within the designated Urban Service Area boundary or the designated Woodville Rural Community. Conversions to the Woodville Rural Community designation shall be consistent with the Transfer of Development Units provision in Policy 4.2.5: [C].

Conventional subdivision of land in the Urban Fringe may be permitted at a density of up to one unit per three acres. To promote a mix of residential areas and perpetually protected open space and agricultural lands, Conservation Subdivision developments are allowed and encouraged. Conservation Subdivision design in Urban Fringe may be permitted at a density of up to one unit per three gross acres with units clustered on no more than 50% of the site. Conservation Subdivisions must also permanently set aside at least 50% of the total site as open space and restrict development to the least environmentally sensitive and otherwise significant portions of the land.

LEON COUNTY*

LAND USE DEVELOPMENT MATRIX

PROPOSED LAND USE	TYPE	FUTURE LAND USES: NEIGHBORHOOD BOUNDARY	RURAL	URBAN FRINGE	ACTIVITY CENTER	RURAL COMMUNITY	LAKE PROTECTION	RESIDENTIAL PRESERVATION	LEL-B	TALQUIN	GOV. OPERATIONAL	REC. OPEN SPACE	EDUCATIONAL	HEAVY INDUSTRIAL	URBAN RESIDENTIAL	RESIDENTIAL CORRIDOR	RESIDENTIAL CORRIDOR-WIDE
COMMERCIAL	MINOR	25	X	X	X	X	19	0	X	0	0	0	X	0	~~0~~	~~28~~
	NEIGHBORHOOD	0	0	0	X	X	0	0	X	0	0	0	0	0	~~0~~	~~0~~
	COMMUNITY	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	REGIONAL	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	HIGHWAY	0	0	0	X	0	0	0	X	0	0	0	0	0	~~0~~	~~0~~
OFFICE	MINOR	25	0	X	X	X	19	0	X	0	0	0	0	0	0	28
	MAJOR	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
	PARK	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
RESIDENTIAL	LOW	X	X	X	0	X	X	X	X	0	0	0	12	X	~~X~~	~~X~~
	MEDIUM	0	0	0	X	0	0	0	0	0	0	0	0	27	~~0~~	X
	HIGH	0	0	0	X	0	0	0	0	0	0	0	0	0	~~0~~	~~0~~
RECREATIONAL	PASSIVE	0	X	X	X	X	X	X	X	X	X	X	0	X	~~0~~	~~0~~
	ACTIVE	0	X	X	X	X	X	X	X	X	X	X	0	0	~~0~~	~~0~~
COMMUNITY FACILITIES	COMMUNITY SERVICES	X	X	X	X	X	X	X	X	X	X	X	X	0	X	~~X~~	~~X~~
	LIGHT INFRASTRUCTURE	0	X	X	X	X	X	X	X	X	X	X	X	0	~~0~~	~~0~~
	HEAVY INFRASTRUCTURE	0	X	X	0	0	0	0	X	X	0	0	X	0	~~0~~	~~0~~
	POST-SECONDARY	0	X	X	X	X	0	0	X	0	0	X	0	0	~~0~~	~~0~~
LIGHT INDUSTRIAL	MINOR	0	10	10	X	10	0	0	0	0	0	0	X	0	~~0~~	~~0~~
	PARK	0	0	0	1	0	0	0	0	0	0	0	X	0	~~0~~	~~0~~
HEAVY INDUSTRIAL	HEAVY INDUSTRIAL	0	10	0	0	0	0	0	0	0	0	0	X	0	~~0~~	~~0~~

EXISTING ADJOINING LAND USES (A)(D)(G): COMMERCIAL: MINOR	NEIGHBORHOOD	COMMUNITY	REGIONAL	HIGHWAY	OFFICE: MINOR	MAJOR	PARK	RES.: LOW	MEDIUM	HIGH	REC.: PASSIVE	ACTIVE	EDUC.: ELEMENTARY	MIDDLE	HIGH	COMMUNITY FACILITIES: COMMUNITY SERVICE	LIGHT INFRASTRUCTURE	HEAVY INFRASTRUCTURE	POST-SECONDARY	LGT. IND.: MINOR	PARK	HVY. IND.
MINOR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	X	X	X	X
NEIGHBORHOOD	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	0	X	X	X	0
COMMUNITY	X	X	X	X	X	X	X	0	X	X	0	X	0	X	X	X	X	X	X	X	X	0
REGIONAL	X	X	X	X	X	X	X	0	0	X	0	0	0	0	X	X	X	X	X	X	X	0
HIGHWAY	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	X	X	X	X	X
MINOR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	X	X	X	X	X	13
MAJOR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	1
PARK	X	X	X	X	X	X	X	0	X	X	X	X	0	X	X	X	X	1	X	X	X	1
LOW	X	0	0	0	X	X	0	X	X	X	X	X	X	X	X	X	X	0	0	0	0	0
MEDIUM	X	X	X	9	X	X	X	14	X	X	X	X	X	X	X	X	X	0	0	0	0	0
HIGH	X	X	X	X	X	X	X	0	X	X	X	X	X	X	X	X	X	X	X	X	X	0
PASSIVE	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
ACTIVE	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
COMMUNITY SERVICES	X	X	X	X	X	X	X	2	X	X	X	X	X	X	X	X	X	X	X	X	X	X
LIGHT INFRASTRUCTURE	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
HEAVY INFRASTRUCTURE	X	X	X	X	0	1	1	0	0	0	0	X	0	0	0	1	X	X	0	X	X	X
POST-SECONDARY	X	X	X	X	X	X	X	0	X	X	X	X	1	X	X	X	X	X	X	X	X	0
MINOR	X	X	X	X	X	X	X	0	0	X	0	X	0	0	0	X	X	X	X	X	X	X
PARK	X	X	X	X	X	X	X	0	0	X	0	X	0	0	0	X	X	X	X	X	X	X
HEAVY INDUSTRIAL	X	0	0	0	X	0	0	0	0	0	0	X	0	0	0	X	X	X	0	X	X	X

TRANSPORTATION ACCESS (B)(J): INTERSECTION LOCATION (E): PRIN. ART/PRIN. ART	PRIN. ART/MIN. ART	PRIN. ART/MAJ. COL.	PRIN. ART/MIN. COL.	PRIN. ART/LOCAL	MIN. ART/MIN. ART	MIN. ART/MAJ. COL.	MIN. ART/MIN. COL.	MIN. ART/LOCAL	MAJ. COL./MAJ. COL.	MAJ. COL./MIN. COL.	MAJ. COL./LOCAL	MIN. COL./MIN. COL.	MIN. COL./LOCAL	LOCAL/LOCAL	STREET ACCESS (F): PRINCIPAL ARTERIAL	MINOR ARTERIAL	MAJOR COLLECTOR	MINOR COLLECTOR	LOCAL	ENVIRONMENTAL CONSTRAINTS (C): FLOODWAY/FLOODPLAIN	ESSENTIAL FEATURES	SEVERE GRADES	SIGNIFICANT GRADES 10 - 20%	WETLAND	REGULATED CLOSED BASIN	HIGH QUALITY SUCCESSIONAL FOREST	NATIVE FOREST	GROUNDWATER RESOURCE PROTECTION	CANOPY ROAD	INFRASTRUCTURE: SEWER SYSTEM/PACKAGE PLANT	SEPTIC TANK	WATER SYSTEM	WATER WELL
0	0	X	X	23	0	X	X	23	X	X	0	X	0	X	X	X	X	0	X	0	0	1	0	3	1	0	X	17	X	X	X	X
0	0	X	X	23	0	0	X	X	0	X	0	X	0	X	X	X	X	15	0	0	0	0	0	3	1	0	4	11	X	0	X	0
X	X	0	0	0	X	0	0	0	0	0	0	0	0	0	X	X	0	0	0	0	0	0	0	3	1	0	0	0	X	0	X	0
X	X	X	0	0	X	X	0	0	0	0	0	0	0	0	X	X	15	0	0	0	0	0	0	3	0	0	0	0	X	0	X	0
6	6	X	0	0	6	X	0	0	0	0	0	0	0	0	X	X	X	O	0	0	0	1	0	3	1	0	4	0	X	0	X	0
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	0	0	0	0	X	0	3	X	0	X	X	X	0	X	X
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0	0	0	1	0	3	1	0	X	17	X	0	X	0
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0	0	0	0	0	3	1	0	4	17	X	0	X	0
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	16	16	16	X	X	1	X	X	0	3	X	8	X	17	X	20	X	X
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0	0	0	8	0	3	1	0	4	17	X	0	X	0
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0	0	0	0	0	3	1	0	0	17	X	0	X	0
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	0	X	1	0	3	1	0	X	X	X	X	X	X	5
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	24	0	0	X	0	3	X	0	X	X	X	X	X	5
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	X	X	0	0	X	0	X	1	0	X	X	X	X	X	5
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0	0	0	0	0	3	1	0	4	17	X	21	X	21
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0	0	0	1	0	3	1	0	X	X	X	0	X	0
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0	0	0	1	0	3	1	0	4	0	X	10	X	10
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0	0	0	0	0	3	1	0	4	0	X	0	X	0
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X	X	X	O	0	0	0	0	0	3	1	0	0	0	X	22	X	22

X – Land use is compatible/allowable.
0 – Land use incompatible/not allowable.

1 – PUD or site plan review.
2 – Planned unit development required, except for cemeteries or for religious facilities to be used solely for religious functions. P.U.D. requirement will apply if ancillary facilities are proposed in in conjunction with religious facilities.
3 – Permitted where sufficient storm water management capacity exists within the basin.
4 – Consistent with aquifer recharge policies contained within the Conservation Element.
5 – Permitted outside of Urban Service Boundary.
6 – Permitted only at those intersection quadrants which predously have been developed.
7 – Permitted in conjunction with mixed use project. (footnote deleted)
8 – Cluster development required. (Max. 12 DU/AC)
10 – Agricultural related only.
11 – No access to canopy road.
12 – Residence for security or caretaker personnel allowed.
13 – Office use permitted if ancillary to industrial use.
14 – Intended for lower level of density range.
15 – Secondary access only approved in conjunction with site plan, PUD or DRI.
16 – Direct access allowed outside urban service area or on previously platted lot.
17 – Primary access to canopy road permitted only when alternate access to non-canopy roads is unavailable. Primary access shall be restricted to one driveway designed to mitigate impacts. Planned development required for approval.
18 – Commercial restricted to 50,000 sq ft.
19 – Permitted in county portion of category. (Resultant runoff must be retained on site). PUD required.
20 – Permitted on lots greater than ½ acre (Sewer Policy 2.1.1)
21 – Permitted for appropriate facilities located outside of Urban Service Area (Sewer Policy 1.3.7).
22 – May be permitted for sandmines or borrow pits (Conservation Policy 3.2.2)
23 – Commercial limited to one quadrant of the intersection.
24 – Access allowed outside the Urban Service Area for Community Services operated by public agencies.
25 – Commercial restricted to 3000 sq.ft of gross building floor area per parcel and 10,000 sq ft of gross building floor area per acre provided **BOTH** standards are met.
26 – Minor Offices permitted access onto local streets within Neighborhood Boundary category only.

~~27 – Density limited to 10 Dwelling units per acre.~~
~~28 – Commercial and office restricted to 4,000 sq. feet of gross building floor area per parcel and 5,500 sq. feet of gross building floor area per acre when developed as a single use provided both standards are met or; 10,000 sq. feet of gross building floor area per parcel and 20,000 sq. feet of gross building floor area per acre when developed as a mixed use development provided both standards are met.~~

NA – Not applicable.
* – To be used in conjunction with Future Land Use Map and applicable goals, objectives and policies contained within the Comprehensive Plan.

(A) – An incompatible land use may be permitted with an adequate buffer when its incompatibility with an adjoining land use is along rear property lines. This does not apply to heavy industrial adjoining residential.
(B) – Non-residential uses permitted on all streets and intersections designated as non-residential streets.
(C) – Applies to the specific environmentally significant area on site and the plan requires site specific assessment of development impact on endangered, threatened and species of special concern (plants and animals).
(D) – This portion of the matrix does not apply when existing land use is nonconforming.
(E) – May be waived pursuant to land use policy 3.1.5. or if commercial contained within Mixed Use PUD or DRI development.
(F) – See Transportation Policy 1.6.4.
(G) – Existing adjoining land uses, access, intersection restrictions are not a factor in Activity Center as per conditions of land Use policy 1.4.22.

Effective 06-6-08
Cycle 2007-2

Note:
Matrix is intended to be a pictorial representation of existing policies in the Comprehensive Plan.

DOES NOT APPLY TO BRADFORDVILLE MIXED USE, SUBURBAN, URBAN RESIDENTIAL 2, VILLAGE MIXED USE, PLANNED DEVELOPMENT, UNIVERSITY TRANSITION, DOWNTOWN, WOODVILLE RURAL COMMUNITY, AND CENTRAL URBAN

Proposed change to this Land Use Matrix would disallow Heavy Infrastructure in the Rural Future Land Use category.

Leon County
Board of County Commissioners

Notes for Agenda Item #14

Leon County Board of County Commissioners

Agenda Item #14

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Bid Award to Capital Asphalt Inc. for the Goodwill Donation Station Parking Lot Relocation

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Scott Ross, Director, Office of Financial Stewardship Brent Pell, P.E., Director, Public Works Charles Wu, P.E., Director, Engineering Services
Lead Staff/ Project Team:	Theresa Heiker, P.E., Stormwater Management Coordinator Shelly Kelley, Purchasing Director

Statement of Issue:

This item seeks Board approval to award the bid to Capital Asphalt Inc. in the amount of $297,695 for the Goodwill Donation Station parking lot relocation. The Goodwill Donation Station parking lot will be excavated as part of the Meridian Crossdrain Improvement Project to convey stormwater under Meridian Road rather than across the road.

Fiscal Impact:

This item has a fiscal impact. This item has been budgeted and adequate funding is available in the Capital Improvement budget.

Staff Recommendation:

Option #1: Approve the bid award to Capital Asphalt Inc. in the amount of $297,695 for the Goodwill Donation Station parking lot relocation (Attachment #1) and authorize the County Administrator to execute.

Report and Discussion

Background:

This agenda item seeks Board approval to award the bid to Capital Asphalt Inc. in the amount of $297,695 for the Goodwill Donation Station parking lot relocation. The former convenience store site, located at the intersection of John Hancock Drive and Meridian Road (Attachment #2), will be excavated as part of the Meridian Crossdrain Improvement Project to convey stormwater under Meridian Road rather than across the road.

A drainage easement to allow the construction was acquired through a Development Agreement between Leon County and Edward M. Mitchell, Jr. approved by the Board at the June 20, 2017 meeting. As part of the full compensation for the easement, Leon County is required to address impacts to the business operation of the tenant, Goodwill Industries-Big Bend, Inc., which currently uses the site for parking, building access and donation collection. The primary purpose of this project is to construct parking and site amenities on the north side of the Station, reconstruct building access, then remove all impervious surfaces including the store and parking on the convenience store site.

Analysis:

The Invitation to Bid for the Goodwill Donation Station parking lot relocation project was advertised locally on April 29, 2019. A total of 483 vendors were notified through the automated procurement system. A total 36 of bid packages were requested. The County received two bids on May 21, 2019, with the lowest responsive bidder being Capital Asphalt Inc. in the amount of $297,695 (Attachment #3). The second lowest responsive bid was $311,735, a difference of $14,040. Capital Asphalt Inc. met the 17% MBE and 9% WBE aspirational targets set for this bid (Attachment #4).

Staff recommends approval of the bid award to Capital Asphalt Inc. and authorization for the County Administrator to execute the agreement.

Options:

1. Approve the bid award to Capital Asphalt Inc. in the amount of $297,695 for the Goodwill Donation Station Parking Lot Relocation (Attachment #1) and authorize the County Administrator to execute.
2. Do not approve the bid award to Capital Asphalt Inc. in the amount of $297,695 for the Goodwill Donation Station Parking Lot Relocation.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Draft Construction Agreement
2. Location Map
3. Bid Tabulation Sheet
4. MWSBE Statement

AGREEMENT

THIS AGREEMENT, by and between LEON COUNTY, FLORIDA, a charter county and a political subdivision of the State of Florida, hereinafter referred to as the ("County") and CAPITAL ASPHALT, Inc., hereinafter referred to as the ("Contractor"), both collectively referred to as (the "Parties") is entered into as of the date of last signature below. For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. SERVICES TO BE PROVIDED

   The Contractor agrees to provide to the County the following services related to relocation of the Goodwill Donation Station parking lot, parcel number 11-07-20-213-000, in accordance with: 1) Solicitation # BC-05-21-19-23 which is attached hereto and incorporated herein as Exhibit A, to the extent that it is not inconsistent with this Agreement; and 2) the Contractor's bid submission, attached to this Agreement as Exhibit B, to the extent that it is not inconsistent with this Agreement or with any of its exhibits.

2. WORK

   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.

   The performance of Leon County of any of its obligations under this Agreement shall be subject to and contingent upon the availability of funds lawfully expendable for the purposes of this Agreement for the current and any future periods provided for within the bid specifications.

   Leon County reserves the right to negotiate with the successful bidder/proposer for any related products or services not specifically stated in this solicitation.

3. TIME AND LIQUIDATED DAMAGES

   The work to be performed under this Agreement shall be commenced within fifteen (15) days of the Notice to Proceed. All work to be performed under this Agreement shall be completed within ninety days (90) consecutive calendar days of the Notice to Proceed to final completion. If the work to be performed under this Agreement is not completed within the time set forth above, or within such extra time as may be granted by the County, the Contractor shall be deemed to be in default. For each day the Contractor is in default, the Contractor or its Surety shall pay to the County, not as a penalty, but as liquidated damages, an amount based on the bid price and according to Section 8-10 of the FDOT's Standard Specifications for Road and Bridge Construction, 2017 Edition.

   Permitting the Contractor to continue and finish the work or any part of it after the expiration of the Agreement time allowed, including extensions, if any, shall in no way act as a waiver on the part of County of the liquidated damages due under the Agreement.

4. CONTRACT SUM

   The Contractor agrees that for the performance of the Services as outlined in Section 1 above, it shall be remunerated by the County for a total sum of $297,695.00 on completion of the work and acceptance as

satisfactory.

5. PAYMENTS

The County shall make payments to the Contractor within forty-five (45) days of submission and approval of invoice for services.

6. PROMPT PAYMENT INFORMATION REQUIREMENTS

A. The County Project Manager is:

Name:	Theresa Heiker
Street Address:	2280 Miccosukee Road
City, State, Zip Code:	Tallahassee, Florida 32308
Telephone:	850-606-1500
E-mail:	HeikerT@leoncountyfl.gov

B. The Contractor's Project Manager is:

Name:
Street Address:
City, State, Zip Code:
Telephone:
E-mail:

C. Notices to the Contractor are to be submitted to:

Name:
Street Address:
City, State, Zip Code:
Telephone:
E-mail:

D. Invoices are to be submitted to:

Name:	Theresa Heiker
Street Address:	2280 Miccosukee Road
City, State, Zip Code:	Tallahassee, Florida 32308
Telephone:	850-606-1500
E-mail:	HeikerT@leoncountyfl.gov

E. Proper form for an invoice is:

A numbered invoice document with date of invoice; reference of the County purchase order number; itemized listing of all goods and services being billed with unit prices and extended pricing; vendor's name, address, billing contact person information, and Federal tax identification number. The invoice must be properly addressed to the Division listed on the County purchase order and delivered to that address. Delivery to another County address will void the invoice.

F. Payment Dispute Resolution: Section 14.1 of the Leon County Purchasing Policy details the policy and procedures for payment disputes under the Agreement.

7. STATUS

The Contractor at all times relevant to this Agreement shall be an independent Contractor and in no event shall the Contractor nor any employees or sub-contractors under it be considered to be employees of Leon County.

8. INSURANCE

Contractor shall procure and maintain for the duration of the Agreement 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 Contractor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Contractor's bid.

A. Minimum Limits of Insurance. Contractor shall maintain limits no less than:

1) General Liability: $1,000,000 combined single limit for bodily injury and property damage per occurrence with a $2,000,000 annual aggregate. Completed operations coverage will be provided for a period of three (3) years beyond termination and/or completion of the project. Coverage must include bodily injury and property damage, including Premise/Operations: a per location aggregate, Broad Form Contractual liability; Broad Form Property Damage; Fire Legal liability; Independent Contractors coverage; Cross Liability & Severability of Interest Clauses; and Personal Injury, and coverage for explosion, collapse, and underground (X, C, U).

2) Automobile Liability: $1,000,000 combined single limit per accident for bodily injury and property damage. (Non-owned, Hired Car).

3) Workers' Compensation and Employers Liability: Insurance covering all employees meeting Statutory Limits 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.

B. 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.

C. Other Insurance Provisions The policies are to contain, or be endorsed to contain, the following provisions:

1) General Liability and Automobile Liability Coverages (County is to be named as Additional Insured).

a. The County, its officers, officials, employees and volunteers are to be covered as 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.

b. 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.

c. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the county, its officers, officials, employees or volunteers.

d. The Contractor's insurance shall apply separately to each insured against whom claims are made or suit is brought, except with respect to the limits of the insurer's liability.

2) 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.

D. Acceptability of Insurers. Insurance is to be placed with insurers with a Best's rating of no less than A:VII.

E. 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.

F. 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.

9. PERMITS

The Contractor shall obtain all necessary permits as required by law to lawfully perform the obligations under this Agreement.

10. LICENSES

The Contractor shall be responsible for obtaining and maintaining his city or county occupational license and any licenses required pursuant to the laws of Leon County, the City of Tallahassee, or the State of Florida. Should the Contractor, by reason of revocation, failure to renew, or any other reason, fail to maintain his license to operate, the Contractor shall be in default as of the date such license is lost.

11. ASSIGNMENTS

This Agreement shall not be assigned or sublet as a whole or in part without the written consent of the County nor shall the Contractor assign any monies due or to become due to him hereunder without the previous written consent of the County.

12. PAYMENT AND PERFORMANCE BOND

A Payment and Performance Bond in the amount of 100% of the estimated project cost shall be supplied by the Contractor at the time of Agreement execution. Also, a Payment and Material Bond for the Agreement amount shall be supplied by the Contractor at the same time.

Payment and Performance and Material Bonds shall provide that, in the event of non-performance on the part of the Contractor the bond can be presented for honor and acceptance at an authorized representative or institution located in Tallahassee, Florida. The Payment and Performance Bond shall be in the following form:

PUBLIC CONSTRUCTION BOND
Bond No.(enter bond number)

BY THIS BOND, We _____, as Principal and _____ a corporation, as Surety, are bound to , herein called Owner, in the sum of $, for payment of which we bind ourselves, our heirs, personal representatives, successors, and assigns, jointly and severally.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the Agreement dated _____ , between Principal and Owner for construction of , the Agreement being made a party of this bond by reference, at the time and in the manner prescribed in the contract; and

2. Promptly makes payments to all claimants, as defined in Section 255.05(1), Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the Agreement; and

3. Pays Owner all losses, damages, expenses, costs, and attorney's fees, including appellate proceedings, that Owner sustains because of a default by Principal under the contract; and

4. Performs the guarantee of all work and materials furnished under the Agreement for the time specified in the Agreement, then this bond is void; otherwise it remains in full force.

Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes.

Any changes in or under the Agreement documents and compliance or noncompliance with any formalities connected with the Agreement or the changes does not affect Surety's obligation under this bond.

DATED on this the day of , 20__.

(Name of Principal)

By:
(As Attorney-In-Fact)

(Name of Surety)

Payment bonds executed as a result of the requirements herein by a surety shall make reference to Section 255.05, Florida Statutes, by number and shall contain reference to the notice and time limitation provisions in Section 255.05, Florida Statutes.

13. 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.

14. MINORITY BUSINESS ENTERPRISE (M/WBE) PARTICIPATION

The Contractor shall meet or exceed the M/WBE participation levels stated in the Contractor's M/WBE Participation Statement included as part of the Contractor's response for this project, see Exhibit B, attached hereto and made a part hereof except when the County Good Faith Committee approves an exception.

The Contractor shall provide a monthly report to the Tallahassee/Leon County Office of Economic Vitality's Minority, Women and Small Business Enterprise Division in a format and manner prescribed by the Division. The report shall, at a minimum, indicate the business name of each certified Minority Business Enterprise or Women Business Enterprise sub-contractor utilized, the amount paid, the type of work performed, the appropriate invoice date, and the payment date to the Division.

Should Contractor's sub-contractor utilization fall below the level required in this Agreement or should Contractor substitute MWBE sub-contractors without prior written approval of the Division, the Contractor may be in breach of the Agreement. Contractors found in breach of their Agreement with the County may be suspended from bidding on and/or participation in any future County projects for up to three (3) years as provided in Part B, Section 1 of the Purchasing and Minority, Women, and Small Business Enterprise Policy 96-1.

Any change in the subcontractor utilization as listed on the participation plan (Exhibit B), must be approved by the MWSBE Division. Should the Contractor determine that the MWBE named in their participation plan submittal is unavailable or cannot perform the work, the Contractor shall request a change order. Such change order must be submitted to the MWSBE Division in writing at 315 S. Calhoun Street, Suite 450, Tallahassee, Florida 32301 or by email to Darryl Jones, Deputy Director at DJones@oevforbusiness.org, LaTanya Raffington at lraffington@oevforbusiness.org, or Shanea Wilks at swilks@oevforbusiness.org.

15. AUDITS, RECORDS, AND RECORDS RETENTION

The Contractor agrees:

A. 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 Agreement.

B. To retain all client records, financial records, supporting documents, statistical records, and any other documents (including electronic storage media) pertinent to this Agreement for a period of five (5) years after termination of the Agreement, 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 Agreement.

C. Upon completion or termination of the Agreement 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.

D. 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.

E. Persons duly authorized by the County and Federal auditors, pursuant to 45 CFR, Part 92.36(I)(10), shall have full access to and the right to examine any of provider's Agreement and related records and documents, regardless of the form in which kept, at all reasonable times for as long as records are retained.

F. To include these aforementioned audit and record keeping requirements in all approved subcontracts and assignments.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

LEON COUNTY PURCHASING DIVISION
ATTN: SHELLY KELLEY, PURCHASING DIRECTOR
1800-3 N. BLAIRSTONE ROAD

TALLAHASSEE, FLORIDA 32308
PHONE: 850-606-1600
EMAIL: KELLEYS@LEONCOUNTYFL.GOV

16. 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 Agreement, and interview any clients and employees of the provider to assure the County of satisfactory performance of the terms and conditions of this Agreement.

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 Agreement. 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 Agreement; (2) the withholding of payments to the provider by the County; and (3) the termination of this Agreement for cause.

17. TERMINATION

Leon County may terminate this Agreement without cause, by giving the Contractor thirty (30) days written notice of termination. Either party may terminate this Agreement for cause by giving the other party hereto thirty (30) days written notice of termination. The County shall not be required to give Contractor such thirty (30) day written notice if, in the opinion of the County, the Contractor is unable to perform its obligations hereunder, or if in the County's opinion, the services being provided are not satisfactory. In such case, the County may immediately terminate the Agreement by mailing a notice of termination to the Contractor.

18. PUBLIC ENTITY CRIMES STATEMENT

In accordance with Section 287.133, Florida Statutes, Contractor hereby certifies that to the best of his knowledge and belief neither Contractor nor his affiliates has been convicted of a public entity crime. Contractor and his affiliates shall provide the County with a completed public entity crime statement form no later than January 15 of each year this Agreement is in effect. Violation of this section by the Contractor shall be grounds for cancellation of this Agreement by Leon County.

19. UNAUTHORIZED ALIEN(S)

The Contractor agrees that unauthorized aliens shall not be employed nor utilized in the performance of the requirements of this solicitation. 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.

20. EMPLOYMENT ELIGIBILITY VERIFICATION

A. 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

Agreement/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).

B. Contractor further agrees that it will require each subcontractor that performs work under this Agreement to enroll and participate in the E-Verify Program within sixty days of the effective date of this Agreement/amendment/extension or within sixty days of the effective date of the Agreement 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.

C. 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.

1) 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.

2) 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 Agreement or within 30 days after assignment to perform work pursuant to the Agreement, whichever is later.

D. 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.

E. Compliance with the terms of this Employment Eligibility Verification provision is made an express condition of this Agreement and the County may treat a failure to comply as a material breach of the Agreement.

21. NON-WAIVER

Failure by the County to enforce or insist upon compliance with any of the terms or conditions of this Agreement or failure to give notice or declare this Agreement terminated shall not constitute a general waiver or relinquishment of the same, or of any other terms, conditions or acts; but the same shall be and remain at all times in full force and effect.

22. DELAY

No claim for damages or any claim other than for an extension of time shall be made or asserted against the County by reason of any delays. The Contractor shall not be entitled to an increase in the contract sum or payment or compensation of any kind from the County for direct, indirect, consequential, impact or other costs, expenses or damages, including but limited to costs of acceleration or inefficiency, arising because of delay, disruption, interference or hindrance from any cause whatsoever, whether such delay, disruption,

interference or hindrance be reasonable or unreasonable, foreseeable or unforeseeable, or avoidable or unavoidable; provided, however, that this provision shall not preclude recovery of damages by the Contractor for hindrances or delays due solely to fraud, bad faith, or active interference on the part of the County or its agents. Otherwise, the Contractor shall be entitled only to extensions of the Agreement time as the sole and exclusive remedy for such resulting delay, in accordance with and to the extent specifically provided above.

23. REVISIONS

In any case where, in fulfilling the requirements of this Agreement or of any guarantee, embraced in or required thereby it is necessary for the Contractor to deviate from the requirements of the bid, Contractor shall obtain the prior written consent of the County.

24. VENUE

Venue for all actions arising under this Agreement shall lie in Leon County, Florida.

25. CONSTRUCTION

The validity, construction, and effect of this Agreement shall be governed by the laws of the State of Florida.

26. CONFLICTING TERMS AND CONDITIONS

In the instance that any other agreement exists concerning the matters herein, then the terms and conditions in this Agreement shall prevail over all other terms and conditions.

ORDER OF PRECEDENCE

1. Agreement
2. Exhibit A
3. Exhibit B

ATTACHMENTS

Exhibit A – Solicitation Document #BC-05-21-19-23
Exhibit B – Vendor's Response to Solicitation #BC-05-21-19-23

WHERETO, the parties have set their hands and seals effective the date whereon the last party executes this Agreement.

LEON COUNTY, FLORIDA

By: _____
Vincent S. Long
County Administrator

Date: _____

By: _____

Printed Name _____

Title: _____

Date: _____

ATTEST:
Gwendolyn Marshall, Clerk of the Court &
Comptroller, Leon County, Florida

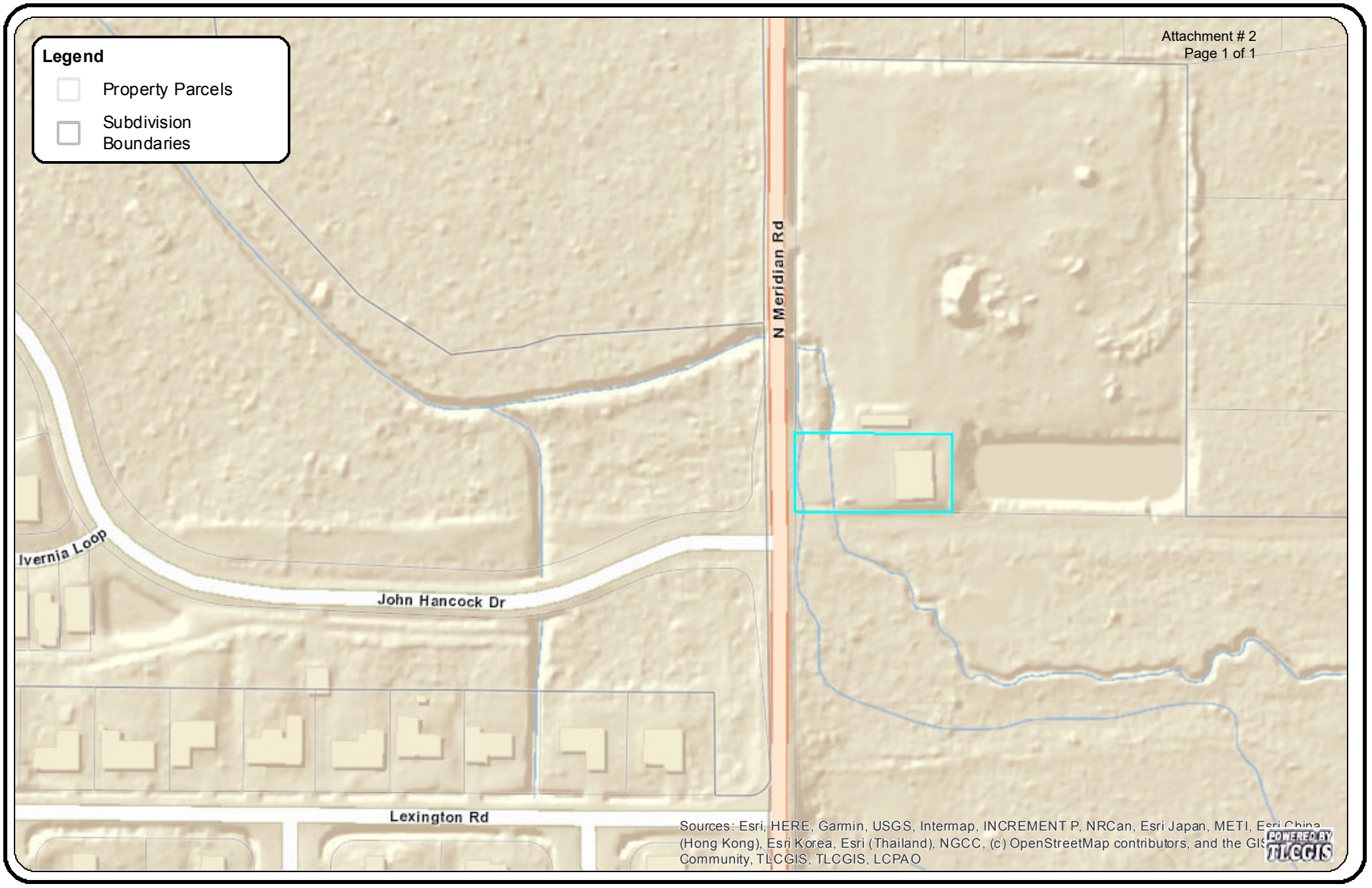
BY: _____

DATE: _____

Approved as to Form:
Leon County Attorney's Office

BY: _____
Herbert W. A. Thiele, Esquire
County Attorney

DATE: _____



Goodwill Donation Station Parking Lot Relocation

DISCLAIMER

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.

N

Scale:	Tallahassee/Leon County GIS Management Information Services Leon County Courthouse 301 S. Monroe St, P3 Level Tallahassee, Fl. 32301 850.606.5504 http://www.tlcgis.org
Not To Scale:	
Date Drawn:	
May 30, 2019	

LEON COUNTY PURCHASING DIVISION

BID TABULATION SHEET
BC-05-21-19-23

Bid Title: Goodwill Donation station Parking Lot Relocation

Opening Date: Thursday, May 21, 2019 at 2:00 PM

Item/Vendor	Capital Asphalt Inc.	Hale Contracting		
Response Sheet with Manual Signature	✓	✓		
Affidavit Immigration	✓	✓		
Insurance Certification Form	✓	✓		
Contractor's Business Information/Applicable Licenses/Registrations	✓	✓		
Equal Opportunity and Affirmative Action	✓	✓		
MWSBE	✓	✓		
Local Vendor Certification	✓	✓		
Non-Collusion Affidavit	✓	✓		
Certification/Debarment	✓	✓		
Identical Tie Bid	✓	✓		
E-Verify	✓	✓		
Bid Bond	✓	✓		
Addendum	NA	N/A		
Total Unit Price	$ 297,695.00	$ 311,735.00		

RECEIVED
2019 MAY 21 PM 2:01
PURCHASING DIVISION
LEON COUNTY

Tabulated By:

OFFICE OF ECONOMIC VITALITY

Inter-Office Memorandum

Date: May 30, 2019

To: Theresa Heiker
Department of Public Works/ Engineering

From: Darryl Jones, Deputy Director Minority, Women, & Small Business Enterprise (MWSBE) - Office of Economic Vitality

Subject: Goodwill Donation Station Parking Lot Relocation (BC-05-21-19-23)

The Minority, Women, & Small Business Enterprise (MWSBE) Division reviewed the MWBE Participation Plans of two bid respondents to determine if the 17% MBE and 9% WBE Aspirational Targets for Construction Subcontracting were achieved for the Goodwill Donation Station Parking Lot Relocation Project.

The submitted MWBE Participation Plans for each bidder are as follows:

Capital Asphalt, Inc. - met the MWBE Aspirational Targets for Construction Subcontracting; therefore, the Good Faith Effort Form is not required. The MWBE firms listed below are the firms **Capital Asphalt, Inc.** intends to utilize on this project.

Total Bid Amount	**$297,695**				
Name of MWBE	**Race/Gender**	**Certifying Agency**	**Goods & Services**	**MWBE Dollars**	**MWBE Utilization Percentage**
Gaines and Son Striping	African American Male	Tallahassee-Leon County OEV	Striping	$14,884.75	5%
AMC Infrastructure	African American Male	Tallahassee-Leon County OEV	Pipe, Demo	$35,723.40	12%
Hale Contracting	Non-Minority Female	Tallahassee Leon County OEV	Hauling	$26,792.55	9%
Total MWBE Dollars					$77,400.70
Total MWBE Utilization Percentage					26%

Hale Contracting, Inc. - met the MWBE Aspirational Targets for Construction Subcontracting; therefore, the Good Faith Effort Form is not required. The MWBE firms listed below are the firms **Hale Contracting, Inc.** intends to utilize on this project.

Total Bid Amount	**$311,735**				
Name of MWBE	**Race/Gender**	**Certifying Agency**	**Goods & Services**	**MWBE Dollars**	**MWBE Utilization Percentage**
Concrete Services Unlimited	African American Male	Tallahassee-Leon County OEV	Concrete	$52,994.95	17%
Hale Contracting, Inc.	Non-Minority Female	Tallahassee-Leon County OEV	Hauling	$28,056.18	9%
Total MWBE Dollars					$81,051
Total MWBE Utilization Percentage					26%

Leon County
Board of County Commissioners

Notes for Agenda Item #15

Leon County Board of County Commissioners

Agenda Item #15

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Bid Award Bid Award for Solicitation Number BC-06-06-19-27 to Southland Rowe Roofing, Inc. for the Leon County Detention Facility Roof Replacement Project

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Brent Pell, P.E., Director of Public Works Charles Wu, P.E., Director of Engineering Services
Lead Staff/ Project Team:	Kenneth H. Cureton, AIA, NCARB, Construction Manager II

Statement of Issue:

This item seeks Board approval to award the bid to Southland Rowe Roofing, Inc. in the amount of $990,000 for Roof Replacement of Leon County Detention Facility Pods K/C, L/D and Central Core.

Fiscal Impact:

This item has a fiscal impact. This item has been budgeted and adequate funding is available in the Detention Facility capital improvement budget.

Staff Recommendation:

Option #1: Approve the bid award, including bid alternates One and Two, to Southland Rowe Roofing, Inc., in the amount of $990,000 for the Roof Replacement of Leon County Detention Facility Pods K/C, L/D and Central Core, and authorize the County Administrator to execute the agreement in a form approved by the County Attorney.

Report and Discussion

Background:

This item seeks Board approval to award the bid to Southland Rowe Roofing, Inc. in the amount of $990,000 for Roof Replacement of Leon County Detention Facility Pods K/C, L/D and Central Core.

The scope of work in this project is part of the long-term maintenance and replacement plan for the Detention Center Complex and replaces the original roof of this facility, which has exceeded the expected service life. Active leaks have been identified in areas under these roof sections and has been deemed the highest priority for replacement by Sheriff's Office Detention Center maintenance staff. In addition, the existing roof type is not allowed under the requirements of the current edition of the Florida Building Code due to potential projectile damage from the stone gravel ballast on the roof during a wind event.

This project was originally bid on April 12, 2019 and resulted in one (1) bid submission that was 67% above the Architect's Opinion of Probable Construction Cost. The total bid price was $1,761,000. At the May 14, 2019 meeting, as recommended by staff, the Board authorized the County to reject this bid. Following the bid rejection, the County actively engaged with several local roofing companies to determine a level of interest in a rebid. Several roofing companies indicated they missed the deadline of the original bid and would participate in a rebid of the project. The County re-advertised the project as BC-06-06-19-27, resulting in the submission of multiple bids. The project encompasses the following:

Pods K/C and L/D: The work includes removal of 18,660 square feet existing roofing and flashing and replace with a 'hybrid' modified bitumen membrane PVC single-ply roofing and flashing system with a roofing manufacturer's standard 20-year warranty. Work also includes:

- New roof drains;
- Cleaning priming and painting previously painted rooftop equipment and supports;
- Reinstall/recertify the lighting protection system; and
- Replacement of roof flashing at concrete block walls.

Central Core: The work includes replacement of the 8,500 square feet Central Core roof as indicated in the scope of work, along with installing new prefabricated, prefinished aluminum parapet coping with sealed joints.

Analysis:

The Invitation to Bid for the Roof Replacement of Leon County Detention Facility Pods K/C, L/D and Central Core was re-advertised locally on May 17, 2019. A total of 174 vendors were notified through the automated procurement system. A total of 24 bid packages were requested. The County received three (3) bids on June 6, 2019, with the lowest responsive bidder being Southland Rowe Roofing, Inc. in the amount of $990,000 (for Base Bid $695,000 and Additive Alternate 2 $295,000) as indicated in Attachment #1. The second lowest bid was in the amount of $1,200,000

for a $210,000 difference between the two bids. It should be noted that the current bid is $771,000 or 78% lower than the original bid rejected by the County in May.

The Minority, Women and Small Business Enterprise (MWSBE) Division reviewed MWSBE Participation Plans submitted by the bidders. The aspirational targets for the bid were 17% MBE and 9% WBE. None of the bidders met the aspirational targets. Southland Rowe Roofing, Inc. provided a total MWSBE utilization of 3.6% WBE and 0.0% MBE. Both of the additional bidders provider 0.0% for both minority and women participation. The MWSBE Division noted that while the utilization is less than the aspirational targets, the low bidder provided a satisfactory Good Faith Effort form and supporting documentation which fulfills the bidding requirement (Attachment #2). For example, Southland Rowe Roofing provided documentation of meetings, frequent emails to certified MWBEs, and telephone logs reaching out to potential MWBE subcontractors. If awarded the bid, MWSBE will offer assistance to the respondent in increasing their MWBE participation based upon subcontractor availability in a highly competitive market.

Options:

1. Approve the bid award, including bid Alternate Two, to Southland Rowe Roofing, Inc., in the amount of $990,000 for the Roof Replacement of Leon County Detention Facility Pods K/C, L/D and Central Core, and authorize the County Administrator to execute the agreement in a form approved by the County Attorney.
2. Do not approve the bid award including bid Alternate Two, to Southland Rowe Roofing, Inc., in the amount of $990,000 for the Roof Replacement of Leon County Detention Facility Pods K/C, L/D and Central Core.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Bid Tabulation Sheet
2. MWSBE Analysis Sheet

LEON COUNTY PURCHASING DIVISION
BID TABULATION SHEET
BC-06-06-19-27

Bid Title: Leon County Detention Center Re-Roof - REBID **Opening Date: Thursday, June 6, 2019 at 2:00 PM**

Item/Vendor	Rowe Roofing	Mike Harrell Roof	Jenkins Roofing	
Response Sheet with Manual Signature	✓	✓	✓	
Affidavit Immigration	✓	✓	✓	
Insurance Certification Form	✓	✓	✓	
Contractors Business Information - Applicable Licenses/Registrations	✓	✓	✓	
Equal Opportunity/Affirmative Action Statement	✓	✓	✓	
Identical Tie Bids	✓	✓	✓	
MWSBE	✓	✓	✓	
Non-Collusion	✓	✓	✓	
Certification of Debarment	✓	✓	✓	
Local Vendor	✓	✓	✓	
Certification of Trades Work	✓	✓	✓	
E-Verify	✓	✓	✓	
~~Addendum 1, 2, 3~~	N/A	N/A	N/A	
Additive 1	49,500.00	20,000.00	90,000.00	
Additive 2	295,000.00	481,000.00	350,000.00	
Base Bid Price	695,000.00	747,000.00	850,000.00	
Bid Bond	✓	✓	✓	

RECEIVED
2019 JUN -6 PM 2:01
PURCHASING DIVISION
LEON COUNTY

Tabulated By:

OFFICE OF ECONOMIC VITALITY

Inter-Office Memorandum

Date: June 6, 2019

To: Chris Muehlemann, Chief of Engineering Design
Public Works- Engineering Services

From: Darryl Jones, Deputy Director
Minority, Women, & Small Business Enterprise (MWSBE) - Office of Economic Vitality

Subject: Leon County Detention Center Re-Roof Re-Bid (BC-04-11-19- 09)

The Minority, Women, & Small Business Enterprise (MWSBE) Division reviewed the MWBE Participation Plans of three bid respondent to determine if the 17% MBE and 9% WBE Aspirational Targets for Construction Subcontracting were achieved for the Leon County Detention Center Re-Roof Re-Bid Project. The submitted MWBE Participation Plan for the bidder is as follows:

Southland Rowe Roofing, did not meet the MWBE Aspirational Targets for Construction Subcontracting; however a satisfactory Good Faith Effort Form and supporting documentation were provided. Staff has verified the unavailability of certified firms listed in the good faith effort documentation. *If Southland Rowe Roofing is selected, staff is recommending that Southland Rowe Roofing continue its Good Faith Efforts to increase their MWBE participation.* The MWBE firm listed below is the firm Southland Rowe Roofing intends to utilize on this project.

Total Bid Amount	**$695,000**				
Name of MWBE	**Race/Gender**	**Certifying Agency**	**Goods & Services**	**MWBE Dollars**	**MWBE Utilization Percentage**
Hale Contracting	Non-Minority Female	City of Tallahassee	Trucking	$25,000	3.6%
Total MWBE $					$25,000
Total MWBE Utilization %					3.6%

Mike Harrell Roofing, did not meet the MWBE Aspirational Targets for Construction Subcontracting; however a satisfactory Good Faith Effort Form and supporting documentation were provided. *If Mike Harrell Roofing is selected, staff is recommending that Mike Harrell Roofing continue its Good Faith Efforts to increase their MWBE participation. No MWBE firms were listed for utilization on this project.*

Total Bid Amount	**$747,000.00**				
Name of MWBE	**Race/Gender**	**Certifying Agency**	**Goods & Services**	**MWBE Dollars**	**MWBE Utilization Percentage**
None	None	None	None	None	0%
Total MWBE $					$0
Total MWBE Utilization %					0%

Jenkins Roofing, Inc., did not meet the MWBE Aspirational Targets for Construction Subcontracting; however a satisfactory Good Faith Effort Form and supporting documentation were provided. *If Jenkins Roofing, Inc.is selected, staff is recommending that Jenkins Roofing, Inc. continue its Good Faith Efforts to increase their MWBE participation. No MWBE firms were listed for utilization on this project.*

Total Bid Amount	**$850,000**				
Name of MWBE	**Race/Gender**	**Certifying Agency**	**Goods & Services**	**MWBE Dollars**	**MWBE Utilization Percentage**
None	None	None	None	None	0%
Total MWBE $					$0
Total MWBE Utilization %					0%

Leon County
Board of County Commissioners

Notes for Agenda Item #16

Leon County Board of County Commissioners

Agenda Item #16

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Contract Award to Sentinel Offender Services for Electronic Monitoring and Associated Services

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Wanda Hunter, Assistant County Administrator Scott Ross, Director, Office of Financial Stewardship
Lead Staff/ Project Team:	Shelly Kelley, Purchasing Director Teresa Broxton, Director, Office of Intervention and Detention Alternatives

Statement of Issue:

This agenda item seeks Board approval of an Agreement with Sentinel Offender Services for Electronic Monitoring equipment and services.

Fiscal Impact:

This item has an estimated fiscal impact of $360,000 annually. Funding is available pending adoption of the FY 2020 budget.

Staff Recommendation:

Option #1: Approve the award of an agreement to Sentinel Offender Services for electronic monitoring and associated services and authorize the County Administrator to negotiate and execute a contract with Sentinel Offender Services, in a form approved by the County Attorney.

Report and Discussion

Background:

This agenda item seeks Board approval of an Agreement with Sentinel Offender Services for electronic monitoring equipment and services. The County's current contract for these services expires on September 30, 2019.

The Office of Intervention and Detention Alternatives (OIDA) offers global positioning satellite monitoring (GPS) and transdermal alcohol detection (TAD) monitoring to the courts as an alternative to incarceration for people charged with a criminal offense. Equipment and monitoring services are provided through a contract with a private vendor. GPS offers the tools and technology needed to track the movement of defendants who have been ordered to avoid contact with a victim(s), co-defendant(s) and others or a specific location(s). Transdermal alcohol detection equipment provides for 24 hours a day, 7 days a week monitoring for alcohol consumption by those released from jail with a court-ordered condition to abstain from the use of alcohol. These tools are available to the courts for both pre-sentence and post sentence monitoring of offenders. In addition, data obtained from GPS monitoring equipment provides law enforcement with an additional investigative tool in determining whether an offender wearing a monitoring device was in the vicinity when a crime occurred.

Currently, the County contracts with Sentinel Offender Services for GPS monitoring. Sentinel designed, manufactures and services the electronic monitoring equipment, as well as provide on-site staff to affix and remove the monitoring unit from the offender, monitor alerts to ensure the offender's compliance with the court ordered "no contact" condition, provide weekly equipment maintenance and testing, collect fees and manage the equipment inventory. The contract for GPS services will expire at the end of the fiscal year. TAD equipment is leased directly from the manufacturer, Alcohol Monitoring Systems. County staff is responsible for providing all other support services which include affixing and removing the unit, monitoring the offender for compliance, weekly equipment maintenance and managing the inventory.

Analysis:

The Office of Intervention and Detention Alternatives (OIDA) and the Purchasing Division conducted a survey of the local market area to determine the vendor pool available to provide electronic monitoring and related services. No local vendor that provided both GPS and TAD electronic monitoring services was identified. Due to the lack of local vendors and pursuant to Section 5.12 of the Purchasing Policy, OIDA and Purchasing pursued the utilization of cooperative purchasing contracts to procure the services. OIDA and Purchasing researched various cooperative contracts that provided the scope of electronic monitoring services that the County wanted to utilize. A Request for Quotes (RFQ) was sent to vendors on the identified contracts on April 2, 2019.

OIDA received proposals from four vendors in response to the RFQ issued for Global Positioning Satellite (GPS) and Alcohol Electronic Monitoring Services for Offenders. The RFQ requested respondents to provide proposals for both an on-site vendor staffed model and for an equipment leasing only model with County staff performing the monitoring.

After comparing proposals for both service models (Attachment #1), a determination was made that that the on-site vendor staffed model with both GPS and TAD monitoring services provided by Sentinel would be the most cost effective and efficient approach.

The costs for on-site vendor staff ranged from $5.99 to $8.99 daily per offender for GPS and from $8.50 to $13.25 for TAD monitoring services. If approved, the contact period would be for one year, commencing on October 1, 2019 with four additional one-year renewal periods. If all one-year extension options were exercised, the Agreement would expire on September 30, 2024. Based on the daily cost per offender, the estimated cost for the electronic monitoring program is $360,000 annually or $1.8 million if the contract is continued for the full five-year period.

In considering the analysis it is recommended that Leon County enter into a contract with Sentinel Offender Services, LLC for on-site vendor staffed GPS and TAD equipment and services programs as the most cost-effective and efficient option available.

Options:

1. Approve the award of an agreement to Sentinel Offender Services for electronic monitoring and associated services and authorize the County Administrator to negotiate and execute a contract with Sentinel Offender Services, in a form approved by the County Attorney.
2. Do not approve the award of an agreement to Sentinel Offender Services for electronic monitoring and associated services.
3. Board direction.

Recommendation:
Option #1

Attachment:
1. Electronic Monitoring Cost Comparison

Request for Quotes: Global Positioning Satellite (GPS) and Alcohol Electronic Monitoring Services for Offenders

Summary for Quote Responses

On-Site Vendor Staff Pricing

	Per Diem Rate for GPS	Estimated Annual Cost	Per Diem Rate for SCRAM	Estimated Annual Cost	Total Contract Cost for All Electronic Monitoring
Sentinel Offender Services	$ 5.99	$ 273,293.75	$ 8.50	$ 86,870.00	$ 360,163.75
Alcohol Monitoring Systems	$ 7.11	$ 324,393.75	$ 10.10	$ 103,222.00	$ 427,615.75
Attenti	$ 8.99	$ 410,168.75	$ 13.25	$ 135,415.00	$ 545,583.75
Securus Monitoring Solutions (STOP)	$ 5.95	$ 271,468.75	N/A	N/A	N/A

Equipment Leasing Only (In-House Staffing)

	Per Diem Rate for GPS	Estimated Annual Cost	Per Diem Rate for SCRAM	Estimated Annual Cost	Total Contract Cost for All Electronic Monitoring	3 New FTE Positions for In-House Electronic Monitoring Program	Total In-House Electronic Monitroing Program Costs
Sentinel Offender Services	$ 3.36	$ 153,300.00	$ 6.35	$ 64,897.00	$ 218,197.00	$ 185,033.52	$ 403,230.52
Alcohol Monitoring Systems	$ 3.38	$ 154,212.50	$ 7.85	$ 80,227.00	$ 234,439.50	$ 185,033.52	$ 419,473.02
Attenti	$ 3.40	$ 155,125.00	$ 8.66	$ 88,505.20	$ 243,630.20	$ 185,033.52	$ 428,663.72
Securus Monitoring Solutions (STOP)	$ 2.95	$ 134,593.75	N/A	N/A	N/A	N/A	N/A

Leon County
Board of County Commissioners

Notes for Agenda Item #17

Leon County Board of County Commissioners

Agenda Item #17

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Leon County Commission Public Service Fellowship Program

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Candice Wilson, Director, Human Resources
Lead Staff/ Project Team:	Andy Johnson, Assistant to the County Administrator Erin Kenney, Management Intern

Statement of Issue:

This agenda item requests the Board's direction on exploring an additional option for Commissioners when filling Commission Aide positions. From time to time Commissioners have expressed an interest in the option of an internship or a fellowship, which could serve the needs of the commission office while providing a learning opportunity and hands-on experience to individuals with an interest in public service. Should the Board wish to consider establishing such a program, this item provides an option to direct staff to prepare an agenda item for the July 9, 2019 meeting with the policy revisions required to do so.

Fiscal Impact:

This item does not have a fiscal impact. Should the Board ultimately adopt a fellowship program as outlined in this item, the program would provide Commissioners with the option to hire either a Commission Aide or a fellow. Adequate funding is budgeted annually within the Board of County Commissioners personnel budget and is available to support the program.

Staff Recommendation:

Option #3: Board direction.

Report and Discussion

Background:

This agenda item seeks Board consideration of an alternative option for Commissioners to hiring the Commission Aide position to staff their commission offices. Currently, each County Commissioner hires a Commission Aide to staff their respective offices. The needs and expectations of Commissioners for the staffing of their offices may vary greatly. As such, the current Commission Aide position classification and hiring practice provides great flexibility for Commissioners when hiring individuals to fill that position. While the traditional Commission Aide position, which is a full-time professional/administrative position, may very well continue to meet the needs of Commissioners into the future, this item seeks direction on whether the Board wishes to direct staff to further explore an option for Commissioners when filling Commission Aide positions based on a fellowship model presented herein.

From time to time Commissioners have expressed an interest in the option of an internship or a fellowship, which could serve the needs of the commission office while providing a learning opportunity and hands-on experience to individuals with an interest in public service. In the Analysis section below, this item introduces a conceptual fellowship program that would provide Commissioners the option to hire either a Commission Aide or a fellow. Should the Board wish to consider establishing such a program, this item provides an option to direct staff to prepare an agenda item for the July 9, 2019 meeting with the policy revisions required to do so.

Analysis:

Leon County Policy No. 03-3, "Internal Operations and Protocols, Commission Office" establishes provisions for the operation of County Commission offices. Among other provisions, Policy No. 03-3 details the process by which Commissioners may hire full-time staff aides. Commission Aides are generally responsible for managing the day-to-day operation of the Commissioner's office. This may include responding to citizen inquiries and concerns, researching issues, managing Commissioners' calendars, arranging appointments, and serving as a liaison to both citizens and County staff. Commission Aides serve at the pleasure of the Commissioner, and as such, each Commissioner has exclusive supervisory and management authority for their aide.

Leon County Commission Public Service Fellowship Program

As Florida's capital county, and as the home of two major public universities, Leon County is fortunate to have a large number of emerging professionals with an interest in public service careers in our community. Leon County Government has consistently been successful in attracting talented students and emerging professionals to participate in the variety of internships and similar opportunities offered by the County. These programs, including paid and unpaid internships, range from the Leon Works Junior Apprenticeship Program and the Summer Youth Program to postgraduate-level professional internships.

Should the Board wish to further explore this option, a Leon County Commission Public Service Fellowship Program could be developed to provide Commissioners with the option to fill a vacant Commission Aide position instead with a fellow. Such a program would be designed to appeal to

recent college graduates who have demonstrated a keen interest in public service careers, specifically within local government. Fellows would perform the same roles that Commission Aides currently fulfill; however, the program would provide emerging professionals with opportunities to gain valuable local government experience by assisting Commissioners with the daily affairs of their offices, and in addition, Commissioners would be encouraged to provide fellows with intentional exposure to various local government processes such as advisory board, commission, and council meetings and attending community events. To best describe the scope and duties of a Commission Public Service Fellowship, following is sample language that could be used to recruit for the position:

> *The Leon County Commission Public Service Fellowship provides opportunities for recent graduates and early-career professionals to serve in a professional placement within the office of a Leon County Commissioner. Commission Public Service Fellows gain valuable knowledge about the roles and functions of Leon County Government while cultivating local government public policy experience. The Commission Public Service Fellowship focuses on the professional development of the Fellows and serves to prepare them for a career in public service.*
>
> *Fellows are selected based on academic performance, demonstrated leadership potential, commitment to public service, communication skills, initiative, creativity, and positive attitude. The program contemplates a two-year fellowship appointment, during which Fellows receive direct mentorship from a Leon County Commissioner. Appointments may be shorter or longer than the two-year term at the discretion of the Commissioner.*
>
> *Fellows will be chiefly responsible for managing the daily affairs of a Leon County Commissioner's office. In return, they will gain exceptional experience working hand-in-hand with a Commissioner on constituent, policy, and community issues; gain a broader understanding of Florida county government; and build their knowledge and professional skills.*

While the term "fellowship" is used by a variety of different programs, fellowships generally are short-term learning opportunities that focus on the professional development of the fellow by providing hands-on experience and financial support for their work. Fellows are typically selected on the basis of merit, with emphasis on the individual's demonstrated interest in his or her prospective career field rather than prior professional experience. Fellowships may last from a few months up to two years or more. The conceptual Commission Public Service Fellowship program would be a full-time, professional fellowship for recent graduates and emerging professionals designed to expose fellows to public service. The program may serve as a springboard to a public service career track, elected office, community work, further academic study, or other opportunities for fellows.

The Commission Public Service Fellowship program would provide each Commissioner with the option to hire either an aide or a fellow. This ensures that Commissioners have the opportunity to be fully focused on and invested in the fellow's professional development, that fellows get that

responsibility and experience, and that the program can be implemented with currently budgeted resources. The program contemplates a two-year term, although each Commissioner would have the discretion to hire a fellow for a shorter or longer time period should they wish to do so. Commission Public Service Fellows would receive full County benefits and with a salary range of $29,000 to $35,000.

Leon County Human Resources would post position vacancies as they become available and upon the request of the Commission office. Following the initial recruitment, Human Resources would provide the Commission office with a list of candidates who meet the minimum qualifications, and Commissioners may then hire any candidate they wish, similar to the existing policy provisions regarding Commission Aides. All other provisions in Policy No. 03-3 related to the hiring and management of Commission Aides would apply to Commission Public Service Fellows.

Should the Board wish to establish the proposed Leon County Commission Public Service Fellowship program, the program would be funded with existing resources. Funding is provided annually in the County budget for personnel services to support the County Commission offices. As provided in Policy No. 03-3, personnel services and operating expenses are budgeted separately within the Commission office. Accordingly, should the Board wish to hire a Commission Public Service Fellow rather than a Commission Aide (or vice-versa), there would be no effect on the Commission District office's operating budget.

Options:

1. Direct staff to prepare an agenda item for the July 9, 2019 meeting to consider establishing the Leon County Commission Public Service Fellowship Program.
2. Do not direct staff to prepare an agenda item for the July 9, 2019 meeting to consider establishing the Leon County Commission Public Service Fellowship Program.
3. Board direction.

Recommendation:

Option #3

Leon County
Board of County Commissioners

Notes for Agenda Item #18

Leon County Board of County Commissioners

Agenda Item #18

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Consideration of Revised Board Appointments to the Capital Region Transportation Planning Agency Board

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Mary Smach, Agenda Coordinator

Statement of Issue:

Commissioner Bryan Desloge has expressed an interest in serving on the Capital Region Transportation Planning Agency (CRTPA). This item seeks Board approval to increase the number of Leon County Commissioners serving on the CRTPA from three to four members and appoint Commissioner Desloge as the new member.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Approve revising the full Board appointments to the CRTPA Board from three to four members and appoint Commissioner Desloge as the new member.

Report and Discussion

Background:

Recently, Commissioner Desloge has expressed an interest in serving as one of the County representatives on the Capital Region Transportation Planning Agency (CRTPA). This agenda item seeks Boards approval to adjust the number of County Commissioners serving on the CRTPA from three to four. Pursuant to the CRTPA bylaws, Leon County may change the number of its members serving on the CRTPA Board no more than once annually. Leon County last changed its number of members greater than one year ago. During the April 26, 2016 meeting, the Board approved reducing of the number of Leon County's representatives on the Capital Region Transportation Planning Agency (CRTPA) Board from seven Commissioners down to three. Alternatively, to increasing the number of members from three to four, one of the County's three current serving members may wish to step down from the CRTPA and be replaced with Commissioner Desloge.

The CRTPA is the region's Metropolitan Planning Organization and is responsible for coordinating transportation planning within Florida's Capital Region.

Analysis:

The composition and membership of the CRTPA Board are governed by an interlocal agreement among the Florida Department of Transportation and the member governments of the CRTPA (Attachment #1), as well as the CRTPA Bylaws (Attachment #2). The CRTPA Board is comprised of voting representatives from Leon County, Gadsden County, Jefferson County, and Wakulla County; the City of Tallahassee, the City of Midway, the City of Quincy, the City of Chattahoochee, the City of Greensboro, the City of Gretna, and the Town of Havana; the Leon County School Board; and one non-voting representative from the Department of Transportation. As outlined in the bylaws, the Leon County Board of County Commissioners may appoint, at its discretion, between one (1) and seven (7) Commissioners to serve as members of the CRTPA Board.

Currently, three Leon County Commissioners serve on the CRTPA as follows:

Commissioner	Term Expires
Nick Maddox	12/31/2019
Kristin Dozer	12/31/2019
Rick Minor	12/31/2019

The weighted vote of the voting members is as follows:

Governmental Entity:	Number of Members:	Voting Points:
Leon County School Board	1	1
Jefferson County*	1	4
Gadsden Cities**	1	5
Wakulla County***	1	8
Gadsden County	1	8
Leon County****	3	37
City of Tallahassee*****	3	37
Total:	**11**	**100**

* *The County Representative also represents the City of Monticello.*
** *The Cities of Chattahoochee, Greensboro, Gretna, Havana, Midway and Quincy have consolidated their membership and weighted vote into one membership.*
*** *The County Representative will also represent the Cities of St. Marks and Sopchoppy.*
**** *The number of voting members is determined by Leon County.*
***** *The number of voting members is determined by the City of Tallahassee.*

As provided in Section 4.01(a)(1) of the Interlocal Agreement, the apportionment of the voting membership is based on population distribution among the member local governments. The total voting weight of the Leon County Commission is 37 points out of a total of 100 points. Currently, three Leon County Commissioners serve on the CRTPA Board and each individual Commissioner has a voting weight of 12.33 points. In the event that one or more Commissioners does not attend a CRTPA meeting, the voting weight of individual Commissioners does not change to provide those Commissioners in attendance with a greater voting weight. In other words, each Commissioner has an individual voting weight of 12.33 points regardless of the number of Commissioners in attendance.

Should the Board wish to increase the number of Commissioners it appoints to serve on the CRTPA Board, a lower voting weight would be allocated to each appointed member according to the following schedule:

Number of Commissioners Appointed:	Commissioners' Individual Weighted Vote:
1	37.00 points
2	18.50 points
3	12.33 points
4	9.25 points
5	7.40 points
6	6.17 points
7	5.29 points

The CRTPA Bylaws provide for the adjustment of the number of members serving on the CRTPA Board. Pursuant to Section IV, Paragraph (A)(2), the Leon County Board of County Commissioners may change the number of its members to serve as members of the CRTPA Board no more than once annually. In order to make membership adjustments, the governing body must notify the Executive Director of CRTPA in writing of such change.

Options:

1. Approve revising the full Board appointments to the CRTPA Board from three to four members and appoint Commissioner Desloge as the new member.
2. Maintain the current appointment of three (3) Commissioners to the CRTPA Board and revise the County Commissioners serving.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Amended Interlocal Agreement Concerning the Formation and Operation of the Capital Region Transportation Planning Agency (executed March 13, 2014)
2. Capital Region Transportation Planning Agency Revised Bylaws, Policies, and Procedures (Revised March 21, 2017)

20140033212 RECORDED IN PUBLIC RECORDS LEON COUNTY FL BK: 4658 PG: 290,
04/22/2014 at 02:13 PM, BOB INZER, CLERK OF COURTS

AMENDED INTERLOCAL AGREEMENT CONCERNING THE FORMATION AND OPERATION OF THE CAPITAL REGION TRANSPORTATION PLANNING AGENCY

THIS AMENDED INTERLOCAL AGREEMENT is made and entered into this 13th day of MARCH, 2014, by and between the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (hereinafter DEPARTMENT); the COUNTIES OF GADSDEN, JEFFERSON, LEON and WAKULLA; the CITIES OF CHATTAHOOCHEE, GRETNA, MIDWAY, QUINCY, TALLAHASSEE; the TOWNS OF GREENSBORO and HAVANA; and the LEON COUNTY SCHOOL BOARD.

RECITALS

WHEREAS, the Federal Government, under the authority of 23 U.S.C. and 49 U.S.C. requires each metropolitan area, as a condition to the receipt of federal capital or operating assistance, to have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the metropolitan area; and further requires the State Transportation Agency and the Metropolitan Planning Organization (MPO) to enter into an Agreement clearly identifying the responsibilities of each party for cooperatively carrying out such transportation planning; and

WHEREAS, the parties to this Interlocal Agreement desire to participate cooperatively in the performance, on a continuing basis, of a coordinated, comprehensive transportation planning process to assure that highway facilities, mass transit, rail systems, air transportation and other facilities will be properly located and developed in relation to the overall plan of community development; and

WHEREAS, 23 United States Code 134, as amended by the Intermodal Surface Transportation Efficiency Act of 1991, the Transportation Equity Act for the Twenty-first Century (Public Law 105-178, 112 Stat. 107), and the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141), 49 United States Code 5303-5307, 23 Code of Federal Regulations 450.306, and Section 339.175, Florida Statutes, provide for the creation of Metropolitan Planning Organizations to develop transportation plans and programs for metropolitan areas;

WHEREAS, pursuant to 23 U.S.C., 49 U.S.C., 23 CFR 450 and Section 339.175, Florida Statutes, a determination has been made by the Governor and units of general purpose local government representing at least 75% of the affected population (including the central city or cities) in the metropolitan area to designate a Metropolitan Planning Organization; and

WHEREAS, pursuant to Section 339.175(4), Florida Statutes, the Governor shall, with the agreement of the affected units of general-purpose local government as required by federal rules and regulations, apportion the membership on the applicable MPO among the various governmental entities within the area; and

WHEREAS, pursuant to 23 CFR 450 and Section 339.175(2)(b), Florida Statutes, an Interlocal agreement must be entered into by the Department and the governmental entities designated by the Governor for membership on the MPO. The signatories to the Interlocal agreement shall be the Department and the governmental entities designated by the Governor for membership on the MPO; and

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WHEREAS, on June 21, 2004, the Board of the Tallahassee-Leon County Metropolitan Planning Organization approved a resolution changing the name of the MPO to the Capital Region Transportation Planning Agency (the CRTPA), without any change to its legal organization; and

WHEREAS, on January 12, 2009, the CRTPA Board approved a reapportionment plan in accordance with the revised Planning Area Boundary to include all of Gadsden, Jefferson, Leon and Wakulla Counties, which reapportionment plan was subsequently submitted to the Governor for approval; and

WHEREAS, pursuant to Section 339.175(4), Florida Statutes, in a letter dated March 17, 2011, the Governor has agreed to the apportionment plan; and

WHEREAS, the Interlocal agreement is required to create the CRTPA and delineate the provisions for operation of the CRTPA as the MPO for this region; and

WHEREAS, the undersigned parties have determined that this Interlocal Agreement satisfies the requirements of and is consistent with Section 339.175, Florida Statutes;

WHEREAS, pursuant to Section 339.175(2)(b), Florida Statutes, the Interlocal agreement must be consistent with statutory requirements set forth in Section 163.01, Florida Statutes, relating to Interlocal agreements; and

WHEREAS, the undersigned parties have determined that this Interlocal Agreement is consistent with the requirements of Section 163.01, Florida Statutes.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the parties desiring to be legally bound, do agree as follows:

ARTICLE 1
RECITALS; DEFINITIONS

Section 1.01. Recitals. Each and all of the foregoing recitals are hereby incorporated herein and acknowledged to be true and correct to the best of the parties' knowledge. Failure of any of the foregoing recitals to be true and correct shall not operate to invalidate this Agreement.

Section 1.02. Definitions. The following words when used in this Agreement (unless the context shall clearly indicate the contrary) shall have the following meanings:

Agreement means and refers to this instrument, as amended from time to time.

BOARD shall mean the governing board of the CAPITAL REGION TRANSPORTATION PLANNING AGENCY (CRTPA).

Congestion Management System as defined by the Federal Highway Administration means a systematic process for managing congestion that provides information on transportation system performance and on alternative strategies for alleviating congestion and enhancing the mobility of persons and goods to levels that meet state and local needs.

CRTPA means the Capital Region Transportation Planning Agency, which is the MPO formed pursuant

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to this Agreement

DEPARTMENT shall mean and refer to the FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida created pursuant to Section 20.23, Florida Statutes.

FHWA means and refers to the Federal Highway Administration.

FTA means and refers to the Federal Transit Administration.

Functional Classification means the assignment of roads into systems according to the character of service they provide in relation to the total road network using procedures developed by the Federal Highway Administration.

Long-Range Transportation Plan is the 20-year plan which: identifies transportation facilities; includes a financial plan that demonstrates how the plan can be implemented and assesses capital improvements necessary to preserve the existing metropolitan transportation system and make efficient use of existing transportation facilities, indicates proposed transportation enhancement activities; and in ozone/carbon monoxide nonattainment areas is coordinated with the State Implementation Plan, all as required by 23 U.S.C. 134(c) ,23 CFR 450, and Section 339.175(7), Florida Statutes.

Metropolitan Area means and refers to the planning area as delineated by the MPO for the urbanized area containing at least a population as described in 23 U.S.C., 49 U.S.C., and Section 339.175, Florida Statutes, which shall be subject to the Metropolitan Planning Organization's planning authority.

MPO means Metropolitan Planning Organization and refers to the CRTPA which is the MPO formed pursuant to this Agreement.

Transportation Improvement Program (TIP) is the is the staged multi-year program of transportation improvement projects developed by a Metropolitan Planning Organization consistent with the Long-Range Transportation Plan and developed pursuant to title 23 U.S.C., 49 U.S.C, 23 CFR 450 and Section 339.175, Florida Statutes.

Unified Planning Work Program (UPWP) is the annual program developed in cooperation with the Department and public transportation providers, that lists all planning tasks to be undertaken during a program year, together with a complete description of each planning task and an estimated budget therefore and must comply with applicable state and federal law, all as required by 23 CFR 450 and Section 339.175(9), Florida Statutes.

ARTICLE 2
PURPOSE

Section 2.01. General Purpose. The purpose of this Agreement is to establish the Capital Region Transportation Planning Agency:

(a) To assist in the safe and efficient management, operation, and development of surface transportation systems embracing various modes of transportation in a manner that will maximize the mobility of people and freight within and through this metropolitan area of this state, foster economic growth and development within and through urbanized areas of this state and minimize, to the maximum extent feasible for transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan

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transportation planning processes;

(b) To develop transportation plans and programs, in cooperation with the state and public transit operators, which plans and programs provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as multi-modal and an intermodal transportation system for the metropolitan area, based upon the prevailing principles provided in section 334.046(1), Florida Statutes;

(c) To implement and ensure a continuing, cooperative, and comprehensive transportation planning process that considers all modes of transportation based on the complexity of the transportation problems to be addresses and results in coordinated plans and programs consistent with the comprehensively planned development of this affected metropolitan area in cooperation with the Department;

(d) To ensure that the process is integrated with the statewide planning process, the MPO shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state and regional transportation functions;

(e) To assure eligibility for the receipt of Federal capital and operating assistance pursuant to 23 U.S.C. and 49 U.S.C.; and

(f) To carry out the metropolitan transportation planning process, in cooperation with the Department, as required by 23 U.S.C. and 49 U.S.C.; 23 CFR 420 and 450, and 49 CFR Part 613; and consistent with Chapter 339, Florida Statutes, and other applicable state and local laws.

Section 2.02. Major MPO Responsibilities. The MPO is intended to be a forum for cooperative decision making by officials of the governmental entities which are party to this Agreement in the development of transportation-related plans and programs, including but not limited to:

(a) The Long-range Transportation Plan;

(b) The Transportation Improvement Program;

(c) The Unified Planning Work Program;

(d) A congestion management system for the metropolitan area and cooperate with the Department in the development of all other transportation management systems as required by state or federal law;

(e) Assisting the Department in mapping transportation planning boundaries required by state or federal law;

(f) Assisting the Department in performing its duties relating to access management, functional classification of roads, and data collection; and

(g) Execute all agreements or certifications necessary to comply with applicable state or federal law;

(h) Represent all the jurisdictional areas within the metropolitan area in the formulation of

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transportation plans and programs required by this section; and

(i) Performing such other tasks presently or hereafter required by state or federal law.

Section 2.03. MPO decisions coordinated with the DEPARTMENT and consistent with comprehensive plans. Chapter 334, Florida Statutes, grants the broad authority for the Department's role in transportation. Section 334.044, Florida Statutes, shows the legislative intent that the Department shall be responsible for coordinating the planning of a safe, viable and balanced state transportation system serving all regions of the State and to assure the compatibility of all components, including multimodal facilities. Section 339.155, Florida Statutes, requires the Department to develop and update at least once every 5 years, or more often as necessary, to reflect substantive changes to federal or state law, a statewide transportation plan, which established and defines the state's long-range transportation goals and objectives to be accomplished over a period of at least 20 years within the context of the State Comprehensive Plan, and considers, to the maximum extent feasible, strategic regional policy plans, MPO plans, and approved local government comprehensive plans. Section 339.175, Florida Statutes, specifies the authority and responsibility of the MPO and the Department in the management of a continuing, cooperative, and comprehensive transportation planning process for the metropolitan area.

In fulfillment of this purpose and in the exercise of the various powers granted by Chapters 334 and 339, Florida Statutes, the parties to this Agreement acknowledge that decisions made by the MPO will be coordinated with the Department. The parties to this Agreement acknowledge that actions taken pursuant to this Agreement will be consistent with local government comprehensive plans.

ARTICLE 3
MPO ORGANIZATION AND CREATION

Section 3.01. Establishment of MPO. The MPO for the metropolitan area as described in the membership apportionment plan approved by the Governor is hereby created and established pursuant to the Agreement to carry out the purposes and functions set forth in Articles 2 and 5. The legal name of this Metropolitan Planning Organization shall be the Capital Region Transportation Planning Agency (CRTPA).

Section 3.02. Effect on Prior Interlocal Agreement. This Agreement supercedes and replaces the November 15, 2004, Interlocal Agreement between the FLORIDA DEPARTMENT OF TRANSPORTATION; the COUNTIES OF GADSDEN, LEON AND WAKULLA; the CITIES OF QUINCY, MIDWAY and TALLAHASSEE; the TOWN OF HAVANA; and the LEON COUNTY SCHOOL BOARD, upon the effective date of this Agreement. The November 15, 2004 Interlocal Agreement superceded and replaced the October 16, 2000, Interlocal Agreement between THE DEPARTMENT OF TRANSPORTATION, LEON COUNTY, THE CITY OF TALLAHASSEE and THE LEON COUNTY SCHOOL BOARD. Notwithstanding the foregoing, the legal existence of the MPO shall be continuous and all lawful and valid acts of the MPO and its Board and officials prior to the date of this Agreement are hereby ratified and acknowledged as valid and binding acts of the CRTPA.

Section 3.03. MPO to operate pursuant to law. In the event that any election, referendum, approval, permit, notice, other proceeding or authorization is required under applicable law to undertake any power, duty, or responsibility hereunder, or to observe, assume, or carry out any of the provisions of this Agreement, the MPO will, to the extent of its legal capacity, comply with all applicable laws and requirements.

Section 3.04. Governing board to act as policy-making body of MPO. The governing board established

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pursuant to Section 4.01 of this Agreement shall be the policy-making body of the MPO responsible for cooperative decision-making of actions taken by the MPO. The governing board is the policy-making body that is the forum for cooperative decision-making and will be taking the required approval action as the MPO.

Section 3.05. Submission of proceedings; Contracts and other documents. Subject to the right to claim an exemption from the Florida Public Records Law, Chapter 119, Florida Statutes, the parties shall submit to each other such data, reports, records, contracts, and other documents in its possession relating to the metropolitan planning organization as is requested. Charges are to be in accordance with Chapter 119, Florida Statutes.

Section 3.06. Rights of review. All parties to this Agreement, and the affected federal funding agency (i.e., FHWA, FTA, and FAA) shall have the rights of technical review and comment of MPO projects.

ARTICLE 4
COMPOSITION; MEMBERSHIP; TERMS OF OFFICE

Section 4.01. Composition and membership of governing board.

(a) The voting membership of the MPO shall consist of representatives from the Counties of Gadsden, Jefferson, Leon and Wakulla; the Cities of Chattahoochee, Gretna, Midway, Quincy, and Tallahassee; the Towns of Greensboro and Havana; the Leon County School Board. .

(1) The apportionment of the membership of the MPO is based on population distribution among the above members, using weighted voting as specifically outlined in the CRTPA bylaws. For Leon County and the City of Tallahassee, the number of voting points is determined by the number of voting members as agreed upon by the Leon County Board of County Commissioners and the City of Tallahassee respectively.

(2) Representatives of the Department shall serve as nonvoting advisers to the MPO. The MPO may also provide for other non-voting advisors as outlined in the MPO bylaws.

(3) The Board shall have the authority to adopt bylaws concerning the governance and management of the CRTPA, including provisions governing Board meetings and votes, the authority of Board officers and the authority of CRTPA officials. The bylaws shall address:

(A) The weighted votes assigned to each member from the County Commission designated by Leon County and each member from City Commission to be designated by the City of Tallahassee.

(B) The weighted votes assigned to each representative of any consolidated membership of the Counties of Gadsden, Jefferson, Leon and Wakulla; the Cities of Chattahoochee, Gretna, Midway, Quincy, and Tallahassee; and the Towns of Greensboro and Havana.

(C) Substitution and replacement of Board members.

(D) Such other matters as are necessary or convenient for the administration of the MPO.

(b) The voting membership of an MPO shall consist of not fewer than 5 or more than 19 apportioned members, the exact number to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the effected units of general-purpose local government as required

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by federal rules and regulations. The Governor, in accordance with 23 USC 134, may also provide for MPO members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area that do not have members on the MPO.

(c) All voting representatives shall be elected officials of general purpose local governments, except that an MPO may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida. As used in this section, the term "elected officials of a general-purpose local government" shall exclude constitutional officers, including sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials. Where all members of a governing board of the county, the city, or authority are to be voting representatives on the MPO, each member shall become a representative on the MPO upon entering office. Otherwise, individuals acting as a representative of the governing board of the county, the city, or authority shall first be selected by said governing board.

(d) In no event shall the county commission representatives constitute less than one-third of the weighted vote of the MPO, except for an MPO with more than 15 members located in a county with a 5-member county commission or an MPO with 19 members located in a county with no more than 6 county commissioners, in which case county commission members may compose less than one-third percent of the MPO membership, but all county commissioners must be members.

(e) County commissioners shall compose not less than 20 percent of the MPO membership if an official of the agency that operates or administers a major mode of transportation has been appointed to an MPO.

(f) In metropolitan areas in which authorities or other agencies have been or may be created by law to perform transportation functions and are performing transportation functions that are not under the jurisdiction of a general-purpose local government represented on the MPO, they shall be provided voting membership on the MPO. Consortiums of municipalities may organize to appoint voting members who alternate each year.

(g) In the event that a governmental entity that is a member of the MPO fails to fill an assigned appointment to the MPO within 60 days after notification by the Governor of its duty to appoint a representative, that appointment shall be made by the Governor from the eligible individuals of that governmental entity.

Section 4.02. Terms. The term of office of members of the MPO shall be four years. The membership of a member who is a public official automatically terminates upon said official leaving the elective or appointive office for any reason, or may be terminated by a majority vote of the total membership of the governmental entity represented by the member. A vacancy shall be filled by the original appointing entity. A member may be appointed for one or more additional four year terms. Where Counties and Cities have elected to consolidate their memberships and weighted vote, the term of the representative member or members shall be no less than one year from the date of designation by the consolidated entity represented by the member or as outlined in the CRTPA bylaws.

ARTICLE 5
AUTHORITIES, POWERS, DUTIES AND RESPONSIBILITIES

Section 5.01. General authority. The MPO shall have all authorities, powers and duties, enjoy all

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rights, privileges, and immunities, exercise all responsibilities and perform all obligations necessary or appropriate to managing a continuing, cooperative, and comprehensive transportation planning process as specified in Section 339.175 (5) and (6), Florida Statutes.

Section 5.02. Specific authority and powers. The MPO shall have the following powers and authority:

(a) As provided in Section 339.175(6)(g), Florida Statutes, the MPO shall have an executive or staff director who reports directly to the MPO governing board for all matters regarding the administration and operation of the MPO and any additional personnel as deemed necessary. The executive director and any additional personnel may be employed either by the MPO or by another governmental entity, such as a county, city, or regional planning council, that has a staff services agreement signed and in effect with the MPO. Each MPO may enter into contracts with local or state agencies, private planning or private engineering firms, or other public or private entities to accomplish its transportation planning and programming and administrative functions;

(b) As provided in Section 163.01(14), Florida Statutes, the MPO may enter into contracts for the performance of service functions of public agencies;

(c) As provided in Section 163.01(5)(j), Florida Statutes, the MPO may acquire, own, operate, maintain, sell, or lease real and personal property;

(d) As provided in Section 163.01(5)(m), Florida Statutes, the MPO may accept gifts, grants, assistance funds, or bequests;

(e) The MPO may promulgate rules to effectuate its powers, responsibilities, and obligations enumerated herein; provided, that said rules do not supersede or conflict with applicable state laws, rules and regulations; and

(f) The MPO shall have such powers and authority as specifically provided in Sections 163.01 and 339.175, Florida Statutes, and as may otherwise be provided by federal or state law.

Section 5.03. Duties and responsibilities. The MPO shall have the following duties and responsibilities:

(a) As provided in Section 339.175(6)(d), Florida Statutes, the MPO shall create and appoint a technical advisory committee;

(b) As provided in Section 339.175(6)(e), Florida Statutes, the MPO shall create and appoint a citizens' advisory committee;

(c) As provided in Section 163.01(5)(o), Florida Statutes, the MPO membership shall be jointly and severally liable for liabilities, and the MPO may respond to such liabilities through the purchase of insurance or bonds, the retention of legal counsel, and, as appropriate, the approval of settlements of claims by its governing board;

(d) As provided in Section 339.175(9), Florida Statutes, the MPO shall establish a budget which shall operate on a fiscal year basis consistent with any requirements of the Unified Planning Work Program;

(e) The MPO, in cooperation with the Department, shall carry out the metropolitan transportation

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planning process as required by 23 CFR Parts 420 and 450, and 49 CFR Part 613, and consistent with Chapter 339.175, Florida Statutes, and other applicable state and local laws;

(f) As provided in Section 339.175(10)(a), Florida Statutes, the MPO shall enter into written agreements, which shall be reviewed, and updated as necessary, every 5 years with the Department, operators of public transportation systems and the metropolitan and regional intergovernmental coordination and review agencies serving the metropolitan area. These agreements will prescribe the cooperative manner in which the transportation planning process will be coordinated and included in the comprehensively planned development of the area;

(g) Prepare the Long-Range Transportation Plan;

(h) In cooperation with the Department, prepare the Transportation Improvement Program;

(i) In cooperation with the Department, prepare and annually update the Unified Planning Work Program;

(j) Prepare a congestion management system for the metropolitan area and cooperate with the Department in the development of all other transportation management systems required by state or federal law;

(k) Assist the Department in mapping transportation planning boundaries required by state or federal law;

(l) Assist the Department in performing its duties relating to access management, functional classification of roads, and data collection;

(m) Execute all certifications and agreements necessary to comply with state or federal law;

(n) Represent all the jurisdictional areas within the metropolitan area in the formulation of transportation plans and programs;

(o) Perform such other tasks presently or hereafter required by state or federal law; and

(p) Adopt operating rules and procedures.

ARTICLE 6
ADMINISTRATION

Section 6.01. Generally. In addition to its function as the policy-making body of MPO, the Board shall have responsibility to approve the official MPO reports and take the official MPO actions required by Section 339.175, Florida Statutes. The Board Chairman shall serve as the principle administrative officer of the Board and shall have such additional duties and authority as described in the MPO bylaws. An Executive Director shall serve as the principal administration of MPO operations and staff, shall have responsibility for advising the Board regarding official MPO business and administration. The Executive Director shall have responsibility for the day-to-day administration of MPO operations, supervision of MPO staff, consultants and contractors, establishment of procedures and operational policies governing MPO administration and staff, and such other responsibilities as are set forth in the MPO bylaws.

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Section 6.02. Administrative Support. The MPO shall operate as an independent legal entity, employ its own staff, and enter into any contracts necessary or convenient for its operations and administration. The MPO may contract for office space and administrative support and, alternatively or additionally, enter into arrangements with one or more of the member cities or counties for such purposes, setting forth the nature, scope and terms of service and method of compensation therefore. Such compensation may be by direct payment, by credit against monies due under Section 7.01, or a combination thereof.

Section 6.03. Recommendations and Reports. The Executive Director shall have responsibility to ensure that the Board timely receives all necessary and appropriate recommendations and reports for the efficient performance of the MPO's obligations. Unless otherwise provided by law or MPO bylaws, all recommendations and reports by MPO staff, consultants, contractors, committees and advisory bodies shall be directed to the Executive Director, who will thereafter formulate a recommendation(s) or report to the Board for consideration and coordinate such staff and other presentations to the Board as appropriate.

Section 6.04 Delegation. The Board may, in accordance with MPO bylaws, delegate authority to one or more of its members to act on behalf of the Board as necessary for the efficient and effective performance of MPO obligations. The MPO bylaws shall provide procedures and criteria for such delegation, which shall ensure that such delegation is limited in scope and time appropriate for the intended purpose and as necessary to comply with law, and is subject to Board ratification or approval whenever practicable. Any such delegation shall be subject to the requirements of the Sunshine Law, when applicable. Additionally, the Board may, in accordance with MPO bylaws, delegate certain duties to the Executive Director, subject to such limitations in scope, direction and supervision by the Board as appropriate for the intended purpose and as necessary to comply with law.

Section 6.05 General Counsel. The MPO may employ a general counsel, who shall serve under contract and at the pleasure of the Board, providing legal counsel and services to the MPO and its Executive Director at the direction of the Board, the Board Chairman and the Executive Director.

ARTICLE 7
FUNDING; INVENTORY REPORT; RECORD-KEEPING

Section 7.01. Funding. Pursuant to Section 339.175(6)(f), Florida Statutes, the Department shall allocate to the MPO for its performance of its transportation planning and programming duties, an appropriate amount of federal transportation planning funds. The MPO will be responsible for the establishment of procedures and operational policies governing all other MPO funding allocations and responsibilities as set forth in the MPO bylaws.

Section 7.02. Inventory report. The MPO agrees to inventory, to maintain records of and to insure proper use, control, and disposal of all nonexpendable tangible property acquired pursuant to funding under this Agreement. This shall be done in accordance with the requirements of 23 CFR Part 420, 49 CFR Part 18, and all other applicable federal regulations.

Section 7.03. Record-keeping and document retention. The Department and the MPO shall prepare and retain all records in accordance with the federal and state requirements, including but not limited to 23 CFR Part 420, 49 CFR Part 18, 49 CFR 18and Chapter 119, Florida Statutes. The Executive Director or his designee shall be the custodian of official MPO records.

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ARTICLE 8
MISCELLANEOUS PROVISIONS

Section 8.01. Constitutional or statutory duties and responsibilities of parties. This Agreement shall not be construed to authorize the delegation of the constitutional or statutory duties of any of the parties. In addition, this Agreement does not relieve any of the parties of an obligation or responsibility imposed upon them by law, except to the extent of actual and timely performance thereof by one or more of the parties to this Agreement or any legal or administrative entity created or authorized by this Agreement, in which case this performance may be offered in satisfaction of the obligation or responsibility.

Section 8.02. Amendment of Agreement. Amendments or modifications of this Agreement may only be made by written agreement signed by all parties here to with the same formalities as the original Agreement. No amendment may alter the apportionment or jurisdictional boundaries of the MPO without approval by the Governor.

Section 8.03. Duration; withdrawal procedure.

(a) Duration. This Agreement shall remain in effect until terminated by mutual agreement of all parties to this Agreement. The Governor shall review the composition of the MPO membership in conjunction with the decennial census as prepared by the United States Department of Commerce, Bureau of Census, and reapportion it as necessary to comply with Section 339.175, Florida Statutes, as appropriate. During examination of the MPO apportionment by the Governor, this Agreement shall also be reviewed by the MPO and the Department to confirm the validity of the contents and to recommend amendments, if any, that are required.

(b) Withdrawal procedure. Any party, except Leon County and the City of Tallahassee and the United States Bureau of the Census designated center city(ies), may withdraw from this Agreement after presenting in written form a notice of intent to withdraw to the other parties to this Agreement and the MPO, at least 90 days prior to the intended date of withdrawal. Withdrawal of one or more members of this MPO shall not result in termination of this Agreement or the MPO. Unless agreed in writing by the remaining members of the MPO, withdrawal by a member shall be effective at the end of the MPO's fiscal year during which the memorandum of withdrawal was received, and any financial or other obligation of the withdrawing member shall remain in effect for the remainder of said fiscal year. Upon receipt of the intended notice of withdrawal:

(1) The withdrawing member and the MPO shall execute a memorandum reflecting the withdrawal of the member and alteration of the list of member governments that are signatories to this Agreement. The memorandum shall be filed in the Office of the Clerk of the Circuit Court of each county in which a party hereto is located; and

(2) The Office of the Governor shall be contacted, and the Governor, with the agreement of the remaining members of the MPO, shall determine whether any reapportionment of the membership shall be appropriate. The Governor and the MPO shall review the previous MPO designation, applicable Florida and local law, and MPO rules for appropriate revision. In the event that another entity is to accorded membership in the place of the member withdrawing from the MPO, the parties acknowledge that pursuant to 23 CFR 450.306(k), adding membership to the MPO does not automatically require redesignation of the MPO. In the event that a party who is not a signatory to this Agreement is accorded membership on the MPO, membership shall not become effective until this Agreement is amended to reflect that the new member has joined the MPO.

Section 8.04. Notices. All notices, demands and correspondence required or provided for under this

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Agreement shall be in writing and delivered in person or dispatched by certified mail, postage prepaid, return receipt requested. Notice required to be given shall be as provided in the MPO bylaws All notices to the Department shall be addressed to the District Three Secretary, Florida Department of Transportation, Post Office Box 607, Chipley, Florida 32428.

Section 8.05. Interpretation.

(a) Drafters of Agreement. The Department and the members of the MPO were each represented by or afforded the opportunity for representation by legal counsel and participated in the drafting of this Agreement and in choice of wording. Consequently, no provision hereof should be more strongly construed against any party as drafter of this Agreement.

(b) Severability. Invalidation of any one of the provisions of this Agreement or any part, clause or word hereof, or the application thereof in specific circumstances, by judgment, court order, or administrative hearing or order shall not affect any other provisions or applications in other circumstances, all of which shall remain in full force and effect; provided, that such remainder would then continue to conform to the terms and requirements of applicable law.

(c) Renumbering or Revisions to Statutory Provisions. To the extent that any statutory revisions occur between the date of this Interlocal Agreement and its five year review, it is the intent of the CRTPA to incorporate the changes or renumbering of the statutory provisions into this Interlocal Agreement.

(d) Rules of construction. In interpreting this Agreement, the following rules of construction shall apply unless the context indicates otherwise:

(1) The singular of any word or term includes the plural;

(2) The masculine gender includes the feminine gender; and

(3) The word "shall" is mandatory, and "may" is permissive.

Section 8.06. Enforcement by parties hereto. In the event of any judicial or administrative action to enforce or interpret this Agreement by any party hereto, each party shall bear its own attorney's fees in connection with such proceeding.

Section 8.07. Agreement execution; Use of counterpart signature pages. This Agreement, and any amendments hereto, may be simultaneously executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

Section 8.08. Effective date; Cost of recordation.

(a) Effective date. This Agreement shall become effective upon its filing in the Office of the Clerk of the Circuit Court of each county in which a party hereto is located. Any amendment hereto shall become effective only upon its filing in the Office of the Clerk of the Circuit Court for each county in which a party hereto is located.

(b) Recordation. The Counties of GADSDEN, JEFFERSON, LEON and WAKULLA hereby agree to pay for any costs of recordation or filing of this Agreement in the Office of the Circuit Court for each county in which a party is hereto located. The recorded or filed original hereof, or any amendment, shall be returned to the MPO for filing in its records.

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IN WITNESS WHEREOF, the undersigned parties have executed this Interlocal Agreement on behalf of the referenced legal entities and hereby establish the above designated MPO.

Signed, Sealed and Delivered in the presence of:

Passed and adopted by the Board of County Commissioners of Gadsden County, this 16th day of April, 2013.

Douglas M. Croley, Chairperson
Board of County Commissioners

ATTEST:
NICHOLAS THOMAS, CLERK OF THE COURT
GADSDEN COUNTY, FLORIDA

BY: Marcella Blocker, Deputy

APPROVED AS TO FORM:
GADSDEN COUNTY ATTORNEY

BY: Deborah Minnis, Esq.

CERTIFIED A TRUE COPY
NICHOLAS THOMAS, Clerk Circuit Court Gadsden County, Florida
By Marcella Blocker, Deputy
DEPUTY CLERK

(Signature Pages Continue)

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Passed and adopted by the Board of County Commissioners of Jefferson County, this 7th day of January 2014.

Betsy Barfield, Chair
Board of County Commissioners

ATTEST:
KIRK REAMS, CLERK OF THE COURT
JEFFERSON COUNTY, FLORIDA

BY:

APPROVED AS TO FORM:
JEFFERSON COUNTY ATTORNEY

BY:
T. Buckingham Bird, Esq.

(Signature Pages Continue)

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Passed and adopted by the Board of County Commissioners of Leon County, this 9th day of April, 2013.

Nicholas Maddox, Chair
Board of County Commissioners

ATTEST:
BOB INZER, CLERK OF THE COURT
LEON COUNTY, FLORIDA

BY: John Stott, Deputy Clerk

APPROVED AS TO FORM:
LEON COUNTY ATTORNEY'S OFFICE

BY: _____
Herbert W.A. Thiele, Esq.
County Attorney

(Signature Pages Continue)

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Passed and adopted by the Board of County Commissioners of Wakulla County, this 6 day of MAY, 2013.

Randy Merritt, Chair
Board of County Commissioners

ATTEST:
BRENT X. THURMOND, CLERK OF THE COURT
WAKULLA COUNTY, FLORIDA

BY: B X Thurmond

WAKULLA CO. CLERK OF THE CIRCUIT COURT

APPROVED AS TO FORM:
WAKULLA COUNTY ATTORNEY

BY: _____
Heather Encinosa, Esq.

(Signature Pages Continue)

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
LEON COUNTY
UNOFFICIAL DOCUMENT

Passed and adopted by the Chattahoochee City Commission, this 9th day of Sept., 2013.

Annette H. Bates

ANNETTE H. BATES
Mayor, City of Chattahoochee

ATTEST:
MARINDA WILSON, TREASURER, CLERK
CITY OF CHATTAHOOCCHEE, FLORIDA

BY: Marinda S. Wilson

APPROVED AS TO FORM:
CITY OF CHATTAHOOCHEE

BY: _____
J. D. HOUSE, CITY ATTORNEY

(Signature Pages Continue)

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CLERK OF THE CIRCUIT COURT AND COMPTROLLER
LEON COUNTY
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Passed and adopted by the Gretna City Commission, this 6th day of August, 2013.

Jeff McNealy
Mayor, City of Gretna

ATTEST:
KAREN CONDRY, CLERK
CITY OF GRETNA, FLORIDA

BY: Karen Condry

APPROVED AS TO FORM:
CITY OF GRETNA

BY:
Harold Knowles, Esq.

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
LEON COUNTY
UNOFFICIAL DOCUMENT

Passed and adopted by the Midway City Commission, this 7th day of November, 2013.

DAVID KNIGHT
Mayor, City of Midway

ATTEST:
FRANCES HARRELL, CLERK
CITY OF MIDWAY, FLORIDA

BY: _____

APPROVED AS TO FORM:
CITY OF MIDWAY ATTORNEY

BY: _____
Henry Hunter, Esq.

(Signature Pages Continue)

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CLERK OF THE CIRCUIT COURT AND COMPTROLLER
LEON COUNTY
UNOFFICIAL DOCUMENT

Passed and adopted by the Quincy City Commission, this 24th day of September 2013.

Keith A. Dowdell
Mayor, City of Quincy

ATTEST:
SYLVIA HICKS, TREASURER, CLERK
CITY OF QUINCY, FLORIDA

BY: Sylvia Hicks

GADSDEN COUNTY CITY OF QUINCY INCORPORATED OCTOBER 19, 1828 IN GOD WE TRUST

(Signature Pages Continue)

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CLERK OF THE CIRCUIT COURT AND COMPTROLLER LEON COUNTY
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Passed and adopted by the Tallahassee City Commission, this _10th_ day of _April_, 2013.

John Marks, Mayor
City of Tallahassee

ATTEST:
JAMES O. COOKE, IV, TREASURER, CLERK
CITY OF TALLAHASSEE, FLORIDA

BY: Kent Oleen for James O. Cooke, IV

APPROVED AS TO FORM:
CITY OF TALLAHASSEE ATTORNEY'S OFFICE

BY: for Lewis E. Shelley, Esq.

(Signature Pages Continue)

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
LEON COUNTY
UNOFFICIAL DOCUMENT

Passed and adopted by the Greensboro Town Council, this __12th___ day of _August___, 2013.

William K. Pitts Jr.
Mayor, Town of Greensboro

ATTEST:
H. MAXWELL FLETCHER, TREASURER, CLERK
TOWN OF GREENSBORO, FLORIDA

BY: H. Maxwell Fletcher

APPROVED AS TO FORM:
TOWN OF GREENSBORO

BY: _____
Alan Jackson, Esq.

(Signature Pages Continue)

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CLERK OF THE CIRCUIT COURT AND COMPTROLLER
LEON COUNTY
UNOFFICIAL DOCUMENT

CERTIFIED COPY
BY: Evans
TOWN CLERK

Passed and adopted by the Havana Town Council, this 25th day of June, 2013.

SEAL OF THE TOWN OF HAVANA INCORPORATED 1906

T. J. Davis
Mayor, Town of Havana

ATTEST:
SHEILA EVANS, CLERK
TOWN OF HAVANA, FLORIDA

BY: Shelia A Evans

APPROVED AS TO FORM:
TOWN OF HAVANA

BY: Alexander L Hinson
Alex Hinson, Esq.

(Signature Pages Continue)

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT AND COMPTROLLER LEON COUNTY
UNOFFICIAL DOCUMENT

Passed and adopted by the School Board of Leon County, this 19th day of November, 2013.

FORREST VAN CAMP, CHAIR
School Board of Leon County

ATTEST:

BY: Carolyn Thomas
Asst. to the Board

APPROVED AS TO FORM:
SCHOOL BOARD OF LEON COUNTY

BY: Via Board docs
Jeff Wahlen, Esq.

(Signature Pages Continue)

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LEON COUNTY
UNOFFICIAL DOCUMENT

Agreed to by the State of Florida Department of Transportation, this 13th day of MARCH, 2014.

James T. Barfield, P.E.
FDOT District III Secretary

ATTEST:

BY: _____
Executive Secretary

Legal Review:
OFFICE OF THE GENERAL COUNSEL

BY: _____
Samuel Henderson, Esq.

(Signature Pages Continue)

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CLERK OF THE CIRCUIT COURT AND COMPTROLLER
LEON COUNTY
UNOFFICIAL DOCUMENT

APPROVED AS TO FORM AND LEGALITY:
CRTPA GENERAL COUNSEL

BY: _____
Thornton Williams, Esq.

UNOFFICIAL DOCUMENT
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
LEON COUNTY
UNOFFICIAL DOCUMENT

CAPITAL REGION TRANSPORTATION PLANNING AGENCY
REVISED BYLAWS, POLICIES
AND PROCEDURES

Revised March 21, 2017

I. Organization Name
II. Preamble
III. Purpose
IV. CRTPA Bylaws
V. CRTPA General Policies
VI. CRTPA Specific Policies
VII. CRTPA Long-Range Transportation Plan Amendment
VIII. Funding
IX. Notices

I. Organization Name

The name for the Metropolitan Planning Organization (MPO) is the Capital Region Transportation Planning Agency (CRTPA).

II. Preamble

The following sets forth the Bylaws, Policies and Procedures that shall serve to guide the proper functioning of the urban transportation planning process by the CRTPA. The intent is to provide policies and procedures for the CRTPA and its Standing Committees for fulfilling the requirements of the Interlocal Agreement that creates the CRTPA; the applicable provisions of federal law; and the applicable provisions of Chapter 339.175, Florida Statutes. Any interpretations of the Interlocal Agreement by these bylaws shall be the preferred interpretation for the CRTPA unless there is a direct and express conflict with the Interlocal Agreement. Furthermore, all provisions contained in these Bylaws shall be interpreted to be consistent with all applicable state and federal law.

III. Purpose

Pursuant to Section 339.175, Florida Statutes, the purpose of the CRTPA is:

A. To assist in the safe and efficient management, operation, and development of surface transportation systems embracing various modes of transportation in a manner that will serve the mobility needs of people and freight and foster economic growth and development within and through urbanized areas of this state while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes;

B. To develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas. The plans and programs for each metropolitan area must provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area, based upon the prevailing principles provided in s. 334.046(1);

C. To ensure that the process is integrated with the statewide planning process the CRTPA shall implement and ensure a continuing, cooperative, and comprehensive transportation planning process that considers all modes of transportation based on the complexity of the transportation problems to be addresses and results in coordinated plans and programs consistent with the comprehensively planned development of this affected metropolitan area in cooperation with the Florida Department of Transportation ("Department");

D. To ensure that the process is integrated with the statewide planning process the CRTPA shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state and regional transportation functions. For the purpose of this section, those facilities on the Strategic Intermodal System designated under s. 339.63 and facilities for which projects have been identified pursuant to s. 339.2819(4).

IV. CRTPA Bylaws

A. Membership and Board Membership

1. As designated by the Governor of the State of Florida, and as reflected in Article 4, Section 4.01(a) of the 2014, Interlocal Agreement, the CRTPA shall consist of voting representatives from Leon County, Gadsden County, Jefferson County, and Wakulla County; the City of Tallahassee, the City of Midway, the City of Quincy, the City of Chattahoochee, the City of

Greensboro, the City of Gretna, and the Town of Havana; the Leon County School Board; and one non-voting representative from the Department of Transportation.

The weighted vote of the voting members is as follows:

Governmental Entity	**Number of Members**	**Voting Points**
Leon County School Board	1	1
Jefferson County[1]	1	4
Gadsden Cities[2]	1	5
Wakulla County[3]	1	8
Gadsden County	1	8
Leon County[4]	-	37
City of Tallahassee[5]	-	37
Total		100

[1]The County Representative will also represent the City of Monticello.
[2]The Cities of Chattahoochee, Greensboro, Gretna, Havana, Midway and Quincy will consolidate their membership and weighted vote into one membership.
[3]The County Representative will also represent the Cities of St. Marks and Sopchoppy.
[4]The number of voting members is determined by the Leon County.
[5]The number of voting members is determined by the City of Tallahassee.

As provided in Section 4.01(a)(1) of the Interlocal Agreement, for Leon County and the City of Tallahassee, the number of voting points is determined by the number of voting members as agreed upon by the Leon County Board of County Commissioners and the City of Tallahassee respectively.

2. The City of Tallahassee and Leon County commissions may change the number of their members to serve as members of the CRTPA Board no more than once annually. Similarly, Cities consolidating their memberships and weighted vote may reverse such consolidation no more than once annually. Should any membership adjustments be made pursuant to this section, the governmental entity shall notify the Executive Director of the CRTPA in writing of such change. The written notice shall specifically reference this section as the basis for the change.

3. Board members from participating governments which have one voting member may designate an alternative member of that government to vote in the absence of the appointed member. Such designation may be changed no more frequently than annually, unless the alternate leaves office. A

participating governmental entity that selects an alternative member shall notify the CRTPA in writing of that selection. No Board Member may vote by proxy.

4. As provided by Section 6.04 of the Interlocal Agreement, the Board may delegate authority to one or more of its members to act on behalf of the Board and may delegate certain duties to the Executive Director.

    a. Delegation to one or more Board Members shall be pursuant to a majority vote of the Board, which shall identify the member(s) to whom authority is delegated, specify the scope (and time period if appropriate) for the delegation, and whether action of the Board member(s) shall be subject to Board ratification or approval. Any such delegation shall be subject to the requirements of the Sunshine Law, when applicable. The scope and time period of the delegation shall be appropriate for the intended purpose, and shall be limited as necessary to comply with law. When practicable, the action of the Board members shall be subject to Board ratification or approval.

    b. Delegation to the Executive Director shall be pursuant to a majority vote of the Board, which shall specify the scope, direction and purpose for the delegation and whether the action of the Executive Director shall be subject to ratification or approval of the Board, Board members or the Chairperson. Delegation to the Executive Director shall be subject to such limitations in scope, direction and supervision by the Board as appropriate for the intended purpose and as necessary to comply with law.

B. Membership Term of Office

1. The membership and terms of elected officials as voting members of the CRTPA Board shall be as prescribed in Section 339.175(3) and (4), Florida Statutes, and Sections 4.01 and 4.02 of the Interlocal Agreement. Board members from participating governments which have one voting member may appoint a substitute member to serve as a member of the CRTPA Board no more frequently than once annually, unless the member leaves office.

2. The term of office of members of the CRTPA shall be four years. The membership of a member who is a public official automatically terminates upon said official leaving the elective or appointive office for any reason, or may be terminated by a majority vote of the total membership of the governmental entity represented by the member. A vacancy shall be filled by the original appointing entity. A member may be appointed for one or more additional four year terms. Where Counties and Cities have elected to

consolidate their memberships and weighted vote, the term of the representative member or members shall be no less than one year from the date of designation by the consolidated entity represented by the member.

3. Any governmental entity performing any actions under this section shall notify the CRTPA in writing of such actions.

4. The CRTPA may also provide for other non-voting advisors as needed.

C. Officers and Duties

1. The CRTPA Board shall hold an annual organizational meeting no later than the last Board meeting of the calendar year for the purpose of electing the following officers from its voting membership:

    - Chairperson
    - Vice-Chairperson
    - Representative to the Florida Metropolitan Planning Organization Advisory Council
    - Alternate representative to the Florida Metropolitan Planning Organization Advisory Council

    The Chairperson and Vice-Chairperson shall be members of different member governments.

2. Officers shall be elected by a majority of the votes of members present at the organizational meeting. The Chairperson and Vice-Chairperson shall serve a term of one year. The representative and alternate to the Florida Metropolitan Planning Organization Advisory Council shall serve a term of three years.

3. The Chairperson shall preside at all meetings and shall sign official documents of the CRTPA. In the event of the Chairperson's absence, or at the Chairperson's direction, the Vice-Chairperson shall assume the powers and duties of the Chairperson. In the absence of both a Chairperson and Vice-Chairperson at a regular or special Board meeting, a temporary Chair shall be elected by majority vote at said meeting to serve as Chairman of the meeting, for this meeting alone. The Chairperson shall:

    a. Sign, on behalf of the CRTPA, resolutions, contracts, deeds, certifications, vouchers and all other instruments whether relating to real or personal property or otherwise;

b. Appoint subcommittees as needed;

c. Approve or revise the final agenda presented by the Executive Director;

d. Accept agenda items from other CRTPA members with advice of the Executive Director to ensure that the addition is submitted on a timeline that allows them to be fully staffed and distributed with the regular agenda materials;

e. Draft the annual performance evaluation of the Executive Director, distribute it to CRTPA membership for comments, and develop the final evaluation for CRTPA approval;

f. Have authority to approve CRTPA expenditures of greater than $5,000, but no greater than $25,000;

g. Have authority to approve certain personnel actions, such as salary adjustments, disciplinary actions, and final approval of staff evaluations completed by the Executive Director;

h. Perform other duties as, from time to time, may be assigned by the Board.

4. If the chair is unable to serve the remainder of the chair's term, the vice-chair shall automatically become the chair and the CRTPA shall elect a new vice-chair. In the event of the permanent inability of the Chairperson or Vice-Chairperson of the CRTPA to serve, a new officer(s) will be elected from the membership at the next meeting.

D. Administration

The administration of the CRTPA shall be as set forth in Sections 6.01 through 6.05 of the Interlocal Agreement. The Chairperson shall serve as the principle administrative officer of the Board. The Executive Director shall serve as the principal administrator of the CRTPA's operations and staff and shall have responsibility for advising the Board regarding official CRTPA business and administration.

1. The Executive Director shall serve at the pleasure of the Board and shall report directly to the CRTPA Board for all matters regarding the administration and operation of the CRTPA and any additional personnel as deemed necessary. CRTPA staff will report directly to the Executive Director

and serve at the pleasure of the director. The Executive Director shall have authority to:

a. Approve expenditures for the normal operations of staff not to exceed $5,000;

b. Approve routine staff travel;

c. Hire, fire, assign duties to, and evaluate CRTPA staff, subject to review and concurrence of the Chairperson; and

d. Sign invoices, grant applications, and routine communications with local, state and federal agencies, except in those instances when the signature of the chair is required.

2. The Executive Director, or designee, is responsible for the CRTPA meeting minutes and all notices and agendas for future meetings. The Executive Director shall also perform such other and additional duties as are necessary to carry out the objectives and functions of the CRTPA and the directives from the CRTPA membership.

3. The CRTPA General Counsel shall be under a legal services contract, the term of which is not to exceed thirty-six (36) months and shall serve at the pleasure of the Board and shall perform such duties assigned by the Board, the Chairperson or the Executive Director.

4. Executive Committee
   a. The CRTPA shall establish an Executive Committee comprised of the Chair, Vice-Chair and immediate Past-Chair. The Executive Committee shall meet as directed by the Chair for any items not requiring board action. The Executive Committee at meet at least two weeks prior to a regularly scheduled CRTPA meeting for items that will require Board action at that Board meeting.

   b. The duties of the Executive Committee shall include:

      - Advise and provide direction to the Executive Director on critical issues as they arise
      - An annual evaluation of the Executive Director
      - Review of the annual CRTPA Budget and Unified Planning Work Program (UPWP)

- Development of annual legislative priorities in consultation with the designated MPOAC representative.
- Review of legislative issues during session
- Establishment of CRTPA personnel policies and procedures
- Review of contracts
- Emergency approval of time-sensitive items

c. The Board shall have the authority to delegate additional duties to the Executive Committee.

d. As needed, the above duties of the Executive Committee shall be provided to the full board

E. Meetings

1. Regular meetings of the CRTPA shall be held as needed in the Tallahassee City Commission Chambers or other locations designated by the Chairperson.

2. Meetings will be held on the third Tuesday of ~~given~~ each month, with the exception of July and August and such other times as scheduled by the Chairperson. Meeting dates will be adjusted by the Chairperson to accommodate holidays or other conflicts.

3. Special meetings of the CRTPA may be called by the Chairperson, or in the absence of the chair, by the vice-chair. Special meetings may also be called on the initiative of four (4) or more voting members petitioning the chair.

4. There must be majority representation to constitute a quorum for the transaction of business. A quorum is defined as 51% of the voting interest of the CRTPA. An affirmative vote shall consist of a majority vote of the total quorum present. A quorum must be present for any matters to be voted on at any duly called CRTPA meeting.

5. Agenda materials for the CRTPA meetings shall be distributed to Board Members no later than seven days prior to the meeting, unless otherwise decided by the Chairperson. Supplemental materials shall be provided to the Board Members as soon as practicable.

6. Meetings will be open to the public. Citizen comments and suggestions are welcomed. Any group which requests in writing will be notified of CRTPA meetings. Members of the public are allowed to speak on any items not on the Agenda during the Public Comment period, with established time limits, and by providing a Speaker Card at the CRTPA meeting as set out in section F.

Members of the public are allowed to comment on items on the agenda at the appropriate time following the same established rules for time limits and providing speaker cards.

7. The CRTPA may choose to hold workshops from time to time. A quorum shall not be necessary for conducting a workshop; however, all workshops shall be noticed in the same manner as regular meetings of the CRTPA.

8. The most current edition of Roberts Rules of Order Revised is the adopted rule of meeting procedure. The Chairperson (or the Vice Chairperson when serving as Chairperson) shall preside at all meetings.

9. The General Counsel or his designee shall serve as the "parliamentarian. The CRTPA General Counsel shall advise the Chairperson and the Board at the direction of the Chairperson.

10. CRTPA meetings will be recorded and minutes will be prepared.

11. Where a Super-Majority Vote is required by the Interlocal Agreement or CRTPA Bylaws, such Super-Majority Vote shall be defined as two-thirds of the vote of the Board members in attendance and no less than 67 points, regardless of the number of members in attendance.

12. The Executive Director shall serve as the clerk of the CRTPA.

13. As necessary, subcommittees and the chair of subcommittees shall be designated by the chair to investigate and report on specific subject areas of interest to the CRTPA. A subcommittee shall consist of at least three members.

F. Citizen Participation at Board Meetings

1. Citizen comments will be accepted during the meeting during the public comment portion of an action item or the designated Citizen Comment section of the meeting agenda.

2. Citizens may speak on issues related to the approved agenda or any issue for which the CRTPA has the statutory authority to act upon.

3. In order to maintain an orderly flow of public comment, citizens will be asked to complete a Request to Speak card. If the citizen is unable to complete the card, s/he will be assisted by the CRTPA staff.

4. Citizens will be allowed to speak for three minutes.

5. Large groups of citizens wishing to speak are encouraged to designate a spokesperson to represent their views.

G. Bylaw Amendments

The CRTPA Bylaws may be amended by a majority vote of the CRTPA. The CRTPA Board may adopt resolutions as necessary to implement, supplement or clarify the CRTPA Bylaws, but shall not substantively alter the policies or procedures contained in the Bylaws except upon a Super-Majority Vote. No less often than annually, the Board shall consider amendments to the Bylaws to incorporate prior resolutions issued by the Board, as appropriate.

H. Creation of Committees

The following committees have been created by the CRTPA, are ratified herein and shall serve as standing committees, with membership subject to appointment by the CRTPA Board:

1. The Technical Advisory Committee (TAC), which shall function as provided in Section 339.175(6)(d) and (8)(b), Florida Statutes, and as otherwise directed by the CRTPA Board. The TAC serves at the pleasure of the Board.

    a. The TAC serves in an advisory capacity to the CRTPA on matters related to coordinating transportation planning and programming including, but not limited to, review of CRTPA related transportation studies, reports, plans and programs. The TAC shall assist the CRTPA by providing technical resources and recommendations as requested.

    b. The membership of the TAC must include, whenever possible, planners; engineers; representatives of local aviation authorities, port authorities, and public transit authorities or representatives of aviation departments, seaport departments, and public transit departments of municipal or county governments, as applicable; the school superintendent of each county within the jurisdiction of the CRTPA or the superintendent's designee; and other appropriate representatives of affected local governments.

    c. In addition to any other duties assigned to it by the CRTPA or by state or federal law, the TAC is responsible for considering safe access to schools in its review of transportation project priorities, long-range

transportation plans, and transportation improvement programs, and shall advise the CRTPA on such matters.

d. In addition, the TAC shall coordinate its actions with local school boards and other local programs and organizations within the metropolitan area which participate in school safety activities, such as locally established community traffic safety teams. Local school boards must provide the CRTPA with information concerning future school sites and in the coordination of transportation service.

e. The TAC shall have additional advisory (non-voting) members as the CRTPA deems advisable.

f. Each member of the TAC is expected to demonstrate interest in the technical advisory committee's activities through attendance at the regularly scheduled meetings except for reasons of an unavoidable nature. A majority of the TAC may recommend the removal of any member who fails to attend, or arrange for an alternate to attend, three or more meetings in a one-year period. Such recommendations shall be forwarded to the appointing agency or governmental unit through the CRTPA Executive Director.

2. The Citizens Advisory Committee (known as the Citizens Multimodal Advisory Committee)(CMAC), which shall function as provided in Section 339.175(6)(e)1 and (8)(b), Florida Statutes, and as otherwise directed by the CRTPA Board. The CMAC serves at the pleasure of the Board. The membership on the CMAC must reflect a broad cross-section of local residents with an interest in the development of an efficient, safe, and cost-effective multimodal transportation system. Minorities, the elderly, and the handicapped must be adequately represented as well as representatives and users of various transportation modes.

a. The community at large shall be represented in the transportation planning process by the CMAC. The CMAC serves in an advisory capacity to the CRTPA for the purpose of assisting in the formulation of the CRTPA's goals and objectives, seeking reaction to planning proposals and providing comment with respect to the concerns of various segments of the population regarding their transportation needs.

b. Notwithstanding the above provisions, the CRTPA may, with the approval of the department and the applicable federal governmental agency, adopt an alternative program or mechanism to ensure citizen involvement in the transportation planning process.

V. CRTPA General Policies

A. The CRTPA agenda will be limited to required items only as determined by the Chairperson. Board Members are requested to coordinate with the Executive Director on those items that they wish to have considered, so that they can be adequately staffed prior to being heard by the Board.

B. The Executive Director is directed to assist the Chairperson in scheduling important matters for Board consideration, where practicable, for at least one discussion meeting prior to scheduling the matter for Board action at a subsequent meeting. Notwithstanding the foregoing, unless otherwise provided by law, Board action shall not be delayed nor subject to challenge simply because it was acted upon at the same meeting at which it was first discussed by the Board. Workshops, retreats and delegated subcommittees of Board Members shall also be considered as methods of exchanging information and opinions on and focusing the analysis of important matters that may later come before the Board for action.

VI. CRTPA Specific Policies

A. Any policy that affects planning efforts and not administration nor procedural policies of the CRTPA shall be adopted solely by resolution and not become part of these bylaws. Examples of this are resolutions that promote bicycle and pedestrian transportation, preservation of right-of-way, and consideration of the needs of the Transportation Disadvantaged in plan development. All resolutions will be kept in a separate section of each member's agenda book for reference purposes.

B. A majority vote will be required by the CRTPA when amending, adding, or deleting projects from the Transportation Improvement Program (TIP), the Priority Project List, any Project Development and Environment Study, and any intersection improvement study requiring the approval of the CRTPA. Per Chapter 339.175(13) Florida Statutes, any amendment that affects projects in the first three years of the TIP must be approved on a recorded roll-call vote or hand-counted vote of a majority of the membership present.

VII. Modifications to the Long Range Transportation Plan

A. A request to amend the Long Range Transportation Plan (LRTP) will be reviewed by the TAC to determine the technical applicability of the proposal for plan inclusion or removal and the CMAC recommendation, CRTPA Staff recommendation, and the recommendation of the TAC will be forwarded to the CRTPA Board.

B. If the CRTPA Board determines that the proposed amendment should be considered, the CRTPA Board may initiate the established plan amendment process in compliance and consistent with procedures established in Chapter 339 Florida Statutes and all applicable federal code. Per Chapter 339.175, Florida Statutes, any amendment that affects projects in the first three years of the LRTP must be approved on a recorded roll-call vote or hand-counted vote of a majority of the membership present.

C. In addition to the required public notification and public hearing of the plan amendment(s), efforts to communicate the plan amendment to the traditionally underserved (populations protected by Title VI of the Civil Rights Act of 1964) will be made and documented.

VIII. Funding of the CRTPA

A. Each member government shall pay a proportional share of the operating costs of the CRTPA, over and above the amount annually provided by federal and state sources. Proportional costs are based on population. To the extent that funding allocated for CRTPA operations is exceeded by expenses, the balance shall be funded by the members, with the exception of the Leon County School Board, in proportion to their weighted vote without consideration of the weighted vote of the Leon County School Board. The Leon County School Board shall provide in-kind services in lieu of direct funding for CRTPA operations. Unless otherwise agreed by the parties hereto, any change in the weighted voting occurring during the CRTPA's fiscal year shall result in a proration of financial responsibility of the members.

B. The CRTPA staff will perform only those services required by applicable Federal Code and State Statute. If tasks are requested by the CRTPA that are not part of the statutory duty of the CRTPA staff, additional funding will be provided by the member governments.

C. An estimate of the amount will be made known in the annual Unified Planning Work Program, prior to July 1. Concurrent with the adoption of the Final Unified Planning Work Program the CRTPA will adopt its budget. The Unified Planning Work Program is the de facto budget of the CRTPA.

D. Payment of funds by participating governments will be made to the CRTPA no later than December 31.

IX. Notices.

All notices, demands and correspondence required or provided for under this Agreement shall be in writing and delivered in person or dispatched by certified mail, postage prepaid, return

receipt requested. Notice required to be given shall be as follows, addressed to the current incumbent:

City of Tallahassee

Mayor
300 South Adams Street
Tallahassee, FL 32301

City Attorney
300 South Adams Street
Tallahassee, FL 32301

Leon County Board of County Commissioners

Chairperson
301 S. Monroe Street, 5th Floor
Tallahassee, Florida 32301

County Attorney
301 S. Monroe Street, Suite 202
Tallahassee, Florida 32301

Gadsden County Board of Commissioners

Chairperson
9-B East Jefferson Street
Post Office Box 1799
Quincy, Florida 32353-1799

Jefferson County Board of County Commissioners

Chairperson
1 Courthouse Circle
Monticello, FL 32344

Wakulla County Board of County Commissioners

Chairperson
3093 Crawfordville Highway
Post Office Box 1263
Crawfordville, FL 32326

Gadsden County Municipalities

Mayor
City of Chattahoochee
P.O. Box 188
Chattahoochee, FL 32324

City Manager
City of Chattahoochee
P.O. Box 188
Chattahoochee, FL 32324

Mayor
Town of Greensboro
150 E 11th Street
Greensboro, FL 32330

Town Manager
Town of Greensboro
150 E 11th Street
Greensboro, FL 32330

Mayor
City of Gretna
Post Office Drawer 220
Gretna, Florida 32332

City Manager
City of Gretna
Post Office Drawer 220
Gretna, Florida 32332

Mayor
Town of Havana
P. O. Box 1068
Havana, FL 32333-1068

Town Manager
Town of Havana
P.O. Box 1068
Havana, FL 32333-1068

Mayor
City of Midway
50 M.L. King Blvd.
Midway, FL 32343

City Manager
City of Midway
50 M.L. King Blvd.
Midway, FL 32343

Mayor
City of Quincy
404 W. Jefferson Street
Quincy, Florida 32351-2328

City Manager
City of Quincy
404 W. Jefferson Street
Quincy, Florida 32351-2328

Leon County School Board
Chairperson
2757 W. Pensacola Street
Tallahassee, Florida 32304

Florida Department of Transportation
District III Secretary
1074 Highway 90
Chipley, Florida 32428

Capital Region Transportation Planning Agency
Executive Director
300 S. Adams Street, Mail Stop A-19
Tallahassee, FL 32301

General Counsel
300 S. Adams Street, Mail Stop A-19
Tallahassee, FL 32301

A party may unilaterally change its address or addressee by giving notice in writing to the other parties as provided in this section. Thereafter, notices, demands and other pertinent correspondence shall be addressed and transmitted to the new address and addressee.

Leon County
Board of County Commissioners

Notes for Agenda Item #19

Leon County Board of County Commissioners

Agenda Item #19

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Full Board Appointments to the Architectural Review Board, the Board of Adjustments and Appeals, the CareerSource Capital Region Board and the Planning Commission

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Mary Smach, Agenda Coordinator

Statement of Issue

This agenda item seeks the full Board's consideration of the appointment of citizens to the Architectural Review Board, the Board of Adjustments and Appeals, the CareerSource Capital Region Board and the Planning Commission.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

See next page.

Staff Recommendation:

Option #1: Appoint the two recommended eligible applicants to Board of Adjustments and Appeals.

a. Eligible Applicant: Jeff Blair (three-year term ending June 30, 2022).

b. Eligible Applicant: Darryl Williams (unexpired term ending June 30, 2020).

Option #2: Reappoint the one eligible nominated and recommended applicant to the CareerSource Capital Region Board for a three-year term ending June 30, 2022. Eligible applicant is: Beth Cicchetti.

Option #3: Appoint **one** of the eligible applicants to Architectural Review Board for a three-year term ending June 30, 2022. Eligible applicants are: Christopher Corum, Miriam Gurniak, and Erin VanSickle.

Option #4: Appoint **one** of the eligible applicants to the Planning Commission for a three-year term ending June 30, 2022. Eligible applicants are: Debra Preble, Matthew Harris, Luis E. Rojas, Donna Gail Spencer, Willie Vann and Leroy Collins Proctor.

Should the Board choose to appoint Ms. Preble it would be necessary for the Board to waive the conflicting employment relationship disclosed on Form 4A (Attachment #7) by a two-thirds affirmative vote.

Report and Discussion

Background:

Pursuant to Policy No. 03-15, "Board-Appointed Citizen Committees", a General Business item is presented to fill vacancies for full Board appointments of citizens to Authorities, Boards, Committees, and Councils.

Analysis:

Board of Adjustments and Appeals (BOAA)

Purpose: The BOAA hears and decides on appeals of administrative decisions as provided in the City of Tallahassee and Leon County Land Development Code, and variances to sign, plumbing, zoning, housing, building, gas and fire prevention codes of the City of Tallahassee and Leon County as provided in the City and Leon County Land Development Codes.

Composition: The BOAA has three members appointed by the full Board, three members appointed by the City and 1 member alternately appointed by the full Board and the City Commission. In addition, both the full Board and the City Commission may appoint an alternate member, who serves in the event that their presence is needed to constitute a quorum. The members serve a three-year term and may not serve more than two full consecutive terms. Vacancies are filled for the remainder of the unexpired term.

Vacancies: The term of Board appointed member Jeff Blair is due to expire on June 30, 2019. Mr. Blair has served one term and is seeking reappointment. Board appointed member Shaleen Miller has resigned. Eligible applicants are listed in Table #1.

Table #1: Board of Adjustments and Appeals

Vacancies	Term Expiration	Application Attachment #	Eligible Applicants	Recommended Action
Jeff Blair *Served one term, seeking reappointment,*	6/30/2019	1.	Jeff Blair	Reappointment **one** recommended applicant for a three-year term ending 6/30/2022
Shaleen Miller *resigned*	6/30/2020	2.	Darryl Williams	Appoint **one** recommended applicant for the remainder of the unexpired term ending 6/30/2020

CareerSource Capital Region Board (CSCR)

Purpose: CareerSource Capital Region connects employers with qualified, skilled talent and Floridians with employment and career development opportunities to achieve economic prosperity in Gadsden, Leon and Wakulla counties. The CSCR Board develops the region's strategic workforce development plan; identify occupations for which there is a demand in the area and selecting training institutions that may provide training; solicit the input and participation of the local business community in the provision of services for the residents of the region; provide policy guidance and procedures for programs established by CareerSource Capital Region; and, provides oversight and monitoring activities.

Composition: The CSCR Board has seven private sector representative members appointed by the full Board. Nominations for the private sector seats are submitted by local business organizations including local chambers of commerce, downtown merchants' associations, area business associations, etc., and must be compliant with the Workforce Innovation and Opportunity Act (WIOA) and Florida Statutes. Nominees are representative of the business community in optimal business leadership positions, such as CEO's, VP's of HR, General Managers, Presidents and executives of firms that require a large workforce to maintain their business. The members serve a three-year term, and vacancies are filled for the remainder of the unexpired term.

Vacancies: The term of Board-appointed member, Beth Cicchetti (formerly Kirkland), expires on June 30, 2019. Nominated by The Florida Economic Development Council, Mrs. Cicchetti is an active member is seeking reappointment and is recommended for reappointment by CareerSource staff (Attachment #3). See Table #2.

Table #2: CareerSource Capital Region

Vacancies	Term Expiration	Application Attachment #	Eligible Applicants	Recommended Action
Beth (Kirkland) Cicchetti *Seeking reappointment, has served one term*	6/30/2019	3.	Beth Cicchetti (formerly Kirkland)	Reappointment **one** nominated and recommended applicant for a three-year term ending 6/30/2022

Architectural Review Board (ARB)

Purpose: The responsibility of ARB is to review and make recommendations on the listing of properties on the Local Register Historic Places; protect the character of property in the Historic Preservation Overlay (HPO) designation; and, on behalf of County and City, administers federal Certified Local Government program for historic preservation.

Composition: ARB membership consists of eight citizens, four appointed by the Board and four appointed by the City of Tallahassee, plus the Planning Commission Chairman (or designee) and the Planning Department Director (or designee). The Board appointed citizen members consist of:

- two owners of property zoned with the Historic Preservation Overlay (HPO)
- one member of American Institute of Architects (AIA)
- one member representing Tallahassee Trust for Historic Preservation (TTHP)

As per the County Code of Laws, members serve three-year terms, expiring on June 30 and may not serve more than two consecutive terms. Members of the ARB must be residents or property owners in Leon County.

Vacancy: The term of Fred Gaske, Board-appointed member, expires on June 30, 2019. Mr. Gaske is an owner of property zoned with the Historic Preservation Overlay and is not eligible for reappointment due to term limits. Eligible applicants are listed in Table #3.

Table #3: Architectural Review Board (ARB)

Vacancies *Term Status*	**Term Expiration** *Seat Category*	**Application Attachment #**	**Eligible Applicants**	**Recommended Action**
Fred Gaske *Termed limited out*	6/30/2019 *Owner of property zoned historic preservation overlay*	4. 5. 6.	Christopher Corum Miriam Gurniak Erin VanSickle	Appoint **one** eligible applicant for a three-year term ending 6/30/2022

Planning Commission

Purpose: 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 as the 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.

Composition: The Planning Commission has three citizen members appointed by the full Board, three members appointed by the City and one member selected by the School Board and appointed by both the Board and the City Commission. The citizen members serve three-year terms and may be reappointed. Vacancies are filled for the remainder of the unexpired term.

Vacancies: The term of Board-appointed member, Timothy Edmond, expires on June 30, 2019. Mr. Edmond is not seeking reappointment. All eligible applicants are listed in Table #4.

Table #4: Planning Commission

Vacancies *Term Status*	**Term Expiration**	**Application Attachment #**	**Eligible Applicants**	**Recommended Action**
Timothy Edmond *Is not seeking reappointment*	6/30/2019	7. 8. 9. 10. 11. 12.	Debra Preble* Matthew Harris Luis E. Rojas Donna Gail Spencer Willie Vann** Leroy Collins Proctor	Appoint **one** eligible applicant for a three-year term ending 6/30/2022.

* *Applicant requests a waiver of the conflicting employment relationship as disclosed in Form 4A (Attachment #7). Should the Board choose to appoint Ms. Preble it would be necessary for the Board to waive the conflicting employment relationship disclosed on Form 4A by a two-thirds affirmative vote.*
In addition, appointed advisory board members must abstain from voting on a measure which would inure to his or her special private gain or loss and must file Form 8B, Memorandum of Voting Conflict, with the person responsible for recording the minutes of the meeting.

***Should the Board appoint Mr. Vann, he has agreed to resign from the Code Enforcement Board.*

Options:

1. Appoint the two recommended eligible applicants to Board of Adjustments and Appeals.
   a. Eligible Applicant: Jeff Blair (three-year term ending June 30, 2022).
   b. Eligible Applicant: Darryl Williams (unexpired term ending June 30, 2020).

2. Reappoint the one eligible nominated and recommended applicant to the CareerSource Capital Region Board for a three-year term ending June 30, 2022. Eligible applicant is: Beth Cicchetti.

3. Appoint **one** of the eligible applicants to Architectural Review Board for a three-year term ending June 30, 2022. Eligible applicants are: Christopher Corum, Miriam Gurniak, and Erin VanSickle.

4. Appoint **one** of the eligible applicants to the Planning Commission for a three-year term ending June 30, 2022. Eligible applicants are: Debra Preble, Matthew Harris, Luis E. Rojas, Donna Gail Spencer, Willie Vann and Leroy Collins Proctor.

   Should the Board choose to appoint Ms. Preble it would be necessary for the Board to waive the conflicting employment relationship disclosed on Form 4A (Attachment #7) by a two-thirds affirmative vote.

5. Board direction.

Recommendations:

Options #1a., 1b., #2, #3 and #4

Attachments:

1. Blair application and resume
2. Williams application and resume
3. Cicchetti application, resume and nomination
4. Corum application and resume
5. Gurniak application and resume
6. VanSickle application and resume
7. Preble application, resume and Disclosure Form 4A
8. Harris application and resume
9. Rojas application and resume
10. Specer application and resume
11. Vann application and resume
12. Leroy Collins Proctor application and resume

LEON COUNTY BOARD OF COUNTY COMMISSIONERS
CITIZEN COMMITTEE APPLICATION
BOARD OF ADJUSTMENT AND APPEALS

It is the applicant's responsiblity to keep this information current. To advise the County of any changes please contact Mary Smach by telephone at 606-6300 or by e-mail at smachm@leoncoutyfl.gov.

Applications will be discarded if no appointment is made after two years.

Name: Mr. Jeff Blair | **Date:** 3/23/2019 2:27:36 PM

Home Address:	1803 Old Fort Drive Tallahassee, FL 32301	**Do you live in Leon County?**	Yes
		Do you live within the City limits?	Yes
		Do you own property in Leon County?	No
Home Phone:	(850) 694-1209	**Do you own property in the Tallahassee City Limits?**	Yes
Email:	jblair@fsu.edu	**How many years have you lived in Leon County?**	42

(EMPLOYMENT INFORMATION)

Employer:	Florida State University and Facilitated Solutions, LLC	**Work Address:**	1803 Old Fort Drive TALLAHASSEE, FL 32301
Occupation:	Dispute Resolution Professional		
Work/Other Phone:	(850) 694-1209		

(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: **Gender:** **Age:**

District: **Disabled?**

(RESUME AND REFERENCES)

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

Name:	Robert Jones	**Name:**	Deborah Lawson
Address:	183 Rose Hill Drive, Tallahassee FL 32312	**Address:**	1011 Shalimar Drive, Tallahassee, FL 32312
Phone:	(850) 597-1197	**Phone:**	(850) 570-0033

Resume Uploaded? Yes

If no resume is available, 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. Please attach your resume, if one is available.

(COMMITTEE QUESTIONNAIRE)

IMPORTANT LEGAL REQUIREMENTS FOR COMMITTEE/BOARD/AUTHORITY MEMBERSHIP

Citizen participation is important in developing Leon County's programs and policies, and in providing quality public services to the community. We appreciate your interest in serving on a committee and would like to bring a few items to your attention. As a member of a committee/board/authority, 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 for violating these applicable laws include criminal penalties, civil fines, and the voiding of any committee/board/authority 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, please take a few minutes to complete the mandatory orientation. Your application will not be deemed complete until you have completed the orientation.

Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities? *Yes*

Are you currently serving on a County Advisory Committee? *Yes*

If Yes, on what Committee(s) are you a member? *Board of Adjustment and Appeals (BOAA)*

Have you served on any previous Leon County committees? *Yes*

If Yes, on what Committee(s) have you served? *Leon County Code Enforcement Board*

Are you willing to complete a financial disclosure if applicable? *Yes*

Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with the Committee/Board/Authority to which you are applying for membership? *No*

Do you currently have any employment or contractual relationship that would create a continuing or frequently recurring conflict with regard to your participation on a Committee/Board/Authority? (i.e. would you have frequent or reoccurring voting conflicts?) *No*

Do you foresee participating in any competitive bid process for Leon County business during your time serving on this committee/board/authority? *No*

Do you foresee participating in any competitive bid process involving business with the Committee/Board/Authority to which you are applying, during your time serving on that entity? *No*

Members must be a resident, an owner of real property AND a taxpayer in Leon County.

Are you a resident of Leon County? *Yes*

Are you a property owner and taxpayer in Leon County? *Yes*

Members on this board must file a Financial Disclosure Form #1 from the Florida Commission on Ethics, per State Statute 112.3145. Financial Disclosure Information - Ethics.

Are you willing to file a Financial Disclosure Form? *Yes*

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

Signature: Mr. Jeff Blair

The application was electronically sent: 3/23/2019 2:27:36 PM

JEFF A. BLAIR, FACILITATED SOLUTIONS, LLC—FACILITATEDSOLUTIONSJB@GMAIL.COM

Education:
2000: Graduate Program Urban and Regional Planning: Conflict Resolution, Florida State University.
1999: B.S. Social Policy-Advanced Standing Program, Florida State University (Cum Laude).
1988: AA University of Florida.

Summary of Relevant Professional Information:
- Principle and Owner, Facilitated Solutions, LLC.
- FSU Faculty (Associate in Research) and Associate Director, FCRC Consensus Center at Florida State University (FSU), January 1999 – Present.
- Blair Homes and Design, Inc. Certified General Contractor and Home Builder. 1980 – 1999.
- Certification from Supreme Court of Florida, Certified County Mediator. July 1999.
- U.S. Institute for Environmental Conflict Resolution, National Roster of Environmental Dispute Resolution and Consensus Building Professionals qualified/approved practitioner.
- U.S. Environmental Protections Agency's Environmental ADR Neutrals Roster qualified/approved practitioner.
- U.S. Department of Interior's Office of Collaborative Action and Dispute Resolution (CADR) qualified/approved practitioner.
- State of Florida Certified General Contractor (CGC037759).
- Tallahassee-Leon County Board of Adjustment and Appeals. 2016-Present. (Chair).
- Leon County Code Enforcement Board. 1989 – 1997. (Chair).

Related Education:
- Mediation and Conflict Resolution. 40 Hours. William F. Lincoln. TCC. 1982.
- Certification from National Center for Collaborative Planning and Community Services. 1983.
- Advanced Dispute Resolution. 20 Hours. William F. Lincoln. TCC. , 1984.
- Interviewing and Recording. Florida State University. College of Social Work. 1998.
- Dispute Resolution Center, Florida Supreme Court. Mediator Training. 1998.
- Planning Dispute Resolution. Florida State University. Urban and Regional Planning Graduate Program. 1999.
- Neighborhood Justice Center. FSU. 1999.

Job Experience:
Jeff Blair's job experience and responsibilities include developing and overseeing Facilitated Solutions, LLC, and the FCRC Consensus Center at Florida State University projects. Including:
- Direct provision of collaborative process services (facilitation, mediation, negotiation, process design, strategic and action planning, consensus-building and process assessment and consultation) in public-policy cases;
- Provision of negotiation, facilitation, communication and effective meetings training to local government and state agency staff, as well as to private sector interests involved in public policy discussions;
- Provision of facilitation and process design training to public and private sector neutrals;
- Consultation with public and private sector interests in public policy and regulatory issues regarding their consensus-building and conflict resolution needs;
- Assistance to public and private sector entities regarding strategic planning and visioning;
- Activities to increase public awareness and use of alternative conflict resolution procedures;
- Administrative activities related to the continued operation of Facilitated Solutions, LLC, and the FCRC Consensus Center, at Florida State University; and,
- Conflict resolution, process design, communication and effective meetings trainings for private and public sector groups including Florida Atlantic University, Florida International University, Florida State University, Miami-Dade College, Miami-Dade County, various state agencies, and various public and private sector industry and regulatory agency associations.

JEFF A. BLAIR has over 30 years of experience in assessing and analyzing public problems and facilitating public meetings. Jeff is faculty at Florida State University, and serves as Associate Director for the FCRC Consensus Center at FSU, and concurrently he is principle and owner of his consulting business **Facilitated Solutions, LLC**. He specializes in strategic planning and implementation, stakeholder advisory groups, commissions, taskforces, and agency rulemaking. His work for **Facilitated Solutions, LLC** and FSU includes facilitation, process design, situation assessment, strategic planning and implementation, and consensus-building on complex public policy initiatives. He has worked with federal, state, local government, and private sector representatives to design and implement collaborative approaches to consensus-building, planning, rulemaking, and dispute resolution with an emphasis on stakeholder participation in the design and implementation of policy in over 185 projects and over 2200 meetings. In addition, he teaches classes and conducts trainings in various dispute resolution topics. Ongoing projects include serving as lead facilitator and conflict resolution consultant for agency stakeholder advisory councils and commissions, and initiatives such as the USFWS SE Region's Strategic Vision Alignment Initiative, the Suwannee River Partnership Steering Committee (FDACS, FDEP, SRWMD, UF/IFAS), and DBPR's Florida Building Commission including facilitating over 67 special issue stakeholder workgroup projects for the Commission and a total of over 1,000 individual meetings for the Commission since 1999. Recently completed projects include successfully facilitating to consensus the North Florida Regional Water Supply Partnership Stakeholder Advisory Committee (SRWMD, SJRWMD, FDEP, FDACS), the Coastal SEES OysterFutures Workgroup, the Gulf of Mexico Angler Focus Group Initiative, and the For-Hire Recreational Fisheries Electronic Monitoring Assessment Process. He served as process consultant and facilitator for the Florida Department of Agriculture and Consumer Services' (FDACS) Pest Control Enforcement Advisory Council, Pesticide Review Council, FDACS Agricultural Feed, Seed and Fertilizer Advisory Council, and the Florida Coordinating Council on Mosquito Control for over ten years. He facilitated the Florida Division of Emergency Management's Flood Resistant Standards Workgroup and the Florida Emergency Notification System Vision Workshop**.** He has done work for the National Oceanic and Atmospheric Administration (NOAA) including the National Saltwater Recreational Fishing Summit, Deepwater BP Oil Spill Programmatic Environmental Impact Statement scoping workshops, NOAA Fisheries Chesapeake Modeling Symposium and the Gulf of Mexico Grouper Forum. Work for United States Environmental Protections Agency (USEPA) includes the National Bedbug Summit and the International Public Health Pesticides Workshop in London, England. In addition, he facilitated the Deepwater Horizon Natural Resource Damage Assessment Trustee Council (Alabama, Florida, Louisiana, Mississippi, Texas, and the DOI, NOAA, and DOD). Work for the private sector includes designing and facilitating the Recreational Boating Stakeholders Growth Summit, and working with National Pest Management Association (NPMA), National Marine Manufactures Association (NMMA), Association for Structural Pest Control Regulatory Officials (ASPCRO), Association of American Plant Food Control Officials (AAPFCO), Florida Green Building Coalition (FGBC), National Association of Home Builders (NAHB), and Florida Natural Gas Association (FNGA). Mr. Blair has provided facilitation, planning, and process design for numerous agencies, entities, non-profit organizations and associations since 1977. In summary, Jeff Blair meets and exceeds all of the qualifications required to meet the Dispute Resolution Professional – Level 3 qualifications. Including education, experience, and skills, as well as the requisite duties and responsibilities of the Category.

***Sample Project Experience*:** Served as lead facilitator and process consultant for the following relevant projects:

- **US Fish and Wildlife Service. Regional Vision Strategic Alignment Initiative.** (2018 - Current) Jeff Blair is serving as lead facilitator, process consultant, and project manager. Collaborating with the USFWS Southeast Region's expanded Regional Conservation Leadership Team including the Regional Directorate Team to develop consensus on goals, objectives and strategies to achieve the vision for the Region with a focus on working across programs to enhance collaboration and leverage resources.
- **Suwannee River Partnership Steering Committee Planning Strategy Initiative. (SRP). Department of Agriculture and Consumer Services (DACS) and Suwannee River Water Management District SRWMD).** (2017 – 2018). Successfully worked with the Suwannee River Partnership (SRP) Steering Committee (SC) to convene a Planning Strategy Initiative and working with leaders of key stakeholder partners in a Steering Committee to revitalize the Vision, Mission and Strategic Plan for the Partnership and to identify priority issues and specific actions to ensure effective implementation of key initiatives in the Suwannee River Basin and Coastal Rivers Basin including the SRWMD Water Supply Plan and BMAPs for the Suwannee River and Santa Fe River Basins. In addition, the SC adopted an Agreement in Principle on Water Resource Management in the Suwannee River Basin and Coastal Rivers Basin including an organizational and governance structure designed to ensure that the SRP's advisory groups are organized effectively to provide consensus recommendations on the

priority issues as defined and prioritized by the SC, and ultimately to ensure the effective implementation of priority actions for the Basins consistent with the Vision, Mission and Strategic Plan of the Partnership.

- **Coastal SEES OysterFutures.** (2015 – 2018) Jeff Blair served as lead facilitator, process consultant, and project manager. Collaborated with researchers from the UM Center for Environmental Science and the VIMS with funding from NSF, the project facilitated development of recommendations for oyster policies and management that meet the needs of industry, citizen, and government stakeholders in the Choptank and Little Choptank Rivers of the Chesapeake Bay. The Workgroup developed a package of consensus recommendations for submittal to the Maryland Department of Natural Resources and voted unanimously for the package.
- **Deepwater Horizon Natural Resource Damage Assessment Trustee Council.** (2010-2011) Served as process consultant and lead facilitator. Worked with the Trustee Council in identifying injuries to natural resources and services resulting from the Deepwater Horizon oil spill incident, providing for the return of injured natural resources and services to baseline conditions and securing compensation for interim lost services, and encouraging and facilitating public involvement in the restoration process.
- **Project FishSmart – Sustaining King Mackerel**. (January 2007-December 2008) Served as process consultant and lead facilitator. The Project FishSmart approach to engaging stakeholders in management policy and decisions combined consensus building in facilitated workshops and decision analysis in which stakeholders could compare the consequences of alternative management options on trends in the king mackerel population and the fisheries it supports.
- **NOAA Saltwater Recreational Fishing Summit.** (January 2010 – May 2010) Served as process consultant and lead facilitator. Worked with the National Oceanic and Atmospheric Administration (NOAA) Fisheries to design, facilitate and report on a national Saltwater Recreational Fishing Summit, with participants from all six NOAA regions and the full spectrum of recreational saltwater fisheries representatives.
- **North Florida Regional Water Supply Initiative**. (2011- 2016) Served as process consultant and lead facilitator. This Stakeholder Advisory Committee (SAC) provided guidance and advisory recommendations on development of the regional groundwater model, data needs, minimum flows and levels (MFLs), and MFL prevention and recovery strategies and implementations. Designed the collaborative process, prepared meeting materials and reports and facilitated the meetings. The SAC voted unanimously to recommend approval of the Regional Water Supply Plan.
- **Loxahatchee Impoundment Landscape Assessment (LILA). Strategic Vision Planning Process. South Florida Water Management District (SFWMD).** (2016 – 2017)**.** Served as process consultant and lead facilitator. Worked with LILA staff and stakeholders to conduct a strategic vision planning process designed to build a compelling shared vision and action plan for developing the Loxahatchee Impoundment Landscape Assessment (LILA) strategic direction in the coming decade culminating in a living plan for a living laboratory.
- **Deepwater BP Oil Spill Programmatic Environmental Impact Statement (PEIS) NOAA.** (2011). Facilitated and moderated public scoping meetings in Florida, Alabama and Texas to solicit public comments regarding ideas for broad restoration types that should be considered for compensating the public for resources injured and lost human use of the resources as a result of the Deepwater Horizon oil spill
- **International Public Health Pesticides Workshop.** (2009). Facilitated the International Public Health Pesticides Workshop in London, UK at the Chartered Institute of Environmental Health (CIEH). The purpose of the workshop was to identify new approaches, processes, and implementation strategies for the development and approval of new public health pest control tools. There were over 100 participants from 22 countries representing regulatory and other government agencies, public health authorities, the World Health Organization (WHO), the World Bank, USEPA, the Gates Foundation, pest control industry, scientists and researchers, educators and other technical experts.

Sample Publications:

- **Jeff Blair** along with Thomas J. Miller, Robert M Jones, Thomas F. Ihde, David H. Secor, and Michael J. Wilberg, "*FishSmart: An Innovative Role for Science in Stakeholder- Centered Approaches to Fisheries Management"* Fisheries, Vol. 35, No. 9, September 2010.
- "OysterFutures: applying a spatially-explicit model and testing a collaborative process for developing oyster fishing regulations in Chesapeake Bay." Elizabeth North, Michael Wilberg, **Jeff Blair**, Robert Jones, et al., 2018.
- *"Scientists and Local Ecological Knowledge in Participatory Oyster Management."* Taylor Goelz, Troy Hartley, Elizabeth North, Michael Wilberg, **Jeff Blair**, Robert Jones, et al. 2017.

LEON COUNTY BOARD OF COUNTY COMMISSIONERS
CITIZEN COMMITTEE APPLICATION
BOARD OF ADJUSTMENT AND APPEALS

It is the applicant's responsiblity to keep this information current. To advise the County of any changes please contact Mary Smach by telephone at 606-5300 or by e-mail at smachm@leoncoutyfl.gov.

Applications will be discarded if no appointment is made after two years.

Name: Mr. Darryl A Williams | **Date:** 5/10/2019 12:11:49 AM

Home Address:	2396 James St Tallahassee, FL 32310	**Do you live in Leon County?**	Yes
		Do you live within the City limits?	Yes
		Do you own property in Leon County?	Yes
Home Phone:	(850) 766-3948	**Do you own property in the Tallahassee City Limits?**	Yes
Email:	willdrryl@aol.com	**How many years have you lived in Leon County?**	20

(EMPLOYMENT INFORMATION)

Employer:	Retired	**Work Address:**	
Occupation:	Retired		
Work/Other Phone:	(850) 766-3948		

(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: Black or African American **Gender:** M **Age:** 54

District: District I **Disabled?** Yes

(RESUME AND REFERENCES)

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

Name:	Tammy Bacon	**Name:**	
Address:	2221 Orange Ave E # 1116 Tallahassee, Florida 32311	**Address:**	
Phone:	(850) 264-7392	**Phone:**	

Resume Uploaded? Yes

If no resume is available, 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. Please attach your resume, if one is available.

(COMMITTEE QUESTIONNAIRE)

IMPORTANT LEGAL REQUIREMENTS FOR COMMITTEE/BOARD/AUTHORITY MEMBERSHIP

Citizen participation is important in developing Leon County's programs and policies, and in providing quality public services to the community. We appreciate your interest in serving on a committee and would like to bring a few items to your attention. As a member of a committee/board/authority, 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 for violating these applicable laws include criminal penalties, civil fines, and the voiding of any committee/board/authority 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, please take a few minutes to complete the mandatory orientation. Your application will not be deemed complete until you have completed the orientation.

Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities? *Yes*

Are you currently serving on a County Advisory Committee? *No*

Have you served on any previous Leon County committees? *No*

Are you willing to complete a financial disclosure if applicable? *Yes*

Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? *Yes*

If yes, please explain *Family Business, Janitorial Service Lincoln High School*

Are you or your employer, or your spouse or child or their employers, currently doing business with the Committee/Board/Authority to which you are applying for membership? *No*

Do you currently have any employment or contractual relationship that would create a continuing or frequently recurring conflict with regard to your participation on a Committee/Board/Authority? (i.e. would you have frequent or reoccurring voting conflicts?) *No*

Do you foresee participating in any competitive bid process for Leon County business during your time serving on this committee/board/authority? *Yes*

If yes, prior to or at the time of submission of any bid for county business, a Florida Commission on Ethics Form 3A **must be filed.**

Do you foresee participating in any competitive bid process involving business with the Committee/Board/Authority to which you are applying, during your time serving on that entity? *No*

Members must be a resident, an owner of real property AND a taxpayer in Leon County.

Are you a resident of Leon County? *Yes*

Are you a property owner and taxpayer in Leon County? *Yes*

Members on this board must file a Financial Disclosure Form #1 from the Florida Commission on Ethics, per State Statute 112.3145. Financial Disclosure Information - Ethics.

Are you willing to file a Financial Disclosure Form? *Yes*

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

Signature: *Mr. Darryl A Williams*

The application was electronically sent: 5/10/2019 12:11:49 AM

Darryl A Williams
2843 Botany Place
Tallahassee, FL 32301
Phone: 850-766-3948
willdrryl@aol.com

Education

Barry University, Tallahassee, Florida — Graduated: May 2017
Bachelor Degree in Public Administration
Overall GPA: 3.0

Professional Experience

Federal DOT, Washington, DC, Transportation Assistant — December 2012 - May 2014

- Explained technical regulatory and procedural requirements
- Provided full range of advisory services to resolve discrepancies
- Received inquiries on regulations
- Interfaced with state field offices to coordinate technical services
- Researched data systems and files to retrieve information

Railroad Consultant, Tallahassee, Florida, Self Employed — July 2010 - December 2012

- Insurance and Risk Management Assessments
- Due Diligence Audits
- System Safety Planning
- Emergency Preparedness Planning
- Compliance Reviews

Federal DOT, Atlanta, Georgia, Railroad Safety Inspector — March 2008 – July 2010

- Conducted investigations of railroad accidents and incidents
- Collected, organized and analyzed data
- Prepared written reports based on findings
- Conducted oral presentations and interviewed witnesses
- Ensured federal regulations were followed

Federal DOT, Crum Lynne, Pennsylvania, Transportation Specialist March 2007 - March 2008

- Reviewed and analyzed policies and practices
- Planned and coordinated field inspections to enhance safety
- Engaged in outreach and liaison activities with organizations
- Participated in work groups and attended conferences on safety

CSX Transportation, Mobile, Alabama, Transportation Manager April 1999 – March 2008

- Managed railroad programs to ensure the efficiency
- Conducted investigations of accidents and incidents
- Interpreted statutes and regulations to enable comparative analysis
- Applied analytical, fact-finding, and problem-solving techniques
- Supervised and performed administrative functions
- Coordinated administrative activities with employees and staff

Leadership Experience

Military Service, US Army, Administrative Specialist/Forwarded Observer February 1983 – February 1991

- Interpreted and applied recruitment/placement and classification
- Planned, organized, prioritized projects, and managed projects
- Applied merit promotion procedures
- Created assessment questionnaires and determined qualified applicants
- Participated in programs and process development

Training

FMCSA Individual Development Plan, Safety Investigator	October 2012 – February 2013
Accident Investigation Fundamentals	May 2009
Investigative Skills Fundamentals	March 2009
FRA Report Writing Principles for Federal Employees	July 2008
Train Dispatcher Training School	October 2005
Locomotive Engineer Training School	April 1999
Yardmaster Training School	May 1997
US Army Administration Training School	May 1983

From: willdrryl@aol.com
To: Mary Smach
Subject: Re: BOAA, LCRDA & PC Applications Received
Date: Friday, May 10, 2019 10:14:58 AM
Attachments: image001.png

No business with Leon County Government. Also, will I be contacted or informed once selections have been made for the committees I applied to?

Thanks

Darryl Williams

-----Original Message-----
From: Mary Smach <SmachM@leoncountyfl.gov>
To: willdrryl@aol.com <willdrryl@aol.com>
Sent: Fri, May 10, 2019 8:51 am
Subject: BOAA, LCRDA & PC Applications Received

Dear Mr. Darryl Williams

Thank you for your interest in serving on a citizen committee. Citizen participation is important in developing Leon County's programs and policies, and in providing quality public services to the community.

We received your applications for the Board of Adjustments & Appeals (BOAA), the Leon County Research & Development Authority (LCRDA) and the Planning Commission (PC). We currently have a vacancy on the BOAA and an upcoming vacancy on the PC and I will forward your application to the appropriate personnel. We will keep your application on file for a period of two years.

Your application indicates that you are doing business with Leon County Schools (Lincoln High School). Are you or your employer, or your spouse or child or their employers., currently doing business with Leon County Government?

Please note that if appointed to the BOAA or PC, members must file a Financial Disclosure Form 1 from the Florida Commission on Ethics within 30 days of being appointed and annually by July 1 thereafter. In addition, when leaving the committee, members must file a final Form 1F within 60 days of leaving their public position. The final Form 1F covers the disclosure period between January 1 and your last day of office within that year

If I can be of any further assistance please feel free to contact me.

Regards,

Mary Smach
Agenda Coordinator
County Administration
301 S. Monroe St. | Tallahassee, FL 32301
(850) 606-5311 /work | **(850) 606-5301** /fax
Smachm@leoncountyfl.gov

People Focused. Performance Driven.

Please note that under Florida's Public Records laws, most written communications to or from County staff or officials regarding County business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

LEON COUNTY BOARD OF COUNTY COMMISSIONERS
CITIZEN COMMITTEE APPLICATION
CAREERSOURCE CAPITAL REGION BOARD

It is the applicant's responsiblity to keep this information current. To advise the County of any changes please contact Mary Smach by telephone at 606-5300 or by e-mail at smachm@leoncoutyfl.gov.

Applications will be discarded if no appointment is made after two years.

Name: Mrs. Amy Brannon Cicchetti | **Date:** 5/23/2019 4:07:26 PM

Home Address:	6290 Hines Hill Circle Tallahassee, FL 32312	**Do you live in Leon County?**	Yes
		Do you live within the City limits?	Yes
		Do you own property in Leon County?	Yes
Home Phone:	(850) 212-1056	**Do you own property in the Tallahassee City Limits?**	Yes
Email:	bkirkland@bkcllc.org	**How many years have you lived in Leon County?**	25

(EMPLOYMENT INFORMATION)

Employer:	Beth Kirkland Consulting LLc	**Work Address:**	6290 Hines Hill Circle 6290 Hines Hill Circle Tallahassee, FL 32312
Occupation:	economic & workforce development consulting		
Work/Other Phone:	(850) 212-1056		

(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: White **Gender:** F **Age:** 54

District: District IV **Disabled?** No

(RESUME AND REFERENCES)

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

Name:	Kim Williams	**Name:**	
Address:	215 E. Pershing Street PO Box 2068 Tallahassee, FL 32316	**Address:**	
Phone:	(850) 545-6864	**Phone:**	

Resume Uploaded? Yes

If no resume is available, 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. Please attach your resume, if one is available.

(COMMITTEE QUESTIONNAIRE)

IMPORTANT LEGAL REQUIREMENTS FOR COMMITTEE/BOARD/AUTHORITY MEMBERSHIP

Citizen participation is important in developing Leon County's programs and policies, and in providing quality public services to the community. We appreciate your interest in serving on a committee and would like to bring a few items to your attention. As a member of a committee/board/authority, 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 for violating these applicable laws include criminal penalties, civil fines, and the voiding of any committee/board/authority 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, please take a few minutes to complete the mandatory orientation. Your application will not be deemed complete until you have completed the orientation.

Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities? *Yes*

Are you currently serving on a County Advisory Committee? *No*

Have you served on any previous Leon County committees? *Yes*

If Yes, on what Committee(s) have you served? *CareerSource Capital Region Board*

Are you willing to complete a financial disclosure if applicable? *Yes*

Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with the Committee/Board/Authority to which you are applying for membership? *No*

Do you currently have any employment or contractual relationship that would create a continuing or frequently recurring conflict with regard to your participation on a Committee/Board/Authority? (i.e. would you have frequent or reoccurring voting conflicts?) *No*

Do you foresee participating in any competitive bid process for Leon County business during your time serving on this committee/board/authority? *No*

Do you foresee participating in any competitive bid process involving business with the Committee/Board/Authority to which you are applying, during your time serving on that entity? *No*

A nomination by local business organization (Chambers of Commerce, Downtown Merchant Associations, area business associations, etc.) is required. Nominations for the Board shall be representative of the business community in optimal business leadership positions, such as CEO's, VP's of HR, General Managers, Presidents and C Suite executives of firms that require a large workforce to maintain their business.

Have you been nominated by a local business organization? *Yes*

Name of nominating organization: *Re-nominated by CareerSource Capital Region to serve as Immediate Past Chair of the Board*

Members on this board must file a Financial Disclosure Form #1 from the Florida Commission on Ethics, per State Statute 112.3145. Financial Disclosure Information - Ethics.

Are you willing to file a Financial Disclosure Form? *Yes*

Applicants must complete the CSCR membership application.

Have you completed the CSCR Membership Application and emailed to Smachm@leoncountyfl.gov.? *Yes*

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

Signature: *Mrs. Amy Brannon Cicchetti*

The application was electronically sent: 5/23/2019 4:07:26 PM

Beth Kirkland, CEcD
3950 Shumard Oak Blvd
Tallahassee, FL 32311
Cell: (850) 212-1056
BKirkland@BKCLLC.org
http://www.linkedin.com/in/bethkirklandcecd

PERSONAL: DOB 09/24/64
POB Greensboro, NC
US Citizen
Current Passport
Held DoD Secret and Top Secret Clearances from 1986 to 1992
Female

EXPERIENCE: **Management Consultant,** January 2013 – Present
Beth Kirkland Consulting, LLC, Tallahassee, Orlando, Melbourne

- Economic development policy, programs, product development, and incentives
- Commercial and industrial facilities site identification and preparation leveraging transportation assets (rail, air, land and sea) and utilities
- Regulatory process navigation, state and local government relations, and corporate business development
- ED organizational leadership and capacity development
- Florida Defense Infrastructure and Redevelopment grants evaluation
- Project Development: site consultant relationships, marketing, proposal development, site visits, incentives negotiations, greenfield developments
- Major clients: Florida Economic Development Council, Gadsden County, FL Development Council, BRPH Architects-Engineers, Inc.
- Recent major projects: Safelite AutoGlass Distribution Center, Capital Hydraulics, Four Star Freightliner, Hoover Treated Wood Products, Apalachicola Regional Airport Strategic Outlook, Gulf to Gadsden Freight Logistics Zone

Executive Director May 2007 – December 2012
Economic Development Council of Tallahassee/Leon County, Inc.

- Managing executive of a public/private not-for-profit with a $1.2 million budget and 55 member Board of Directors representing private employers, healthcare, higher education, local government partners and elected officials
- Recruited and managed a core staff of five people and a total of 7 FTEs
- Effective oversight of balanced program of work including Organizational Funding, Business Recruitment, Retention & Expansion, Industry sector advocacy, Entrepreneurial services and Communications/Marketing announcing jobs in IT, Healthcare, Energy, Advanced Materials, Transportation Solutions, Backoffice and Manufacturing (SEE ADDENDUM FOR PROJECT NARRATIVES)
- Collaborative approach to project development with leadership in government, workforce board, community college and universities and major infrastructure executives such as the airport, public transportation and utilities
- Managed development of GIS-based Website to market demographics and regional employment sectors; implemented in FY2007-08
- Introduced International Business Development program in FY2008-09 including business development trips to Europe primarily in aviation/aerospace and Asia primarily in energy sector

- Established Entrepreneurial Systems working group in FY2008-09 with FSU Jim Moran Institute for Global Entrepreneurship, FAMU SBDC, local small business owners and angel investors. Resulted in securing a $450,000 Federal Appropriation to commercialize university research and mentor private sector Entrepreneurs – over 48 start-ups mentored through 2012
- Launched Economic Gardening in FY2008-09 through a contract with University of Central Florida and the Edward Lowe Foundation – successful retention and growth of second stage companies
- Served on the Florida's Great Northwest Governance Council to administer a $15M Workforce Innovation for Regional Economic Development (WIRED) grant from the US Dept. of Labor FY2007-11

Director of Partnership Development, October 2002–May 2007
Economic Development Council of Tallahassee/Leon County, Inc.
- Managed first EDC five-year private investment campaign – Project Tomorrow
- Increased participating companies from 68 to 113
- Retained 99% of investors annually
- Increased private funding from $335,000 to $540,000
- Designed and implemented follow-on campaigns titled Foresight Fund and Quantum Leap

Director of Business Retention & Expansion, January 2005–May 2007
Economic Development Council of Tallahassee/Leon County, Inc.
- Managed a staff of three support personnel and six existing industry roundtables each chaired by a corporate executive
- Experience working with city, county, state and congressional elected officials and staff on community issues and policies affecting industry sector growth, project planning, site feasibility, design & development
- Experience with project development process: site consultant relationships, site visits, proposals, incentives identification and applications
- Designed, developed and implemented comprehensive existing industry retention & expansion program titled First Focus On Local Business to assess and meet the needs of local businesses

Business Developer, January 2002–October 2002
Infinity Software Development, Inc., Tallahassee, FL
- Conducted business needs assessment of state agency clients
- Developed, submitted and orally defended technical proposals to state agencies

Self-employed Business Consultant and Software Developer, April 1994–2006
FASBAC Enterprises, Inc., Tallahassee, FL
- Designed military communication systems for various US defense contractors
- Installed, managed and developed custom modules for third party medical office management system
- Designed and developed relational database to manage Americorps Volunteers for the Florida Commission on Community Service; distributed state-wide
- Designed and developed custom membership databases for area churches
- Staffed Political Action Committee for the passage of Blueprint 2000 local infrastructure tax
- Consulted in economic development as described above

Business Analyst, July 1986 – July 1992
Martin Marietta, Orlando, FL

- Designed and developed computer simulations to analyze effects of improvements to military weapons systems
- Regularly briefed high ranking military officials and company leadership
- Managed classified computer system for the Business Development Department
- Held US Department of Defense Secret and Top Secret clearances

EDUCATION: **Master of Science, Engineering Systems Analysis, December 1988**
University of Central Florida, Orlando, FL

Bachelor of Science, Computer Science, May 1986
University of Louisiana at Monroe, Monroe, LA

Southwood High School, May 1982
Shreveport, LA

PROFESSIONAL QUALIFICATIONS: **Certified Economic Developer (CEcD) March 2009 to present**
International Economic Development Council

Courses completed:

- Business Retention & Expansion, July 2005
- Basic Economic Development, March 2006
- Real Estate Development and Reuse, September 2006
- Economic Development Credit Analysis, February 2007
- Economic Development Marketing and Attraction, July 2007
- Economic Development Strategic Planning, November 2007
- Economic Development Ethics, October 2012

COMMUNICATIONS:

- Instructor for the North Florida Economic Development Academy (2014-15)
- Instructor for the USF SBDC Basic Economic Development Course
- Co-authored article with Brian Curtin, P.E., President of BRPH Architects-Engineers, inc. for August 2014 issue of Area Development magazine titled *"Design Firms' Increasingly Integrated Role in Facility Development Projects"*
- Recurring speaker at public meetings on economic development projects and policy
- Regular speaker for civic and business organizations local, regional and state
- Monthly columnist in the Tallahassee Democrat 2010-12
- Contributor to Web content, social media content and print collateral for economic development marketing

LEADERSHIP: **Current Appointments and Service**

- Florida Economic Development Council Executive Director
- Enterprise Florida Stakeholders Council
- Career Source Capital Region Board and Executive Committee/Board Chair

Past Appointments and Service

- Enterprise Florida Board of Directors, Stakeholders Council, Legislative Policy Committee
- Economic Development Council of Tallahassee/Leon County, Inc. Board of Directors and Executive Committee
- Workforce Plus Board of Directors and Executive Committee
- Florida's Great Northwest Board of Directors (regional economic dev agency)
- North Florida Baptist Church – Director of Youth Mission Trip to MS for Katrina Cleanup
- President of Board of Directors for the Tallahassee Ballet, 2004-05
- Chair, Distinguished Leadership Awards, Leadership Tallahassee, 2003
- Leadership Tallahassee Class XVII, 1999-2000
- President of Board of Directors for American Heart Association, 1999–2000
- Junior League of Tallahassee, 1994–present, various leadership positions to include Board of Directors and Chairman of the inaugural *Talk of Tallahassee,* featuring Former First Lady Barbara Bush

INTERESTS: Gardening, home décor, family gatherings

REFERENCES:

Karen Moore
CEO
Moore Communications Group
(850)528-7670
karenm@moorecommgroup.com

Frank DiBello, President & CEO, Space Florida
fdibello@spaceflorida.gov
(321)730-5301

Nancy Stephens,
Executive Director,
Manufacturers
Association of
Florida (registered
lobbyist)
nancy@nstephens.com
(850)445-1607

Bill Montford
Florida Senator
President of the Florida Association of School Superintendents
bill@billmontford.com
(850)933-4866

CareerSource CAPITAL REGION

Toll Free: 1 (844) CAREER1
Careersourcecapitalregion.com

February 22, 2019

Chair Jimbo Jackson
Leon County Board of County Commissioners
301 South Monroe Street, 5th Floor
Tallahassee, Florida 32301

Dear Chair Jackson:

CareerSource Capital Region is please to support the reappointment of the following board member for an additional three year term to begin on July 1, 2019:

Beth Cicchetti f/k/a Beth Kirkland

Mrs. Cicchetti is in good standing and is an integral part of the success of CareerSource Capital Region.

Should you have any questions, please do not hesitate to contact me at (850) 617-4601.

Sincerely,

James H. McShane, III

Chief Executive Officer

CareerSource Capital Region

Administration/Executive Center
2639 North Monroe Street
Building C, Suite 100
Tallahassee, FL 32303
p: (850) 414-6085
f: (850) 410-2595

Gadsden County
Career Center
1140 West Clark St.
Quincy, FL 32351
p: (850) 875-4040
f: (850) 875-3324

Leon County
Career Center
2601 BlairStone Rd., Bldg. C Suite 102
Tallahassee, FL 32301
p: (850) 922-0023
f: (850) 875-3324

Wakulla County
Career Center
3278 Crawfordville Hwy. #G
Crawfordville, FL 32327
p: (850) 926-0980
f: (850) 926-0984

FLORIDA ECONOMIC DEVELOPMENT COUNCIL

EDUCATE. ADVOCATE. CONNECT.

February 14, 2017

To Whom It May Concern:

I am writing to recommend Beth Kirkland to serve on the Board of CareerSource Capital Region. I have had the privilege of working with Beth Kirkland for several years as colleagues in the economic development profession. She understands the value of a collaborative approach between economic and workforce developers to affect job creation in Florida regions and communities. Beth served on the Board of Governors for the Florida's Great Northwest Workforce Innovation for Regional Economic Development (WIRED) federal grant program that transformed the way economic development is approached in northwest Florida. WIRED is a precedent for today's Workforce Innovation & Opportunity Act (WIOA) and the focus on sector strategies. Beth, as principal of her consulting practice, Beth Kirkland Consulting, LLC, is a leader in the implementation of sector strategies and, as such, will be of great value to CareerSource Capital Region.

Sincerely,

Cathy Chambers, Chairman
Florida Economic Development Council

3551 Blairstone Rd, Ste 105-138
Tallahassee, FL, 32301

www.fedconline.org

PH: 850.601.087
FX: 850.601.087

LEON COUNTY BOARD OF COUNTY COMMISSIONERS
CITIZEN COMMITTEE APPLICATION
ARCHITECTURAL REVIEW BOARD

It is the applicant's responsiblity to keep this information current. To advise the County of any changes please contact Mary Smach by telephone at 606-5300 or by e-mail at smachm@leoncoutyfl.gov.

Applications will be discarded if no appointment is made after two years.

Name: Mr. Christopher T Corum | **Date:** 5/15/2019 3:51:55 PM

Home Address:	315 E GEORGIA ST TALLAHASSEE, FL 32301	**Do you live in Leon County?**	Yes
		Do you live within the City limits?	Yes
		Do you own property in Leon County?	Yes
Home Phone:	(850) 391-2273	**Do you own property in the Tallahassee City Limits?**	Yes
Email:	chris@avisian.com	**How many years have you lived in Leon County?**	30

(EMPLOYMENT INFORMATION)

Employer:	AVISIAN Inc.	**Work Address:**	315 E GEORGIA ST 315 E GEORGIA ST Tallahassee, FL 32301
Occupation:	Publisher		
Work/Other Phone:	(850) 391-2273		

(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: White **Gender:** M **Age:** 51

District: **Disabled?** No

(RESUME AND REFERENCES)

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

Name:	Ryan Kline	**Name:**	Alan Hanstein
Address:	3308 Robinhood Rd Tallahassee, FL 32312-1428	**Address:**	3186 Dunbar Ln Tallahassee, Fl 32311-3362
Phone:	(850) 345-9839	**Phone:**	(850) 339-7806

Resume Uploaded? Yes

If no resume is available, 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. Please attach your resume, if one is available.

Resume attached (a bit dated). I have worked for and with boards of several trade associations in my industry (payment and security technologies). I have successfully run a small business for nearly two decades in Tallahssee. I own two 100-year old properties in downtown Tallahassee and have a strong interest in preservation of these structures in our community.

(COMMITTEE QUESTIONNAIRE)

IMPORTANT LEGAL REQUIREMENTS FOR COMMITTEE/BOARD/AUTHORITY MEMBERSHIP

Citizen participation is important in developing Leon County's programs and policies, and in providing quality public services to the community. We appreciate your interest in serving on a committee and would like to bring a few items to your attention. As a member of a committee/board/authority, 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 for violating these applicable laws include criminal penalties, civil fines, and the voiding of any committee/board/authority 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, please take a few minutes to complete the mandatory orientation. Your application will not be deemed complete until you have completed the orientation.

Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities? *Yes*

Are you currently serving on a County Advisory Committee? *No*

Have you served on any previous Leon County committees? *No*

Are you willing to complete a financial disclosure if applicable? *Yes*

Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with the Committee/Board/Authority to which you are applying for membership? *No*

Do you currently have any employment or contractual relationship that would create a continuing or frequently recurring conflict with regard to your participation on a Committee/Board/Authority? (i.e. would you have frequent or reoccurring voting conflicts?) *No*

Do you foresee participating in any competitive bid process for Leon County business during your time serving on this committee/board/authority? *No*

Do you foresee participating in any competitive bid process involving business with the Committee/Board/Authority to which you are applying, during your time serving on that entity? *No*

Members on this Board must be a Leon County resident or Leon County property owner.

Members represent one of the categories below. Please indicate which category you represent.

- [x] Owner of property zoned with Historic Preservation Overlay (HPO).
- [ ] Member of American Institute of Architects
- [ ] Member of Tallahassee Trust for Historic Preservation, Inc.

Members on this board must file a Financial Disclosure Form #1 from the Florida Commission on Ethics, per State Statute 112.3145. Financial Disclosure Information - Ethics.

Are you willing to file a Financial Disclosure Form? *Yes*

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

Signature: *Mr. Christopher T Corum*

The application was electronically sent: 5/15/2019 3:51:55 PM

Address of HPO property owned: 324 E. Virginia St.

Chris Corum, Founding Partner, AVISIAN Consulting and Publishing, Inc.
315 East Georgia Street • Tallahassee, Florida 32301
(p) 850/391.2273 • (m) 850/591.5130 • (f) 850/222.4477
chris @ avisian.com • www. avisian. com

Since the early 1990s, Mr. Corum has dedicated his working efforts to the research, development, and marketing of identification and authentication technologies. For the majority of this period, a specific focus on projects involving smart card technologies has guided his work. The following list chronicles some of the roles and related accomplishments.

PROJECTS AND RELEVANT EXPERIENCES (not in chronological order)

Department of Defense, Security technology recommendations, 2003-05
Researched and drafted a series of recommendations, reports, guidelines on physical security, contactless technology, and credentialing for the Department of Defense's Security Equipment Integration Working Group (SEIWG).

AVISIAN Inc., Identity technology publishing, 2001-present
Founder, executive editor, and publisher of the first magazine dedicated to the convergence in identity technology and most respected journals in the industry, Regarding ID, as well as the online publications SecureIDNews.com, ContactlessNews.com, CR80News.com, and RFIDNews.org.

BankOne, Contactless technology recommendations, 2003
Worked with the Emerging Technologies group to identify the options and strategies for launch of contactless payment offering at a point when the industry was emerging and card associations were offering non-interoperable products (e.g. MasterCard PayPass and VisaWave).

Defense Manpower Data Center; Common Access Card Education. 2005-06
Developed a program of educational events for the Defense Manpower Data Center (DMDC) to educate military leadership on the uses and applications of the Department of Defense's Common Access Card (smart card ID).

Smart Card Alliance, Contract marketing and research, 2001-present
Assist North America's leading smart card association in the ongoing efforts to educate the public, media, and government on the need for strong identity verification and the role of smart cards to this end.

Conference development, Cardtech/Securtech Near Field Communication (NFC) track
Launched the first day-long NFC track at the industry-leading CTST conference in 2005 and have continued to guide the tracks development and oversee its implementation. As a part of this effort, serve as a member of the overall conference planning committee.

Panelist and Judge, SESAMES Awards, OSCA Awards, iCLASS Innovation Awards
Serve on the jury for several of the identity industry's most prestigious award programs. In this capacity, evaluate nominees, recommend winners, and present awards.

Conference presentations, Numerous, Ongoing
Present before a variety of industry organizations, corporate divisions, conferences, and government bodies on the benefits of identification authentication, physical and digital security technologies. Presentations include: Government Smart Card Interagency Advisory Board, Cardtech/Securtech, National Association of Campus Card Users, Smart Card Alliance, Intellicard Forum, and a host of committee meetings and regional events.

Market research and evaluation, Numerous, Ongoing
Evaluated market opportunity for ID-related product offerings from a host of companies including Nortel, Blackboard, 3M, BankOne, and a host of start-ups and other organizations.

Technology education, Financial Services Volunteer Corp., 2002
Taught a course in electronic payment systems and card products to bankers in the former Soviet Republic of Georgia. As a part of the FSVC, an organization that works with emerging banking infrastructures to help provide guidance on world banking systems.

WORK EXPERIENCE

- **AVISIAN Inc.**
  Founder, 2000-present
  Consult with government entities, financial institutions, and corporations on smart card and related identification technologies. Edit and publish a series of identification technology tittles online (SecureIDNews, ContactlessNews, CR80News, and RFIDNews) and in print (Regarding ID Magazine, re:ID).

- **CyberMark Inc.**
  Director of Marketing, 1997-2000
  Built the marketing programs that transformed company to industry leader in smart card integration and issuance. Key member of management team that issued more than 800,000 multi-function smart cards at more than 40 colleges and universities; implemented physical and network security programs at 10 corporate campuses; assisted in the issuance of 20,000 contactless and contact chip combi-cards in Cleveland; guided development and initial issuances for combined ISO 7816 chips and HID proximity technologies on single card; directed marketing efforts for MasterCard credit/stored value smart card project at NCAA football stadium and surrounding merchant community.

- **Card Application Technology Center**
  Director of Marketing. 1995-1997
  Developed card program marketing and implementation for more than 100 college and university campuses deployed in partnership with MCI Communications. With CATC team, developed badging software offering, stored value platform, banking product integration, and series of legacy platform integration tools.

- **Florida State University FSUCard Center**
  Card Technology Specialist, 1994-1995
  Overview: Assisted in the design and implementation of the advanced ID card programs (magnetic stripe and smart card) for FSU's campus. Worked with the initial issuance of 30,000 smart cards at Florida State, one of initial smart card implementations in U.S.

- **State of Florida Legislature, Joint Legislative Committee on Information Technology**
  Technology Analyst, 1993-1994
  Overview: Advised various state agencies on card, biometric, and kiosk technologies. Worked on reports and evaluated projects for the Department of Motor Vehicles, the Department of Management Services, and other state agencies.

EDUCATION

- ***Ph.D., Mass Communication,*** Florida State University, 1998
  (course work completed, pending dissertation)
- ***Master of Science, Information Technology Marketing***, Florida State University, 1991.
- ***Bachelor of Science, Advertising,*** Florida State University, 1989.

Parcel: 2136400583410
Owner: 1118 LLC

Property Use: 1800 - OFFICE BUILDINGS MULTI-STORY
324 E VIRGINIA ST

Leon County Property Appraiser

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 Information

Parcel ID: 2136400583410
Owner(s): 1118 LLC

Tax District: 1 - CITY
Legal Desc: NORTH ADDITION
E 1/2 OF LOT 58
OR 1436/1294

Mailing Addr: 315 E GEORGIA ST
TALLAHASSEE FL 32301

Google Map

Location: 324 E VIRGINIA ST
Location (Street) Addresses are provided by City Growth Management 850-891-7001 (option 4), and County DSEM 850-606-1300.

Parent Parcel:
Acreage: 0.170 - ESTIMATED
Subdivision: MERIDIAN POINT CONDOMINIUMS
Property Use: 1800 - OFFICE BUILDINGS/NONPROF/MULTI
Bldg Count: 1

Sales Information

Sale Date	Sale Price	Book/Page	Instrument Type	Improved / Vacant
10/08/2013	$225,000	4589/111	Warranty Deed	Improved
07/23/2004	$300,000	3145/538	Warranty Deed	Improved
04/06/2001	$245,000	2482/1690	Warranty Deed	Improved
01/01/1990	$220,000	1436/1294	Warranty Deed	Improved
01/01/1984	$135,000	1107/1826	Warranty Deed	Improved

Certified Value Detail

Tax Year	Land Value	Improvement Value	Total Market Value	SOH Differential	Classified Use	Homestead
2018	$55,538	$146,546	$202,084	$0	$0	2018 - No

Certified Taxable Values

Tax Year	Taxing Authority	Rate	Market	Assessed	Exempt	Taxable
2018	Leon County	8.31440	$202,084	$202,084	$101,042	$101,042
	Leon County - Emergency Medical Service	0.50000	$202,084	$202,084	$101,042	$101,042
	School - State Law	4.09500	$202,084	$202,084	$0	$202,084
	School - Local Board	2.24800	$202,084	$202,084	$0	$202,084
	City of Tallahassee	4.10000	$202,084	$202,084	$101,042	$101,042
	NW FL Water Management	0.03380	$202,084	$202,084	$0	$202,084

Building Summary

Tax Year	Card	Bldgs	Building Use	Building Type	Yr Built	Base SqFt	Auxiliary SqFt
2018	1	1	Commercial	307 - Office/Sfl Conversion	1910	2,766	483

Total:	1	2,766	483

Quick Links - (Note: Clicking links below will navigate away from our website.)

County Links

Leon County Tax Collector
Permits Online (City / County)
Property Info Sheet

County Map Links

Land Information
(Contains FEMA, Zoning, Fire Hydrant, etc.)
Flood Zone (FEMA)
Zoning Map
Fire Hydrant Map
More TLCGIS Maps

Other Map Links

Google Map
Map

Tallahassee-Leon County GIS
Property Information Sheet

Search

General Information

Property ID:	2136400583410
Site Address:	324 E VIRGINIA ST
Mailing Address:	315 E GEORGIA ST
	TALLAHASSEE FL 32301
Subdivision:	NORTH ADDITION
City Limits:	IN

For additional information please visit:
Tallahassee-Leon County GIS »

Property Tax Information

Property Tax:	$ 2594

Property Information

Certified Value:	$ 202084
Save Our Homes Value:	$ 202084
Exempt Value:	$ 101042
Taxable Value:	$ 101042
Most Recent Sales:	$ 225000

For additional information please visit:
Leon County Property Appraiser »

Zoning and Land Use Info

Zoning and Land Use

Zoning District: »	Special Character District
Zoning Code: »	SCD
Future Land Use: »	Central Core
Historic Preservation Overlay:	Yes

For additional Information please visit:
Tallahassee-Leon County Planning Department »
850-891-6400

Planning Areas

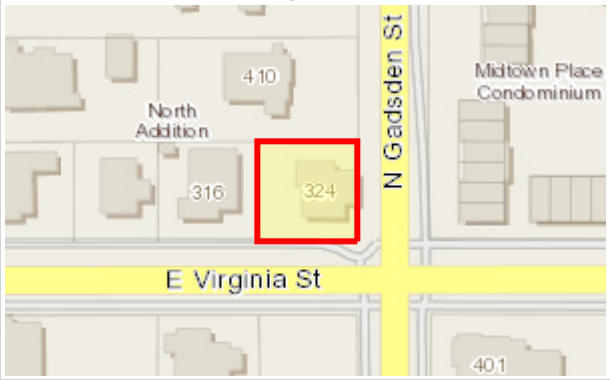
Downtown Overlay:	Yes
Multi-Modal Transportation District:	Yes
Springs Protection:	No
Southern Strategy:	No
Canopy Road Protection Zone:	No

For additional Information please visit:
Tallahassee-Leon County Planning Department »
850-891-6400

Economic Incentive Areas

Downtown Community Redevelopment Area:	Yes
Frenchtown/Southside Community Redevelopment Area:	No
Historically Underutilized Business Zone:	No
Urban Jobs TCA:	No

Property Location



View Full Map »

Emergency Services

Police District:	NORTHERN
Police Area:	
Police Beat:	5
Sheriff District:	LC Sheriff
Fire Response Zone:	Fire Station No. 1
	327 N. ADAMS ST

For additional information please visit:
Tall. Police Dept. » LC Sheriff » Tall. Fire Dept. »

Elections

Voter Precinct	5101	
Poll Location	Westminster Gardens	
Poll Address	301 E Carolina St	
School Board Dist.:	1	
School Board Rep.:	Alva Striplin	487-7110
County Comm Dist.:	5	
County Comm.:	Kristin Dozier	606-5365
County Comm At-Large:	Mary Ann Lindley	606-5369
County Comm At-Large:	Nick Maddox	606-5367
Mayor:	John E. Dailey	891-2000
City Comm.:	Elaine Bryant	
City Comm.:	Jeremy Matlow	
City Comm.:	Curtis Richardson	
City Comm.:	Dianne Williams-Cox	
FL House Dist.:	9	
FL House Rep.:	Loranne Ausley	850-488-0965
FL Senate Dist.:	3	

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FLORIDA DEPARTMENT of STATE

DIVISION OF CORPORATIONS

Sunbiz.org DIVISION of CORPORATIONS an official State of Florida website

Department of State / Division of Corporations / Search Records / Detail By Document Number /

Previous On List Next On List Return to List

Entity Name Search

Search

No Events No Name History

Detail by Entity Name

Florida Limited Liability Company

1118 LLC

Filing Information

Document Number	L13000136168
FEI/EIN Number	46-3753917
Date Filed	09/26/2013
State	FL
Status	ACTIVE

Principal Address

315 E. GEORGIA ST.
TALLAHASSEE, FL 32301

Mailing Address

315 E. GEORGIA ST.
TALLAHASSEE, FL 32301

Registered Agent Name & Address

CORUM, CHRISTOPHER T
315 E. GEORGIA ST.
TALLAHASSEE, FL 32301

Authorized Person(s) Detail

Name & Address

Title MGRM

CORUM, CHRISTOPHER T
315 E. GEORGIA ST.

TALLAHASSEE, FL 32301

Title MGRM

CORUM, BETHANY H
315 E. GEORGIA ST.
TALLAHASSEE, FL 32301

Annual Reports

Report Year	Filed Date
2017	03/17/2017
2018	03/08/2018
2019	02/07/2019

Document Images

02/07/2019 -- ANNUAL REPORT	View image in PDF format
03/08/2018 -- ANNUAL REPORT	View image in PDF format
03/17/2017 -- ANNUAL REPORT	View image in PDF format
01/25/2016 -- ANNUAL REPORT	View image in PDF format
02/25/2015 -- ANNUAL REPORT	View image in PDF format
04/08/2014 -- ANNUAL REPORT	View image in PDF format
09/26/2013 -- Florida Limited Liability	View image in PDF format

Previous On List Next On List Return to List

Entity Name Search
Search

No Events **No Name History**

LEON COUNTY BOARD OF COUNTY COMMISSIONERS
CITIZEN COMMITTEE APPLICATION
ARCHITECTURAL REVIEW BOARD

It is the applicant's responsiblity to keep this information current. To advise the County of any changes please contact Mary Smach by telephone at 606-5300 or by e-mail at smachm@leoncoutyfl.gov.

Applications will be discarded if no appointment is made after two years.

Name: Ms. Miriam Gurniak

Date: 5/30/2019 5:49:56 PM

Home Address: 125 Cadiz Street
Tallahassee, FL 32301

Home Phone: (850) 273-1037

Email: miriamgurniak@gmail.com

Do you live in Leon County? Yes

Do you live within the City limits? Yes

Do you own property in Leon County? Yes

Do you own property in the Tallahassee City Limits? Yes

How many years have you lived in Leon County? 23

(EMPLOYMENT INFORMATION)

Employer: TMH Family Medicine Residency Program, Anderson-Brickler Midwifery

Occupation: Certified Nurse-Midwife/APRN

Work/Other Phone: (850) 431-4500

Work Address: 1304 Hodges Drive
Tallahassee, FL 32301

(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: White **Gender:** F **Age:** 57

District: District I **Disabled?** No

(RESUME AND REFERENCES)

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

Name: Brant Copeland

Address: First Presbyterian Church
110 South Adams Street
Tallahassee, FL 32301

Phone: (850) 570-4728

Name: Andrea Kocurek

Address: 423 Beard Street
Tallahassee, FL 32303

Phone: (850) 508-8192

Resume Uploaded? No

If no resume is available, 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. Please attach your resume, if one is available.

I am the owner (and steward) of the 1899 Cureton House. When I purchased the home in 2017, I went through the ARB process for approval of a free-standing garage.

I grew up in a house built in 1784 in Litchfield, CT. My undergraduate degree, from Oberlin College, is in Art History with a focus on American decorative arts and architecture. While in college in the early 1980s, I completed internships at Historic Deerfield (Deerfield, MA) and the Museum of Early Southern Decorative Arts (Winston-Salem, NC). My first job after college was at the Fairfield, CT Historical Society.

Then I had a dramatic career change, but retained my interest in and concern for historic preservation. Due to an obligation to the National Health Service Corps, I moved to Tallahassee in 1996 with a newly-minted Masters in Nurse-Midwifery from Yale University. Initially based at (then) Tallahassee Community Hospital, I moved to TMH in 1998. For more than a decade ending in 2012, I was a member of the State Department of Health's Maternal Mortality Review Committee.

I am a member of First Presbyterian Church, another historic structure, where I serve on the Session (lay leadership) and sing in the choir.

Living in a historic home nurtures my spirit. I believe that I have an obligation not only to that structure, but to the community at large, to preserve and remember the past. This may, at times, involve difficult or uncomfortable aspects of our history. And differences in style which do not match current asthetics. Balancing present and future growth with a strong presence from the past is a challenge I am happy to assist in by serving on the ARB.

(COMMITTEE QUESTIONNAIRE)

IMPORTANT LEGAL REQUIREMENTS FOR COMMITTEE/BOARD/AUTHORITY MEMBERSHIP

Citizen participation is important in developing Leon County's programs and policies, and in providing quality public services to the community. We appreciate your interest in serving on a committee and would like to bring a few items to your attention. As a member of a committee/board/authority, 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 for violating these applicable laws include criminal penalties, civil fines, and the voiding of any committee/board/authority 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, please take a few minutes to complete the mandatory orientation. Your application will not be deemed complete until you have completed the orientation.

Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities? *Yes*

Are you currently serving on a County Advisory Committee? *No*

Have you served on any previous Leon County committees? *No*

Are you willing to complete a financial disclosure if applicable? *Yes*

Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with the Committee/Board/Authority to which you are applying for membership? *No*

Do you currently have any employment or contractual relationship that would create a continuing or frequently recurring conflict with regard to your participation on a Committee/Board/Authority? (i.e. would you have frequent or reoccurring voting conflicts?) *No*

Do you foresee participating in any competitive bid process for Leon County business during your time serving on this committee/board/authority? *No*

Do you foresee participating in any competitive bid process involving business with the Committee/Board/Authority to which you are applying, during your time serving on that entity? *No*

Members on this Board must be a Leon County resident or Leon County property owner.

Members represent one of the categories below. Please indicate which category you represent.

- [x] Owner of property zoned with Historic Preservation Overlay (HPO).
- [ ] Member of American Institute of Architects
- [ ] Member of Tallahassee Trust for Historic Preservation, Inc.

Members on this board must file a Financial Disclosure Form #1 from the Florida Commission on Ethics, per State Statute 112.3145. Financial Disclosure Information - Ethics.

Are you willing to file a Financial Disclosure Form? *Yes*

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

Signature: Ms. Miriam Gurniak

The application was electronically sent: 5/30/2019 5:49:56 PM

Parcel: 1131202180000 Property Use: 0100 - SINGLE FAMILY
Owner: GURNIAK MIRIAM R 125 CADIZ ST

Leon County Property Appraiser

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 Information

Parcel ID: 1131202180000
Owner(s): GURNIAK MIRIAM R
Mailing Addr: 125 CADIZ ST
TALLAHASSEE FL 32301

Google Map
Location: 125 CADIZ ST
Location (Street) Addresses are provided by City Growth Management 850-891-7001 (option 4), and County DSEM 850-606-1300.

Tax District: 1 - CITY
Legal Desc: 31 1N 1E .47 A
IN NW 1/4 LYING SOUTH OF LOT 1 OF EAST HIGHLANDS SUB
NOT INCLUDED IN EAST HIGHLANDS SUB
OR 1323/978

Parent Parcel:
Acreage: 0.400
Subdivision: NOT IN SUBDIVISION
Property Use: 0100 - SINGLE FAMILY RESIDENTIAL
Bldg Count: 1

Sales Information

Sale Date	Sale Price	Book/Page	Instrument Type	Improved / Vacant
07/05/2017	$290,000	5084/1233	Warranty Deed	Improved
02/28/2001	$87,000	2467/1923	Warranty Deed	Improved
01/01/1988	$75,000	1323/0978	Warranty Deed	Improved
01/01/1986	$65,000	1211/1319	Warranty Deed	Improved

Certified Value Detail

Tax Year	Land Value	Improvement Value	Total Market Value	SOH Differential	Classified Use	Homestead
2018	$35,000	$213,427	$248,427	$25,557	$0	2018 - Yes

Certified Taxable Values

Tax Year	Taxing Authority	Rate	Market	Assessed	Exempt	Taxable
2018	Leon County	8.31440	$248,427	$222,870	$50,500	$172,370
	Leon County - Emergency Medical Service	0.50000	$248,427	$222,870	$50,500	$172,370
	School - State Law	4.09500	$248,427	$222,870	$25,500	$197,370
	School - Local Board	2.24800	$248,427	$222,870	$25,500	$197,370
	City of Tallahassee	4.10000	$248,427	$222,870	$50,500	$172,370
	NW FL Water Management	0.03380	$248,427	$222,870	$50,500	$172,370

Building Summary

Tax Year	Card	Bldgs	Building Use	Building Type	Yr Built	Base SqFt	Auxiliary SqFt
2018	1	1	Residential	SF - Single Family	1899	2,226	864
Total:		1				2,226	864

Quick Links - (Note: Clicking links below will navigate away from our website.)

County Links	**County Map Links**	**Other Map Links**
Leon County Tax Collector	Land Information	Google Map
Permits Online (City / County)	(Contains FEMA, Zoning, Fire Hydrant, etc.)	Map
Property Info Sheet	Flood Zone (FEMA)	
	Zoning Map	
	Fire Hydrant Map	
	More TLCGIS Maps	

Tallahassee-Leon County GIS
Property Information Sheet

Search

General Information

Property ID:	1131202180000
Site Address:	125 CADIZ ST
Mailing Address:	125 CADIZ ST
	TALLAHASSEE FL 32301
Subdivision:	
City Limits:	IN

For additional information please visit:
Tallahassee-Leon County GIS »

Property Tax Information

Property Tax:	$ 3484

Property Information

Certified Value:	$ 248427
Save Our Homes Value:	$ 222870
Exempt Value:	$ 50500
Taxable Value:	$ 172370
Most Recent Sales:	$ 290000

For additional information please visit:
Leon County Property Appraiser »

Zoning and Land Use Info

Zoning and Land Use

Zoning District: »	Office Residential, Low Density
Zoning Code: »	OR-1
Future Land Use: »	Suburban
Historic Preservation Overlay:	Yes

For additional Information please visit:
Tallahassee-Leon County Planning Department »
850-891-6400

Planning Areas

Downtown Overlay:	No
Multi-Modal Transportation District:	Yes
Springs Protection:	No
Southern Strategy:	No
Canopy Road Protection Zone:	No

For additional Information please visit:
Tallahassee-Leon County Planning Department »
850-891-6400

Economic Incentive Areas

Downtown Community Redevelopment Area:	No

Property Location



View Full Map »

Emergency Services

Police District:	NORTHERN
Police Area:	
Police Beat:	5
Sheriff District:	LC Sheriff
Fire Response Zone:	Fire Station No. 1
	327 N. ADAMS ST

For additional information please visit:
Tall. Police Dept. » LC Sheriff » Tall. Fire Dept. »

Elections

Voter Precinct	5103	
Poll Location	Courtyard Marriott	
Poll Address	1018 Apalachee Pkwy	
School Board Dist.:	1	
School Board Rep.:	Alva Striplin	487-7110
County Comm Dist.:	5	
County Comm.:	Kristin Dozier	606-5365
County Comm At-Large:	Mary Ann Lindley	606-5369
County Comm At-Large:	Nick Maddox	606-5367
Mayor:	John E. Dailey	891-2000
City Comm.:	Elaine Bryant	
City Comm.:	Jeremy Matlow	
City Comm.:	Curtis Richardson	
City Comm.:	Dianne Williams-Cox	

Print To PDF

LEON COUNTY BOARD OF COUNTY COMMISSIONERS
CITIZEN COMMITTEE APPLICATION
ARCHITECTURAL REVIEW BOARD

It is the applicant's responsiblity to keep this information current. To advise the County of any changes please contact Mary Smach by telephone at 606-5300 or by e-mail at smachm@leoncoutyfl.gov.

Applications will be discarded if no appointment is made after two years.

Name: Ms. Erin J. VanSickle | **Date:** 6/3/2019 11:35:03 AM

Home Address:	556 Fairway Dr. Tallahassee, FL 32301	**Do you live in Leon County?**	Yes
		Do you live within the City limits?	Yes
		Do you own property in Leon County?	Yes
Home Phone:	(850) 339-3184	**Do you own property in the Tallahassee City Limits?**	Yes
Email:	ejvansickle@gmail.com	**How many years have you lived in Leon County?**	40

(EMPLOYMENT INFORMATION)

Employer:	Office of Insurance Regulation	**Work Address:**	Larson Building, Suite 121 200 East Gaines Street Tallahassee, FL 32301
Occupation:	Deputy Chief of Staff		
Work/Other Phone:	(850) 339-3184		

(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: **Gender:** **Age:**

District: **Disabled?**

(RESUME AND REFERENCES)

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

Name:	Sara Clements	**Name:**	Mike Yaworsky
Address:	1718 River Birch Hollow Tallahassee, Florida 32308	**Address:**	Larson Building, Chief of Staff's Suite 200 East Gaines Street Tallahassee, Florida 32399
Phone:	(904) 705-3302	**Phone:**	(850) 413-2526

Resume Uploaded? Yes

If no resume is available, 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. Please attach your resume, if one is available.

(COMMITTEE QUESTIONNAIRE)

IMPORTANT LEGAL REQUIREMENTS FOR COMMITTEE/BOARD/AUTHORITY MEMBERSHIP

Citizen participation is important in developing Leon County's programs and policies, and in providing quality public services to the community. We appreciate your interest in serving on a committee and would like to bring a few items to your attention. As a member of a committee/board/authority, you will be obligated to follow any applicable laws regarding government-in-the-sunshine, code of ethics for public officers, and public records disclosure.

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Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities? *Yes*

Are you currently serving on a County Advisory Committee? *No*

Have you served on any previous Leon County committees? *Yes*

If Yes, on what Committee(s) have you served? *Tallahassee-Leon County Commission on the Status of Women and Girls*

Are you willing to complete a financial disclosure if applicable? *Yes*

Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with the Committee/Board/Authority to which you are applying for membership? *No*

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Do you foresee participating in any competitive bid process involving business with the Committee/Board/Authority to which you are applying, during your time serving on that entity? *No*

Members on this Board must be a Leon County resident or Leon County property owner.

Members represent one of the categories below. Please indicate which category you represent.

- [x] Owner of property zoned with Historic Preservation Overlay (HPO).
- [x] Member of American Institute of Architects
- [ ] Member of Tallahassee Trust for Historic Preservation, Inc.

Members on this board must file a Financial Disclosure Form #1 from the Florida Commission on Ethics, per State Statute 112.3145. Financial Disclosure Information - Ethics.

Are you willing to file a Financial Disclosure Form? *Yes*

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

Signature: *Ms. Erin J. VanSickle*

The application was electronically sent: 6/3/2019 11:35:03 AM

Erin J. VanSickle
556 Fairway Drive
Tallahassee, Florida 32301
ejvansickle@gmail.com | (850) 339-3184

EXPERIENCE

Deputy Chief of Staff, Florida Office of Insurance Regulation
February 2018-Present

- Provide leadership and establish strategic planning initiatives to ensure business processes accomplish OIR's vision, mission and values. OIR regulates property, casualty, life, and health insurance in Florida, the tenth-largest insurance market in the world.
- Oversee the activities of OIR's Office of Communications and align OIR's communications strategy with legislative, public affairs, and regulatory goals
- Oversee the activities of OIR's Training and Professional Development staff; develop and implement executive and leadership development training program to ensure compliance and better capture fiscal impact and ROI
- Oversee OIR's Emergency Management functions, including OIR's Continuity of Operations Plan and Disaster Response Plan
- Liaise with consumer advocates, insurance industry stakeholders, legislators, the media, Executive Office of the Governor, and Cabinet offices

Director of External Affairs, Volunteer Florida
April 2014-February 2018

- Oversee public relations and legislative affairs for Volunteer Florida, the Governor's lead agency for volunteerism and service. Volunteer Florida administers over $32 million in funding to Florida nonprofits, schools, and community organizations.
- Partner with the private sector to support the Volunteer Florida Foundation and Florida Disaster Fund
- Lead the agency's public affairs efforts for disaster preparedness, response, and recovery
- Perform speaking engagements and site visits

Vice President of Communications and Marketing, Florida Medical Association
June 2012-April 2014

- Serve as the communications chief and spokesperson for the Florida Medical Association, a statewide professional association representing 20,000 physician members
- Implement the FMA's communications and marketing agenda, overseeing and directing the Association's internal and external communications activities
- Promote the FMA brand among physician members, legislative and political stakeholders, the media, and the public; direct the activities of communications and marketing staff members
- Collaborate with contract lobbyists, PAC staff, and PR firms to amplify legislative messaging

Founder and Managing Partner, Capitol Energy Communications, LLC
2009-2012

- Create a full-service Florida communications firm; manage messaging strategy and media affairs for a diverse client base
- Advise local and statewide public affairs and legislative initiative campaigns and enhance public awareness among grassroots constituencies and the media
- Develop printed materials, coordinate media buys, and manage digital strategy for clients
- Collaborate with clients' PAC and fundraising teams

- Partial client list: ADAGE Biopower, Florida Chief Financial Officer Jeff Atwater, Former Speaker of the Florida House Dean Cannon, Florida Medical Association, Republican Party of Florida, U.S. Chamber of Commerce

Director of Communications, Republican Party of Florida
Press Secretary-2006-2007; Deputy Director of Communications-2007-2008; Director of Communications-2008-2009

- Serve as spokesperson and director of media affairs for the Republican Party of Florida
- Manage RPOF's media strategy leading up to Florida's high-profile 2008 Republican Presidential Preference Primary, including press relations and communications for Florida's elected officials and the Florida delegation to the 2008 Republican National Convention (Minneapolis-St. Paul)
- Direct media relations for the Florida GOP's Presidency 4 grassroots event and FOX News Republican Presidential Debate (2007, Orlando), the CNN/YouTube Republican Presidential Debate (2007, St. Pete), and the Univision Republican Presidential Debate (2007, Miami)
- Assist with media and communications strategy for 2006 election cycle, including bracketing, earned media, and rapid response

Press Secretary, Florida Senate Majority Office
2004-2006

- Provide media relations for the Senate Majority Leader and Florida's 26 Republican Senators
- Communicate with citizens, industry leaders, and other constituencies regarding caucus members' legislative priorities

EDUCATION

Bachelor or of Arts, International Affairs – Florida State University (2000)
Pursuing Master's Degree, Risk Management and Insurance – Florida State University (2019)

COMMUNITY LEADERSHIP

- Leadership Florida Northwest Regional Council (2019-present)
- Opening Nights at Florida State University Development Council (2018-present)
- Leadership Florida Leadership Team (2017-2018)
- Awesome Tallahassee Chair (2016-2018)
- Connect Florida Board of Governors (2016-2017)
- Tallahassee-Leon County Commission on the Status of Women and Girls (2016-2017)
- Connect Florida Class VI (2015-2016)
- American Council of Young Political Leaders delegation to Vietnam and Myanmar (2014)
- Kellogg School of Management at Northwestern University Executive Education Program (2013)
- Leadership Tallahassee, Class XXI (2004)

References available upon request

Parcel: 3106300060190
Owner: DAVIS GEOFFREY

Property Use: 0800 - MULTI-FAMILY(LESS THAN 10 UNITS)
552 FAIRWAY DR

Leon County Property Appraiser

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 Information

Parcel ID: 3106300060190
Owner(s): DAVIS GEOFFREY
VANSICKLE ERIN J

Mailing Addr: 556 FAIRWAY DR
TALLAHASSEE FL 32301

Google Map

Location: 552 FAIRWAY DR
Location (Street) Addresses are provided by City Growth Management 850-891-7001 (option 4), and County DSEM 850-606-1300.

Tax District: 1 - CITY
Legal Desc: COUNTRY CLUB ESTATES
LOTS 19 20 & 21 BLOCK 6
(LESS E 20 FT OF LOT 21)
ALSO 7 FT STRIP & .01 OF PARK
OR 917/978 1454/1471 2151/172 2576/185PR

Parent Parcel:
Acreage: 0.520 - ESTIMATED
Subdivision: COUNTRY CLUB ESTATES
Property Use: 0800 - MFR < 10 UNITS - RESIDENTIAL
Bldg Count: 2

Sales Information

Sale Date	Sale Price	Book/Page	Instrument Type	Improved / Vacant
07/17/2018	$425,000	5218/493	Warranty Deed	Improved
01/11/1979	$95,000	0917/0978	Warranty Deed	Improved
07/26/1973	$56,500	0602/0358	Warranty Deed	Improved

Certified Value Detail

Tax Year	Land Value	Improvement Value	Total Market Value	SOH Differential	Classified Use	Homestead
2018	$70,000	$208,474	$278,474	$57,524	$0	2018 - Yes

Certified Taxable Values

Tax Year	Taxing Authority	Rate	Market	Assessed	Exempt	Taxable
2018	Leon County	8.31440	$278,474	$220,950	$50,500	$170,450
	Leon County - Emergency Medical Service	0.50000	$278,474	$220,950	$50,500	$170,450
	School - State Law	4.09500	$278,474	$220,950	$25,500	$195,450
	School - Local Board	2.24800	$278,474	$220,950	$25,500	$195,450
	City of Tallahassee	4.10000	$278,474	$220,950	$50,500	$170,450
	NW FL Water Management	0.03380	$278,474	$220,950	$50,500	$170,450

Building Summary

Tax Year	Card	Bldgs	Building Use	Building Type	Yr Built	Base SqFt	Auxiliary SqFt
2018	1	1	Residential	MF - Multi Family	1936	1,524	98
2018	2	1	Residential	SF - Single Family	1939	2,380	8

Total:	2	3,904	106

Quick Links - (Note: Clicking links below will navigate away from our website.)

County Links

Leon County Tax Collector
Permits Online (City / County)
Property Info Sheet

County Map Links

Land Information
(Contains FEMA, Zoning, Fire Hydrant, etc.)
Flood Zone (FEMA)
Zoning Map
Fire Hydrant Map
More TLCGIS Maps

Other Map Links

Google Map
Map

Tallahassee-Leon County GIS
Property Information Sheet

Search

General Information	
Property ID:	3106300060190
Site Address:	552 FAIRWAY DR
Mailing Address:	556 FAIRWAY DR
	TALLAHASSEE FL 32301
Subdivision:	COUNTRY CLUB ESTATES
City Limits:	IN

For additional information please visit:
Tallahassee-Leon County GIS »

Property Tax Information	
Property Tax:	$ 3447

Property Information	
Certified Value:	$ 278474
Save Our Homes Value:	$ 220950
Exempt Value:	$ 50500
Taxable Value:	$ 170450
Most Recent Sales:	$ 425000

For additional information please visit:
Leon County Property Appraiser »

Zoning and Land Use Info

Zoning and Land Use

Zoning District: »	Residential Preservation-2
Zoning Code: »	RP-2
Future Land Use: »	Residential Preservation
Historic Preservation Overlay:	Yes

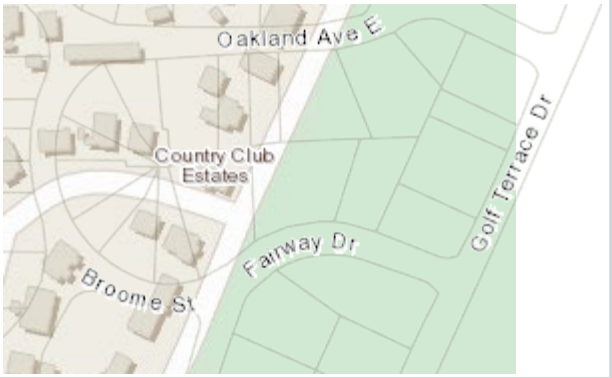
For additional Information please visit:
Tallahassee-Leon County Planning Department »
850-891-6400

Planning Areas

Downtown Overlay:	No
Multi-Modal Transportation District:	Yes
Springs Protection:	No
Southern Strategy:	No
Canopy Road Protection Zone:	No

For additional Information please visit:
Tallahassee-Leon County Planning Department »
850-891-6400

Property Location



View Full Map »

Emergency Services

Police District:	SOUTHERN
Police Area:	
Police Beat:	7
Sheriff District:	LC Sheriff
Fire Response Zone:	Fire Station No. 1
	327 N. ADAMS ST

For additional information please visit:
Tall. Police Dept. » LC Sheriff » Tall. Fire Dept. »

Elections

Voter Precinct	5201
Poll Location	Tallahassee Elks Lodge
Poll Address	912 Myers Park Dr

School Board Dist.:	2	
School Board Rep.:	Rosanne Wood	487-7110
County Comm Dist.:	5	
County Comm.:	Kristin Dozier	606-5365
County Comm At-Large:	Mary Ann Lindley	606-5369
County Comm At-Large:	Nick Maddox	606-5367
Mayor:	John E. Dailey	891-2000
City Comm.:	Elaine Bryant	
City Comm.:	Jeremy Matlow	

Print To PDF

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT
PLANNING COMMISSION

It is the applicant's responsibility to keep this information current.
To advise the County of any changes please contact Mary Smach
by telephone at 606-5300 or by e-mail at SmachM@leoncountyfl.gov

Applications will be discarded if no appointment is made after two years.

Name: Debra Preble		Date: 9/13/2018 11:15:48AM
Home Phone: (850) 443-0067	Work Phone: (850)553-3503X	Email: debpreble@gmail.com
Occupation: CIVIL ENGINEER	Employer: KIMLEY-HORN	

Preferred mailing location: Home Address
Work Address: 2615 CENTENNIAL BLVD
SUITE 102
City/State/Zip: TALLAHASSEE,FL 32308

Home Address: 6631 PISGAH CHURCH ROAD

City/State/Zip: TALLAHASSEE,FL 32309

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? 28 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?

(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: 60.00
Disabled? No District: District 4

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: WENDY GRAHAM Telephone: 3522226912
Address: 4427 SW 84 WAY, GAINESVILLE 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

1) Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities?
Yes

2.) Are you willing to complete a financial disclosure form Yes

3.) Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) Yes
If yes, please explain. A potential voting conflict my arise if a project that I was working on as a consultant on behalf of a developer or the city came to the committee for consideration.

4.) Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? No
If yes, please explain.

5.) Do you foresee participating in any competitive bid process for Leon County business during your time serving on this committee/board/authority? Yes
(If yes, prior to or at the time of submission of any bid for county business, a disclosure form must be filed.)

6.) Do you currently have any employment or contractual relationship that would create a continuing or frequently recurring conflict with regard to your participation on a Committee/Board/Authority? (i.e. would you have frequent or reoccurring voting conflicts?)
No
If yes, please explain.

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

Signature: debra preble

This application was electronically sent: 9/13/2018 11:15:48AM



Debra Preble PE

Senior Project Manager

Debby Preble has over 35 years of experience in civil and environmental engineering. For 10 years, she worked at the FDEP as an Environmental Administrator and as a Bureau Chief. She has extensive experience in dealing with grant funded projects, including those projects funded by Northwest Florida Water Management District (NWFWMD). Debby has served as Project Manager for numerous projects involving resource restoration, land development, recreational facilities, water and wastewater planning, design, permitting, and site work. . Her experience also includes 3 years at the Bureau of Design and Construction as the Design Section Manager, where she oversaw the campground projects at Henderson Beach, Stephen Foster, and Navarre Beach.

EXPERIENCE HIGHLIGHTS:

35 years of experience

Previously served as a FDEP Environmental Administrator and as a Bureau Chief

Attended the Accessible Trails workshop put on by Greenways and Trail, shere she became familiar with USDA and USFS guidelines for trail design

EDUCATION:

Bachelor of Science, Environmental Engineering University of Florida

National Executive Development School for Park Professionals, 2001

Accessible Trails Workshop (UTAP), 2010

Developers Forum on Trails and Greenways, 2008

REGISTRATIONS/ CERTIFICATIONS:

Professional Enigneer: FL (36152);

RELEVANT EXPERIENCE

Devil's Hole and Cotton Landing and Washington Counties, FL This project included the development and restoration of Devils Hole for that required the restoration of the existing banks of the creeks and the design of entrance points to the creek and spring. The concept plans were developed, designing, while the final construction plans are in the works. Project Role: Contract Manager, Project Cost: $200K.

Little River Springs, Suwannee County, Florida Little River Springs Park includes a 150 foot spring run with a 1200 foot long cave system. The park includes paved parking, two overlooks and walking trails. Along the western side of the spring run rock and filter fabric is used to stabilize the shore line. The Board of County Commissioners has identified a need to make certain improvements to the area. These improvements will include stabilizing approximately 100 feet of the shoreline along the western side of the spring run to prevent sediment from entering the Suwannee River. Also along the northeast side of the Spring, east of a concrete sidewalk, vegetative stabilization shall be place to prevent sediment from washing over the sidewalk into the spring. **Project Role: Project Manager, Project Cost: $200K.**

Wacissa Springs Restoration Jefferson County, FL The project includes removing vegetation, silt and debris, and protecting the spring bank by defining access points, and stabilizing the shoreline in the vicinity of the spring head and run. **Project Role: Project Manager, Project Cost: $125K.**

Charles Springs, Suwannee County, FL This project was to restore and protect Charles Spring. This project includes removal of a failing retaining wall and stairs and stabilizing the area at the toe of the wall. We constructed a stormwater

facility; swim access and sheet pile retaining wall and provided sediment, turbidity and erosion control. **Project Role: Project Manager, Project Cost: $200K.**

Econfina Springs Complex, Northwest Florida Water Management District, Bay and Washington Counties, FL. Project Manager. This project included the development and restoration of Pitt, Sylvan, and Williford springs. Project included spring and streambank restoration, trails, restrooms, picnic facilities, tube launch, canoe dock, parking, and entrance road. Concept plans were developed, conducting public meeting, designing, permitting, and construction phase services were provided.

Werner Boyce Salt Springs State Park, Pasco County, FL. Project Manager. Mrs. Preble was originally involved in this project during the planning stages while she worked at the Florida Park Service. She continued her work as a consultant for the subsequent phases. Werner Boyce Salt Springs State Park is the first state park in Pasco County, Florida. Project included entrance road, restroom facilities, untilities, trails, boardwalks, and wetland mitigation. Planning, design, permitting, and construction phase services were provided. Construction was completed using a construction management firm.

Hope Community Playscape, Tallahassee, FL. Project Permitting. The Hope Community is the Big Bend Coalition's homeless shelter for families. The project included a new natural playground combining play equipment with nationa elements for a creative and dynamic place for the children and families. This project was completed while employed with a previous firm.

The Babcock Ranch Preserve (BRP), Charlotte and Lee Counties, FL. The Babcock Ranch Preserve (BRP) is a 73,239 acre publicly owned conservation area located in southern Charlotte and northern Lee Counties. The preserve was acquired by the State of Florida and Lee County in July 2006, under the State's Florida Forever and Lee County's 20/20 environmental land conservation programs in order to conserve and protect a working landscape with its unique natural resources and cultural heritage. During a prior association Mrs. Preble was involved in the Recreation Master Plan creation. Mrs. Preble's role included evaluating public input during the planning process.

Stephen Foster Folk Culture Center, White Springs, FL. Design Section Manager. This project included the layout and design of a 45 site campground near the Suwannee River. The sites included electricity and water. All campsites are ADA accessible. The project also included two ADA accessible bathhouses. Also included was a dump station and sewer connection to the City of White Springs.

Henderson Beach State Park Campground, Destin, FL. Design Section Manager. This project included the layout and design of 60 campsites that are

located in the secondary dune system. Mrs. Preble worked at the Florida Park Service and was responsible for the design, permitting, and construction of this campground. Each site includes water and electric hookups. The project included an access road, a bathhouse, and a separate beach access board walk. The layout was done in a way as to minimize environmental impacts and preserve as many trees as possible to maximize the number of shaded campsites. Also included in this project was the physical removal of the abandoned portions of HWY 98 that went through Henderson Beach.

Water Street Park Recreation Trails Jefferson County, FL
The Water Street Park Project includes a trail system and associated amenities described as follows: A trailhead with parking facilities for bicycles, automobiles, and ADA Accessible Parking; four trail segments (2 natural surface trails and 2 elevated boardwalks) connect in an oval loop system connecting back to trailhead; kiosks and signage throughout the trail system; exercise stations; and a water station. **Project Role: Project Manager, Project Cost: $500K.**

Walton County Beach Access Improvements, Walton County, Florida This project will improve beach access at four locations in Walton County. The project includes: restroom improvements, new picnic shelters, new fishing pier, new beach dune crossover, utilities, parking, and other park amenities. The structural components of this project are the picnic shelters, beach dune crossover, and fishing pier. **Project Role: Project Manager, Project Cost: $275K.**

Wakulla Environmental Institute Tallahassee Community College (TCC) purchased 158 acres in Wakulla County with the intention of creating the Wakulla Environmental Institute (WEI) on the property. The WEI will lead economic development efforts in North Florida while focusing on the environment. The WEI will combine education with conservation and recreation. The WEI will offer eight new environmentally focused degree and certificate programs. The property was rezoned agricultural. Prior to closing on the property, TCC intended to secure the appropriate Large Scale Comprehensive Plan Amendment (CPA) and Planned Unit Development (PUD) approvals. TCC desires to close prior to April 1, 2012. Preble-Rish provided professional consulting services to the Client in an effort to assist with obtaining the approvals mentioned above. Subsequently, Mrs.Preble provided professional engineering and survey services to design and permit the entrance road and infrastructure. Project plans and permitting are complete. Bidding for construction is scheduled for January 2015. The project included an entrance road, multi-use path, water main, lift station, force main, electric and fiber optic leads. . Project Role: Project Manager. P**roject Role: Project Manager, Project Cost: $3M.**

FORM 4A DISCLOSURE OF BUSINESS TRANSACTION, RELATIONSHIP OR INTEREST

LAST NAME - FIRST NAME - MIDDLE INITIAL	OFFICE / POSITION HELD
Preble Debra J	Member
MAILING ADDRESS	AGENCY OR ADVISORY BOARD
6631 Pisgah Church Road	Planning Commission
CITY ZIP COUNTY	ADDRESS OF AGENCY
Tallahassee 32309 Leon	-

HOW TO COMPLETE AND FILE THIS FORM:

Parts A and B of this form serve two different purposes. Part A is for advisory board members who wish to use an exemption in the ethics laws that is applicable only to advisory board members. Part B is for public officers and employees who wish to use a separate exemption that is applicable when the business entity involved is the sole source of supply within the political subdivision. In order to complete and file this form:

- **Fill out** Part A or Part B, as applicable.
- **Sign** and date the form on the reverse side.
- **File Part A** with the appointing body or person that will be waiving the restrictions of 112.313(3) or (7), Fla. Stat., prior to the waiver.
- **File Part B** with the governing body of the political subdivision in which the reporting person is serving, prior to the transaction.

PART A - DISCLOSURE OF TRANSACTION OR RELATIONSHIP CONCERNING ADVISORY BOARD MEMBER

WHO MUST COMPLETE THIS PART:

Sections 112.313(3) and 112.313(7), Florida Statutes, prohibit certain business relationships on the part of public officers and employees, including persons serving on advisory boards. See Part III, Chapter 112, Florida Statutes, and/or the brochure entitled "A Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" for more details on these prohibitions. However, Section 112.313(12), Florida Statutes, permits the appointing official or body to waive these requirements in a *particular instance* provided: (a) waiver by the appointing body must be upon a two-thirds affirmative vote of that body; or (b) waiver by the appointing person must be effected after a public hearing; *and* (c) in either case the advisory board member must fully disclose the transaction or relationship which would otherwise be prohibited by Subsections (3) of (7) of Section 112.313, Florida Statutes. This Part of Form 4A has been prescribed by the Commission on Ethics for such disclosure, *if and when applicable* to an advisory board member.

PLEASE COMPLETE THE FOLLOWING:

1. The partnership, directorship, proprietorship, ownership of a material interest, position of officer, employment, or contractual relationship which would otherwise violate Subsection (3) or (7) of Section 112.313, Florida Statutes, is held by [please check applicable space(s)]:

   (✓) The reporting person;

   ( ) The spouse of the reporting person, whose name is _____; or

   ( ) A child of the reporting person, whose name is _____.

2. The particular transaction or relationship for which this waiver is sought involves [check applicable space]:

   (✓) Supplying the following realty, goods, and/or services: Engineering and Planning Services.

   ( ) Regulation of the business entity by the governmental agency served by the advisory board member.

3. The following business entity is doing business with or regulated by the governmental agency:

   Kimley-Horn.

4. The relationship of the undersigned advisory board member, or spouse or child of the advisory board member, to the business entity transacting this business is [check applicable spaces]:
   ( ) Officer; ( ) Partner; ( ) Associate; ( ) Sole proprietor; ( ) Stockholder; ( ) Director; ( ) Owner of in excess of 5% of the assets of capital stock in such business entity; (✓) Employee; ( ) Contractual relationship with the business entity; ( ) Other, please describe:

PART B - DISCLOSURE OF INTEREST IN SOLE SOURCE OF SUPPLY

WHO MUST COMPLETE THIS PART:

Sections 112.313(3) and 112.313(7), Florida Statutes, prohibit certain employment and business relationships on the part of public officers and employees. See Part III, Chapter 112, Florida Statutes, and/or the brochure entitled "A Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" for more details on these prohibitions. However, Section 112.313(12)(e), Florida Statutes, provides an exemption from the above-mentioned restrictions in the event that the business entity involved is the only source of supply within the political subdivision of the officer or employee. In such cases the officer's or employee's interest in the business entity must be fully disclosed to the governing body of the political subdivision. This Part of Form 4A has been prescribed by the Commission on Ethics for such disclosure, *if and when applicable.*

PLEASE COMPLETE THE FOLLOWING:

1. The partnership, directorship, proprietorship, ownership of a material interest, position of officer, employment, or contractual relationship which would otherwise violate Subsection (3) or (7) of Section 112.313, Florida Statutes, is held by [please check applicable space(s)]:

   ( ) The reporting person;

   ( ) The spouse of the reporting person, whose name is _____; or

   ( ) A child of the reporting person, whose name is _____.

2. The following are the goods, realty, or services being supplied by a business entity with which the public officer or employee, or spouse or child of such officer or employee, is involved is:

   _____.

3. The business entity which is the only source of supply of the goods, realty, or services within the political subdivision is:

   _____
   (NAME OF ENTITY) (ADDRESS OF ENTITY)

4. The relationship of the undersigned public officer or employee, or spouse or child of such officer or employee, to the business entity named in Item 3 above is [check applicable spaces]:
   ( ) Officer; ( ) Partner; ( ) Associate; ( ) Sole proprietor; ( ) Stockholder; ( ) Director; ( ) Owner of in excess of 5% of the assets or capital stock in such business entity; ( ) Employee; ( ) Contractual relationship with the business entity; ( ) Other, please describe:

SIGNATURE

SIGNATURE	DATE SIGNED	DATE FILED
Debra Pitts	11/5/2018	11/5/2018

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES s. 112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10.000.

CE FORM 4A – REV. 1-98

[CONTINUED FROM FIRST SIDE]

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT
PLANNING COMMISSION

It is the applicant's responsibility to keep this information current.
To advise the County of any changes please contact Mary Smach
by telephone at 606-5300 or by e-mail at SmachM@leoncountyfl.gov

Applications will be discarded if no appointment is made after two years.

Name: Matthew Harris		Date: 10/16/2018 11:01:58AM
Home Phone: (850) 339-6384	Work Phone: ()-X	Email: mattharris13@gmail.com
Occupation: GOVERNMENT WORKER	Employer: STATE OF FLORIDA	

Preferred mailing location: Home Address
Work Address: 193 WAY W

City/State/Zip: ,FL

Home Address: 193 WHETHERBINE WAY W

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? 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? 18 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?

(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: Male Age: 27.00
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: SERGIO PINON Telephone: 8509800123
Address: TALLAHASSEE FL 32317

Name: ED BROYLES Telephone: 8506943055
Address: TALLAHASSEE FL 32317

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

1) Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities?
Yes

2.) Are you willing to complete a financial disclosure form Yes

3.) Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) No
If yes, please explain.

4.) Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? No
If yes, please explain.

5.) Do you foresee participating in any competitive bid process for Leon County business during your time serving on this committee/board/authority? No

6.) Do you currently have any employment or contractual relationship that would create a continuing or frequently recurring conflict with regard to your participation on a Committee/Board/Authority? (i.e. would you have frequent or reoccurring voting conflicts?)
No
If yes, please explain.

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

Signature: Matthew Ryan Harris

This application was electronically sent: 10/16/2018 11:01:58AM

193 Whetherbine Way W, Tallahassee, FL 32301
(850) 339-6384
Mattharris13@gmail.com
www.linkedin.com/in/mattharris13/

Matthew Ryan Harris

Professional Experience

AUGUST 2018 – PRESENT
Florida Department of Highway Safety and Motor Vehicles, Division of Motorist Services
Administrative Assistant II

- Responsible for developing objectives for information and publications
- Compiling and analyzing data and coordinating responses to information requests
- Research for bureau informational developmental activities and coordinates member access for systems including departmental and outside entities
- Managing and coordinating internal and external information/communication for projects
- Bureau's personnel liaison, handles all aspects of personnel activity
- Coordinating travel arrangements and preparation of travel documents for the bureau chief

OCTOBER 2015 – PRESENT
Fuma Cigar Social
Manager

- Hiring and staffing, conducting interviews, scheduling, and employee training
- Maintaining relationships with product vendors
- Maintain inventory of goods sold and supplies
- Balancing daily sales reports and handling business petty cash
- Handling of business accounting through company QuickBooks account
- Implement company policies and procedures

OCTOBER 2017 – JULY 2018
Heartland Dental, Thomasville Road Dental Care
Business Assistant

- Managing administrative records and filing office charts
- Maintaining the schedules of the office's two doctors and four dental hygienists
- Documenting patient treatments and transactions
- Maintaining office accounts receivable information
- Processing patient insurance claims

OCTOBER 2013 – FEBRUARY 2016
Florida Department of Management Services, Division of Retirement
Retirement Specialist III (August 2014 – February 2016)

- Reviewed IRS levies
- Prepared retirement estimates
- Determined eligibility of members for service retirement

Retirement Specialist I (May 2014 – August 2014)

- Reviewed retirement forms necessary for retirement benefit payments
- Maintained data integrity in state retirement database software
- Audited and balanced individual member accounts

Staff Assistant (October 2013 – May 2014)

- Responsible for expenditures and balancing of bureau budget
- Maintained record of purchases through state accounting software (FLAIR)

NOVEMBER 2009 – OCTOBER 2013
Publix Super Markets
Deli Clerk

MAY 2007 – NOVEMBER 2009
Chick-fil-A
Team Member

Education

2013
Flagler College
Bachelor of Arts in Business Administration

- Completed full-length and functional business plan as graduation requirement
- Awarded Dean's List

2011
Tallahassee Community College
Associate of Arts in General Studies

- Awarded TCC Board of Trustees Scholarship

2009
Lincoln High School
High School Diploma

Proficiencies and Skills

Excellent Communicator

- Writes clearly and concisely; listens attentively; openly expresses ideas; negotiates/resolves differences; provides and asks for feedback; offers well-thought-out solutions; cooperates and works well with others.

Organized Planner

- Identifies and gathers appropriate resources; thoroughly researches background information; develops strategies; thinks critically to solve problems; handles details; coordinates and completes tasks; manages projects effectively; meets deadlines; plans and arranges activities; multitasks.

Inspiring Manager and Leader

- Leads and directs others; teaches/trains/instructs; counsels/coaches; manages conflict; delegates effectively; helps team members set and achieve goals; makes and implements decisions; enforces policies.
- Life Scout, Boy Scouts of America
- Ordeal Member, Order of the Arrow, Boy Scouts of America

Exceptional Computer Skills

- Microsoft Word; Microsoft Excel; Microsoft PowerPoint; Microsoft Outlook
- 60WPM Typist
- Computer Hardware, can assemble and format new computers

LEON COUNTY BOARD OF COUNTY COMMISSIONERS
CITIZEN COMMITTEE APPLICATION
PLANNING COMMISSION

It is the applicant's responsiblity to keep this information current. To advise the County of any changes please contact Mary Smach by telephone at 606-5300 or by e-mail at smachm@leoncoutyfl.gov.

Applications will be discarded if no appointment is made after two years.

Name: Mr. Luis Enrique Rojas | **Date:** 5/6/2019 11:06:34 AM

Home Address:	4072 Shady View Ln Tallahassee, FL 32311	**Do you live in Leon County?**	Yes
		Do you live within the City limits?	Yes
		Do you own property in Leon County?	Yes
Home Phone:	(305) 321-5555	**Do you own property in the Tallahassee City Limits?**	Yes
Email:	priv8cit@aol.com	**How many years have you lived in Leon County?**	12

(EMPLOYMENT INFORMATION)

Employer:	self	**Work Address:**	4072
Occupation:	attorney		
Work/Other Phone:	(305) 321-5555		

(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: Hispanic or Latino **Gender:** M **Age:** 65

District: District V **Disabled?** No

(RESUME AND REFERENCES)

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

Name:	F.Phil Blank	**Name:**	wilbur brewton
Address:	PO Box 13236 Tallahassee FL 32317	**Address:**	215 s Monroe 825 Tallahassee FL 32301
Phone:	(850) 508-4683	**Phone:**	(850) 222-7718

Resume Uploaded? Yes

If no resume is available, 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. Please attach your resume, if one is available.

(COMMITTEE QUESTIONNAIRE)

IMPORTANT LEGAL REQUIREMENTS FOR COMMITTEE/BOARD/AUTHORITY MEMBERSHIP

Citizen participation is important in developing Leon County's programs and policies, and in providing quality public services to the community. We appreciate your interest in serving on a committee and would like to bring a few items to your attention. As a member of a committee/board/authority, 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 for violating these applicable laws include criminal penalties, civil fines, and the voiding of any committee/board/authority 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, please take a few minutes to complete the mandatory orientation. Your application will not be deemed complete until you have completed the orientation.

Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities? *Yes*

Are you currently serving on a County Advisory Committee? *No*

Have you served on any previous Leon County committees? *Yes*

If Yes, on what Committee(s) have you served? *Board of Adjustments and Appeals*

Are you willing to complete a financial disclosure if applicable? *Yes*

Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with the Committee/Board/Authority to which you are applying for membership? *No*

Do you currently have any employment or contractual relationship that would create a continuing or frequently recurring conflict with regard to your participation on a Committee/Board/Authority? (i.e. would you have frequent or reoccurring voting conflicts?) *No*

Do you foresee participating in any competitive bid process for Leon County business during your time serving on this committee/board/authority? *No*

Do you foresee participating in any competitive bid process involving business with the Committee/Board/Authority to which you are applying, during your time serving on that entity? *No*

Members on this committee must be a resident of Leon County.

Members on this Authority must file a Financial Disclosure Form #1 from the Florida Commission on Ethics, per State Statute 112.3145. Financial Disclosure Information - Ethics

Are you willing to file a Financial Disclosure Form? *Yes*

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

Signature: *Mr. Luis Enrique Rojas*

The application was electronically sent: 5/6/2019 11:06:34 AM

Luis E. Rojas

4072 Shady View Lane
Tallahassee, Florida 32311
(305)321-5555, priv8cit@aol.com

Professional Experience

Attorney — Expertise: Land Use, Trial Work, Governmental Issues

01/2005 – Present	L.E. Rojas, P.A. Tallahassee, Florida 32311
09/2000 – 05/2005	Duane Morris, L.L.C., (Partner) Miami, Florida 33131
06/1998 – 06/2000 03/1989 – 06/1993	Adorno & Yoss, L.L.C. (Partner) Miami, Florida 33131
06/1993 – 06/1998	Shapo, Freedman, & Fletcher Miami, Florida 33131
06/1982 – 03/1989	Luis E. Rojas, P.A. Hialeah, Florida 33012

Director

1976 – 1978	Campus Life Sarasota, Florida

Teacher

1976 – 1977	American History Sarasota Riverview High School, Sarasota, Florida
1974 – 1976	Social Studies and Math Miami Springs Junior High School, Miami Springs, Florida

Public Service

Member of City of Tallahassee Board of Adjustments and Appeals

2015 – 2019	Chairman 2016

Member of the Florida House of Representatives

1988 – 2000	District 102, Hialeah, Miami Lakes, Naples

Areas of Expertise:

Corrections
Pari-mutuels
Utilities and Telecommunications, Chairman 1998 – 2000

Education

1979 – 1982	Nova Law School Davie, Florida Juris Doctor
1973 – 1974	Florida International University Miami, Florida Bachelor of Education
1971 – 1972	Miami-Dade Community College Miami, Florida Associate of Arts
1968 – 1971	Hialeah High School Hialeah, Florida High School Degree

Honors

1980	Winner of Silver Tongue Award, Nova Law School

Skills

A familiarity with state and local government process
Fluent in Spanish

Highlights

1980, 1981	Ran and finished in top 20% of the Orange Bowl Marathon

Interests

Beekeeping, History, Politics

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT
PLANNING COMMISSION

It is the applicant's responsibility to keep this information current.
To advise the County of any changes please contact Mary Smach
by telephone at 606-5300 or by e-mail at SmachM@leoncountyfl.gov

Applications will be discarded if no appointment is made after two years.

Name: Donna Gail Spencer		Date: 5/16/2018 11:25:08AM
Home Phone: (850) 384-4472	Work Phone: ()-X	Email: dgspencer7@gmail.com
Occupation: PROJECT MANAGER	Employer: MRS ARCHITECTS	

Preferred mailing location: Home Address
Work Address:

City/State/Zip: TALLAHASSEE,FL

Home Address: 3047 CAMELLIAWOOD CIR E

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? 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?

(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: Sex: Female Age: 57.00
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: LESLIE POWELL-BOUDREAUX Telephone: 850.385.9007
Address: 8058 GREENMONT AVE, TALLAHASSEE, FL 32317

Name: KATHERINE WHITELEY, PHD Telephone: 251.455.0877
Address: 106 S CATHERINE ST., MOBILE, AL 36606

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

1) Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities?
Yes

2.) Are you willing to complete a financial disclosure form Yes

3.) Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) No
If yes, please explain.

4.) Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? No
If yes, please explain.

5.) Do you foresee participating in any competitive bid process for Leon County business during your time serving on this committee/board/authority? No

6.) Do you currently have any employment or contractual relationship that would create a continuing or frequently recurring conflict with regard to your participation on a Committee/Board/Authority? (i.e. would you have frequent or reoccurring voting conflicts?)
No
If yes, please explain.

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

Signature: Donna Gail Spencer

This application was electronically sent: 5/16/2018 11:25:08AM

Donna Gail Spencer
Tallahassee, Florida
(850) 384.4472
dgspencer7@gmail.com
https://www.linkedin.com/in/donna-gail-spencer-ab552b23

Professional Overview

I have over 20 years of creating & maintaining client relationships in the Construction & Design industry and the Financial Services industry, by assisting in identifying gaps and efficiency opportunities. I have engaged large professional firms, governmental entities, design associations, bankers, realtors, individuals, manufacturing facilities, contractors, and lumberyards by implementing new policies, processes, and procedures. I have superior problem-solving skills with organizational expertise and am detail oriented with good organizational skills. My strong work ethic and ability to multitask is proven.

Employment

2013 – Currently **Michael R. Spencer Architects** Tallahassee, FL
Project Manager, Code Compliance

- Draft both commercial and residential projects
- Assist with Code Compliance direction & research
- Assist with on-site inspection, including catastrophe rebuilding

2010 – 2015 **Wells Fargo Advisors**, LLC Pensacola, FL
Financial Advisor & Complex Operations Liaison

- Attain & retain clients by assisting with design & implementation of both short and long-term investment needs
- Have a FINRA Series 7, and 66 licenses, licensed to practice in 9 states
- Appointed with 23 different Life Insurance companies

2009 – 2010 **Edward Jones** Pensacola, FL
Financial Advisor

- Helped clients determine financial and investment needs
- Have a current FINRA Series 7, a Series 66, and am licensed to practice in 6 states
- Was appointed with 7 different Life Insurance companies to see complete lines of their products

2006 – 2008 **Doug Whitfield Residential Designs, Inc.** Pensacola, FL
Cad Drafter & Administrative Assistant

- Drafted upscale single-family residential homes on the various waterways, we have here in the Florida panhandle
- Produced architectural “working” drawings while attending to inventory, communication, scheduling, code compliance, and other regular daily duties

Clubs/ Organizations

2018- **Lighthouse of The Big Bend** – Board Member
2017- **Leadership Tallahassee** - Affiliate
2012-2016 **United Way of Escambia County** - *Community Investment* – Health Panel, Volunteer
2015 recipient *Volunteer of the Year* award, Florida Panhandle - **Wells Fargo**
2013 nominated for The **Greater Pensacola Area's** *PACE Award – Emerging Leader*
Leadership Pensacola, Alumni
Leadership Pensacola – Curriculum Committee 2015, 2016, 2017
2012-2014 **United Way of Escambia County** - Loaned Executive Leadership
Inaugural member of *The North Florida Diversity Council* for **Wells Fargo**

LEON COUNTY BOARD OF COUNTY COMMISSIONERS
CITIZEN COMMITTEE APPLICATION
PLANNING COMMISSION

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Applications will be discarded if no appointment is made after two years.

Name: Mr. WILLIE F VANN | **Date:** 6/3/2019 2:27:33 PM

Home Address:	3336 HARBOR CLUB DRIVE Tallahassee, FL 32308	**Do you live in Leon County?**	Yes
		Do you live within the City limits?	Yes
		Do you own property in Leon County?	Yes
Home Phone:	(205) 965-4687	**Do you own property in the Tallahassee City Limits?**	Yes
Email:	wvann@att.net	**How many years have you lived in Leon County?**	3

(EMPLOYMENT INFORMATION)

Employer:	Pitney Bowes	**Work Address:**	509 Commerce Blvd. Crawfordville, FL 32308
Occupation:	Operations Management		
Work/Other Phone:	(850) 491-6197		

(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: Black or African American **Gender:** M **Age:** 60

District: District I **Disabled?** No

(RESUME AND REFERENCES)

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

Name:	Nick Maddox, County Commisioner	**Name:**	Butch Barnes
Address:	Count Commission	**Address:**	Florida A&M
Phone:	(850) 284-6182	**Phone:**	(850) 212-8015

Resume Uploaded? Yes

If no resume is available, 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. Please attach your resume, if one is available.

(COMMITTEE QUESTIONNAIRE)

IMPORTANT LEGAL REQUIREMENTS FOR COMMITTEE/BOARD/AUTHORITY MEMBERSHIP

Citizen participation is important in developing Leon County's programs and policies, and in providing quality public services to the community. We appreciate your interest in serving on a committee and would like to bring a few items to your attention. As a member of a committee/board/authority, you will be obligated to follow any applicable laws regarding government-in-the-sunshine, code of ethics for public officers, and public records disclosure.

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Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities? *Yes*

Are you currently serving on a County Advisory Committee? *Yes*

If Yes, on what Committee(s) are you a member? *County Code Enforcement*

Have you served on any previous Leon County committees? *No*

Are you willing to complete a financial disclosure if applicable? *Yes*

Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with the Committee/Board/Authority to which you are applying for membership? *No*

Do you currently have any employment or contractual relationship that would create a continuing or frequently recurring conflict with regard to your participation on a Committee/Board/Authority? (i.e. would you have frequent or reoccurring voting conflicts?) *No*

Do you foresee participating in any competitive bid process for Leon County business during your time serving on this committee/board/authority? *No*

Do you foresee participating in any competitive bid process involving business with the Committee/Board/Authority to which you are applying, during your time serving on that entity? *No*

Members on this committee must be a resident of Leon County.

Members on this Authority must file a Financial Disclosure Form #1 from the Florida Commission on Ethics, per State Statute 112.3145. Financial Disclosure Information - Ethics

Are you willing to file a Financial Disclosure Form? *Yes*

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

Signature: *Mr. WILLIE F VANN*

The application was electronically sent: 6/3/2019 2:27:33 PM

Willie Vann

3336 Harbor Club Drive
Tallahassee, Florida 32308
Cell 205-965-4687
Work Mobile 850-491-6197
wvann@att.net

SUMMARY

I am an accomplished Operations Manager with demonstrated ability to deliver critical results. I have managed manufacturing, procurement and postal operations with a keen knowledge of operations and mail processing. I have experience managing all levels of operations including logistics, equipment and administration.

Offering outstanding presentation, communications and cross-cultural team management skills, I am a high-energy, results-oriented leader.

AREAS OF EXPERTISE

- Lean Six Sigma trained, with an extensive scope of responsibility,
- Proven track record of delivering optimal results in high-growth environments through initiatives that exceed operational performance targets and yield measurable outcomes
- Detail-oriented managerial professional with extensive experience and success.
- Exceeded annual company forecasted volumes while delivering Lean Six Sigma results.
- Maintained and enhanced employee time management, inventory control, production goals, and vendor procurement processing and contract negotiations.
- Successfully implemented quality control programs.
- Developed employee training with emphasis on employee and corporate development.
- Experienced in complex problem resolution, case management skills, and project development.
- A steadfast experienced professional with a proven record of accomplishment of project management experience with a high profitability through employee development and financial analysis.
- Strong communication skills, organization, and proficient in managing multiple tasks.
- Competent in creating team solutions for higher productivity.
- Detail-oriented managerial professional with extensive experience and success.

SKILLS

- 31 years of management experience serving in senior level capacity.
- Provided budgeting and forecasting assessments.
- Developed strategic planning for USPS policies and program.
- Created over $285,000 in savings.
- Establish operational analysis and new programs for production gains.
- Managed over 100 employees, three supervisors, two coordinators and seven Leads. Responsible for two departments.
- Established an improved relationship with top USPS executives and network nationally.
- Facilitated organizational development for employee training and procedures and goals
- Participated in Performance Improvement/Quality Assurance Reviews for financial client data
- Senior Management Skills Employee Relations Operational Analysis
- Concentrated in Finance / Compliance, with exposure to Sales / Manufacturing.
- Provided direct production and postal services to major financial institutions

- Develop projects with Oracle and SAP procurements
- Review production and operating reports and resolve operational, manufacturing, and maintenance problems to ensure minimum costs and prevent operational delays. Purchasing (over $2.5 million) and implemented machines and equipment installation to ensure specific operational performance and optimum utilization.
- Primary contact for (USPS) and coordinate the workflow from varied production units through the postal services area.
- Certified Quality Mail Analyzer - designs, government inspections and guidelines and quality program.
- Investigation and implementation of controls.
- Developed new IMB barcode Tracing program, PostalOne software implementation, NCOA link and Address Change Service.
- Achieved $285,000 in postage savings in 2015
- Reduced payroll/benefits administration costs 30% by negotiating pricing and fees, while ensuring the continuation and enhancements of services.
- Provided Officers of the Company and Company Members with broad measurements on the company's performance and its direct measurement relation to external and internal customers. Supports the Vice President of Manufacturing by providing broad measurements of the manufacturing process.
- Developed, implemented and maintained internal and external audit programs and provide training, reports, and feedback as required. Develops and initiates standards through time studies or other work measurement tools for manufacturing processes by analyzing methods and machinery.
- Prepared written annual budgets and created quality reports, procedures and other documentation

Resume:

COMMUNICATION

- Provided relevant client information to, and consulted with, financial institutions and USPS, other staff and professionals, and agencies, as needed for budget forecasting, associate development, analyzing, and inspection finish products and project analyzing; associate development implementation and business development.
- Managerial responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

- Participated in national consultations and software education activities

- Develops implements, maintains internal and external audit programs, and provide training, reports, and feedback as required.

- Successful implemented quality programs. Originated employee training programs and Human Resource programs for employee development and training.

- Maintain and enhanced employee time management, inventory control, production goals, vendor procurement processing and contract negotiations.

ADMINISTRATIVE

- Review production orders or schedules to ascertain product data such as types, quantities, and specifications of products and scheduled delivery dates in order to plan department operations. Plan production operations; establish priorities and sequences for products.
- Established, implemented and maintain internal and external audit programs and provide training, reports, and feedback as required.
- Progressed and initiates standards through time studies or other work measurement tools and processes by analyzing methods and machinery.
- Responsible for the overall direction, coordination, and evaluation. Implemented managerial responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

EMPLOYMENT HISTORY

Pitney Bowes / BlueCrest, Inc. Site Operations Management.	Tallahassee, Florida	2016 - Presently
NCP Solutions **Manufacturing Manager** **For USPS Mailings**	Birmingham, Alabama	2001 - 2016
Parisian **Store Manager**	Birmingham, Alabama	1985 - 2000
UAB and Children's Hospital	Birmingham, Alabama	1980 – 1985

EDUCATION

Samford University – Birmingham, Alabama
Bachelor's Degree – Business / Marketing
Faith College of Alabama – Birmingham, Alabama
Honorary Doctorate of Business and Marketing
Marquette University – Milwaukee, Wisconsin
Biology and Mathematics

VOLUNTEER ACTIVITIES

- US Postal Customer Council
- President of Greater Birmingham Postal Board of Directors
- USPS MTAC Committee Member for Postal Analysis & Studies
- St. Mary's Catholic Church Financial Board
- Parish Council

LEON COUNTY BOARD OF COUNTY COMMISSIONERS
CITIZEN COMMITTEE APPLICATION
PLANNING COMMISSION

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Applications will be discarded if no appointment is made after two years.

Name: Mr. Leroy Collins Proctor | **Date:** 6/10/2019 9:21:56 AM

Home Address:	139 Meadow Wood Court Tallahassee, FL 32312	**Do you live in Leon County?**	Yes
		Do you live within the City limits?	No
		Do you own property in Leon County?	Yes
Home Phone:	(850) 322-9763	**Do you own property in the Tallahassee City Limits?**	Yes
Email:	cproctor@FSMenergy.com	**How many years have you lived in Leon County?**	35

(EMPLOYMENT INFORMATION)

Employer:	FSM Energy, LLC	**Work Address:**	1834 Jaclif Court - A Tallahassee, FL 32312
Occupation:	Energy Management and Facility Consulting		
Work/Other Phone:	(850) 222-5683 Ext.108		

(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: White **Gender:** M **Age:** 50

District: District II **Disabled?** No

(RESUME AND REFERENCES)

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

Name:	Steve Evans	**Name:**	William Crona
Address:	3920 Bobbin Brook Circle Tallahassee, FL 32312	**Address:**	1350 Market Street, Suite 205 Tallahassee, FL 32312
Phone:	(850) 445-3513	**Phone:**	(850) 893-9649

Resume Uploaded? Yes

If no resume is available, 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. Please attach your resume, if one is available.

Thank you. Resume/Profile attached.

(COMMITTEE QUESTIONNAIRE)

IMPORTANT LEGAL REQUIREMENTS FOR COMMITTEE/BOARD/AUTHORITY MEMBERSHIP

Citizen participation is important in developing Leon County's programs and policies, and in providing quality public services to the community. We appreciate your interest in serving on a committee and would like to bring a few items to your attention. As a member of a committee/board/authority, you will be obligated to follow any applicable laws regarding government-in-the-sunshine, code of ethics for public officers, and public records disclosure.

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Have you completed the Applicant Orientation for membership on Citizen Committees, Board & Authorities? *Yes*

Are you currently serving on a County Advisory Committee? *No*

Have you served on any previous Leon County committees? *No*

Are you willing to complete a financial disclosure if applicable? *Yes*

Do you know of any circumstances that would result in you having to abstain from voting on a Committee/Board/Authority due to voting conflicts? (Not applicable to Focus Groups) *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with Leon County? *No*

Are you or your employer, or your spouse or child or their employers, currently doing business with the Committee/Board/Authority to which you are applying for membership? *No*

Do you currently have any employment or contractual relationship that would create a continuing or frequently recurring conflict with regard to your participation on a Committee/Board/Authority? (i.e. would you have frequent or reoccurring voting conflicts?) *No*

Do you foresee participating in any competitive bid process for Leon County business during your time serving on this committee/board/authority? *No*

Do you foresee participating in any competitive bid process involving business with the Committee/Board/Authority to which you are applying, during your time serving on that entity? *No*

Members on this committee must be a resident of Leon County.

Members on this Authority must file a Financial Disclosure Form #1 from the Florida Commission on Ethics, per State Statute 112.3145. Financial Disclosure Information - Ethics

Are you willing to file a Financial Disclosure Form? *Yes*

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

Signature: *Mr. Leroy Collins Proctor*

The application was electronically sent: 6/10/2019 9:21:56 AM

L. Collins Proctor

cproctor@FSMenergy.com

Collins is a founder and partner of Tallahassee-based Facility Solutions & Management ("FSM"). He leads its FSM-Energy Services division (formerly known as "kW Control") while serving commercial, education, government, and non-profit, clients.



Collins has extensive experience in energy-efficiency investments, finance, and real estate, including: design and construction, acquisitions, development management, real estate and equipment financing, investment analysis, facilities management, project management, and building controls. Within FSM, his background and the strength of his team help ensure that energy and facility investment decisions are made with a sound balance of operational and financial prudence.

Collins is currently a board director with The Tallahassee Downtown Improvement Authority and Prime Meridian Bank.

EDUCATION

Emory University, Goizueta Business School -- Masters of Business Administration (M.B.A.)

Vanderbilt University -- Bachelor of Arts (B.A.)

PROFESSIONAL EXPERIENCE

2010-Present: **Facility Solutions & Management** (Tallahassee) Partner/Director

2003-2010: **Red Brick Partners, LLC** (Tallahassee) Partner

2000-2003: **COLKAT HOLDINGS, LLC** (Tallahassee) Partner

1997-2000: **The Staubach Company – Southeast, Inc**., **LLC** (Atlanta) Vice President

1991-1995: **NationsBank** (Atlanta) Vice President, Leveraged Leasing Division

PROFESSIONAL OVERVIEW

- 8+ years as co-founder and partner of FSM Energy Service (f.k.a. "kW Control") with clients such as Cox Enterprises, The State of Florida, Florida State Board of Administration, Leon County Schools, City of Tallahassee, Gannett Publishing, Florida State University, Fidelity Bank.
- 25+ years in real estate finance, construction management, development, and facilities management (national service with primary emphasis in Georgia and Florida)
- Managed 20-person team supporting the State of Florida in the renegotiation of a $150 million annual budget and 17 million square feet of office leases, resulting in savings of over $85 million for Florida taxpayers.
- Managed and closed over $4 billion in real estate securities and equipment investments with BankAmerica (NationsBank) in its Leveraged Leasing division
- Lead strategic planning and financial analysis for **Coca Cola** for the development and consolidation of new 1 million square foot downtown Atlanta corporate headquarters. Provided similar consulting services to **MCI Telecommunications** (900,000 square feet), **Bass Hotels and Resorts** (Holiday Inn, Crowne Plaza, Staybridge Suites, etc.) (400,000 square feet), and the **Presbyterian Church of America** (100,000 square feet).
- Other development/acquisition projects under Proctor's management have included:

E*Trade	90,000 sf	Data Center	Atlanta, GA
Domtar Industries	35,000 sf	US Headquarters	Atlanta, GA
Interland	130,000 sf	US Headquarters	Atlanta, GA
Tree of Life	70,000 sf	HQ Build-to-Suit/Lease	St. Augustine, FL
CSC	32,000 sf	Lease Acquisition	Sarasota, FL
Cisco Systems	25,000 sf	Lease Acquisition	Jacksonville, FL
Corinthian College	70,000 sf	Leases Acquisition (2)	Jacksonville, FL

Leon County
Board of County Commissioners

Notes for Agenda Item #20

Leon County Board of County Commissioners

Agenda Item #20

June 18, 2019

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 Adoption of an Ordinance Providing for a Code of Ethics, and Repeal Board Policy No. 03-05 (the Code of Ethics Policy)

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Herbert W.A. Thiele, County Attorney

Statement of Issue:

In accord with the affirmative vote of the Leon County electorate at the November 6, 2018 General Election, which amended the Leon County Home Rule Charter to provide for enactment by ordinance of a Code of Ethics, this agenda item seeks the Board's adoption of an Ordinance providing for a Code of Ethics. In conjunction with the adoption of the proposed Ordinance, this item also requests the Board to repeal Board Policy No. 03-05 (the Code of Ethics Policy), as the policy would no longer be necessary once the Code of Ethics Ordinance is adopted and in effect.

Fiscal Impact:

This item has a fiscal impact from lobbyist registration fees. There could be a fiscal impact if fines are assessed.

Staff Recommendation:

Option #1: Conduct the first and only public hearing and adopt an Ordinance providing for a Code of Ethics (Attachment #1), and repeal Board Policy No. 03-05 (the Code of Ethics Policy).

Report and Discussion

Background:

This agenda item requests the Board to conduct a public hearing and adopt the proposed Ordinance establishing a Code of Ethics (Attachment #1). In conjunction with the adoption of the proposed Ordinance, this item also requests the Board to repeal Board Policy No. 03-05 (the Code of Ethics Policy), as the Code of Ethics Policy would no longer be necessary once the Ordinance is adopted and in effect.

By way of background, pursuant to Section 5.2 of the Leon County Home Rule Charter (the "Charter"), the Board established the 2017-2018 Citizen Charter Review Committee ("CCRC") to review the Charter and propose any Charter amendments for the Board's consideration. After conducting meetings and public hearings, the CCRC recommended amending the Charter to provide for a Code of Ethics to be enacted by ordinance. On April 10, 2018, the Board conducted a public hearing and adopted Ordinance No. 2018-06 to provide for a Code of Ethics ordinance requirement in the Charter, upon approval of the voters at the November 6, 2018 General Election.

At the November 6, 2018 General Election, the Leon County electorate voted affirmatively to amend the Charter to provide for enactment of a Code of Ethics ordinance. The Code of Ethics ordinance must be adopted by the Board no later than the first Board meeting in December of 2019. At the Board meeting of May 14, 2019, the Board approved scheduling the first and only hearing to consider the adoption of an ordinance providing for a Code of Ethics.

Analysis:

Pursuant to the affirmative vote of the Leon County electorate at the November 6, 2018 General Election, Section 2.5 of the Charter was amended to state as follows:

> In order to provide a high level of transparency and ethical conduct under charter government, the Board of County Commissioners shall enact by ordinance a Code of Ethics no later than the first County Commission meeting in December 2019. The Code of Ethics shall prescribe standards of conduct for members of the Board of County Commissioners and its employees, as well as to all members of appointed boards and committees that have been created by the Board of County Commissioners. The Code of Ethics shall supplement and not contradict or supersede any statutory or administrative standards of conduct which apply to any such officer or employee. The Code of Ethics shall include, but is not limited to, standards of conduct, provisions defining offenses, prescribing penalties within the limits allowed by law, and establishing lobbyist regulations. The Code shall not conflict with the power of the Governor to suspend county officers or of the Senate to remove them from office, or the power of the people to recall them from office.

In accordance with Section 2.5 of the Charter, the attached Code of Ethics Ordinance prescribes standards of conduct for members of the Board, County employees, and members of Board-appointed boards and committees, and includes provisions defining offenses and penalties, and

lobbyist regulations. The provisions in the Code of Ethics Ordinance are based on the Charter, Board Policy No. 03-05 (Code of Ethics), Leon County Human Resources Policies and Procedures, Board Policy No. 01-08 (Candidacy for Political Office, Employees and Volunteers), and the lobbyist regulations previously adopted and set forth in Chapter 2, Article XII of the Code of Laws.

The Ordinance amends Chapter 2, Article XII of the Leon County Code of Laws, to consist of three divisions: (1) General Provisions; (2) Standards of Conduct; and (3) Lobbyist Regulations. Division 1, General Provisions, consists of Sections 2-650 through 2-655, and includes the title and general purpose for the Code of Ethics, as well as an extensive list of definitions. This division also provides for the following:

- Advisory opinions. A County Commissioner or the County Administrator may request an advisory opinion from the County Attorney's Office with regard to the applicability and interpretation of a particular section in the Code of Ethics. The request will need to be in writing.

- Investigation; prosecution. This section provides that any alleged violations of the Code of Ethics will be as provided by law. For example, under Section 125.69(1), Florida Statutes, violations of county ordinances are prosecuted in the same manner as a misdemeanor.

- Penalties. The penalty for an intentional violation of the Code of Ethics shall be as specified in Section 125.69(1), Florida Statutes, and shall be supplemental to the penalty provisions of Section 1-9 of the Leon County Code of Laws. For example, in both Section 125.69(1), Florida Statutes, and Section 1-9 of the Code, the penalty would be a fine not to exceed $500 and/or a jail term not to exceed 60 days.

- Conflicts. This section emulates the conflict provisions set forth in Section 2.5 of the Charter. The Code of Ethics will supplement, but not contradict or supersede, any statutory or administrative standards of conduct, and will not conflict with the power of the Governor or Senate to suspend or remove a county commissioner from office, or with the power of the people to recall a commissioner from office.

Division 2, Standards of Conduct, consists of Sections 2-660 through 2-675, and provides various standards pertaining to the conduct of County Commissioners, members of advisory bodies, and/or County employees.

- Solicitation or acceptance of things of value. Prohibits the solicitation or acceptance of gifts and things of value which are based on the understanding that the items were given to influence a vote or official action.

- Misuse of public position. Prohibits the use of public position to secure a special privilege, benefit, or exemption.

- Disclosure or use of certain information. Prohibits the disclosure or use of information, not available to the general public and gained by reason of the public position, for personal gain or benefit.

- Nepotism. This section pertains to the employment of relatives and is based on the Leon County Human Resources Policy Section 2.05.

- Outside or concurrent employment. Subsections (a) and (b) pertain to outside or concurrent employment by county employees and is based on Leon County Human Resources Policy Section 2.06. Subsection (c) provides that a County Commissioner may engage in outside or concurrent employment where not otherwise inconsistent with the provisions of Chapter 112, Part III, Florida Statutes (the Code of Ethics for Public Officers and Employees).

- Solicitation; fundraising. Relates to solicitation of charitable contributions and political campaign contributions.

- Workplace harassment. Based on Leon County Human Resources Policies and Procedures Section 2.02.

- Lobbying restrictions following vacation of office. This section is based on an amendment to the Florida Constitution that will go into effect on December 31, 2022. Until December 31, 2022, no County Commissioner shall lobby the County for a period of two (2) years following vacation of the office of County Commissioner. Beginning December 31, 2022, no County Commissioner shall lobby the County for a period of six (6) years following vacation of the office of County Commissioner.

- County employee holding elective office. A county employee who successfully runs for and is elected to an elective public/political office, or who is appointed to an elective public/political office, must resign his or her employment with Leon County prior to taking such elective office.

- Non-interference in performance of duties. Based on Section 2-3(3) of the Charter.

- Non-interference in county real estate transactions. Based on Board Ethics Policy No. 03-05, Section 6.

- Prohibited communication in competitive solicitations. Pertains to communications concerning a request for proposal, request for qualification, request for bids, or any other competitive solicitation.

- Voting conflicts. Based on Board Ethics Policy Section 7.

- Doing business with the County. Based on Board Ethics Policy Section 6.

- Conflict of interest in employment or contractual relationship. Based on Board Ethics Policy Section 6.

- Additional exemptions. This section sets forth various exemptions to the standards of conduct. For example, County Commissioners are not prohibited from voting on a matter affecting the salary, expenses, or other compensation of County Commissioners.

Division 3, Lobbyist Regulations, amends the lobbyist regulations that were previously adopted by the Board and codified at Chapter 2, Article XII, Sections 2-700 through 2-705, of the Leon County Code. The definitions were moved and consolidated with the definitions set forth in Division 1 of the Code of Ethics Ordinance. The sections on "Prohibited conduct of county officials and employees" was moved to Section 2-660; "Prohibited communication" was moved to Section 2-671; and "Penalties" was moved to Section 2-654. The sections on "Registration of lobbyists," "Exemptions," "Validity of action," "Quarterly compensation report" and "Maintaining registrations and compensation reports" received minor edits and were renumbered.

In conjunction with the adoption of the proposed Ordinance, this item also requests the Board to repeal Board Policy No. 03-05 (the Code of Ethics Policy). The Code of Ethics Policy would no longer be necessary once the proposed Ordinance is adopted and in effect.

Upon approval, the County will ensure the ethics ordinance is known and accessible to the public. In addition, the County already regularly provides ethics training for all County employees and has provided a user friendly "field manual" as a reference guide to reinforce the high standards of ethics behavior required of County employees.

In accordance with Section 125.66, Florida Statutes, the Notice of Public Hearing was timely published in the local newspaper (Attachment #2).

Options:

1. Conduct the first and only public hearing and adopt an Ordinance providing for a Code of Ethics (Attachment #1), and repeal Board Policy No. 03-05 (the Code of Ethics Policy).
2. Conduct the first and only public hearing and do not adopt Ordinance providing for a Code of Ethics, and do not repeal Board Policy No. 03-05.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Proposed Ordinance
2. Notice of public hearing

LEON COUNTY ORDINANCE NO. 2019-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, ENTITLED "ADMINISTRATION", BY PROVIDING FOR A CODE OF ETHICS; RENAMING ARTICLE XII, "LOBBYIST REGULATIONS", AS "CODE OF ETHICS"; AMENDING ARTICLE XII BY ADDING A NEW DIVISION 1, "GENERAL PROVISIONS" AND NEW DIVISION 2, "STANDARDS OF CONDUCT"; RENUMBERING AND AMENDING "LOBBYIST REGULATIONS"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on November 5, 2002, the citizens of Leon County adopted a Home Rule Charter (the "Charter"), which provides for full home rule authority under the law and citizen determination of the structure, powers, and functions of county government; and

WHEREAS, Section 5.2 of the Charter establishes the process for amending the Charter, one of which is through a Citizen Charter Review Committee ("CCRC") which must be convened every eight years for the purpose of reviewing the Charter and proposing any amendments thereto for consideration by the Leon County Board of County Commissioners (the "Board"); and

WHEREAS, the Board established the 2017-2018 CCRC, which conducted meetings and public hearings, and recommended amending the Charter to provide a Code of Ethics ordinance requirement; and

WHEREAS, on April 10, 2018, the Board conducted a public hearing and adopted Ordinance No. 2018-06 to provide a Code of Ethics ordinance requirement in the Charter upon approval of the voters at the November 6, 2018 General Election; and

WHEREAS, at the November 6, 2018 General Election the Leon County electorate voted affirmatively to amend the Charter to provide for enactment by ordinance of a Code of Ethics to prescribe standards of conduct for members of the Board, county employees, and members of boards and committees created by the Board, no later than the first Board meeting in December of 2019; and

WHEREAS, Section 2.5 of the Charter provides that the Code of Ethics shall include, but not be limited to, standards of conduct, offenses, penalties, and lobbyist regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, that:

Section 1. Amendments.

Chapter 2 of the Code of Laws of Leon County, Florida, is hereby amended to read as follows:

~~**ARTICLE XII - LOBBYIST REGULATIONS**~~
ARTICLE XII. CODE OF ETHICS

DIVISION 1. GENERAL PROVISIONS

Sec. 2-650. Title; purpose.

(a) This article shall be known as the Leon County Code of Ethics.

(b) The purpose of this article is to continue to provide a high level of transparency and ethical conduct in Leon County government.

Sec. 2-651. 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:

Advisory body means any board, committee, commission, council, or authority, however selected, whose total budget, appropriations, or authorized expenditures constitute less than $100,000 annually and whose powers, jurisdiction, and authority are solely advisory to the Leon County Board of County Commissioners and do not include the final determination or adjudication of any personal or property rights, duties, or obligations, other than those relating to its internal operations.

Agency means any state, regional, county, local, or municipal government entity of this state, whether executive, judicial, or legislative; any department, division, bureau, commission, authority, or political subdivision of this state therein; or any public school, community college, or state university; or any special district as defined in F.S. § 189.012.

Business associate means any person or entity engaged in or carrying on a business enterprise with a County Commissioner, member of an advisory body, or county employee as a partner, joint venturer, corporate shareholder where the shares of such corporation are not listed on any national or regional stock exchange, or co-owner of property.

Business entity means any corporation, partnership, limited partnership, proprietorship, firm, enterprise, franchise, association, self-employed individual, or trust, whether fictitiously named or not, doing business in this state.

Communicate or *communication* shall include one-on-one meetings, discussions, telephone calls, e-mails, text messages, and the use of other persons or electronic communications to convey information or receive information.

Conflict of interest means a situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

Corruptly means done with a wrongful intent and for the purpose of obtaining, compensating, or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duties.

County Commissioner means any member of the Leon County Board of County Commissioners.

County employee means any person employed by the Leon County Board of County Commissioners.

County Real Estate Transaction means any existing or proposed real estate transaction in which the County is involved as either a buyer, seller, lessee, lessor, or is otherwise involved as a party.

Gift means that which is accepted by a donee or by another on the donee's behalf, or that which is paid or given to another for or on behalf of a donee, directly, indirectly, or in trust for the donee's benefit or by any other means, for which equal or greater consideration is not given within 90 days. The term "consideration" does not include a promise to pay or otherwise provide something of value unless the promise is in writing and enforceable through the courts. "Gift" would include the following:

(a) Real property.

(b) The use of real property.

(c) Tangible or intangible personal property.

(d) The use of tangible or intangible personal property.

(e) A preferential rate or terms on a debt, loan, goods, or services, which rate is below the customary rate and is not either a government rate available to all other similarly situated government employees or officials or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, religion, sex, or national origin.

(f) Forgiveness of an indebtedness.

(g) Transportation, other than that provided in relation to officially approved governmental business, lodging, or parking.

(h) Food or beverage.

(i) Membership dues.

(j) Entrance fees, admission fees, or tickets to events, performances, or facilities.

(k) Plants, flowers, or floral arrangements.

(l) Services provided by persons pursuant to a professional license or certificate.

(m) Other personal services for which a fee is normally charged by the person providing the services.

(n) Any other similar service or thing having an attributable value not already provided for in this section.

"Gift" does not include:

(a) Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the donee's employment, business, or service as an officer or director of a corporation or organization.

(b) Contributions or expenditures reported pursuant to F.S. ch. 106, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party.

(c) An honorarium or an expense related to an honorarium event paid to a person or the person's spouse.

(d) An award, plaque, certificate, or similar personalized item given in recognition of the donee's public, civic, charitable, or professional service.

(e) An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization.

(f) The use of a public facility or public property, made available by an agency, for a public purpose.

(g) Transportation provided by an agency in relation to officially approved governmental business.

(h) Gifts provided directly or indirectly by a state, regional, or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization or officials or staff of an agency that is a member of that organization.

Honorarium means a payment of money or anything of value, directly or indirectly, as consideration for a speech, address, oration, or other oral presentation, regardless of whether presented in person, recorded, or broadcast over the media, or a writing, other than a book, which has been or is intended to be published.

Intangible personal property means intangible personal property as defined in F.S. § 192.001(11)(b).

Lobby or lobbying means communications by a lobbyist, whether written or oral, with a County Commissioner, county employee, or member of an advisory body, whereby the lobbyist seeks to encourage or influence the passage, defeat, modification or repeal of any item which may be presented for vote before the Board of County Commissioners or any advisory body, or which may be presented for consideration by a county employee as a recommendation to the Board or advisory body.

Lobbyist means a person who is employed and receives payment for lobbying, or who contracts for economic consideration for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or agency to lobby on behalf of that other person or agency.

Lobbying firm means a business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for lobbying, where any partner, owner, officer, or employee of the business entity is a lobbyist.

Outside or concurrent employment means engaging in employment with any person or entity, other than the County, in exchange for remuneration.

Material interest means direct or indirect ownership of more than five percent (5%) of the total assets or capital stock of any business entity. Indirect ownership does not include ownership by a spouse or minor child.

Principal means a person, firm, corporation, or other legal entity.

Property Manager means the individual or entity retained by the Board of County Commissioners to lease and manage any County-owned property.

Purchasing agent means a County Commissioner, member of an advisory body, or county employee having the authority to commit the expenditure of public funds through a contract for, or the purchase of, any goods, services, or interest in real property for the County, as opposed to the authority to request or requisition a contract or purchase by another person.

Relative, unless otherwise specified in this article, means an individual who is related to a County Commissioner, member of an advisory body, or county employee as: father; mother; son; daughter; brother; sister; uncle; aunt; first cousin; nephew; niece; husband; wife; registered domestic partner; same-sex spouse; father, mother, brother, sister, or children of the registered domestic partner or same-sex spouse; father-in-law; mother-in-law; son-in-law; daughter-in-law; brother-in-law; sister-in-law; stepfather; stepmother; stepson; stepdaughter; stepbrother; stepsister; half brother; half sister; grandparent; great grandparent; grandchild; great grandchild; step grandparent; step great grandparent; step grandchild; step great grandchild; person who is engaged to be married to the officer or employee or who otherwise holds himself or herself out as or is generally known as the person whom the officer or employee intends to marry or with whom the officer or employee intends to form a household; or any other natural person having the same legal residence as the officer or employee.

Represent or *representation* means actual physical attendance on behalf of a client in a County meeting or proceeding, the writing of letters or filing of documents on behalf of a client, or personal communications made with a County Commissioner, member of an advisory body, or county employee on behalf of a client.

Sec. 2-652. Advisory opinions.

(a) When in doubt as to the applicability and interpretation of the Leon County Code of Ethics, the County Administrator or any County Commissioner may request an advisory opinion from the County Attorney's Office. Requests for advisory opinions shall be in writing and shall state all material facts necessary for the County Attorney to understand the circumstances and render the advisory opinion.

(b) The County Attorney's Office shall keep a file, open to the public, of all advisory opinions issued.

Sec. 2-653. Investigation; prosecution.

The investigation or prosecution of any alleged violation of this article shall be as provided by law.

Sec. 2-654. Penalties.

(a) The penalty for an intentional violation of this article shall be those specified in F.S. § 125.69(1), as may be amended from time to time, and shall be deemed supplemental to the penalties set forth in section 1-9 of the Leon County Code of Laws.

(b) The failure of a lobbying firm to file the required quarterly compensation report as required by division III of this article shall result in the imposition of a penalty equal to twice the annual lobbyist registration fee.

Sec. 2-655. Conflicts.

(a) This article shall supplement and not contradict or supersede any statutory or administrative standards of conduct which apply to any County Commissioner, member of an advisory body, or county employee.

(b) This article shall not conflict with the power of the Governor to suspend a County Commissioner, or of the Senate to remove a County Commissioner from office, or the power of the people to recall a County Commissioner from office.

DIVISION 2. STANDARDS OF CONDUCT

Sec. 2-660. Solicitation or acceptance of things of value.

(a) *Gifts*. No County Commissioner, member of an advisory body, or county employee shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the County Commissioner, member of an advisory body, or county employee would be influenced thereby.

(b) *Lobbyist*. No County Commissioner, member of an advisory body or county employee shall solicit or accept as compensation, payment, favor, service, or thing of value from a lobbyist or principal of the lobbyist when such County Commissioner, member of an advisory body, or county employee knows, or with the exercise of reasonable care should know, that it was given to influence a vote or recommendation favorable to the lobbyist or principal of the lobbyist.

(c) *Unauthorized compensation*. No County Commissioner, member of an advisory body, or county employee, or his or her spouse or minor child, shall, at any time, solicit or accept any compensation, payment, or thing of value when such County Commissioner member of an advisory body, or county employee knows, or, with the exercise of reasonable care, should know, that it was given to influence a vote or other action in which the County Commissioner, member of an advisory body, or county employee was expected to participate in his or her official capacity.

Sec. 2-661. Misuse of public position.

No County Commissioner, member of an advisory body, or county employee shall corruptly use or attempt to use his or her public position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others. This section shall not be construed to conflict with F.S. § 104.31.

Sec. 2-662. Disclosure or use of certain information.

No County Commissioner, member of an advisory body, or county employee shall disclose or use information not available to the general public and gained by reason of his or her public position for his or her personal gain or benefit, or for the personal gain or benefit of any other person or business entity.

Sec. 2-663. Nepotism.

(a) "Relative," for purposes of this section only, with respect to a County Commissioner or a county employee, means an individual who is related to the County Commissioner or county employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

(b) A relative of any County Commissioner shall not be eligible for employment in or advancement to any position which reports directly to the County Commissioner.

(c) A relative of any county employee with supervisory responsibility shall not be eligible for employment in or advancement to any position which reports directly to the supervisory employee.

(d) A county employee shall not be eligible for advancement to any position with direct supervisory responsibility over a position in which a relative is employed.

Sec. 2-664. Outside or concurrent employment.

(a) A county employee shall not engage in outside or concurrent employment which is, or may be determined to be, inconsistent, incompatible, or in conflict with the duties, functions, or responsibilities of his or her county employment.

(b) A county employee who desires to accept outside or concurrent employment in addition to county employment shall follow the procedures set forth in the Leon County Board of County Commissioners Human Resources Policies and Procedures Manual, as may be amended from time to time.

(c) A County Commissioner may engage in outside or concurrent employment where not otherwise inconsistent with the provisions of Chapter 112, Part III, Florida Statutes.

Sec. 2-665. Solicitation; fundraising.

(a) A county employee shall not solicit, or be solicited for, political campaign contributions during county working hours or in county work areas.

(b) A county employee may solicit, or be solicited for, contributions for a non-profit charitable organization, as defined under the Internal Revenue Code, during county working hours or in county work areas upon approval of the County Administrator or designee, or the County Attorney or designee, as appropriate.

(c) A County Commissioner shall not utilize county employees or county resources in the solicitation of charitable contributions or political campaign contributions.

Sec. 2-666. Workplace harassment.

(a) *Purpose*. The purpose of this section is to provide a work environment free of workplace harassment, and which encourages mutual respect, cooperation and understanding amongst County Commissioners, members of an advisory body, and county employees.

(b) *Application*. This section applies to County Commissioners, members of an advisory body, and county employees.

(c) *Definition.*

1. For purposes of this policy, harassment consists of unsolicited, offensive, or retaliatory behavior based on race, sex, color, national origin, religion, age, disability, ancestry, marital status, pregnancy, familial status, gender, gender identity or expression, or sexual orientation, genetic information, or an

employee's exercise of their constitutional or statutory rights. Sexual harassment consists of unsolicited, offensive behavior involving sexual overtures or conduct, either verbal or physical. Neither harassment nor sexual harassment refers to occasional comments of a socially acceptable nature to a reasonable person. Harassment refers to behavior that is not welcome, that is personally offensive, that lowers morale, and that, therefore, interferes with the work environment.

2. Offensive comments about an employee's race, sex, color, national origin, religion, age, disability, ancestry, marital status, pregnancy, familial status, gender, gender identity or expression, sexual orientation, or genetic information, or an employee's exercise of his or her constitutional or statutory rights constitute harassment when:

(i) submission to such conduct is made either explicitly or implicitly a term of an individual's employment;

(ii) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or

(iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

3. Harassment may also take the form of adverse employment actions such as termination, demotion, or other adverse employment decisions which effect an employee's working conditions, if such actions are taken on the basis of an employee's race, sex, color, national origin, religion, age, disability, ancestry, marital status, pregnancy, familial status, gender, gender identity or expression, sexual orientation, genetic information, or an employee's exercise of his or her constitutional or statutory rights. Employment actions that are based on an employee's performance or other legitimate reasons are not harassment.

(d) *Complaint procedure.*

1. A county employee who believes he or she has been subjected to workplace harassment must promptly bring the problem to the attention of the County. If an employee believes that he or she has been harassed, the employee should immediately report the problem to the employee's supervisor. If the complaint involves the employee's supervisor, or if the employee is uncomfortable presenting the issue to the employee's supervisor, the employee should inform the Human Resources Director or Employee Relations Manager in the Human Resources Division.

2. If a complaint of harassment/discrimination involves a County Commissioner, a county employee should immediately report the problem to the Human Resources Director, the Employee Relations Manager in the Division of Human Resources, or the Chairman of the County Commission. If the complaint involves the Chairman of the County Commission, or if the employee is uncomfortable presenting the issue to the Chairman, then the employee should inform the Vice-Chairman of the County Commission, the Human Resources Director, or the Employee Relations Manager in the Human Resources Division. At that time, the Human Resources Director will refer the complaint to a private law firm or private entity outside the County's political jurisdiction, to investigate the claim. This step should be complied with prior to notification to the Board of County Commissioners, County Administrator, or County Attorney. Once the complaint has been referred to the outside private agency or law firm for investigation, then the party involved in the complaint is notified.

3. Each complaint will be immediately and thoroughly investigated in a professional manner. All harassment complaints reported to a supervisor, or any member of management, shall be promptly reported to the Employee Relations Manager or the Human Resources Director.

4. Actions taken to investigate and resolve harassment complaints shall be conducted confidentially, to the extent practicable, appropriate, and legally in order to protect the privacy of persons involved. The person who is accused of engaging in harassing behavior will be notified and given an opportunity to respond verbally and/or in writing. Investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have relevant knowledge.

5. The complainant will be notified of a decision or the status of the investigation in a timely manner. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in the investigation of a harassment complaint.

6. If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action, which may include discharge, will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. If the investigation substantiates a complaint against a County Commissioner, the report shall be referred to the Florida Commission on Ethics for their further handling.

7. If deemed to be in the County's best interest, the complainant, the respondent or both, may be placed on leave with pay during the investigation process. This decision will be made by the County Administrator or designee (for a county

employee), the County Attorney or designee (for a County Attorney employee), the Chairperson (for another Commissioner's Aide or Board Appointee), or the Vice Chairperson (for the Chairperson's Aide).

Sec. 2-667. Lobbying restrictions following vacation of office.

From the effective date of this article until December 31, 2022, no County Commissioner shall lobby the County for a period of two (2) years following vacation of the office of County Commissioner. Effective December 31, 2022, no County Commissioner shall lobby the County for a period of six (6) years following vacation of the office of County Commissioner.

Sec. 2-668. County employee holding elective office.

A county employee who successfully runs for and is elected to an elective public/political office, or who is appointed to an elective public/political office, shall resign his or her employment with Leon County prior to taking such elective office.

Sec. 2-669. Non-interference in performance of duties.

(a) Except for the purpose of inquiry and information, no County Commissioner shall interfere with the performance of the duties of any county employee who is under the direct or indirect supervision of the County Administrator or County Attorney by giving said employee instructions or directives. Such action shall constitute malfeasance within the meaning of Article IV, Section 7(a) of the Florida Constitution.

(b) Nothing contained in this section shall prevent a County Commissioner from discussing any county policy or program with a citizen or referring a citizen complaint or request for information to the County Administrator or County Attorney.

Sec. 2-670. Non-interference in county real estate transactions.

The following provisions are intended to assure the integrity of the competitive bidding process is preserved, agreements are negotiated at arms-length and consistently enforced, and that no County Commissioner utilizes his or her public position or any property within his or her trust, to secure a special privilege, benefit, or exemption for himself, herself, or others.

(a) No County Commissioner shall knowingly communicate with any individual or entity, or their employees, officers, or agents, involved as a party in any County Real Estate Transaction, unless the communication is:

1. Part of the transactional process expressly described in a request for bids or other such solicitation invitation;

2. Part of a noticed meeting of the Board of County Commissioners; or

3. Incidental and does not include any substantive issues involving a County Real Estate Transaction in which such individual or entity is a party.

(b) A County Commissioner who receives a communication in violation of this section shall place in the record at the next regular meeting of the Board of County Commissioners, the following:

1. Any and all such written communications;

2. Memoranda stating the substance of any and all such oral communications; and

3. Any and all written responses to such communications, and memoranda stating the substance of any and all oral responses thereto.

(c) No County Commissioner shall directly or indirectly coerce or attempt to coerce the County Administrator, the County Attorney, the Property Manager, or any other county employee, with respect to any County Real Estate Transaction.

(d) In accordance with the Real Estate Policy (Board of County Commissioners Policy No. 16-5, as may be amended from time to time) and Leon County Administrative Code (Ch. 2, Article X, Leon County Code, as may be amended from time to time), the County Administrator or designee shall be responsible for the management of any county-owned property, including the enforcement and termination of lease and license agreements. Except for the purpose of inquiry, County Commissioners shall not communicate directly or indirectly, give directions, or otherwise interfere with these property management responsibilities.

(e) Any communication outside a noticed meeting of the Board of County Commissioners between a County Commissioner, or his or her aide, and the County Administrator, the County Attorney, the Property Manager, and/or any county employee, which communication involves a substantive issue in a County Real Estate Transaction, shall be summarized in writing (Communication Summary) no later than three (3) working days after the communication, as follows:

1. The template provided on the county intranet is the preferred format for the Communication Summary. Other forms of effective written communication, such as e-mail, are acceptable.

2. The Communication Summary shall include, at a minimum, the name of the persons involved in the communication, the date of the communication, the subject matter of the communication, and the way in which the communication was ended. The Communication Summary may also include the remarks of the persons involved.

3. The completed Communication Summary shall be provided to the Chairperson of the Board of County Commissioners, unless the communication involved the Chairperson in which case it shall be provided to the Vice-Chairperson. A copy of the Communication Summary shall also be provided to the County Administrator and County Attorney.

Sec. 2-671. Prohibited communication in competitive solicitations.

(a) *Prohibition*. Any form of communication, except for written correspondence, shall be prohibited concerning a request for proposal, request for qualification, request for bids, 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 county employee authorized to act on behalf of the Board of County Commissioners to award a 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.

(b) *Exemptions*.

1. 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 of County Commissioners, and protest hearings.

2. The provisions of this section shall not apply to contract negotiations between any county employee and the intended awardee, any dispute resolution process following the filing of a protest between the person filing the protest and any county employee, or any written correspondence with any County Commissioner, county employee, member of an advisory body, or selection committee member, unless specifically prohibited by the applicable competitive solicitation process.

(c) *Effective date of prohibition*. The provisions of this section shall be in effect as of the date of the deadline to submit the proposal, bid, or other response to a competitive solicitation.

(d) *Termination of prohibition*. The provisions of this section shall terminate at the time the Board of County Commissioners, or county employee 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 competitive solicitation process.

Sec. 2-672. Voting conflicts.

(a) "Relative," for purposes of this section only, with respect to a County Commissioner or a member of an advisory body, means an individual who is related to the County Commissioner or

member of an advisory body as father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

(b) *County Commissioners*. No County Commissioner 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 F.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 County Commissioner.

Such County Commissioner shall, prior to the vote being taken, publicly state to the assembly the nature of the interest in the matter from which he or she is abstaining from voting and, within fifteen (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.

(c) *Members of advisory body*. No member of an advisory body shall vote in an official capacity upon any measure which would inure to the member's special private gain or loss; which the member 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 member of an advisory body.

Such member of an advisory body shall, prior to the vote being taken, publicly state to the assembly the nature of the interest in the matter from which he or she is abstaining from voting and, within fifteen (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.

(d) *Appointment or reappointment*. Whenever a County Commissioner or member of an advisory body, or former County Commissioner or advisory body member, is being considered for appointment or reappointment to an advisory body, the appointing body shall take into consideration the number and nature of the conflicts of interest previously filed under this section by said County Commissioner or member of an advisory body.

Sec. 2-673. Doing business with the County.

(a) *Prohibition.*

1. No county employee acting in his or her official capacity as a purchasing agent, or County Commissioner or member of an advisory body acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for the County from any business entity of which the County Commissioner, member of an advisory body, or county employee has a material interest.

2. No county employee acting in his or her official capacity as a purchasing agent, or County Commissioner or member of an advisory body acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for the County from any business entity of which the spouse or child of the County Commissioner, member of an advisory body, or county employee is an officer, partner, director, or proprietor and has a material interest.

3. No County Commissioner, member of an advisory body, or county employee, acting in a private capacity, shall rent, lease, or sell any realty, goods, or services to the County.

(b) *Waiver for members of advisory body.* The requirements of this section, as they pertain to persons serving on an advisory body, may be waived in a particular instance by the body which appointed the person to the advisory body, upon a full disclosure of the transaction or relationship to the appointing body prior to the waiver, and an affirmative vote in favor of the waiver by two-thirds vote of the appointing body. In instances in which appointment to the advisory body is made by an individual, waiver may be effected after a public hearing by determination by the appointing entity and full disclosure of the transaction or relationship by the appointee to the appointing entity.

(c) *Exemptions*.

1. This section shall not affect or be construed to prohibit contracts entered into prior to:

(i) Qualification for the elective office of County Commissioner.

(ii) Appointment to an advisory body.

(iii) Beginning county employment.

2. Additional exemptions to the requirements of this section are provided in section 2-675 of this division.

Sec. 2-674. Conflict of interest in employment or contractual relationship.

(a) *Prohibition*. No County Commissioner, member of an advisory body, or county employee shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, the County, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the state or any municipality, county, or other political subdivision of the state; nor shall a County Commissioner, member of an advisory body, or county employee have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict of interest between his or her private interests and the performance of his or her public duties, or that would impede the full and faithful discharge of his or her public duties.

(b) *Waiver for members of advisory body.* The requirements of this section, as they pertain to persons serving on an advisory body, may be waived in a particular instance by the body which appointed the person to the advisory body, upon a full disclosure of the transaction or relationship to the appointing body prior to the waiver, and an affirmative vote in favor of the waiver by two-thirds vote of the appointing body. In instances in which appointment to the advisory body is made by an individual, waiver may be effected after a public hearing by determination by the appointing entity and full disclosure of the transaction or relationship by the appointee to the appointing entity.

(c) *Exemptions*.

1. If the Board of County Commissioners exercises regulatory power over a business entity residing in another agency, or when the regulatory power which the Board exercises over the business entity or agency is strictly through the enactment of laws or ordinances, then employment or a contractual relationship with such business entity by a County Commissioner, member of an advisory body, or county employee shall not be prohibited by this section or be deemed a conflict of interest.

2. This section shall not prohibit a County Commissioner, member of an advisory body, or county employee from practicing in a profession or occupation when such practice is required or permitted by law or ordinance.

3. Additional exemptions to the requirements of this section are provided in section 2-675 of this division.

Sec. 2-675. Additional exemptions.

The following are additional exemptions to the provisions of this division.

(a) *Matters affecting compensation.*

1. No County Commissioner shall be prohibited from voting on a matter affecting his or her salary, expenses, or other compensation as a County Commissioner, as provided by law.

2. The County Administrator shall not be prevented from considering any matter affecting his or her salary, expenses, or other compensation as the county administrator, as provided by law.

3. The County Attorney shall not be prevented from considering any matter affecting his or her salary, expenses, or other compensation as the local government attorney, as provided by law.

(b) *Bank affiliation*. The fact that a County Commissioner, member of an advisory body, or county employee is a stockholder, officer, or director of a bank will not bar such bank from qualifying as a depository of funds coming under the jurisdiction of the County, provided it appears in

the record that the Board of County Commissioners has determined that such County Commissioner, member of an advisory body, or county employee has not favored such bank over other qualified banks.

(c) *Exemption for certain business transactions.* No County Commissioner, member of an advisory body, or county employee shall be held in violation of Code of Ethics s. 2-673, "Doing Business with the County," or s. 2-674, "Conflict of Interest in Employment or Contractual Relationship," if:

1. The business is transacted under a rotation system whereby the business transactions are rotated among all qualified suppliers of the goods or services within the County.

2. The business is awarded under a system of sealed, competitive bidding to the lowest or best bidder, and:

   (i) The County Commissioner, member of an advisory body, or county employee, or spouse or child of the County Commissioner, member of an advisory body, or county employee, has in no way participated in the determination of the bid specifications or the determination of the lowest or best bidder.

   (ii) The County Commissioner, member of an advisory body, or county employee, or spouse or child of the County Commissioner, member of an advisory body, or county employee, has in no way used or attempted to influence or persuade the County or any personnel thereof to enter such a contract other than by the mere submission of the bid.

   (iii) The County Commissioner or member of an advisory body, prior to or at the time of the submission of the bid, has filed a disclosure statement with the County.

3. The purchase or sale is for legal advertising in a newspaper, for any utilities service, or for passage on a common carrier.

4. An emergency purchase or contract, which would otherwise violate Code of Ethics s. 2-673 or s. 2-674, must be made in order to protect the health, safety, or welfare of the citizens of the state or any political subdivision thereof.

5. The business entity involved is the only source of supply within the County and there is full disclosure by the County Commissioner or member of an advisory body of his or her interest in the business entity to the Board of County Commissioners prior to the purchase, rental, sale, leasing, or other business being transacted.

6. The total amount of the transactions in the aggregate between the business entity and the County does not exceed $500 per calendar year.

7. The County Commissioner, member of an advisory body, or county employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity which is doing business with the County.

8. The County Commissioner, member of an advisory body, or county employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of the County and:

(i) The price and terms of the transaction are available to similarly situated members of the general public; and

(ii) The County Commissioner, member of an advisory body, or county employee makes full disclosure of the relationship to the Board of County Commissioners prior to the transaction.

(d) *Exemption for tax-exempt organization.* No County Commissioner, member of an advisory body, or county employee shall be held in violation of Code of Ethics s. 2-673, "Doing Business with the County," or s. 2-674, "Conflict of Interest in Employment or Contractual Relationship," if the County Commissioner, member of an advisory body, or county employee maintains an employment relationship with an entity which is currently a tax-exempt organization under s. 501(c) of the Internal Revenue Code and which contracts with or otherwise enters into a business relationship with the County, and:

1. The County Commissioner, member of an advisory body, or county employee is not directly or indirectly compensated as a result of such contract or business relationship;

2. The County Commissioner, member of an advisory body, or county employee has in no way participated in the county's decision to contract or to enter into the business relationship with his or her employer, whether by participating in discussion at the meeting, by communicating with a County Commissioner, member of an advisory body, or county employee, or otherwise; and

3. The County Commissioner or member of an advisory body abstains from voting on any matter which may come before the Board of County Commissioners involving the officer's employer, publicly states to the assembly the nature of the County Commissioner or member of an advisory body's interest in the matter from which he or she is abstaining, and files a written memorandum as provided in F.S. § 112.3143.

DIVISION 3. LOBBYIST REGULATIONS

~~**Sec. 2-700. Definitions.**~~

~~The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~(a) *Lobbying* shall mean communications, whether written or oral, by a lobbyist with any member or members of the Board of County Commissioners, or any member or members of any decision-making body under the jurisdiction of the board, or any county employee, whereby the lobbyist seeks to encourage or influence the passage, defeat, modification or repeal of any item which may be presented for vote before the Board of County Commissioners, or any decision-making body under the jurisdiction of the board, or which may be presented for consideration by a county employee as a recommendation to the board, or decision-making body.~~

~~(b) *Lobbyist* means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity.~~

~~(c) *Lobbying* firm means a business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for the purpose of lobbying, where any partner, owner, officer, or employee of the business entity is a lobbyist.~~

~~(d) *Principal* shall mean a person, firm, corporation, or other legal entity which has employed or retained a lobbyist.~~

~~(e) Employee shall mean the county administrator, county attorney, executive director of tourist development, commission staff, and all persons employed by the board of county commissioners.~~

~~(f) *Decision-making body* shall mean any body established by the board of county commissioners.~~

~~**Sec. 2-701. Registration of lobbyists.**~~
Sec. 2-680. Registration of lobbyists.

(a) All lobbyists~~, as defined herein,~~ shall register with the clerk of the Board of County Commissioners on an annual basis, including payment of a non-refundable $25.00 fee for each principal so represented, prior to engaging in any lobbying. Registration shall be updated annually to add or withdraw principals, and at least each time a lobbyist commences lobbying on behalf of any new principa~~l~~e.

(b) Each lobbyist shall be required to register on forms prepared by the clerk of the ~~b~~Board of County Commissioners. The lobbyist shall state under oath his or her name, business address, the name and business address of each principal represented, that the principal has actually retained the lobbyist, the general and specific areas of legislative interest, and the nature and extent of any direct business association or partnership with any current ~~member of the Board of~~ County Commissioner~~s~~, county employee, or person ~~sitting~~ serving on an advisory ~~decision-making~~ body. Each lobbying firm may register in the name of such firm, corporation or legal entity, provided the registration and the payment of the lobbyist fees shall be for each of the persons who engage in lobbying as defined in this article.

(c) Failure to register, or providing false information in the lobbyist registration form, shall constitute a violation of this article.

~~**Sec. 2-702. Exemptions.**~~
Sec. 2-681. Exemptions.

The following persons are not lobbyists as defined in this article ~~section 2-700(b),~~ and shall not be required to register as lobbyists or to keep records as lobbyists:

(1) Leon County employees discussing government business;

(2) Law enforcement personnel conducting an investigation;

(3) Persons who communicate with ~~board members~~County Commissioners or county employees in an individual capacity for the purpose of self-representation, or on behalf of a family member, without compensation or reimbursement;

(4) Consultants under contract with Leon County who communicate with County ~~c~~Commissioners~~s~~ or county employees regarding issues related to the scope of services in their contract;

(5) Any government officials or employees who are acting in their official capacity or in the normal course of their duties, unless they are ~~proposing~~ submitting a bid or proposal in a competitive procurement, or are government employees principally employed for, or whose substantial duties pertain to, governmental affairs lobbying;

(6) Persons who make purely factual informational requests to a ~~member of the board of county~~ County ~~c~~Commissioners~~s~~, member of an advisory ~~a decision-making~~ body, or county employee with no intent to affect a decision or recommendation on any item; and

(7) Persons or representatives of organizations contacted by a ~~member of the board of c~~County ~~c~~Commissioners~~s~~, member of an advisory body, ~~a decision-making board,~~ or county employee when the contact is initiated by that County Commissioner~~board member~~, member of an advisory body ~~decision-making board member~~, or county employee in his or her official capacity in the normal course of his or her duties to obtain factual information only.

~~**Sec. 2-703. Validity of action.**~~
Sec. 2-682. Validity of action.

The validity of any decision, action, or determination made by the Board of County Commissioners~~commission~~, advisory body, ~~decision-makingboard~~ or county employee shall not be affected by the failure of any person to comply with the provisions of this division. ~~article.~~

~~**Sec. 2-704. Quarterly compensation report.**~~
Sec. 2-683. Quarterly compensation report.

Each lobbying firm shall file a compensation report, signed under oath, with the clerk of the ~~b~~Board of ~~c~~County ~~c~~Commissioners for each calendar quarter during any portion of which such a lobbyist or lobbyist firm was registered under this division ~~article~~ to represent a principal (hereinafter "reporting period").

(1) Each lobbying firm shall file a quarterly compensation report with the clerk of the ~~board~~ Board of County Commissioners for each calendar quarter during any portion of which the lobbyist or one or more of the firm's lobbyists were registered to represent a principal. The report shall include the:

a. Full name, business address, and telephone number of the lobbying firm;

b. Name of each of the firm's lobbyists; and

c. Total compensation provided or owed to the lobbying firm from all principals for the reporting period, reported in one of the following categories: $0.00; $1.00 to $49,999.00; $50,000.00 to $99,999.00; $100,000.00 to $249,999.00; $250,000.00 to $499,999.00; $500,000.00 to $999,999.00; $1 million or more.

(2) For each principal represented by one or more of the firm's lobbyists, the quarterly compensation report shall also include the:

a. Full name, business address, and telephone number of the principal; and

b. Total compensation provided or owed to the lobbying firm for the reporting period from such principal, reported in one of the following categories: $0.00; $1.00 to $9,999.00; $10,000.00 to $19,999.00; $20,000.00 to $29,999.00; $30,000.00 to $39,999.00; $40,000.00 to $49,999.00; or $50,000.00 or more. If the category "$50,000 or more" is selected, the specific dollar amount of compensation must be reported, rounded up or down to the nearest $1,000.00.

(3) The quarterly compensation reports shall be filed no later than 30 days after the end of each reporting period. The four reporting periods are from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31, respectively. The quarterly compensation reports shall be filed in the form provided by the clerk of the Board of County Commissioners, and the quarterly reporting shall commence on January 1 of each year.

~~(4) Failure to file a required quarterly compensation report with the clerk of the board shall result in the imposition of a penalty equal to twice the annual lobbyist registration fee.~~

~~Sec. 2-705. Maintaining Registrations and Compensation Reports.~~
Sec. 2-684. Maintaining registrations and compensation reports.

The clerk of the ~~b~~Board of ~~c~~County ~~c~~Commissioners shall accept and maintain the lobbyist registrations and quarterly compensation reports, which shall be open for public inspection.

~~**Sec. 2-706. Prohibited conduct of county officials and employees.**~~

~~No member of the board of county commissioners or County employee of Leon County shall solicit or accept as compensation, payment, favor, service, or thing of value from a lobbyist or principal when such member of the board of county commissioners or County employee, as specified above, knows, or with the exercise of reasonable care, should know, that it was given to influence a vote or recommendation favorable to the lobbyist or principal.~~

~~**Sec. 2-707. - Prohibited communication.**~~

~~(a) Any form of communication, except for written correspondence, 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.~~

~~(b) 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.~~

~~(c) The prohibited communication shall be in effect as of the deadline to submit the proposal, bid, or other response to a competitive solicitation.~~

~~(d) 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.~~

~~(e) The provisions of this section shall not apply to any purchases made in an amount less than the competitive bid threshold of $20,000.00, as set forth in Leon County Purchasing Policy No. 96-1, as amended.~~

~~(f) The provisions of this section shall 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.~~

~~**Sec. 2-708. Penalties.**~~

~~The penalties for an intentional violation of this article shall be those specified in F.S. § 125.69(1), as amended, and shall be deemed supplemental to the penalties set forth in section 1-9 of this Code.~~

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 2030 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 word, phrase, clause, section, 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 18th day of June, 2019.

LEON COUNTY, FLORIDA

By: _____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTESTED BY:
Gwendolyn Marshall, Clerk of Court
& Comptroller, Leon County, Florida

By:_____

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W. A. Thiele, Esq.
County Attorney

F96-00031

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, June 18, 2019, 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 2 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, ENTITLED "ADMINISTRATION", BY PROVIDING FOR A CODE OF ETHICS; RENAMING ARTICLE XII, "LOBBYIST REGULATIONS", AS "CODE OF ETHICS"; AMENDING ARTICLE XII BY ADDING A NEW DIVISION 1, "GENERAL PROVISIONS" AND NEW DIVISION 2, "STANDARDS OF CONDUCT"; RENUMBERING AND AMENDING "LOBBYIST REGULATIONS"; 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 said ordinance may be inspected at the following locations during regular business hours:

Leon County Courthouse
301 S. Monroe St., 5th Floor Reception Desk
Tallahassee, Florida 32301

and

Leon County Clerk's Office
315 S. Calhoun Street, Room 750
Tallahassee, Florida 32301

Advertise: June 7, 2019

Leon County
Board of County Commissioners

Notes for Agenda Item #21

Leon County Board of County Commissioners

Agenda Item #21

June 18, 2019

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 Adoption of an Ordinance Enacting the Recodified Leon County Code of Laws and Associated Resolutions

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Herbert W.A. Thiele, County Attorney

Statement of Issue:

This item seeks the Board's adoption of a proposed ordinance enacting the recodified Leon County Code of Laws. In conjunction with the recodification process and the provisions of the proposed ordinance, this item will also seek the Board's adoption of three associated resolutions.

Fiscal Impact:

This item has no fiscal impact. The recodified Code of Laws will contain some specific fee amounts, as well as generic fee language that provides for fee amounts to be established by Board resolution. However, no new fees are created by this item and thus no fiscal impacts are expected.

Staff Recommendation:

Option #1: Conduct first and only public hearing and adopt an Ordinance enacting the recodified Leon County Code of Laws (Attachment #1), and adopt associated Resolutions (Attachments #2, #3, and #4).

Report and Discussion

Background:

At the Board meeting of May 14, 2019, the Board directed that a duly noticed public hearing be conducted on June 18th to consider the adoption of a proposed ordinance to enact the recodified Leon County Code of Laws. Accordingly, this item seeks the Board's adoption of the proposed Ordinance (Attachment #1). In conjunction with the recodification process and the provisions of the proposed Ordinance, this item will also seek the Board's adoption of three associated resolutions, as more particularly explained below.

By way of background, at the Board meeting of September 12, 2017, the Board approved the Professional Services Contract with Municipal Code Corporation, providing for a recodification of the Leon County Code of Laws. The recodification process consisted of a careful and thorough legal review by Municipal Code Corporation, in conjunction with the County Attorney's Office, to ensure that the Leon County Code of Laws is free of conflicts, inconsistences and obsolete provisions, and in conformance with Florida law.

Analysis:

The proposed Ordinance will adopt the recodified Leon County Code of Laws, consisting of chapters 1 through 18. The proposed Ordinance will also provide for the repeal of ordinances of a general and permanent nature which were enacted on or before February 12, 2019 (a date designated by Municipal Code Corporation), and not included in the Code or recognized and continued in force by reference therein. The Ordinance will further provide that any ordinances adopted after February 12, 2019, which amend or refer to ordinances that have been codified in the Code, are to be construed as if they amend or refer to like provisions of the Code.

During the recodification process, one of the recommendations proffered by Municipal Code Corporation was to have specific fee amounts set by Board resolution rather than in the Code of Laws. To effectuate this recommendation, it is necessary for the Board to adopt three resolutions in conjunction with the proposed Ordinance. The proposed Resolutions are as follows.

(1) Resolution adopting Division of Animal Control fees (Attachment #2). This resolution sets the multiple pet permit application fee and the aggressive or dangerous animal permit fee. These fees were formerly provided in Chapter 4 (Animals) of the Code of Laws. This Resolution will also repeal a previously adopted resolution (Resolution No. R07-14) pertaining to impoundment and boarding fees, which is obsolete.

(2) Resolution adopting building fee schedule (Attachment #3). These fees were formerly provided in Chapter 5 (Building and Construction Regulations) of the Code and include application fees and inspection fees associated with processing building permits, electrical permits, gas permits, mechanical permits, plumbing permits, special projects charges, and contractor licenses. The fees for private home bed and breakfast inn applications and private airport applications are also included in the fee schedule.

(3) Resolution adopting miscellaneous fees (Attachment #4). These fees were previously provided in Code of Laws Chapter 8 (Health and Human Services), Chapter 9 (Human Rights), and Chapter 11 (Licenses, Taxation and Miscellaneous Business Regulations), respectively. This resolution provides the following:

a. Application fee for certification of public convenience and necessity;
b. Domestic partnership registration fees; and
c. Dismissal fee for false alarms.

These three resolutions do not create any new fees, as these fees were previously set by the Code of Laws. Fees relating to towing and lobbyist registration will remain in the Code.

Other general changes that are being accomplished by the recodification include the following:

- Penalty provisions that duplicate the general penalty provisions of Section 1-9 are removed.
- Text reserving unused sections is removed.
- Introductory language for definitions is streamlined.
- Where possible, the definitions in Chapter 10 (Land Development Code) are consolidated.
- Appendices are removed.
- Obsolete provisions are removed.
- Gender neutral language is used.
- Editor's notes that refer to section styling, section placement, or the amending/repealing effect of legislation are removed.
- Cross references are removed.

As required by Section 125.66, Florida Statutes, the Notice of Public Hearing (Attachment #5) was timely published in the local newspaper. Once adopted, the effective date of the proposed Ordinance and three Resolutions will be July 1, 2019.

Options:

1. Conduct first and only public hearing and adopt ordinance enacting the recodified Leon County Code of Laws (Attachment #1), and adopt associated resolutions (Attachments #2, #3, and #4).
2. Conduct first and only public hearing and do not adopt ordinance enacting the recodified Leon County Code of Laws, and do not adopt associated resolutions.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Proposed Ordinance enacting recodified Leon County Code of Laws
2. Proposed Resolution adopting Division of Animal Control fees
3. Proposed Resolution adopting building fee schedule
4. Proposed Resolution adopting miscellaneous fees
5. Notice of Public Hearing

LEON COUNTY ORDINANCE NO. 2019-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ADOPTING AND ENACTING A RECODIFIED LEON COUNTY CODE OF LAWS; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING A FOR THE MANNER OF AMENDING THE CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Adoption of Code.

The Code entitled "Leon County Code of Laws," published by Municipal Code Corporation, consisting of chapters 1 through 18, each inclusive, a copy of which is attached hereto and made a part hereof as Exhibit "A", is hereby adopted.

Section 2. Repeal.

All ordinances of a general and permanent nature enacted on or before February 12, 2019, and not included in the Code or recognized and continued in force by reference therein, are repealed. The repeal provided for in this section shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 3. Penalty.

Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine up to the maximum required or permitted by state law. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the County may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 4. Amendments to Code.

Additions or amendments to the Code when passed in such form as to indicate the intention of the County to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 5. Ordinances adopted after February 12, 2019.

Ordinances adopted after February 12, 2019 that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 6. 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 2030 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 7. Severability.

If any word, phrase, clause, section, 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 8. 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 18th day of June, 2019.

LEON COUNTY, FLORIDA

By:_____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTESTED BY:
Gwendolyn Marshall, Clerk of Court
& Comptroller, Leon County, Florida

By:_____

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W. A. Thiele, Esq.
County Attorney

A17-0653

EXHIBIT "A"

LEON COUNTY CODE OF LAWS

The "Leon County Code of Laws," published by Municipal Code Corporation, consisting of chapters 1 through 18, each inclusive, has been made available for public inspection at the County Administration offices located at the fifth floor of the County Courthouse. However, the Leon County Code of Laws has not been attached to this item due to the voluminous nature thereof.

LEON COUNTY RESOLUTION NO. R2019-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ADOPTING THE DIVISION OF ANIMAL CONTROL FEE SCHEDULE; REPEALING RESOLUTION NO. R07-14 CONCERNING THE PREVIOUS ANIMAL CONTROL FEE SCHEDULE; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the recodified "Leon County Code of Laws," consisting of Chapters 1 through 18, inclusive, was adopted by the Board on June 18, 2019; and

WHEREAS, Section 4-45(a)(2) of Chapter 4, Animals, of the recodified Leon County Code of Laws provides that the multiple pet permit fee shall be established by resolution of the Board; and

WHEREAS, Section 4-96(b) of Chapter 4, Animals, of the recodified Leon County Code of Laws provides that the fee for an aggressive or dangerous animal permit shall be established by resolution of the Board; and

WHEREAS, the Division of Animal Control Fee Schedule attached hereto provides for the same fees and fee amounts for the multiple pet permit and aggressive or dangerous animal permit that were previously provided in Chapter 4, Animals, of the Leon County Code of Laws, prior to recodification; and

WHEREAS, Resolution No. R07-14, which was adopted by the Board on May 8, 2007, provided a fee schedule for the impoundment and boarding of animals; and

WHEREAS, Ordinance No. 16-16, which was adopted by the Board on December 13, 2016, amended the Leon County Code of Laws to provide that the impoundment and boarding fees for animals are to be established by the Tallahassee-Leon County Community Animal Service Center; and

WHEREAS, the Board desires to repeal Resolution No. R07-14 in its entirety, as it is obsolete;

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

Section 1. Adoption of Division of Animal Control Fee Schedule.

The Division of Animal Control Fee Schedule, attached hereto and made a part hereof, is hereby adopted.

Section 2. Repeal of Resolution No. R07-14.

Leon County Resolution No. R07-14, which provided a fee schedule for the impoundment and boarding of animals, is hereby repealed in its entirety.

Section 3. Effective Date.

This resolution shall have effect on July 1, 2019.

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County, Florida, this 18th day of June, 2019.

LEON COUNTY, FLORIDA

By:_____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTESTED BY:
Gwendolyn Marshall, Clerk of Court
& Comptroller, Leon County, Florida

By:_____

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W. A. Thiele, Esq.
County Attorney

A17-0653

DIVISION OF ANIMAL CONTROL FEE SCHEDULE

FEE DESCRIPTION	CODE SECTION	FEE
Multiple pet permit application fee	Sec. 4-45(a)(2)	$100.00
Aggressive or dangerous animal permit	Sec. 4-96(b)	$100.00

LEON COUNTY RESOLUTION NO. R2019-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ADOPTING THE BUILDING FEE SCHEDULE FOR THOSE FEES FORMERLY PROVIDED IN CHAPTER 5 AND SECTION 10-6.803 OF THE CODE OF LAWS OF LEON COUNTY; PROVIDING FOR FEES FOR BUILDING PERMITS, ELECTRICAL PERMITS, GAS PERMITS, MECHANICAL PERMITS, PLUMBING PERMITS, SPECIAL PROJECTS CHARGES, AND CONTRACTOR LICENSES; PROVIDING FOR FEES FOR PRIVATE HOME BED AND BREAKFAST INN APPLICATIONS AND PRIVATE AIRPORT APPLICATIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the recodified "Leon County Code of Laws," consisting of Chapters 1 through 18, inclusive, was adopted by the Board on June 18, 2019; and

WHEREAS, the fees for building permits, electrical permits, gas permits, mechanical permits, plumbing permits, special projects charges, and contractor licenses were formerly set forth in Chapter 5, Building and Construction Regulations, of the Leon County Code of Laws; and

WHEREAS, the fees for private home bed and breakfast inn applications and private airport applications were formerly set forth in Section 10-6.803, the Land Development Code, of the Leon County Code of Laws; and

WHEREAS, Chapter 5 of the recodified Leon County Code of Laws provides that the fees for building permits, electrical permits, gas permits, mechanical permits, plumbing permits, special projects charges, and contractor licenses shall be established by resolution of the Board; and

WHEREAS, Section 10-6.803 of the recodified Leon County Code of Laws provides that the fees for private home bed and breakfast inn applications and private airport applications shall be established by resolution of the Board; and

WHEREAS, the Building Fee Schedule attached hereto establishes the same fees and fee amounts that were previously provided for in Chapter 5 and Section 10-6.803 of the Leon County Code of Laws, prior to recodification;

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

Section 1. Adoption of Building Fee Schedule.

The Building Fee Schedule, attached hereto and made a part hereof, is hereby adopted.

Section 2. Effective Date.

This resolution shall have effect on July 1, 2019.

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County, Florida, this 18th day of June, 2019.

LEON COUNTY, FLORIDA

By:_____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTESTED BY:
Gwendolyn Marshall, Clerk of Court
& Comptroller, Leon County, Florida

By:_____

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W. A. Thiele, Esq.
County Attorney

A17-0653

BUILDING FEE SCHEDULE

FEE DESCRIPTION	CODE SECTION	FEE
Building:		
Residential permits per square foot	5-39	$0.48
Commercial permits per square foot	5-39	0.51
Industrial permits per square foot	5-39	0.34
Demolition permits	5-39	197.12
Moving any building or structure	5-39	436.00
Mobile home permits	5-39 / 5-170	385.09
Automated permits	5-39	112.26
Building reinspection fee	5-39	65.27
Residential driveway connection fee	5-39	82.24
Commercial driveway connection fee	5-39	326.35
In ground swimming pool permits	5-39	382.48
Above ground swimming pool permits	5-39	78.32
Temporary facility permits	5-39	74.41
Plans Check Fees for Commercial Buildings:		
$50,000.00 - $100,000.00	5-39	74.41
$100,000.01 - $500,000.00	5-39	104.43
$500,000.01 - $1,000,000.00	5-39	139.68
$1,000,000.01 - $2,000,000.00	5-39	211.47
$2,000,000.01 - $3,000,000.00	5-39	281.97
$3,000,000.01 - $5,000,000.00	5-39	348.54
Over $5,000,000.00	5-39	706.22
Remodeling and Repair:		
$1.00 - $2,000.00	5-39	91.38
$2,000.01 - $15,000.00	5-39	212.78
$15,000.01 - $50,000.00 (plus $15.60/per $1,000 for that portion over $15,000.01)	5-39	386.40
$50,000.01 - $100,000.00 (plus $14.10/per $1,000 for that portion over $50,000.01)	5-39	998.63
$100,000.01 - $500,000.00 (plus $7.77/per $1,000 for that portion over $100,000.01)	5-39	1644.80
$500,000.01 - $1 million (plus $3.97/per $1,000 for that portion over $500,000.01)	5-39	5,305.15

FEE DESCRIPTION	CODE SECTION	FEE
Electrical Permit Fees:		
Each electrical permit	5-84	62.66
Antennas for radio towers, etc.	5-84	32.64
Auto bake oven	5-84	32.64
Open electrical work (wiring to each fixture, drop or receptive device, wall switch, etc.)	5-84	0.90
Concealed electrical work (outlets, wall switches, pendant switches)	5-84	0.90
Cooking and heating devices (consuming 600 watts or more)	5-84	4.63
Diathermic	5-84	5.87
Electric Signs:		
1,650 watts or less	5-84	32.40
1,650 watts to 3,350 watts	5-84	41.77
Fans	5-84	3.42
Festoon lights:	5-84	
Each ten or fraction thereof	5-84	1.50
Each additional ten or fraction	5-84	1.50
Lighting fixtures	5-84	1.20
Welding machines	5-84	9.10
Moving picture projector, for each projector installation	5-84	32.64
X-ray – portable	5-84	5.10
X-ray – stationary	5-84	16.41
Electrical plug mold (each linear foot, $1.00 min.)	5-84	0.29
Tent shows, carnivals, circuses, for each service	5-84	74.41
Motors-Motor Generators:		
Electrical motor ¾ horsepower/600 volts or less	5-84	6.03
Electrical motor ¾ to five horsepower/600 volts or less	5-84	13.07
Electrical motor over five horsepower up to 25 horsepower/600 volts or less	5-84	18.09
Electrical motor over ten horsepower up to 25 horsepower	5-84	32.64
Electrical motor over 25 horsepower up to 100 horsepower	5-84	62.66
Electrical motor over 100 horsepower	5-84	90.07
Electrical Voltage Rectifiers:		
1 kva capacity or less	5-84	4.63
Over 1 kva capacity up to 5 kva capacity	5-84	7.44
Rectifiers over 5 kva capacity	5-84	14.07
Electrical Services:		
Temporary services	5-84	32.64
Permanent service of 200 amps or less	5-84	15.66
Permanent service/panel 200 amps up to 400 amps	5-84	36.55

FEE DESCRIPTION	CODE SECTION	FEE
Permanent service/panel >400 amps up to 600 amps	5-84	48.30
Permanent service/panel >600 amps up to 800 amps	5-84	62.66
For each 100 amps or fraction thereof over 800 amps	5-84	6.03
Electrical Transformers:		
Primary potential does not exceed 600 volts	5-84	7.44
Primary potential exceeds 600 volts	5-84	14.07
Gas Permit Fees:		
Issuing permit	5-139	73.10
Inspection of gas piping at one location (both rough and final):	5-139	
For one to four outlets, inclusive	5-139	73.10
Each additional outlet	5-139	15.53
Inspection of conversion burners, floor furnaces, incinerators, boilers or heating and air conditioning units:	5-139	
One unit	5-139	73.10
Each additional unit	5-139	15.53
Vented wall furnaces and water heaters:	5-139	
One unit	5-139	34.70
Each additional unit	5-139	15.53
Mechanical Permit Fees:		
New buildings	5-153	159.26
Existing buildings	5-153	79.63
Plumbing Permit Fees:		
Issuing each permit	5-189	91.38
In addition:		
Each fixture, floor drain or trap	5-189	8.51
Each house sewer	5-189	8.51
Each house sewer replacement/repair	5-189	8.51
Each water heater and/or vent	5-189	8.51
Each gas piping system one to five outlets	5-189	8.51
Each gas piping system of six or more outlets	5-189	1.87
Installation, alteration, repair of water piping and/or water treating equipment	5-189	8.51
Repair/alteration of drainage or vent piping	5-189	8.51
One to five vacuum breakers or backflow protective device equipment served	5-189	8.51
Each vacuum breaker or backflow protection device install subsequent to installation of the piping or equipment served over five	5-189	1.87
Special Work Projects Hourly Charge:		
Building inspection director	5-39	186.67
Deputy building official/plans examiner	5-39	88.77
Building inspectors	5-39	82.24

FEE DESCRIPTION	CODE SECTION	FEE
Support staff	5-39	52.22
Administrative Associate V	5-39	80.93
Contractor License:		
Contractor license application fee	5-476	609.62
Contractor license reinstatement/reciprocity fee	5-476	342.01
Contractor license renewal fee	5-476	74.41
Occupational certificate fee	5-476	63.96
Contractor reciprocity fee	5-514	30.00
Master electrician registration	5-538	5.00
Journeyman electrician registration	5-538	2.00
Master plumber registration	5-556	5.00
Journeyman plumber registration	5-556	2.00
Misc.:		
Private home bed and breakfast inn application	10-6.803(e)(2)c	200.00
Private airport application	10-6.803(g)(2)d	200.00
Local fire official reinspection	5-123	38.00

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LEON COUNTY RESOLUTION NO. R2019-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ADOPTING A MISCELLANEOUS FEE SCHEDULE PURSUANT TO THE CODE OF LAWS OF LEON COUNTY; PROVIDING FOR THE APPLICATION FEE FOR CERTIFICATION OF PUBLIC CONVENIENCE AND NECESSITY; PROVIDING FOR DOMESTIC PARTNERSHIP REGISTRATION FEES; PROVIDING THE DISMISSAL FEE FOR FALSE ALARMS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the recodified "Leon County Code of Laws," consisting of Chapters 1 through 18, inclusive, was adopted by the Board on June 18, 2019; and

WHEREAS, Section 8-61(23) of Chapter 8, Health and Human Services, of the recodified Leon County Code of Laws provides that the application fee for certification of public convenience and necessity shall be established by resolution of the Board; and

WHEREAS, Section 9-61(a) of Chapter 9, Human Rights, of the recodified Leon County Code of Laws provides that the domestic partnership registration fees shall be established by resolution of the Board; and

WHEREAS, Section 11-63(c) of Chapter 11, Licenses, Taxation and Miscellaneous Business Regulations, of the recodified Leon County Code of Laws provides that the dismissal fee for a false alarm shall be established by resolution of the Board; and

WHEREAS, the Miscellaneous Fee Schedule attached hereto provides for the same fees and fee amounts for the certification of public convenience and necessity application, domestic partnership registration, and false alarm dismissal that were previously provided in the Leon County Code of Laws, prior to recodification;

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

Section 1. Adoption of Miscellaneous Fee Schedule.

The Miscellaneous Fee Schedule, attached hereto and made a part hereof, is hereby adopted.

Section 2. Effective Date.

This resolution shall have effect on July 1, 2019.

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County, Florida, this 18th day of June, 2019.

LEON COUNTY, FLORIDA

By:_____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTESTED BY:
Gwendolyn Marshall, Clerk of Court
& Comptroller, Leon County, Florida

By:_____

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W. A. Thiele, Esq.
County Attorney

A17-0653

MISCELLANEOUS FEE SCHEDULE

FEE DESCRIPTION	CODE SECTION	FEE
Chapter 8 – Health and Human Services		
Application fee for certification of public convenience and necessity	Sec. 8-61(23)	$5,000.00
Chapter 9 – Human Rights		
Recording and administering affidavits of domestic partnership	Sec. 9-61(a)	50.00
Recording and administering affidavits of amendment	Sec. 9-61(a)	20.00
Recording and administering affidavits of termination	Sec. 9-61(a)	20.00
Certified copies of affidavit of domestic partnership	Sec. 9-61(a)	6.00
Additional copy of certificate of registration or laminated card	Sec. 9-61(a)	5.00
Chapter 11 – Licenses, Taxation and Misc. Business Regulations		
Dismissal fee for false alarms	Sec. 11-63(c)	5.00

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, June 18, 2019, 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, ADOPTING AND ENACTING A RECODIFIED LEON COUNTY CODE OF LAWS; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING THE CODE; 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 said ordinance may be inspected at the following locations during regular business hours:

Leon County Courthouse
301 S. Monroe St., 5th Floor Reception Desk
Tallahassee, Florida 32301

and

Leon County Clerk's Office
315 S. Calhoun Street, Room 750
Tallahassee, Florida 32301

Advertise: June 7, 2019

Leon County
Board of County Commissioners

Notes for Agenda Item #22

Leon County Board of County Commissioners

Agenda Item #22

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: First and Only Public Hearing to Consider a Fourth Amendment to the Southwood Integrated Development Order

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

Statement of Issue:

This agenda item seeks approval of a proposed fourth amendment to the Southwood Integrated Development Order to re-designate an 18-acre Mixed Use Office Commercial parcel to Medium Density Residential. The proposed fourth amendment to the Integrated Development Order requires the approval of both the City and County Commissions and would allow the applicant to construct apartments on the subject property, which is entirely located within the City of Tallahassee.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Conduct the first and only Public Hearing and approve the fourth amendment to the Southwood Development of Regional Impact Development Order (Attachment #1).

Report and Discussion

Background:

On March 8, 2019, Carlton Fields Jorden Burt P.A., on behalf of the St. Joe Company, submitted an application to amend the Southwood Development of Regional Impact (Attachment #2). At the April 23rd meeting, the Board approved the request for a Public Hearing to consider this fourth amendment. County and City approval are required to amend the Southwood Integrated Development Order as requested by the applicant.

Southwood is a 3,222-acre mixed-use development located in the southeast area of the City of Tallahassee and Leon County. Due to the size and scope of the Southwood development, it is a Development of Regional Impact (DRI), pursuant to Florida Statutes Chapter 380. The DRI Development Order (DO) for Southwood was adopted by the City and County in 1999. The DO defines the plan of development of the Southwood DRI and requires the developer to fund a number of associated infrastructure improvements. The entirety of the site is zoned Planned Unit Development (PUD). The adopted PUD zoning district implements the specific requirements of the DRI DO and establishes the development standards for the project.

In 2018, Chapter 380.06, Florida Statutes, was amended to eliminate the DRI review process. Amendments to DRI's are no longer reviewed by the State of Florida or the Apalachee Regional Planning Council. Amendments to DRI's are strictly within the purview of the local governments in which a DRI is located.

This is the fourth amendment to the Southwood DRI Integrated DO. The first amendment was for the Independence Landing Project to serve adults with cognitive and developmental disabilities and was approved by the Board on October 23, 2018. The second amendment allowed a proposed 82,000 square foot addition to the Florida State University School (FSUS) and was approved on March 12, 2019. A third amendment, which consisted of a proposed 9,000 square foot addition to Creative Day Care, an additional fifteen (15) beds for Pruitt Healthcare, and a change to the DRI transportation conversion table, was approved at the Board's May 14, 2019 regular meeting.

Analysis:

The St. Joe Company is seeking one master plan change as part of this fourth amendment to the Southwood DRI DO (Attachment #2). The purpose of the amendment is to re-designate PID # 31-09-20-054-0000 from Mixed Use Office Commercial (MUOC-1) to Medium Density Residential (MDR-17) to allow for multi-family (apartment) land use. There is no change to the overall number of units allowed within the Southwood DRI. However, the acreages for each use has been updated within Table B-1 (Attachment #1 page 5). Table B-2 indicates an increase of 18 acres for the multi-family (apartment) component of the DRI in Phase 2a and removed 17 acres of Office-Commercial uses. A portion of the project trips that were previously allocated from other MDR parcels will be re-allocated to this parcel. The table also indicates that the MUOC-1 designated parcel will be removed from Phases 2a and 2b. Exhibit C consists of an updated master plan map that includes the proposed MDR-17 designation on the aforementioned parcel. This proposed amendment would allow the applicant to construct apartments on the subject property.

The fourth amendment to the Southwood Integrated Development Order was found consistent by the Planning Commission at their May 7, 2019 Public Hearing. The City of Tallahassee will also hold a Public Hearing on the proposed Amendment, which is tentatively scheduled for June 19, 2019.

If the proposed change to the DO is approved, the Tallahassee-Leon County Planning Department can finalize the proposed PUD amendment to the Southwood Concept Plan, which is currently in process. The applicant will be required to apply for a final site and development plan for the apartments if both the proposed amendment to the DRI DO and the PUD amendment are approved.

Notice of the Public Hearing on the proposed fourth amendment was advertised consistent with all legal requirements (Attachment #3).

Options:

1. Conduct the first and only Public Hearing and approve the fourth amendment to the Southwood Development of Regional Impact Integrated Development Order (Attachment #1).
2. Conduct the first and only Public Hearing and do not approve the fourth amendment to the Southwood Development of Regional Impact Integrated Development Order.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Proposed fourth Amendment to Southwood DRI Integrated Development Order
2. Letter Requesting Amendment to Southwood DRI Integrated Development Order
3. Notice of Public Hearing

FOURTH AMENDMENT TO THE INTEGRATED DEVELOPMENT ORDER FOR THE SOUTHWOOD DEVELOPMENT OF REGIONAL IMPACT

WHEREAS, the Southwood Development of Regional Impact (DRI) is a mixed-use development on approximately 3,322 acres located in the City of Tallahassee and in unincorporated Leon County, Florida; and

WHEREAS, the original development order for the Southwood DRI was issued in 1999; and

WHEREAS, the original development order was amended by the Integrated Development Order, 1999-2012 (the "Integrated Development Order"), was approved by the Tallahassee City Commission on January 25, 2012 and the Leon County Board of County Commissioners on July 10, 2012; and

WHEREAS, an administrative amendment to the Integrated Development Order was approved by the Tallahassee City Commission on October 25, 2017 and the Leon County Board of County Commissioners on November 14, 2017; and

WHEREAS, the first amendment to the Integrated Development Order was approved by the Tallahassee City Commission on October 17, 2018 and the Leon County Board of County Commissioners on October 23, 2018 which approved the Independence Landing project; and

WHEREAS, the second amendment to the Integrated Development Order was approved by the Leon County Commission on March 12, 2019 and the Tallahassee City Commission on March 27, 2019 which approved the Florida State University School project; and

WHEREAS, the third amendment to the Integrated Development Order was approved by the Leon County Commission on May 14, 2019 and the Tallahassee City Commission on May 15, 2019 which approved the Creative Child Learning Center and Pruitt Health expansions and established the Land Use Conversion Table as Exhibit I; and

WHEREAS, the St. Joe Company on March 8, 2019 submitted an application to amend the Integrated Development Order (the "Amendment") to re-designate the 18+/- acre Mixed Use Office/Commercial 1 (MUOC-1) as Medium Density Residential 17 (MDR-17); and

WHEREAS, the re-designation of the 18+/- acre MUOC-1 to MDR-17 is reflected in the amended development entitlements shown herein; and

WHEREAS, the Leon County Board of County Commissioners held a public hearing on June 18, 2019, considered the Amendment, and addressed the criteria set forth in the Comprehensive Plan and the land development regulations; and

WHEREAS, the Tallahassee City Commission held a public hearing on June 19, 2019, considered the Amendment, and addressed the criteria set forth in the Comprehensive Plan and land development regulations.

NOW THEREFORE, IT IS HEREBY ORDERED BY LEON COUNTY, BOARD OF COUNTY COMMISSIONERS AND THE CITY COMMISSION OF THE CITY OF TALLAHASSEE, FLORIDA:

Section 1. Section 3.A.9. of the Integrated Development Order is amended to read as follows:

c. Continued use and maintenance of the privately-maintained wastewater treatment system serving the main house in LSF-10 and its ancillary buildings, and the existing structures in ~~MUOC-1~~ MDR-17, is allowed. The existing uses served by septic tanks shall connect to the City system when service becomes available within 1,000 feet. New septic tanks within the DRI shall be prohibited, except as indicated in the Urban Services Agreement.

Section 2. Exhibit B-1 to the Integrated Development Order is deleted and replaced with amended Exhibit B-1, attached hereto.

Section 3. Exhibit B-2 to the Integrated Development Order is deleted and replaced with amended Exhibit B-2, attached hereto.

Section 4. Exhibit C to the Integrated Development Order is deleted and replaced with amended Exhibit C, attached hereto.

Section 5. Except as amended herein, the terms and provisions of the Integrated Development Order, as amended, shall remain in full force and effect.

Section 6. This Amendment shall take effect upon approval by the Tallahassee City Commission and the Leon County Board of County Commissioners.

DULY PASSED AND APPROVED by the Leon County, Florida, Board of County Commissioners this DATE day of June 18, 2019.

LEON COUNTY, FLORIDA

By:_____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTESTED BY:

By:_____
Gwendolyn Marshall, Clerk of Court
& Comptroller, Leon County, Florida

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W.A. Thiele, Esq.
County Attorney

Passed and Approved by the City of Tallahassee City Commission on June 19, 2019.

CITY OF TALLAHASSEE

By:_____
John Dailey
Mayor

ATTESTED BY:

By:_____
James O. Cooke, IV
City Treasurer-Clerk

APPROVED AS TO FORM:
Tallahassee City Attorney's Office

By:_____
Cassandra K. Jackson
City Attorney

FIFTH AMENDED EXHIBIT B-1 TO THE INTEGRATED DEVELOPMENT ORDER (JUNE 2019)
SOUTHWOOD DRI DEVELOPMENT PROGRAM

DRI LAND USES	Phase 1 (1999-2010) Acres	Phase 1 (1999-2010) BU/GSF	Phase 2a (2005-2027) Acres	Phase 2a (2005-2027) BU/GSF	Phase 2b (2020-2027) Acres	Phase 2b (2020-2027) BU/GSF	PROJECT TOTAL Acres	PROJECT TOTAL BU/GSF
Residential 1)								
Single Family	455	1,048 DU	489	1,026 DU			944	2,074 DU
Multi-Family	96	777 DU	312~~294~~	2,319 DU			408~~390~~	3,096 DU
SUBTOTAL	551	1,825 DU	801~~783~~	3,345 DU			1352~~1,334~~	5,170 DU
Commercial (Wholesale, Retail & Service) (2)	149	287,000 GSF	191	480,728 GSF	197	12,502 GFS	537	780,230 GSF
Office (2)	130	500,000 GSF	173~~191~~	150,000 gfs	197	1,544,117 GSF	490~~508~~	2,194,117 GSF
Hotel (2)			191	162 rooms	197		388	162 rooms
Industrial			55	402,000 GFS	138	2,328,381 GSF	193	2,630,381 GSF
Educational/Institutional								
Educational	148	230,000 GFS		264,000 GSF	29		177	494,000 GSF
Institutional (3)								
SUBTOTAL		230,000 GFS						494,000 GSF
Recreation & Open Space								
Central Park (4)	125						125	
Community Park (5)	195						195	
North Park			36				36	
Golf Course/Clubhouse	214						214	
Other Open Space & Buffers (6)	772		25				797	
SUBTOTAL	1306		61				1,367	
TOTALS (7)	2,125		1,003		194		3,322	

Notes:
1. Single family and multi-family residential acreages include 59 acres of Town Center. The remaining 32 acres of Town Center is included in both the Commercial and Office category.
2. Acreage identified for Office and Commercial in the original development order did not reflect the land necessary to support Office or Commercial. The mixed-use pods were always intended to be the location for Office and Commercial uses. In addition, 17,000 GSF of Commercial may be located at the Historic House overlay as a sales center.
3. Up to 31.000_GSF of Phase 1 Commercial may be converted into Phase 1 Institutional to be located in all pods except areas designated for Recreation and Open Space at a rate of 203 GSF Institutional for 100 GSF Commercial. Any conversion of Commercial to Institutional must be reported in the next required Annual Report.
4. Central Park includes 22 acres of active recreation uses and 103 acres of passive recreation/open space uses. Refer to ADA Figure 26.1.
5. Community Park includes 42 acres of active recreation uses and 153 acres of passive recreation/open space/conservation uses. Refer to ADA Figure 26.2.
6. Other Open Space and Buffers includes open space corridors throughout the project (see ADA Figure 26.1) as well as the 86 acre stormwater management facility site south of Tram Road.
7. Commercial, Office, Hotel and Industrial Acreages may include the same pods in multiple categories to reflect the wide range of allowable uses within various land uses. Refer to exhibit B-2 for specific pod acreages.
8. Daycare use shall be included in the educational/institutional allocation.

THIRD AMENDED EXHIBIT B-2 TO THE INTEGRATED DEVELOPMENT ORDER (JUNE 2019)
SOUTHWOOD DRI PHASING PROGRAM

PHASE 1

POD	LAND USE	ACREAGE[2]
LSF-6	Large Lot Residential	14
LSF-8	Large Lot Residential	27
LSF-9	Large Lot Residential	53
LSF-10	Large Lot Residential	101
	SUBTOTAL	**195**
LDR-6	Low Density Residential	23
LDR-10	Low Density Residential	53
LDR-11	Low Density Residential	23
LDR-12	Low Density Residential	27
LDR-13a	Low Density Residential	11
LDR-14	Low Density Residential	7
LDR-15	Low Density Residential	46
LDR-16	Low Density Residential	32
	SUBTOTAL	**222**
MDR-6a	Med. Density Residential	8
MDR-7	Med. Density Residential	24
MDR-8	Med. Density Residential	15
MDR-9	Med. Density Residential	5
MDR-12	Med. Density Residential	23
	SUBTOTAL	**75**
TC-1	Town Center(Mixed Use)	59
TC-2	Town Center(Mixed Use)	32
	SUBTOTAL	**91**
MUOC-2	Office/Commercial	33
MUOC-4	Office/Commercial	22
MUOC-6	Office/Commercial	29
MUOC-7	Office/Commercial	4
	SUBTOTAL	**88**
MUEI-2	Educational/Institutional	53
MUEI-3	Educational/Institutional[3]	86
MUEI-4	Educational/Institutional	9
	SUBTOTAL	**148**
REC	Community Park	42
REC	Central Park/Comm. Ctr.	22
REC	Golf Course	214
	SUBTOTAL	**278**
	DEVELOPED	**1,097**
	OPEN SPACE	**1,028**
	TOTAL	**2,125**

PHASE 2a

POD	LAND USE	ACREAGE[2]
LSF-1	Large Lot Residential	44
LSF-3	Large Lot Residential	62
LSF-5	Large Lot Residential	30
LSF-7	Large Lot Residential	32
	SUBTOTAL	**168**
LDR-1	Low Density Residential	24
LDR-2	Low Density Residential	82
LDR-3	Low Density Residential	63
LDR-4	Low Density Residential	13
LDR-5	Low Density Residential	89
LDR-7	Low Density Residential	16
LDR-8	Low Density Residential	7
LDR-9	Low Density Residential	23
LDR-13b	Low Density Residential	4
	SUBTOTAL	**321**
MDR-1	Med. Density Residential	33
MDR-3	Med. Density Residential	18
MDR-4	Med. Density Residential	21
MDR-5	Med. Density Residential	25
MDR-6b	Med. Density Residential	15
MDR-10	Med. Density Residential	20
MDR-11	Med. Density Residential	74
MDR-13	Med. Density Residential	8
MDR-14	Med. Density Residential	47
MDR-15	Med. Density Residential	13
MDR-16	Med. Density Residential	20
MDR-17	Med. Density Residential	18 ~~294~~
	SUBTOTAL	**312** ~~294~~
TC-1[4]	Town Center(Mixed Use)	See Ph 1
TC-2[4]	Town Center(Mixed Use)	See Ph 1
	SUBTOTAL	**0**
~~MUOC-1~~	~~Office/Commercial~~	~~17~~
MUOC-3	Office/Commercial	28
MUOC-5	Office/Commercial	29
MUOC-8	Office/Commercial	47
	SUBTOTAL	**104** ~~121~~
NVC-1	Neighborhood Village Center	10
	SUBTOTAL	**10**
MUI-1	Research & Development	81
MUI-2	Research & Development	55
MUI-3	Research & Development	57
	SUBTOTAL	**193**
MUEI-1	Educational/Institutional	29
MUEI-2[5]	Educational/Institutional	53
MUEI-3[5]	Educational/Institutional	86
	SUBTOTAL	**168**
PARK	North Park (Open Space)	36
	SUBTOTAL	**36**
	DEVELOPED[4,5]	**1,275**
	OPEN SPACE	**61**
	TOTAL	**1,336**

PHASE 2b[1]

POD	LAND USE	ACREAGE[2]
TC-1[4,6]	Town Center(Mixed Use)	See Ph 1
TC-2[4,6]	Town Center(Mixed Use)	See Ph 1
	SUBTOTAL	**0**
NVC-1[6]	Neighborhood Village Center	See Ph 2a
	SUBTOTAL	**0**
~~MUOC-1~~[6]	~~Office/Commercial~~	~~See Ph 2a~~
	SUBTOTAL	**0**
MUI-1[6]	Research & Development	See Ph 2a
MUI-3[6]	Research & Development	See Ph 2a
	SUBTOTAL	**0**
MUEI-1[6]	Educational/Institutional	See Ph 2a
	SUBTOTAL	**0**
	DEVELOPED[4, 6]	**194**
	TOTAL	**194**

Notes:

1. Prior to commencement of development of Phase 2b entitlements, an updated traffic analysis that addresses cumulative impacts of Phases 1 through 2b will be provided by the Developer to the review agencies as a substantial deviation for review of transportation impacts only. Until such time as the Phase 2b entitltments are sought, the lands identified as beign in phase 2b may be developed with available entitlements from Phase 2a.
2. Acreage projections for each development pod on this table and on Map H are approximate and may vary based upon final survey and platting.
3. Phase 1 development of MUEI-3 limited to 56,000 GSF and ancillary athletic fields.
4. The referenced pod, land use, and acreage is inclusive of the same pod referenced in Phase 1, and represents developer's ability to develop up to the stated acreage in Phases 2a and 2b.
5. The referenced pod, land use, and acreage is inclusive of the same pod referenced in Phase 1, and represents developer's ability to develop up to the stated acreage in Phase 2a.
6. The referenced pod, land use, and acreage is inclusive of the same pod referenced in Phase 2a, and represents developer's ability to develop up to the stated acreage in Phase 2b.

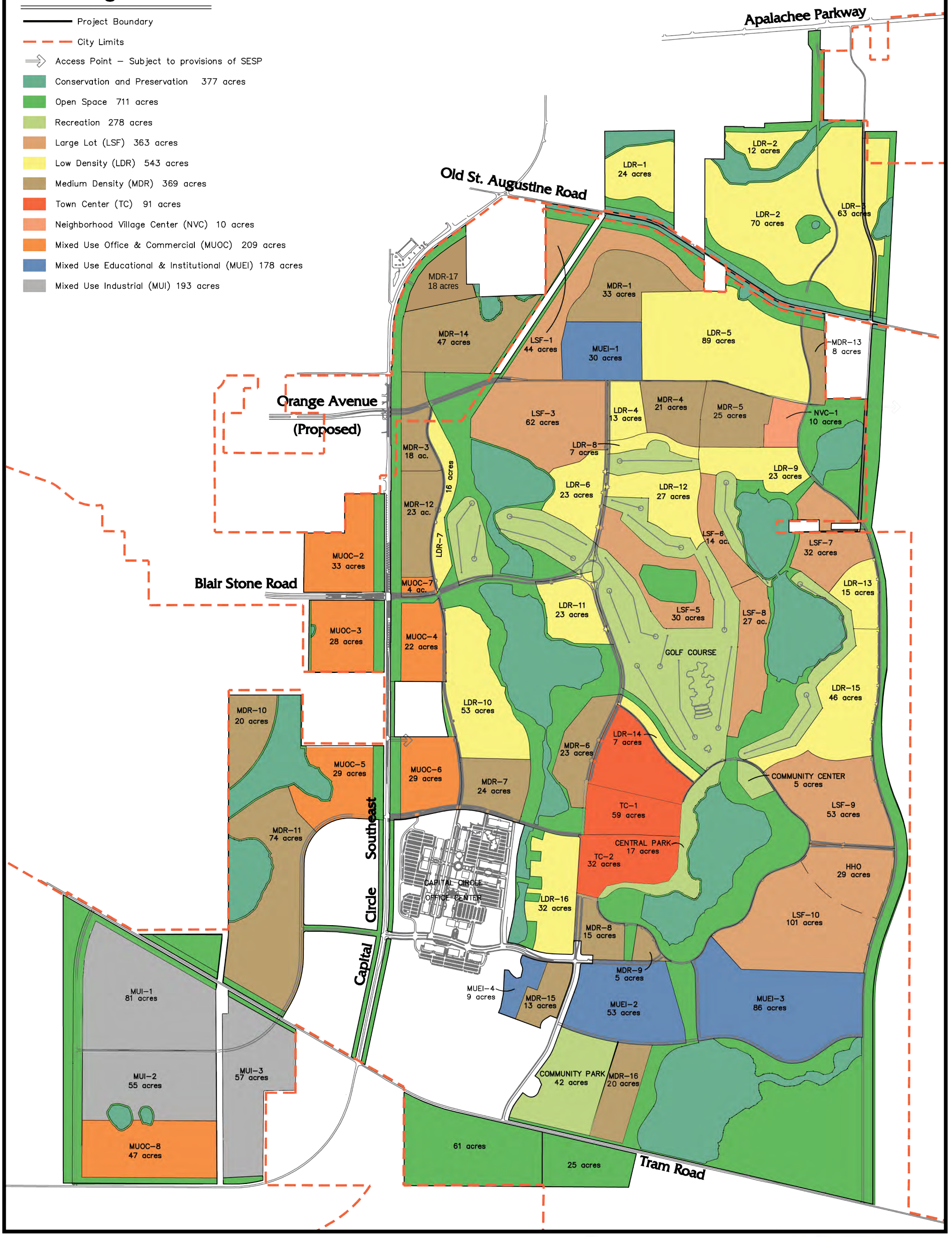
SECOND AMENDED EXHIBIT C OF THE INTEGRATED DEVELOPMENT ORDER (JUNE 2019)

North

0 375' 750' 1500'

Legend

- Project Boundary
- City Limits
- Access Point – Subject to provisions of SESP
- Conservation and Preservation 377 acres
- Open Space 711 acres
- Recreation 278 acres
- Large Lot (LSF) 363 acres
- Low Density (LDR) 543 acres
- Medium Density (MDR) 369 acres
- Town Center (TC) 91 acres
- Neighborhood Village Center (NVC) 10 acres
- Mixed Use Office & Commercial (MUOC) 209 acres
- Mixed Use Educational & Institutional (MUEI) 178 acres
- Mixed Use Industrial (MUI) 193 acres



MASTER DEVELOPMENT PLAN

Southwood

St. JOE

Kimley»Horn

Posted June 10, 2019

CARLTON FIELDS
ATTORNEYS AT LAW

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Tallahassee, Florida 32301-1866
P.O. Drawer 190 | Tallahassee, Florida 32302-0190
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Atlanta
Hartford
Los Angeles
Miami
New York
Orlando
Short Hills, NJ
Tallahassee
Tampa
Washington, DC
West Palm Beach

March 8, 2019

Dave McDevitt, Director
Development Support and Environmental Management
Renaissance Center
435 North Macomb, Second Floor
Tallahassee, Florida 32301

Dave:

On behalf of the St. Joe Company, we are submitting an application to amend the Southwood Development of Regional Impact (DRI). The purpose of the amendment is to re-designate DRI parcel MUOC-1 as MDR-17. MUOC-1 (Parcel ID#3109200540000) is located along Capital Circle Southeast just south of Old St. Augustine Road. MUOC-1 is currently approved for office/commercial uses. The DRI parcel is directly adjacent to the existing 47 acre MDR-14 to the south. This change would simply create a new 17 acre multi-family parcel MDR-17 to replace all of the existing MUOC-1. No change in residential units would be required. A location map highlighting the location of the proposed change is included as **Exhibit 1**. An analysis to support the proposed change is also attached. An application is also being submitted to the City of Tallahassee since both jurisdictions must approve this amendment.

If you have any questions please contact me at (850) 425-3398 or via email at dtaylor@carltonfields.com.

Sincerely,

Darrin F. Taylor

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, June 18, 2019, 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 a request for approval of a proposed amendment to the Southwood Development of Regional Impact (DRI) Integrated Development Order (DO), pursuant to Section 380.06(7), Florida Statutes (2018).

The applicant seeks approval of a master plan change to redesignate an 18+/- acre parcel (Parcel ID No. 31-09-20-054-0000) from Mixed Use Office/Commercial (MUOC-1) to Medium Density Residential (MDR-17), to allow for the construction of apartments.

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 proposed amendment to the Southwood Development of Regional Impact Integrated Development Order may be inspected at the following locations during regular business hours:

Leon County Courthouse
301 S. Monroe Street
5th Floor Reception Desk
Tallahassee, Florida 32301

and

Leon County Department of Development Support
and Environmental Management
435 N. Macomb Street
Renaissance Center, 2nd Floor
Tallahassee, Florida 32301

Advertise: June 3, 2019

Leon County
Board of County Commissioners

Notes for Agenda Item #23

Leon County Board of County Commissioners

Agenda Item #23

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: First and Only Public Hearing to Approve the Resolution Adopting the Stormwater Non-ad Valorem Assessment Roll and Certification of the Entire Roll to Tax Collector

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Scott Ross, Director, Office of Financial Stewardship Brent Pell, P.E., Director, Public Works Charles Wu, P.E., Director, Engineering Services
Lead Staff/ Project Team:	Tim Barden, Budget Manager Theresa B. Heiker, P.E., Stormwater Management Coordinator

Statement of Issue:

As required by Florida Statutes, this Public Hearing provides for the adoption of a stormwater assessment roll for all properties being assessed for the first time, and certification of the entire assessment roll to the Tax Collector.

Fiscal Impact:

This item has a fiscal impact. This non-ad valorem special assessment generates revenue in the amount of $3,630,636 that is contemplated in the proposed FY 2020 budget.

Staff Recommendation:

Option #1: Conduct the first and only public hearing and approve the Resolution adopting the Stormwater Non-Ad Valorem Assessment Roll (Attachment #1) and authorize the Chairman to certify the entire Roll to the Tax Collector (Attachment #2).

Report and Discussion

Background:

This Public Hearing provides for the adoption of a stormwater assessment roll for all properties being assessed for the first time, and certification of the entire assessment roll to the Tax Collector.

The Stormwater Management System Ordinance and Section 197.3632, Florida Statutes, require that the stormwater assessment roll be adopted by Resolution of the Board following a public hearing by September 15th of the year that the fee is imposed against new properties for the first time and the entire roll is certified to the Tax Collector for collection. The Stormwater Management Assessment is included on the Property Tax Notice.

During the FY 2014 budget process, the Board adopted an amended stormwater Ordinance and approved the implementation of the $85 assessment rate, recommended in the new rate study performed by utilizing a variable fee for residential property classes. Non-residential development includes all the other developed property except certified agricultural property, which is exempt from the stormwater fee.

The assessment imposed on non-residential property is the rate of one single-family unit (SFU) multiplied by the numerical factor obtained by dividing the total impervious area of the non-residential developed property by the SFU average impervious area. The average SFU impervious area in the unincorporated area of Leon County is 3,272 square feet. For example, a convenience store that has 32,720 square feet of impervious area equals 10 SFU and pays $850 under the adopted Rate Resolution.

The Ordinance also provides a 50% credit to residents qualified as Low-Income Seniors or Disabled Veterans through the Leon County Property Appraiser's Office. Finally, properties discharging to a private stormwater management facility with a valid operating permit receive a discount on their assessment.

Analysis:

The public hearing notice was published in the Tallahassee Democrat and first-class notices were mailed to each of the 295 property owners subject to the Non-ad Valorem Assessment for Stormwater Management Services for the first time in accordance with the requirements of Section 197.3632, Florida Statutes (2018) (Attachment #3).

The proposed assessment roll has been made available for public inspection at the County Administration offices located at the fifth floor of the County Courthouse. However, it has not been attached to this item due to the voluminous nature thereof. The assessment roll contains the name of the owner, the parcel identification number, the parcel address, and the amount of the assessment. Written comments and objections filed by affected property owners, if any, have been compiled and likewise have been made available for public inspection in the County Administration office.

The proposed Resolution adopting the Stormwater Non-ad Valorem Assessment Roll for all properties subject to the assessment for the first time (Attachment #1), and the Certificate to the Assessment Roll to the Tax Collector (Attachment #2), are included for the Board's consideration.

Not adopting the Non-ad Valorem Assessment Roll for Stormwater Management Services and Facilities will create a budget impact in the amount of $3,630,636 for Fiscal Year 2020.

Options:

1. Conduct the first and only public hearing to approve the Resolution adopting the Stormwater Non-ad Valorem Assessment Roll (Attachment #1) and authorize the Chairman to certify the entire Roll to the Tax Collector (Attachment #2).
2. Conduct the first and only public hearing and do not approve the Resolution adopting the Stormwater Non-ad Valorem Assessment Roll.
   (This action would require amendments to the FY 2019/2020 budget.)
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Resolution adopting the Stormwater Non-ad Valorem Assessment Roll
2. Certificate of the entire Stormwater Non-ad Valorem Assessment Roll to the Tax Collector
3. Notice of Public Hearing

LEON COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ADOPTING THE STORMWATER MANAGEMENT SERVICES AND FACILITIES NON-AD VALOREM ASSESSMENT ROLL; PROVIDING FOR CERTIFICATION OF THE ROLL TO THE TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, on May 28, 2013, the Board of County Commissioners enacted an Ordinance amending Chapter 18, Article IV, Division 3, Leon County Code of Laws, relating to the provision and funding of the *Stormwater Management Services and Facilities* to the *Stormwater Services Area*; and

WHEREAS, on May 28, 2013, the Board of County Commissioners adopted a *Stormwater Assessment Rate Resolution* levying and imposing upon each *Developed Property* located within the *Stormwater Services Area* a *Stormwater Assessment* in an amount found to be reasonably related to the cost of providing the *Stormwater Management Services and Facilities* to such property and thereby providing an equitably corresponding special benefit to such property; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, the Board of County Commissioners has reviewed the *Stormwater Assessment Roll* for conformity with the *Stormwater Assessment Rate Resolution*; and

WHEREAS, the Board wishes to approve and adopt the *Stormwater Assessment Roll* and to certify the roll for collection to the Tax Collector; and

WHEREAS, Leon County has provided notice of a public hearing at least twenty days prior to same by first class United States mail and by publication in the *Tallahassee Democrat* advising that a public hearing would take place.

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

Section 1. Recitals.

The Recitals to this Resolution are incorporated herein and made a part hereon as if fully set forth below.

Section 2. Definitions.

For purposes of this Resolution, the definitions contained in section 18-134.2, Leon County Code of Laws, are incorporated herein by reference.

Section 3. Adoption of Non-Ad Valorem Assessment Roll.

Pursuant to section 197.3632, Florida Statutes, Leon County hereby approves and adopts the *Stormwater Assessment Roll*, attached hereto as Exhibit 2 and incorporated herein as if fully set forth below.

Section 4. Unit of Measurement for Non-Ad Valorem Assessment.

The unit of measurement for the *Stormwater Assessment* shall be as set forth in Exhibit 1, the *Stormwater Assessment Rate Resolution*, R13-20, which is attached hereto and incorporated herein as if fully set forth below. The amount of the *Stormwater Assessment* imposed against each subject parcel of *Developed Property* is and shall be as further set forth in Exhibit 2. The *Stormwater Assessment* shall be and is hereby levied and imposed annually commencing October 1, 2013, and continuing each year thereafter until such time as changed or discontinued by the Board.

Section 5. Certification of Non-Ad Valorem Assessment Roll to Tax Collector.

The *Stormwater Assessment Roll* is hereby certified to the Tax Collector for collection in accordance with Florida law.

Section 6. Effective Date.

This resolution shall have effect upon adoption.

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County, Florida, this 18th day of June, 2019.

LEON COUNTY, FLORIDA

By:_____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTESTED BY:
Gwendolyn Marshall, Clerk of Court
& Comptroller, Leon County, Florida

By:_____

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W. A. Thiele, Esq.
County Attorney

EXHIBIT 1

RESOLUTION NO. R13-20

STORMWATER ASSESSMENT RATE RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, RELATING TO THE PROVISION AND FUNDING OF THE STORMWATER MANAGEMENT SYSTEM.

RECITALS

WHEREAS, the County desires to provide *Stormwater Management Services and Facilities* in the most efficient manner possible in order to promote the health, safety, and general welfare of its citizens; and

WHEREAS, a new and dedicated funding for implementation of the County's *Stormwater Management Plan* is needed to maintain compliance with state and federal requirements, and the levy of a *Stormwater Assessment* is determined to be the most equable method of providing such funding; and

WHEREAS, those elements of the *Stormwater Management System* that provide for the collection, storage, treatment, and conveyance of *Stormwater* specially benefit all *Developed Property* within the unincorporated area of the County; and

WHEREAS, Florida law authorizes and encourages local governments to create stormwater management systems, provide stormwater management services and facilities, and adopt stormwater charges sufficient to plan, construct, operate and maintain its stormwater management system; and

WHEREAS, the cost of operating and maintaining the County *Stormwater Management System* and providing *Stormwater Management Services and Facilities* in accordance with existing permits and the funding of existing and future repairs, replacements, improvements, and extensions thereof should, to the extent practicable, be allocated in relationship to the benefits enjoyed and services received; and

WHEREAS, on May 28, 2013, the Board of County Commissioners enacted an Ordinance amending ch. 18, Leon County Code of Laws, relating to the provision and funding of the County *Stormwater Management System*.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Leon County, Florida, that:

Section 1. **Recitals.** The Recitals set forth above are deemed incorporated herein as is fully set forth below.

Section 2. **Authority.** This Resolution is adopted pursuant to the authority granted the County under Article 8, Section 1, Florida Constitution, ch. 125 and 403, Florida Statutes, the Leon County Charter, and other applicable provisions of law.

Section 3. **Definitions.** For purposes of this Resolution, the definitions contained in section 18-134.2, Leon County Code of Laws, are incorporated herein by reference.

Section 4. **Resolution.** This Resolution shall constitute the *Stormwater Assessment Rate Resolution* as described in section 18-134.4(b), Leon County Code of Laws.

Section 5. **Provision of Stormwater Management Services and Facilities.** The County intends to provide *Stormwater Management Services and Facilities* for the benefit of all parcels of *Developed Property* located within the *Stormwater Services Area* commencing October 1, 2013. All or a portion of the cost to provide such *Stormwater Management Services and Facilities* shall be funded from the proceeds of the *Stormwater Assessment*.

Section 6. **Legislative Determinations.** It is hereby ascertained, determined, and declared that each parcel of *Developed Property* subject to the *Stormwater*

Assessment located within the *Stormwater Services Area* shall be specially benefited by the provision of *Stormwater Management Services and Facilities*, in an amount and to a degree not less than the *Stormwater Assessment* imposed against such parcel of *Developed Property*, in that such *Stormwater Assessment* as computed in a manner as set forth in this Resolution, constitutes a fair and reasonable charge for the provision of *Stormwater Management Services and Facilities.* It is hereby further ascertained, determined, and declared that the cost of providing *Stormwater Management Services and Facilities* used to compute the *Stormwater Assessment* constitutes a reasonable estimation of the ten (10) year average annual cost of providing *Stormwater Management Services and Facilities* to all parcels of *Developed Property* within the *Stormwater Services Area.* Lastly, the *Stormwater Assessment* is based upon the Leon County, Florida, Stormwater Utility Update, Final Report, dated April 5, 2013 (hereinafter "Rate Study") which is hereby specifically approved and adopted as Exhibit A, same being attached hereto and incorporated herein as if fully set forth below.

Section 7. Stormwater Assessment. A *Stormwater Assessment* is hereby levied and imposed upon each parcel of *Developed Property* located within the *Stormwater Services Area* and which is hereby ascertained, determined, and declared to be reasonably related to the cost of providing *Stormwater Management Services and Facilities* and thereby provides an equitably corresponding special benefit to the *Developed Property.* The *Stormwater Assessment* is hereby ascertained, determined and declared to be based upon a reasonable estimation of a ten (10) year average annual cost of providing *Stormwater Management Services and Facilities* to such *Developed Property.* It is further ascertained, determined and declared that the *Stormwater Assessment* imposed hereby provides a special benefit to and is equitably apportioned among the *Developed*

Properties assessed based upon the special benefit assumptions and apportionment methodology set forth in the Rate Study, Exhibit A. The amount of the *Stormwater Assessment* levied and imposed upon each parcel of *Developed Property* in the *Stormwater Services Area* shall be determined according to the property use category and rate as set forth in Exhibit B, Rate Schedule, commencing October 1, 2013, annually until discontinued or changed by the Board.

Section 8. Residential Credit. The Board hereby provides a fifty percent (50%) residential credit to the *Stormwater Assessment* for County residents owning and residing on residential *Developed Property* who have been qualified with the *Property Appraiser* as either a Low Income Senior or Disabled Veteran in accordance with Florida law. Funds designated by the Board to adequately fund the residential credit shall be paid from funds other than those generated by the *Stormwater Assessment*. The residential credit shall be effective commencing October 1, 2013, and continue annually until discontinued by the Board.

Section 9. Adjustment.

(a) The Board hereby finds that retention of *Stormwater* meeting the standards set forth in sections 10-4.301(3)(b) or (5)(a)(i) and (5)(b), Leon County Code of Laws, would constitute a significant and measureable reduction in County provided *Stormwater Management Services and Facilities*, resulting in an adjustment to the *Stormwater Assessment* to reflect only those costs associated with engineering and permitting services of the *Stormwater Management Services and Facilities* provided. Therefore, the Board hereby creates a 75% adjustment to the *Stormwater Assessment* for the subject *Developed Property*. Upon approval of an application of the owner, a 75% reduction to the *Stormwater Assessment* will be applied to a *Developed Property*,

when a privately owned stormwater management facility serving the subject property has a valid operating permit issued by the County, for a private residential subdivision or an on-site stormwater management facility serving a non-residential property, meeting the requirements of Section 18-134.4(f)(2)a.(1), Leon County Code of Laws. The 75% adjustment will commence October 1, 2013 and will remain in effect so long as the subject property owner's operating permit remains valid, or until such time as discontinued by the Board.

(b) The Board hereby finds that by demonstrating that *Stormwater* quality treatment and rate attenuation standards applicable at the time of approval of a County issued environmental permit have been met, would constitute a significant and measurable reduction in County provided *Stormwater Management Services and Facilities*. As a result, adjusting the *Stormwater Assessment* to reflect a portion of those costs associated with the *Stormwater Management Systems and Facilities* provided, would result in a 50% reduction in the *Stormwater Assessment*. Therefore, the Board hereby creates a 50% adjustment to the *Stormwater Assessment* for the subject *Developed Property*. Upon approval of an application of the owner, a 50% reduction to the *Stormwater Assessment* will be applied to a *Developed Property*, when a privately owned stormwater management facility serving the subject property has a valid operating permit issued by the County, for a private residential subdivision or an on-site stormwater management facility serving a non-residential property, meeting the requirements of Section 18-134.4(f)(2)a.(2), Leon County Code of Laws. The 50% adjustment will commence October 1, 2013 and will remain in effect so long as the subject property owner's operating permit remains valid, or until such time as discontinued by the Board.

(c) The Board hereby finds that by demonstrating that *Stormwater* rate attenuation standards applicable at the time of approval of a County issued environmental permit have been met, would constitute a significant and measurable reduction in County provided *Stormwater Management Services and Facilities*. As a result, adjusting the *Stormwater Assessment* to reflect a portion of those costs associated with the *Stormwater Management Systems and Facilities* provided would result in a 25% reduction in the *Stormwater Assessment*. Therefore, the Board hereby creates a 25% adjustment to the *Stormwater Assessment* for the subject *Developed Property*. Upon approval of an application of the owner, a 25% reduction to the *Stormwater Assessment* will be applied to a *Developed Property*, when a privately owned stormwater management facility serving the subject property has a valid operating permit issued by the County, for a private residential subdivision or an on-site stormwater management facility serving a non-residential property, meeting the requirements of Section 18-134.4(f)(2)a.(3), Leon County Code of Laws. The 25% adjustment will commence October 1, 2013 and will remain in effect so long as the subject property owner's operating permit remains valid, or until such time as discontinued by the Board.

(d) Upon approval of an application of the owner, a reduction to the *Stormwater Assessment* may be applied to the subject *Developed Property*, when the owner demonstrates by competent substantial evidence that alternative means or techniques have been utilized to accomplish the standards set forth in Section 18-134.4(f)(2)a.(1), Leon County Code of Laws.

Section 10. Collection of the *Stormwater Assessment*. The collection of the *Stormwater Assessment* shall be made pursuant to and in accordance with section 18-

134.5, Leon County Code of Laws and is authorized hereby, commencing October 1, 2013.

Section 11. Effective Date. This Resolution shall have effect upon adoption and shall apply to all parcels of *Developed Property* located within the unincorporated area of Leon County.

Done and adopted by the Board of County Commissioners of Leon County, Florida, this 28th day of May, 2013.

LEON COUNTY, FLORIDA

BY: _____
NICHOLAS MADDOX, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

ATTESTED BY:
BOB INZER, CLERK OF THE COURT
LEON COUNTY, FLORIDA

BY: _____
for Bob Inzer

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

BY: _____
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY

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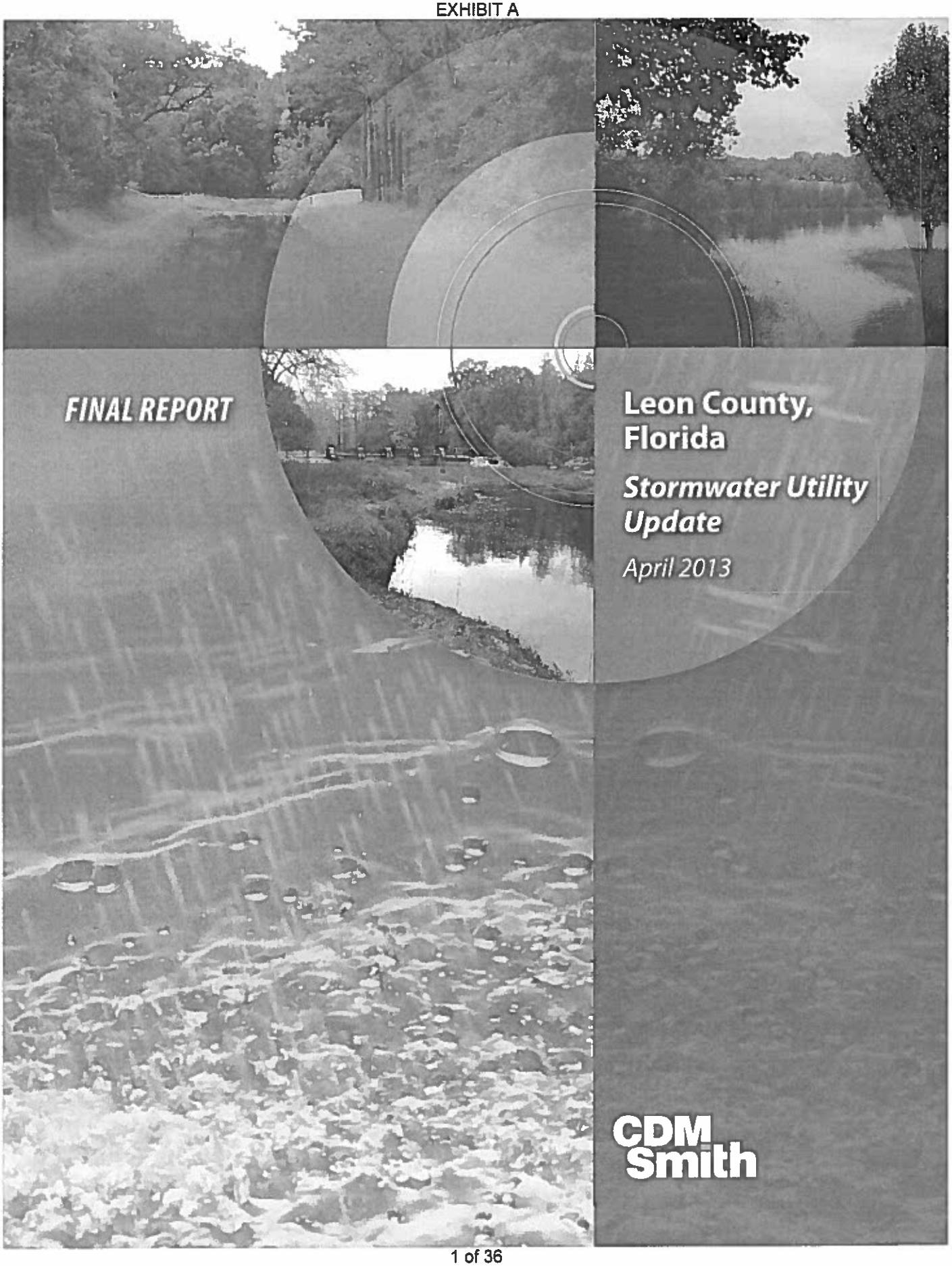

FINAL REPORT
Leon County, Florida
Stormwater Utility Update
April 2013
CDM Smith

EXHIBIT A

CDM Smith
1715 North Westshore Boulevard, Suite 875
Tampa, Florida 33607
tel: 813 281-2900
fax: 813 288-8787

April 5, 2013

Ms. Theresa Heiker, P.E.
Stormwater Management Coordinator
Engineering Services Division
Leon County Public Works Department
2280 Miccosukee Road
Tallahassee, Florida 32398

Subject: Stormwater Utility Update Final Report

Dear Ms. Heiker:

CDM Smith is pleased to submit the Stormwater Utility Update Final Report (5 copies). The final report incorporates final comments and decisions CDM Smith received from the County on March 8, 2013 and early April via e-mail. Highlights from the report are presented below.

Level of Service Analysis

CDM Smith worked with County staff to define program activities and expenditures for Service Areas presented in Figure 1. The assessed level-of-service (LOS) for each program element is highlighted in blue. In general, the County's program is between a LOS C and LOS D. This assessment is based upon services currently being provided by the County and the associated funding of those services as compared to other Florida communities.

Level of Service	Engineering & Permitting Activities	Operation and Maintenance Program Activities	CIP Implementation Period
A	Comprehensive Planning + Full Implementation Capabilities + Exemplary NPDES Permit Compliance	Fully Preventative/ 100% Routine	10-year Plan
B	Pro-Active Planning + Systematic CIP Implementation Capabilities + Proactive Permit Compliance	Mixture of Routine and Inspection Based	20-year Plan
C	Priority Planning + Partial CIP Implementation Capabilities + Minimal NPDES Permit Compliance	Inspection Based Only	40-year Plan
D	Reactionary Planning + Minimal CIP Implementation Capabilities + Below Minimum NPDES Permit Compliance	Mainly Responsive (Complaint-based)	50-year Plan
F	No Planning + No CIP Implementation Capabilities + NPDES Non-Compliance	Less than full response to all complaints	100-year Plan

Figure 1
LOS Analysis of County Stormwater Program Elements

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CDM Smith

In order to maintain the current LOS being provided by the County, and the elimination of the transfer of general revenues to the stormwater utility fund, the updated stormwater utility would need to generate the revenue shown in Table 1. As an option, CDM Smith also considered at the request of the County an additional scenario to add $2 million in annual revenue for capital improvements.

Table 1
Stormwater Program Costs

Program Element	Budget	% of Total
Engineering & Permitting, and NPDES	$1,350,000	26.2%
Operations & Maintenance	$1,800,000	35.0%
Capital Improvement Program	$2,000,000	38.8%
Total	$5,150,000	100.0%

Rate Structure Analysis

CDM Smith worked with County staff to define and evaluate various stormwater utility rate structure scenarios to generate the program costs. This included an assessment of impervious area characteristics of parcels located in unincorporated Leon County and the selection of a "single family dwelling unit" (SFU) as the basis for assigning fees to parcel owners. Based on the input from County staff, the preferred rate structure includes tiered non-single family residential rates, non-residential rates based upon their equivalent number of SFU's and the allowance of a credit adjustment. The analysis considered the cost of service within the defined Urban Service Area (USA). Also, the analysis showed that the rate for the USA would be only slightly different than the non-USA area, which may not support the need for different service areas.

Based on the number of SFU's in the County, to generate $5.15 million in annual stormwater program costs, the fee is estimated to be $140 per SFU per year assuming a 95 percent collection. To fund the stormwater program costs using a graduated 5-year approach, the fee would start out at $44 per year per SFU, and increase by $24 per year per SFU for each of the next 4 years. After five years, the ultimate rate would be $140 per year per SFU. These estimates are based on a 2 percent growth per year in revenue needs and a 1 percent growth per year (i.e., new construction) in revenues.

We appreciate working with the County on this very important project and look forward to future opportunities.

Sincerely,

Scott McClelland
Vice President
CDM Smith Inc.

cc: Brian Mack

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Section 1
Introduction

In October 2012, Leon County (the County) contracted with CDM Smith to prepare a Stormwater Utility Update Study (the 2012 Study). Procurement for these services was based upon the findings and recommendations from the Board of County Commissioner's Workshop on Stormwater and Solid Waste Non-Ad Valorem Assessments and Transportation Taxes held in February 2012. The original purpose of the 2012 Study was to identify the necessary funding to maintain adequate levels-of-service (LOS) for the County's stormwater management program and to determine the feasibility of eliminating the approximate $2 to $3 million subsidy from the County's general fund for stormwater services.

To accomplish this goal, CDM Smith prepared a LOS analysis of the County's stormwater programs (Section 2), performed a rate structure analysis (Sections 3 and 4), and developed subsidy elimination scenarios (Section 5). Also, as part of this work, CDM Smith developed a simple rate model using MS Excel ©, which has been provided to the County. This document summarizes the results and conclusions made for each of these tasks.

In order to compare the various rate structure options considered in Sections 3 and 4, the 2011 Stormwater Utility Survey (2011 Survey) prepared by the Florida Stormwater Association (FSA) was used. This survey included 81 respondents, of which 71 were cities and 10 were counties.

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Section 2
Level of Service

2.1 Stormwater Levels of Service (LOS)

For the purposes of this evaluation, stormwater management services for the County have been organized into four categories as described below:

- **Engineering & Permitting Services (EPS)** – this area of service provides for the management and planning of the stormwater assets for the County. Included are program administration, planning, development review, total maximum daily load (TMDL) Engineering & Permitting, enforcement and monitoring. Also, this includes the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit (FLS000033) compliance activities that are not otherwise accounted for in the other categories.
- **Operation and Maintenance Services (O&M)** – these services include the maintenance of the stormwater assets of the County including mowing, cleaning, litter control, and minor repair.
- **Capital Improvement Program (CIP)** – this includes major construction of new stormwater assets for the County. Projects are generally identified annually in the 5-year CIP program.

In an ideal world with unlimited funding, stormwater management activities would be completed at the highest level. This would result in routinely maintaining all systems, constructing facilities to control every storm, planning for all watersheds to ultimate build out, and performing award winning NPDES compliance. In reality, such funding is not available and thus, services must be provided at a reasonable level that balances services desired by the public with the limited funding available. This level of service (LOS) varies depending on the desires of the community and the issues that need to be addressed.

In order to define the stormwater services provided by the County to its citizens, this study will compare stormwater services provided by the County to a set of standards. The term "LOS" is used in this study to describe the magnitude of beneficial results gained by the community and the environment from the County's stormwater program. A higher LOS will result in better flood control and protection, better control of erosion and sedimentation, and better water quality and stream habitat. This LOS concept is useful for assessing each of the four major stormwater program areas that have been described previously (Engineering & Permitting which includes NPDES Compliance, Operation and Maintenance, and Capital Improvements).

For the purposes of this study, different LOS have been defined and assigned standard letter grades, with "A" being the highest and "F" being the lowest. These standard definitions facilitate evaluation of the LOS currently being provided by the County's stormwater program, and allow consideration of alternative LOS, with their associated benefits and costs. A LOS "F" is considered to be below the minimum regulatory requirements and expectations of the community.

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A matrix has been developed to assist in understanding the different LOS as they relate to the four major program areas (**Figure 2-1**). Within this matrix, the first column contains the LOS letter grade identification ranging from "A" to "F." Subsequent column headings are provided for the four program areas, and each box within the matrix contains a brief description of the key elements required to achieve the given LOS for each program area. Later in this section, the County's current stormwater program is assigned a letter grade for each program area based on these LOS definitions. CDM Smith also evaluated the current cost of stormwater services as compared to other communities.

Level of Service	Engineering & Permitting Activities	Operation and Maintenance Program Activities	CIP Implementation Period
A	Comprehensive Planning + Full Implementation Capabilities + Exemplary NPDES Permit Compliance	Fully Preventative/ 100% Routine	10-year Plan
B	Pro-Active Planning + Systematic CIP Implementation Capabilities + Proactive NPDES Permit Compliance	Mixture of Routine and Inspection Based	20-year Plan
C	Priority Planning + Partial CIP Implementation Capabilities + Minimal NPDES Permit Compliance	Inspection Based Only	40-year Plan
D	Reactionary Planning + Minimal CIP Implementation Capabilities + Below Minimum NPDES Permit Compliance	Mostly Responsive (Complaint-based)	50-year Plan
F	No Planning + No CIP Implementation Capabilities + NPDES Non-compliance	Less than full response to all complaints	100-year Plan

Figure 2-1 Leon County, Florida Stormwater Utility Update

2.1.1 Engineering & Permitting Level of Service Descriptions

A high LOS related to Engineering & Permitting provides benefits to the community and environment through the following means:

- Comprehensive planning of stormwater management activities and practices increases the opportunity to implement recommendations prior to development or redevelopment occurring, thus decreasing the costs and improving the effectiveness of these best management practices.
- A proper staffing level of County personnel to oversee and manage other program areas (i.e., operation and maintenance and capital improvements) improves the cost-effectiveness and efficiency of these program areas.
- A proper staffing level of County personnel to monitor and enforce stormwater rules and regulations increases the level of compliance by the regulated community, better protecting the community and environment from unlawful activities.
- Full compliance with all state and federal regulatory programs allows the County to qualify and gain higher priority for potential funding opportunities when they are available to the County, and avoids potential fines and/or environmental damage that may result from non-compliance. The data and information gained from monitoring activities required by these programs allows the County to make better decisions as to where to apply resources to gain the most benefit and as to the effectiveness of past and ongoing activities in achieving desired benefits.

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To a large degree, the LOS of the Engineering & Permitting area depends upon the corresponding LOS of the other two major program areas, operation and maintenance and capital improvements. This is because County staff members are required to oversee and manage these other program areas to ensure their cost-effectiveness and efficiency.

However, there are other elements within the Engineering & Permitting area that are not related to O&M or capital improvements. These include enforcement of County development and environmental regulations (e.g., plan review and inspections for soil and erosion control and floodplain regulation, and inspections of stormwater facilities controlling existing development). Other activities that would fall under the Engineering & Permitting category include public information and education about stormwater-related issues, and other supporting functions such as information management, finance, billing, and administration.

The County was first issued its NPDES MS4 permit by the Florida Department of Environmental Protection (FDEP) in 1997 (Permit No. FLS000033). The permit was reissued in 2003 and again on November 1, 2011. Under this permit, the County is required to accomplish and report on various stormwater management activities. Currently, these activates are managed and funded under engineering and permitting services. Compliance is measured by the State using annual reports prepared by the permittee documenting all of the permit related activities accomplished during the permit year.

The various LOS for Engineering & Permitting are described below:

- **LOS A:** Watershed planning completed or scheduled dealing with existing and future stormwater problems (drainage and water quality); complete inventory of stormwater system in a geographic information system (GIS) database. Includes exemplary and/potentially award winning compliance with State and Federal NPDES permit requirements.
- **LOS B:** Increased planning for the watershed considering not only existing problems but also future problems that may be caused by growth; partial stormwater system inventory and sufficient management to administer the program and complete limited CIP projects. Provides proactive NPDES compliance with permit conditions and represents activities that are better than simply a minimal compliance with the letter of the permit, no substantive comments or requests from the annual report review and associated FDEP inspection.
- **LOS C:** Partial planning of watershed, limited stormwater system inventory and some ability to manage capital improvement projects; planning focused on dealing with major or significant existing problems. Middle-of-the-road and minimal accepted LOS with adequate compliance with NPDES permit conditions, some comments received during the annual review, but no major compliance issues are received from FDEP.
- **LOS D:** Poor management characterized by minimal or no planning; some ability to perform project management for capital projects; poor inventory of stormwater system and limited staff to administer the program. Not complying with NPDES permit conditions, characterized by substantive comments on the annual report and during the annual inspection.
- **LOS F:** No management or planning, no system inventory, and no ability to accomplish CIP projects or planning. Non-compliance with major NPDES permit conditions, with the permittee subject to potential fines from the state for noncompliance.

2.1.2 Operation and Maintenance Level of Service Descriptions

A high LOS related to operation and maintenance provides benefits to the community and environment through the following means:

- The useful life of the County's stormwater infrastructure is extended through proper operation and routine maintenance of these assets. This results in cost savings by delaying the need for major rehabilitation or replacement of these assets
- Cleaning of swales, catch basins, culverts, and ditches maintains the hydraulic capacity of these items, thus decreasing the frequency of flooding that may occur upstream of and in the vicinity of these areas.
- Regular removal of trash, debris, sediment, and excess vegetation from the stormwater system improves water quality of streams and downstream waterways as well as the aesthetic value of these areas to the community. Regular street sweeping and greenway maintenance achieves similar benefits.

The LOS for O&M are described below:

- **LOS A:** Highest O&M service level that is fully preventative – all maintenance is completed routinely, addressing every stormwater facility once or more each year.
- **LOS B:** Mixture of routine and inspection based maintenance. Critical structures are routinely maintained, both periodically during each year and possibly before each storm event, and non-critical structures are maintained based on inspection.
- **LOS C:** Inspection based maintenance whereby all structures are routinely inspected by management and maintenance is scheduled according to the inspection.
- **LOS D:** Complaint-based maintenance – all maintenance is done based on citizen complaints; generally characterized by work order based activities resulting from citizen call in complaints.
- **LOS F:** Less than complaint-based maintenance, with limited or no ability to even respond to complaints.

Once achieved, a LOS "A" may be less costly than lower LOS because it should reduce the frequency of high-cost capital expenditures such as repairs to failed facilities, unscheduled labor overtime, and high administrative costs. The challenge, however, is that the transition from a lower LOS to a LOS "A" cannot be achieved immediately.

2.1.3 Capital Improvements Level of Service Descriptions

A high LOS related to capital improvements provides benefits to the community and environment through the following means:

- Construction of stormwater system conveyance improvements reduces flooding in known problem areas, thus better protecting public and private property from flood damage.
- Protection and/or improvement of existing lakes, ponds, and wetlands supports downstream water quality objectives by providing treatment of stormwater runoff entering these waters.

- Acquiring and preserving stream buffers and other environmentally sensitive areas provides water quality improvement, increased habitat opportunities, and improved aesthetic value of the surrounding environment.
- Restoration and/or stabilization of streams and other areas subject to erosion reduces sediment transport, thus decreasing the need for downstream maintenance and improving downstream habitat.

Alternate LOS associated with capital improvements primarily distinguishes between the level of funding and rate of implementation for identified capital improvement needs. LOS "F" through "A" were assumed to correspond to an implementation period of 100 years to 10 years, respectively. The implementation schedule for capital improvements under any of these LOS could be accelerated through the issuance of revenue debt, with annual stormwater utility fees servicing the debt. It should be noted, however, that deferred implementation of some capital improvements would likely increase the costs of the required improvements, thus further delaying the schedule for full implementation.

2.2 Description of Current County Stormwater Program

2.2.1 Engineering Services Division

The goal of the Engineering Services Division "is to provide the public with professional services for the construction and maintenance of cost-effective infrastructure to enhance the community's quality of life". Within the Engineering Services Division are four full time employees dedicated to the County's stormwater management program. There are other staff within the Engineering Services Division that dedicate a portion of their time to stormwater management services. The appropriation of stormwater related costs is discussed later in this document. In general, the stormwater services provided by the Engineering Services Division include:

In-house Design Services

For small CIP projects, the Engineering Services Division provides in-house design services.

Project Management Services for CIP

For stormwater CIP projects, the Engineering Services Division provides project management services. This includes oversight of the technical aspects of the project during both design and construction.

Review of Development Plans

The Engineering Service Division is also periodically asked to review the stormwater elements of development plans submitted to the County. The review includes the associated stormwater management systems intended to meet local, state, and federal requirements. Support is also provided on wetland planting plans or review of environmental impacts.

Inspections of New Construction Sites

In addition to review of development plans, the Engineering Services Division is responsible for construction inspection activities that include enforcing erosion and sediment best management practices for County construction projects.

Stormwater Engineering & Permitting and Planning

These activities primarily focus on staff time associated with the continued management and planning of the County's stormwater services. Increased Engineering & Permitting services may be needed to

address the regulatory changes affecting how the County manages new mandates related to improved water quality. The County also represents County interests with the BluePrint 2000 program.

Stormwater Master Planning

Under the direction of the Engineering Services Division, a stormwater master plan was completed in 1995 for the County's Primary Stormwater Management System (PSMS). Since the completion of the study, the County has been implementing CIP projects to address identified problem areas as funding becomes available. In recent years, funding of CIP projects has been accomplished with grant monies and other sources. No CIP funding has come from the existing stormwater utility.

CIP Program

On an annual basis, the County updates and prioritizes its CIP needs and then implements the project as funding becomes available. CIP prioritization is based upon previous master planning efforts and flooding complaints from the community. Priority has been given to flood complaint based projects. As a result of aging infrastructure, it is expected that the CIP needs will increase, and thus will require additional funding. Currently, the existing stormwater utility is not used for funding of the County's CIP program. Since 2003, the County has averaged approximately $4.6 million in expenditures in its stormwater CIP.

Grant Funding Pursuits

The Engineering Services Department look for opportunities for grant funding of stormwater related services. The most recent example is grant monies secured as a result of Tropical Storm Faye to mitigate flooding problems that occurred as a result of the storm.

Total Maximum Daily Load (TMDL) Engineering & Permitting

The TMDL program requires governments to reduce pollutant loads to impaired waters as identified by the Florida Department of Environmental Protection (FDEP) and/or the Environmental Protection Agency (EPA). As a result of TMDL regulations, the County may be required to reduce pollutant loads leaving its stormwater system into waters of the United States. The County has a list of waters deemed impaired by FDEP and the EPA. It is expected that the County will have to look at opportunities to reduce nutrients in several of the basins.

NPDES MS4 Compliance & Reporting

The County has been meeting the requirements for their NPDES MS4 since first being issued (Permit No. FLS000033). In 2011, FDEP has renewed the permit, which requires the County to expand their stormwater program moving forward. Under the new permit, the County is now responsible for several new/enhanced activities. These activities will require additional funding to be compliant with the permit conditions.

Stormwater Utility Program

The Engineering Services Division is responsible for the administration of the Stormwater Utility Program.

2.2.2 Operation Services Division

Following a reorganization effort in 2008, the Operation Services Division of Public Works became responsible for the following services areas:

- Transportation Maintenance;

- Right-of-Way Management; and,
- Stormwater Maintenance.

Each of these three functions involves O&M services for stormwater management systems as described in the paragraphs below.

Transportation Maintenance

The goal of the Division of Operations Transportation Program is to "provide for the safety, comfort, and convenience of the public by creating, maintaining, and managing infrastructure and programs supporting transportation, roadside beautification, and stormwater maintenance". Activities related to stormwater management provided under transportation maintenance services include dirt road grading, stabilization and ditch maintenance.

Based upon Tallahassee Leon County GIS street segment data, there are 1,365 lane-miles that are currently being maintained by the Operations Services Division. Approximately, 51 percent of these roads are located within the Urban Service Area (USA). The County also estimated that 628 of the 1,365 lane-miles (46 percent) have a greater functional designation than "local road". For these roads, the expenses associated with transportation and stormwater O&M activities should be shared between transportation and stormwater funding sources. Sharing of these costs is common practices throughout Florida municipalities.

For the unpaved roads, the County provides grading services, including the adjacent roadside ditches on an approximate 14 day cycle. The County has 2 excavation crews available for this purpose. Additionally, the County maintains approximately 107 lane-miles within the City of Tallahassee limits. Approximately 46 percent of the lane-miles within the City limits are served by curb and gutter and closed systems (pipes) for stormwater management. The remainder is served by open systems (e.g. swales).

Right-of-Way Management

The goal of the Division of Operations Right-of-Way Management is to "provide for the safety, comfort, and convenience of the public by managing programs that support transportation, roadside beautification, and stormwater maintenance". Activities related to stormwater management under Right-of-Way management include:

- Mowing in landscape areas of County rights-of-way; and,
- Maintenance of vegetation in County maintained stormwater facilities.

The County mows approximately 500 miles of road Right-of-Way, five times each year (2,500 miles of roadway mowing annually). In addition, the County maintains approximately 42 acres of landscaped areas 11 times each year. The County expects more landscaped stormwater facilities in the future as a result of increased interests in green infrastructure for water quality improvement, and therefore, the demand for O&M services will increase.

Operations – Stormwater Maintenance

The goal of the Division of Operations Stormwater Maintenance Program is to "provide for the safety, comfort, and convenience of the public by creating, maintaining, and managing infrastructure and

programs supporting transportation, roadside beautification, and stormwater maintenance". Activities related to stormwater management under Stormwater Maintenance include:

- Maintaining open and closed County owned drainage systems;
- Protect citizens from stormwater runoff (flooding);
- Provide silt removal from open and closed stormwater systems;
- Provide erosion protection through sod and hydromulch of ditches;
- Respond to stormwater issues identified by citizens;
- Construction and/or repair of stormwater structures (i.e., swale ditch blocks, inlets, etc.);
- Conduct routine maintenance to stormwater ponds and ditches (i.e., mowing, fence repair, etc.);
- Remove silt from County owned ponds and replace stormwater filter systems;
- Provide pond stabilization for erosion protection; and,
- Conduct inspections of stormwater ponds and conveyance systems for permit compliance.

As indicated above, the majority of stormwater services are provided by the Division of Operations under Stormwater Maintenance. It should be noted that approximately 75 percent of stormwater services are complaint based. The County maintains approximately 300 stormwater ponds. All but 10 of the stormwater ponds are "dry" ponds and require mowing. Mowing of the County-owned ponds is inspection-based and not complaint-based. Aquatic weed control is provided as necessary.

The County provides operation and maintenance services for approximately 60 miles of ditches, broken into 60 maintenance segments. Approximately25 percent of the segments receive O&M annually. Pond maintenance also includes debris removal and mowing of the banks of Lake Henrietta. Two County crews are used to provide approximately 150,000 linear feet of ditch maintenance annually (28 miles per year). A third crew was eliminated during the last reorganization of the Operations Division.

2.3 Current County Stormwater Program Funding Summary

Based upon review of the Fiscal Year 2012/2013 Annual Budget Five-Year Financial Plan (Budget Document), and the information provided by the Leon County Office of Management and Budget, CDM Smith compiled a stormwater service funding and appropriation table (**See Table 2-1**). As can be seen from the table, the average budget for stormwater services for Fiscal Year 2011 through Fiscal Year 2013 is approximately $4.8 million. Of the $4.8 million, approximately $1 million comes from the non-ad valorem assessment (stormwater utility fees), $1.2 million from the Transportation Trust Fund, $2.5 million from the non-countywide fund, and the balance from miscellaneous sources. To account for the funding to pay for related stormwater and engineering services, funds are transferred between stormwater and transportation funds. It is important to note that both of these funds are supported by General Revenue. $1.2 million in transportation funds are transferred to the stormwater program to fund the maintenance of stormwater systems associated with roadways. The County's engineering services, including stormwater engineering costs, are accounted for in the Transportation Trust Fund. $1.6 million in revenue from the Stormwater Fund is paid back to the Transportation Trust Fund to pay for related engineering and operating services. Additionally, it is the goal of the County to

Table 2-1
Leon County, Florida
Stormwater Utility Update - Stormwater Management and Operations Budgets and Costs
As Shown in the Leon County Annual Budget, 5-Year Financial Plan and CIP, FY12/13

Revenue Sources for Stormwater Utility Fund	FY 2011 Actual Revenue	FY 2012 Adopted Revenue	FY 2013 Budget Revenue	3-Year Average
Non Ad-valorem Assessment	$1,006,742	$1,021,250	$1,004,150	$1,010,714
City Permit Water Atlas	$18,750	$25,000	$0	$14,583
Pooled Interest Allocation	$37,644	$35,625	$44,745	$39,338
Other Sources	$137,245	$0	$0	$45,748
Transfer from 106 (Transp. Trust)	$1,179,177	$1,248,251	$1,072,112	$1,166,513
Transfer from 126 (non- countywide)	$1,890,951	$2,618,647	$2,985,242	$2,498,280
Miscellaneous	$0	$290,000	$0	$96,667
	$4,270,508	$5,238,773	$5,106,249	$4,871,843
Actual Expenses or Budgeted Expenses for Stormwater Utility Fund	**FY 2011 Actual Expenses**	**FY 2012 Adopted Budget**	**FY 2013 Requested Budget**	**8-Year Average**
Stormwater Maintenance [1]	$2,241,834	$2,774,701	$2,748,500	$2,588,345
MIS Automation - Stormwater	$626	$568	$500	$565
Stormwater Utility Risk	$35,769	$32,231	$19,644	$29,215
Indirect Costs - Stormwater	$549,016	$619,399	$425,552	$531,322
Tax Collector	$20,849	$17,910	$18,447	$19,069
Water Quality & TMDL Sampling	$37,500	$59,940	$0	$32,480
Transfers to Account 106	$1,067,204	$1,699,024	$1,886,104	$1,550,777
Budgeted Reserves - Stormwater	$0	$35,000	$35,000	$23,333
	$3,952,798	$5,238,773	$5,133,747	$4,775,106

eliminate the transfer of the approximate $2.5 million of Non-Countywide funds with revenue generated from the updated stormwater utility rate structure.

The County expends $4.8 million for various stormwater related activities. Approximately $2.6 million is spent on stormwater O&M, $1.6 million is transferred back for engineering services, and the remaining $600,000 is spent on various other stormwater functions located in the stormwater fund.

It is a common practice for other County stormwater programs in Florida to fund the O&M for major roads using transportation funds. Consistent with this practice, in future years, the County has identified $800,000 in the Transportation Trust Fund for stormwater O&M on major roads. The County estimated this cost using the assumption that 46% of County roads are classified as greater than "local" and that 67% of O&M budget ($2.6 million) is spent on roadway stormwater maintenance ($2.6 million x 67% x 46%= $800,000). As a result, the stormwater utility will only need to fund $1.8 million for stormwater facility and conveyance O&M and not the full $2.6 million ($2,600,000 - $800,000). Therefore, the actual funds that will be appropriated from the stormwater utility fund will be $3.15 million.

Historically, the County has spent an average of $4.6 million on its CIP program (FY2003 – FY2012). The majority of the dollars were secured from revenue sources other than what is generated by the County's current stormwater assessment fee. Moving forward, the County anticipates using approximately $2.0 million for its stormwater CIP program as a minimum amount. This is based upon the last 10 years of stormwater CIP appropriations from the County's CIP program, Gas Tax, and Local Options Sales Tax. A summary of the historical CIP expenditures by fund is presented in **Table 2-2**.

Based on a review of the existing County stormwater program by CDM Smith, discussions with county staff, and the LOS definitions provided previously, the following LOS ratings are provided for the current County stormwater program.

2.3.1 Current Engineering & Permitting LOS

The County's currently provides a LOS C for Engineering & Permitting. While the County completed a stormwater master plan in 1995, it has not been updated nor have basin plans related to water quality protection been completed. Also, the County continues to inventory of stormwater facilities.

2.3.2 Current NPDES Compliance LOS

Based on this assessment of the compliance activities for the County, the existing program has achieved adequate compliance so would be designated a LOS C. The County does additional stormwater monitoring above what is required for permit compliance.

2.3.3 Current Operation and Maintenance LOS

The existing O&M LOS is primarily complaint based. There are limited inspection based O&M practices related to pond mowing. Based upon the LOS criteria previously defined in Figure 2-1, the current LOS provided by the County is D. This LOS rating is indicative of resource limitations and not effort.

2.3.4 Current Capital Improvements LOS

The current LOS provided by the County related to capital improvements associated with stormwater management is LOS D+. Projects are completed based upon need and fiscal resources. It should be noted that the currently, the stormwater utility does not fund the County's stormwater CIP.

Table 2-2
Leon County, Florida
Stormwater Utility Update - Capital Expenditures and Source of Funding

Capital Improvement Projects - Funding Source	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	10-Year Average
Grants - 125	$0	$508,671	$21,391	$0	$1,641,670	$110,057	$200,000	$308,021	$1,097,013	$2,086,385	$597,321
Capital Improvements Fund - 305	$509,975	$1,361,643	$1,388,050	$2,021,548	$1,838,855	$615,355	$1,350,106	$2,171,559	$2,098,912	$2,306,180	$1,566,218
Transportation Fund - 306	$0	$1,863	$9,722	$294,483	$35,616	$32,677	$37,486	$80,172	$199,875	$49,759	$74,165
Sales Tax Fund - 308	$10,914	$161,000	$118,891	$326,234	$0	$0	$0	$0	$0	$0	$61,704
Sales Tax Extension Fund - 309	$71,778	$2,753	$937,510	$6,857,166	$1,185,613	$1,997,770	$1,796,482	$1,812,261	$653,984	$2,593,600	$1,790,892
Bond Series - 318	$1,474,768	$2,733,623	$581,544	$261,867	$37,382	$0	$0	$0	$0	$0	$508,918
Totals	$2,067,435	$4,769,553	$3,057,108	$9,761,298	$4,739,136	$2,755,859	$3,384,074	$4,372,013	$4,049,784	$7,035,924	$4,599,218

Capital Improvement Projects - Funding Source	10-Year Average
Capital Improvements Fund - 305	$1,566,218
Transportation Fund - 306	$74,165
Sales Tax Fund - 308	$61,704
Totals	$1,702,088

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Figure 2-2 illustrates the current LOS for the County based on this assessment. Overall, the County is assessed as being between a C and D+ for the LOS.

Level of Service	Engineering & Permitting Activities	Operation and Maintenance Program Activities	CIP Implementation Period
A	Comprehensive Planning + Full Implementation Capabilities + Exemplary NPDES Permit Compliance	Fully Preventative/ 100% Routine	10-year Plan
B	Pro-Active Planning + Systematic CIP Implementation Capabilities + Proactive NPDES Permit Compliance	Mixture of Routine and Inspection Based	20-year Plan
C	Priority Planning + Partial CIP Implementation Capabilities + Minimal NPDES Permit Compliance	Inspection Based Only	40-year Plan
D	Reactionary Planning + Minimal CIP Implementation Capabilities + Below Minimum NPDES Permit Compliance	Mainly Responsive(Complaint-based)	50-year Plan
F	No Planning + No CIP Implementation Capabilities + NPDES Non-compliance	Less than full response to all complaints	100-year Plan

Figure 2-2 Leon County, Florida Stormwater Utility Update

2.4 Existing Program Cost Comparison

CDM Smith used a "top-down" approach to establish a base line for varying levels of service. This approach uses standard unit costs to estimate the total program cost. Typically, costs are related to population (i.e., cost per capita) or to road or lane mile, with the latter tending to relate best to O&M costs and the former relating to total and Engineering & Permitting costs. **Table 2-3** shows the results for a number of communities in Florida and other states for which population, funding, road miles and level of service were available. Based on these data, the top-down costs for the different LOS above the current LOS for the County was estimated.

Table 2-3 Leon County, Florida Stormwater Utility Update LOS Costs

Population Based Level of Service (EPS, O&M, CIP)	Average	Minimum	Maximum
A	$61	$59	$63
B	$44	$27	$60
C	$25	$17	$43
D	$21	$12	$28
Lane Mile Based Level of Service (O&M only)	**Average**	**Minimum**	**Maximum**
A	$12,201	$6,550	$17,852
B	$8,044	$3,148	$11,104
C	$6,079	$2,698	$10,090
D	$2,442	$1,216	$3,216

As previously shown in Table 2-1, the County spends approximately $3.95 million on its stormwater program, including the $800,000 from the Transportation Trust Fund. Using a population estimate of 95,000 (2011 Census Estimate), this is an equivalent cost of $42 per capita for stormwater services. Using the benchmark data presented in Table 2-3, this is between a LOS C and LOS B. When you consider the County appropriates a portion of its stormwater budget on stormwater maintenance activities associated with roadways within the City of Tallahassee limits, the result would move the benchmark LOS closer to LOS C. This result is consistent with the LOS determination using County specific data (see Section 2.3).

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A comparison of the O&M LOS based upon the lane miles of County road currently being maintained was also performed. Currently, the County maintains approximately 1365 lane-miles of roadway. As previously discussed, approximately 694 lane-miles are within the USA and 107 lane-miles are within the City of Tallahassee limits. Because the County maintains roads inside city limits and the costs for this work is included in the overall expenses recorded here, the LOS is identified with Table 2-3 is slightly lower than it is in reality. Based upon the $2.6 million appropriation for stormwater O&M (see Table 2-1), the County spends approximately $1,904 per roadway lane-mile on stormwater O&M services. Based upon the benchmark information presented in Table 2-3, this equates to a LOS D, which is consistent with the LOS determination using County specific data (see Section 2.3).

2.5 Stormwater Program Level of Service Improvements

The cost of the County's stormwater program at the current LOS is $3.95 million. As previously discussed, approximately $800,000 will come from the Transportation Trust Fund to maintain arterial and collector roadways ,leaving $3.15 million to be funded by the stormwater assessment, annually. The recommended allocation of the $3.15 million is presented in **Table 2-4**. In order to provide $2 million for its CIP program into the stormwater utility fund, the total revenue needed from the stormwater utility fee would be $5.15 million.

Table 2-4 Leon County, Florida
Stormwater Utility Update – Stormwater Management and Operation Estimated Budgets Excluding and Including CIP

Revenue Sources for Stormwater Utility Fund	Existing Budget
Engineering & Permitting Services	$1,350,000
Stormwater Maintenance	$1,800,000
Total	$3,150,000

Revenue Sources for Stormwater Utility Fund	Future Budget
Engineering & Permitting Services	$1,350,000
Stormwater Maintenance	$1,800,000
Capital Improvement Projects	$2,000,000
Total	$5,150,000

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Section 3
Parcel Analysis

A stormwater utility program includes a utility fee that is generally based upon the amount of impervious area on a fee payer's land. Generally, the greater the amount of impervious area, the greater amount of stormwater runoff and, subsequently, the greater the effort local cities and counties have to expend to control the runoff. While there are a number of parameters related to runoff, the best parameter is the amount of impervious area. Therefore, to understand the stormwater assessment for Leon County (the County), this project included a study of impervious area as well as other parcel-based information that may be pertinent to the utility assessment.

Based on CDM Smith experience, it has been found in Florida and other parts of the country that there tend to be two distinct categories of parcels which need study: residential and non-residential. Generally, the impervious areas of residential parcels represent relatively uniform classes while the impervious areas for non-residential parcels vary significantly.

Provided in this section is a discussion of the parcels in the study area. The data used in the analysis were obtained from Tallahassee-Leon County GIS (GIS). A brief description of the data and techniques used is provided prior to the consideration of the results for each general parcel type.

3.1 Tallahassee-Leon County GIS and Leon County Appraisal Data

The GIS staff provided CDM Smith with parcel specific GIS and database information. From these records and conversations with the GIS staff, a dataset of parcel information was obtained, a summary of which is provided below.

3.2 Results of Parcel Assessment

A summary of the 2012 parcel data for the Unincorporated County as defined by GIS & LCPA data is provided in **Table 3-1**. The table lists the parcel types, number of parcels encountered in the dataset, number of estimated dwelling units, the impervious areas used for the assessment and the assessment revenues. The data are separated into residential, non-residential and vacant categories. The percentages are rounded to the nearest 10th percent. Also included in these tables are the relative percent of the County each category represents. It should be noted that there are a number of "vacant" parcels as defined by the GIS datasets (1,289 to be precise). These parcels, although coded as if they have no development (i.e., vacant), were considered in the analysis as they did have onsite improvements such as mobile homes or parking areas. For the purposes of the summary the 100 Department of Revenue Codes were categorized as follows:

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Table 3-1 Leon County, Florida
Stormwater Utility Update
Summary of Unincorporated County Parcel Data FY 2011-2012

Parcel Type	No. of Parcels	% of Total	Estimated Dwelling Units	% of Total	Impervious Area (sq ft)	% of Total	SWU Assessment	% of Total
Residential								
Single Family [1]	27,130	73.6%	27,130	73.4%	107,177,177	64.3%	$542,600	58.4%
SFR with > 1 DU	769	2.1%	1,900	5.1%	4,958,171	3.0%	$38,020	4.1%
Mobile Home	5,652	15.3%	5,652	15.3%	12,031,183	7.2%	$113,040	12.2%
Mobile Home with >1 DU	451		1,091		1,944,451		$21,820	
Condominium								
Multifamily 2-9 DUs	264	0.7%	669	1.8%	929,558	0.6%	$13,380	1.4%
Multifamily >9 DUs	3	0.0%	332	0.9%	1,091,838	0.7%	$1,060	0.1%
Misc. Residential	204	0.6%	204	0.6%	508,874	0.3%	$4,780	0.5%
Subtotal Residential	34,473	93.6%	36,978	100.0%	128,641,252	77.1%	$734,700	79.0%
Nonresidential								
Commercial	477	1.3%			15,650,717	9.4%	$71,918	7.7%
Industrial	253	0.7%			7,876,516	4.7%	$39,704	4.3%
Agricultural	1	0.0%			61,734	0.0%	$40	0.0%
Institutional	50	0.1%			1,748,510	1.0%	$9,134	1.0%
Churches	138	0.4%			2,736,354	1.6%	$17,406	1.9%
City/County	45	0.1%			1,224,439	0.7%	$5,384	0.6%
Governmental	25	0.1%			1,738,624	1.0%	$1,776	0.2%
Public Schools	9	0.0%			2,491,003	1.5%	$2,206	0.2%
Miscellaneous	80	0.2%			750,427	0.4%	$6,964	0.7%
Subtotal Nonresidential	1,078	2.9%			34,278,324	20.6%	$154,532	16.6%
Vacant								
Vacant Residential	1,171	3.2%	1,275		2,330,028	1.4%	$29,360	3.2%
Vacant Commercial	72	0.2%			1,085,112	0.7%	$9,372	1.0%
Vacant Industrial	33	0.1%			97,222	0.1%	$1,000	0.1%
Vacant Institutional	13	0.0%			360,289	0.2%	$906	0.1%
Subtotal Vacant	1,289	3.5%			3,872,651	2.3%	$40,638	4.4%
Total Unincorporated	36,840	100.0%	38,253		166,792,227	100.0%	$929,870	100.0%
Total Developed	35,551		36,978		162,919,576			
Estimated Unincorporated Population [2]			89,895					
Estimated 2011 Population (2010 Census Estimate)			95,006					

Notes:

1 Based on NAV Database, some SFU (DOR Code 01) have more than 1 DU.

2 Estimated population based on 2.35 persons per DU (2010 Census)

DOR Code	Category
00	Vacant Residential
01	Single Family
02	Mobile Homes
03, 08	Multifamily
04	Condominiums (none in record)
05, 06, 07, 09	Miscellaneous Residential
10	Vacant Commercial
11 - 39	Commercial
40	Vacant Industrial
41 - 49	Industrial
50 – 69	Agricultural
70	Vacant Institutional
71	Churches
72 – 79	Institutional
80, 81, 82, 84, 85, 87 – 89	Governmental
83, 86	City/County
90 – 99	Miscellaneous

For the purposes of this analysis, the term "Single Family" refers only to those parcels in DOR Code 01. Mobile homes, even though only one family may reside in them, and Multifamily are considered Non-Single Family Residential.

Also, for this analysis, "Miscellaneous Residential" includes parcels in DOR Codes 05, 06, 07 and 09. According to the GIS data, the Unincorporated County has 204 parcels identified as DOR Code 07, which according to the Department of Revenue means "Miscellaneous Residential (migrant camps, boarding houses, etc.)". How the County assigns billing units to these types of parcels is subject to County policy and in Florida, there is no standard of practices for this issue. For the purposes of this analysis, each parcel in DOR Code 07 was assigned 1 billing unit.

In total, there are 36,840 assessed parcels in the Unincorporated County, of which 34,473 are residential in nature (94 percent). The majority of the residential parcels are single family units (73 percent). The second largest number of residential parcels is Mobile Homes at 15.3 percent. Of the 1,078 non-residential parcels, 477 (44.2 percent) are commercial, 253 (23.5 percent) are industrial and 138 (12.8 percent) are churches. Of the parcels identified as vacant, most are vacant residential.

From the NAV records, the impervious area for each category is also shown in Table 3-1. Residential parcels represent 77.1 percent of the impervious area, nonresidential parcels represent 18.6 percent and vacant parcels represent 4.4 percent of the total. Also, of the estimated $929,870 in revenue, 79.0 percent comes from residential parcels, 16.6 percent comes from nonresidential parcels and 4.4 percent comes from vacant parcels.

3.3 Estimated Dwelling Units

To consider rate structure options, an estimate of the number of dwelling units was needed. For single family units, normally it is assumed that each parcel is one dwelling unit. From the NAV dataset, about 770 parcels have more than one dwelling unit located on the parcel. These parcels are separately listed in Table 3.1. This is also true of mobile homes: one dwelling unit per parcel is normally assumed. There are 451 mobile home parcels with more than one dwelling unit – these are also listed separately. Finally for multifamily, the NAV record was used to identify the number of

dwelling units associated with each parcel type including vacant residential. In total, about 38,250 dwelling units were identified, the majority of which are single family units (71 percent).

3.4 Estimated Parcels for USA

One of the considerations of this study was the potential for service areas. Service areas, for the purpose of this study, are areas in the County where differential levels of service may be offered by the County. Upon discussion with County staff, it was suggested that one such separation may be parcels in the Urban Services Area (USA) and those without. Staff believed that the O&M component of the stormwater program may be less in the non-USA area. To test this, the parcels within and without of the USA (in the Unincorporated County) were separated.

Using the GIS information, parcels within the USA were identified.. Of the 36,840 assessed parcels in the Unincorporated County, 23,568 (64 percent) are in the USA. **Table 3-2** summarizes the number of parcels, number of estimated dwelling units, impervious areas and assessment revenues for the Unincorporated County portion of the USA. Residential parcels comprise 23,495 (94 percent) of the parcels, most of which are single family units (84 percent). There are 786 nonresidential parcels in the unincorporated portion of the USA representing 3.3 percent of the total number of parcels. The rest of the parcels (2.3 percent) are coded as vacant by the Property Appraiser's Office. Using the same methods noted above for impervious area, the USA has 110.4 million square feet of impervious area of which only 73.9 percent is residential.

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Table 3-2 Leon County, Florida
Stormwater Utility Update
Summary of Parcel Data FY 2011-2012 – Urban Services Area

Parcel Type	No. of Parcels	% of Total	DU/ Parcel	Estimated Dwelling Units	% of Total	Imperv Area (sq ft)	% of Total	Avg. Imperv per DU (sq ft)	SWU Assessment	% of Total
Residential										
Single Family	19,700	83.6%	1	19,700	83.8%	73,476,092	66.5%	3,730	$394,000	64.6%
SFR with > 1 DU	298	1.3%	2.5	749	3.2%	1,978,666	1.8%	2,642	$14,980	2.5%
Mobile Home	1,866	7.9%	1	1,866	7.9%	3,769,349	3.4%	2,020	$37,320	6.1%
Mobile Home with >1 DU	92	0.4%	2.53	233	1.0%	355,264	0.3%	1,525	$4,660	0.8%
Condominium										
Multifamily	240	1.0%	3.75	902	3.8%	1,896,532	1.7%		$12,460	2.0%
Misc. Residential	45	0.2%	1	45	0.2%	121,989	0.1%	2,711	$1,220	0.2%
Subtotal Residential	22,241	94.4%		23,495	100.0%	81,597,892	73.9%	3,473	$464,640	76.1%
Nonresidential										
Commercial	385	1.6%				13,870,197	12.6%		$60,172	9.9%
Industrial	228	1.0%				7,194,140	6.5%		$36,808	6.0%
Agricultural		0.0%					0.0%			0.0%
Institutional	27	0.1%				1,224,995	1.1%		$7,324	1.2%
Churches	80	0.3%				2,069,605	1.9%		$12,066	2.0%
City/County	25	0.1%				752,559	0.7%		$2,584	0.4%
Governmental	18	0.1%				310,697			$1,216	
Public Schools	4	0.0%				876,030			$806	
Miscellaneous	19	0.1%				156,896			$2,080	
Subtotal Nonresidential	786	3.3%				26,455,119	24.0%		$123,056	20.2%
Vacant										
Vacant Residential	437	1.9%		437		904,299	0.8%		$12,220	2.0%
Vacant Commercial	66	0.3%				1,071,164	1.0%		$9,132	1.5%
Vacant Industrial	31	0.1%				96,185			$960	
Vacant Institutional	7	0.0%				291,715			$366	
Subtotal Vacant	541	2.3%				2,363,363	2.1%		$22,678	3.7%
Total Unincorporated	23,568	100.0%		23,495		110,416,374	100.0%		$610,374	100.0%
Total Developed	23,027			23,495		108,053,011				

The table also identifies the stormwater utility revenue from the USA, about 65.6 percent of the total revenue.

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Section 4
Rate Structure Analysis

As part of this assessment of the Leon County Stormwater Utility, a number of potential rate structures were considered. For this section, the rate structure options are considered independent from the fee. In the next section, the annual fee is varied to consider the current stormwater utility fund subsidy.

4.1 Purpose

In the previous section, information related to the potential customers within the unincorporated County was gathered including number of parcels, number of dwelling units, and impervious areas for various different parcel types. These data were collected to develop a rate model for the stormwater assessment, which is intended to estimate the potential rates and revenues depending on rate structure options. Also, to consider the potential rates for differing rates in the USA, a rate model was prepared for just the parcels in the USA.

4.2 Rate Model

The rate model for the County is a series of worksheets within spreadsheets that provide the following:

- A ten-year estimate of program costs for Management, Compliance and Implementation, Operation and Maintenance (O&M); and Capital Improvement Program (CIP). The CIP costs are separated so that a Pay-As-You-Go funding can be compared to a bonded program. Costs are assumed to increase at 2% per year while revenue (i.e., number of SFU's) is assumed to increase at 1% per year.
- An ad valorem tax worksheet estimates the ad valorem tax rate (millage or $ per $1000) that would generate an equivalent total program. In this spreadsheet, the millage needed to generate a specified revenue need can be estimated as well as to estimate the revenue for a given tax rate.
- An options worksheet allows the user to identify whether or not a rate structure option is to be simulated. Options include single family unit equivalence or residential equivalence; billing unit based on singe family units only or all residential units; potential credits and the amount of credits (percent reduction in fee); various adjustments that might be offered; and tiered non-single family residential rates. This spreadsheet also accumulates the number of extra staff needed to administer the rate structure options.
- A worksheet showing the resultant annual revenue from the options selected for rates in $5 increments from $10 per year per SFU to $100 per year per SFU.
- A worksheet with a 10-year projection of rates and program needs is provided with the ability to test the effect of a pay-as-you-go CIP program compared to a bonded program with annual debt service. For the 10-year bonded CIP, two bonds are simulated for each of the 5 years (20-year repayment, 7 percent loan rate, 25 percent coverage and 12 percent financing costs.

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- A worksheet with the highest 25 parcels based on the 2012 Assessment record and the effects the chosen rate structure options may have on their assessment.
- The final worksheet in the file is the summary of data used for the other worksheets. This table is shown in **Table 4-1** for the data from this study.

Table 4-1 Leon County, Florida Stormwater Utility Update
Summary of Parcel Data (October 2012)

Parcel Type	No. of Parcels	No. of Dwelling Units	2012 Imperv. Area (sq ft)	2012 Total Parcel Area (sq ft)	Imperv./ DU or Parcel	Billing Unit Equivalent	SFUs Based on Equivalent	SFUs for Subsidy	% Affected by Credits (Estimated)	Fraction of SFUs	Total SFUs with Options
Residential(1)											
Single Family - Small	2,426	2,426	2,861,836		1,055		2,426		5%	100%	2,426
Single Family - Medium	19,412	19,412	60,546,853		3,272		19,412		5%	100%	18,733
Single Family - Large	1,547	1,547	22,686,379		9,115		1,547		5%	100%	1,547
Single Family - Very Large	880	880	11,707,829		13,304	3,272	880		5%	100%	880
Single Family w/>1 SFU	769	1,900	4,900,177		2,610		1,900		5%	100%	1,900
Multifamily (2)	267	1,001	2,143,522		2,141		1,001		5%	100%	1,001
Mobile Home	6,103	6,743	13,894,287		2,061		6,743		5%	100%	6,743
Misc. Residential	204	204	508,874		2,494		204		5%	100%	204
Single Family w/Exemption	2,865	2,865	9,374,280		3,272		2,865		5%	100%	2,865
Subtotal Residential	34,473	36,978	128,624,037		3,482		36,978				36,978
Nonresidential											
Commercial	477		15,650,717		32,828	3,272	4,786		5%		4,786
Industrial	253		7,876,516		31,132	3,272	2,407		5%		2,407
Agricultural	1		61,734		61,734	3,272	19		5%		19
Institutional w/o Churches	50		1,748,510		34,970	3,272	534		5%		516
Churches	138		2,736,354		19,829	3,272	836	836	5%		836
Governmental w/o Schools	25		1,738,624		69,545	3,272	531	531	5%		531
City/County	45		1,224,439		27,210	3,272	374	374	5%		374
Schools	9		2,491,003		276,778	3,272	761	761	5%		761
Miscellaneous	80		750,427		9,380	3,272	229		5%		229
Subtotal Nonresidential	1,078		34,286,393		31,806		10,479	2,503			10,479
Vacant											
Vacant Residential	1,171	1,275	3,634,878			3,272	1,111	1,111	5%		1,111
Vacant Commercial	72		1,200,027			3,272	367	367	5%		367
Vacant Industrial	33		119,907			3,272	37	37	5%		37
Vacant Institutional	13		360,612			3,272	110	110	5%		110
Subtotal Vacant	1,289	1,275	5,315,424								1,568
Total Developed	35,551	36,978	162,910,430				47,457	4,128			47,457
Total Parcels	36,840	38,253	168,225,854								49,081

Note:

(1) Small SF is 10th percentile and below; Large is 90th percentile and above. Very large is greater than 10,000 square feet.

(2) Multifamily includes parcels with DOR Codes 03 and 08.

(3) For Residential, column represents Impervious per Dwelling Unit.
For Nonresidential, column represents Impervious per Parcel.

Type	SFUs	%
Residential	38,089	77.6%
Nonresidential	10,992	22.4%

It should be noted that for the rate model, single family parcels were split into tiers based on impervious areas. Separately, parcels owned by disabled veterans or low income exemptions were quantified for credit calculations. It was assumed that all of these parcels came from the Single Family - Medium category and were moved to a separate category called "Single Family w/ Exemption" solely to consider the effects of rate structure options on this category. Also, the average impervious area per dwelling unit for Single Family – Small and Single Family – Large were based on the 20th and 80th percentile, respectively. Also, the parcel database included single family parcels (DOR Code 01) with more than one dwelling unit (usually a home with one or more mobile home). These parcels were separated in Table 4-1.

A snapshot of each of the worksheets (tabs in an Excel file) is provided in the **Appendix.**

4.3 Stormwater Program Needs

Table 4-2 Leon County, Florida Stormwater Utility Update Summary of FY13 Program Costs

Program Element	Future Budget	% of Total
Engineering & Permitting	$1,350,000	26.2%
Operations & Maintenance	$1,800,000	35.0%
Capital Improvement Program	$2,000,000	38.8%
Total	$5,150,000	100.0%

With the help of County staff, the program costs for the County were estimated and projected for potential future levels of service scenarios. **Table 4-2** provides a summary of the existing stormwater program needs for the management and O&M costs for the County. The costs were separated in this fashion to allow various revenue sources to pay for various components of the program. In the lower part of the table, as an alternative, an additional $2 million has been included at the request of the County staff to consider the funding of capital projects independent of the general fund, grants or sales taxes.

4.4 Rate Structure Alternatives – Unincorporated County

As noted previously, most of the stormwater utilities in the United States are based on the impervious area of the customer's property. Actually, the majority of stormwater utilities have a uniform rate for all residential and nonresidential parcels, with the residential customer's fee based on the number of dwelling units and the nonresidential customer's fee based on the impervious area. The purpose of this section is to discuss the alternatives for the stormwater utility rate structure. Alternatives include uniform and variable rates for both residential and non-residential customers, exemptions, and credits.

To compare the fiscal consequences of each alternative considered, the option was compared to the results for the existing rate structure. This structure includes 1 billing unit (known as an SFU, see below) for each dwelling unit associated with residential parcels and a calculated number of billing units for non-residential parcels based on their respective impervious areas. Using the current rate structure, the estimated number of billing units (or SFUs) is 49,081 based on an updated average single family unit impervious area (see below).

4.4.1 Equivalent Units

In order to provide an equitable measure of impervious areas for both residential and non-residential developed parcels, stormwater utilities have used an equivalent or base unit to measure the impervious areas by a uniform basis. Similar to other types of utilities, the equivalent unit for a stormwater utility is the relative amount of contribution of a fee payer compared to a residential unit. In other words, the residential unit is the base for the utility fee.

Two methods of defining the equivalent or base unit have been employed in Florida. The first is named the Single Family Unit Equivalent, or SFU. As expected by the name, a SFU is defined as the average or median impervious area for single family detached residences within the county. The current value used as the SFU is 2,723 square feet, based on an analysis completed prior to the adoption of the original ordinance in 1991. From the recent information obtained from the County, this method results in a median value of 3,272 square feet for the County. The second method, known as Equivalent Residential Unit or ERU, is based upon the average or median impervious area for all residential unit types including single family, multifamily, apartments and mobile homes. For Leon County, the average impervious area for all residential parcels is 3,553 sq. feet, not significantly different than the SFU value (9 percent increase).

From the rate model, the number of SFUs is 49,081 billing units, while, for the ERU method, there are 48,420 billing units (a 1.3 percent decrease). The difference is because, while the residential SFUs stay the same, the nonresidential billing units are based on a slightly larger denominator.

It should be emphasized that the choice of the SFU or ERU base is subject to the policy decisions of the County and that different communities around the U.S. have chosen differently. In Florida, the 2011 FSA Survey, within which all 10 counties were respondents, reports that 50 percent of the 10 counties with assessments or fees use the SFU base and 30 percent use the ERU base (20 percent use some other equivalent). For all cities and counties (81 respondents), 61 percent use the SFU, 30 percent use the ERU and 9 percent use another method. In the case of Leon County, 73.4 percent of the dwelling units are single family which leads to the result that an SFU Equivalent seems appropriate.

4.4.2 Uniform or Tiered Residential Rates

Many utilities have the residential customer pay in relation to the number of dwelling units for the customer. A single family unit is assigned 1 SFU and a duplex is assigned 2 SFUs, for example. In Florida, 70 percent of counties use this method. Two other options are possible: variable single family rates and uniform rates by residential type. Each of these is considered below.

Tiered Single Family Rates. For this alternative, single family (and for that matter all residential customers) would be assigned a fee based on the impervious area of their property in the same manner as the nonresidential properties. The purpose of this would be to have a fee directly related to amount of impervious area on each customer's property. Most stormwater assessment datasets do not have the impervious area readily available – the Leon County GIS does. That is, using the footprint plus appurtenances and some extra features, a value for impervious area for single family can be defined. The driveway is excluded but can be added as a unit average number. Therefore, impervious area data for each single family parcel is not a significant limitation in the County.

There are some stormwater utilities that have a tiered structure for single family units to recognize that some single family properties are very small and some are extremely large. If each is assigned a fee based on 1 SFU, then the small properties may appear to pay too much and the large properties appear to pay too little. Previous studies in the US have shown that when the ratio of the 90th

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percentile to the 10th percentile is greater than 2.5, a tiered structure can be justified. In the case of Leon County, the ratio of the 90th percentile and 10th percentile is 4.05, a value which suggests a tiered methodology.

Table 4-3 Leon County, Florida Stormwater Utility Update
Potential Tiered Single Family Rate Structure

Category	Minimum Impervious Area (sq ft)	Maximum Impervious Area (sq ft)	No. of Parcels	Total Impervious Area (sq ft)
Small	0	1,629	2,426	2,861,836
Medium	1,629	7,096	19,412	60,546,853
Potential Special Adjustment - Medium	1,629	7,096	2,865	9,274,280
Large	7,097	9,999	1,547	22,686,379
Very Large	10,000	53,930	880	11,707,829
Total			27,130	107,177,177

To use a tiered structure, the impervious area of every single family unit would be needed. A possible structure is shown below based on the median, Small (10th percentile) and Large (90th percentile) values of the measured properties. The Very Large Single Family parcels are those with impervious areas equal to or greater than 10,000 square feet. The SFUs for the each tier is the midpoint impervious area in the range divided by the median value (3,246 square feet), and the SFUs for the large tier is recommended to be based on impervious area divided by the median value, in the same manner as is non-residential parcels. Also, because many of the public tend to believe that very large home need to pay more, homes greater than 10,000 square feet can be billed as a commercial property is (i.e., based on impervious area). **Table 4-3** shows a potential tiered structure using the 10th and 90th percentile values. It should be noted that the Disabled Veterans or Low Income Senior SF that may receive a special adjustment (see below) were assumed to be within the Medium Category.

If a tiered structure with Small, Medium and Large SF parcels is used, there would a 5.5 percent increase in revenue as the large single family parcels generally generate revenue to compensate for the small ones. If the very large single family tier is considered, additional SFUs are generated (an 8.5 percent increase in revenue).

Table 4-1 summarizes the information for SF (single-family) parcels with either a disabled veterans or senior low income credits. The rate model simulated the revenue consequences if such parcels had reduced fees. While the rate model can be modified for various percentages, for the rate structure analysis, a reduction of 50 percent (that is, the parcels are assigned 50 percent of the other SF fees) was used. Since parcels cannot be exempted from a non-ad valorem assessment other than provided in state law, these fees can only be offset by a credit from the County through another revenue source such as the General Revenue. The overall rate would stay the same for all other parcels and the credited SF parcels would be funded by a subsidy based on 1,432 SFUs times the chosen rate.

Non-Single Family Residential Fees Based on Impervious Areas. As an alternative to the non-SF residential parcels which in this report refers to Multifamily, Mobile Homes and Miscellaneous Residential to be based on dwelling unit (the most administratively simple alternative), the non-SF residential parcels may be addressed in the same manner as the nonresidential; that is, tiered based on total impervious area. According to the parcel dataset summarized in Table 4-1, there are estimated to be 7,948 non-SF dwelling units in the unincorporated County (22% of the total residential dwelling units) excluding Single Family with more than 1 dwelling unit. Using the average impervious areas for each non-SF type, the ratio to that for Single Family is as follows:

Table 4-4 Leon County, Florida Stormwater Utility Update
Potential Tiered Residential Rates

Average Residential Type	Percent of Impervious	SFU's Single Family	Per DU
Single Family	3,272	100%	1.0*
Single Family w/>1 DU	2,610	80%	1.0*
Multifamily	2,141	65%	0.7
Mobile Homes	2,061	63%	0.6
Misc. Residential	2,494	76%	0.8

*Note: this can be 1 SFU per unit or tiered.

For this option, Single Family would be assigned 1 SFU or based on a tiered structure and other non-SF parcels would be assigned less than one SFU per DU. For example, a multifamily parcel with 10 dwelling units would be assigned 10 times 0.7 or 7 SFU's.

According to the FSA 2011 Survey, 70 percent of the counties and 58 percent of all SWU in Florida have a rate structure with multifamily customers assigned the same number of billing units as the single family customers (i.e., 1 SFU per dwelling unit).

4.4.3 Nonresidential Rates

Nonresidential customer rates for adopted stormwater utilities in the United States are almost always related to the impervious area of the property. For most utilities, the actual impervious area is measured or inferred for each nonresidential parcel, and the ERU assignment is the parcel's impervious area divided by the residential equivalent. An alternative to this is to assign nonresidential property types a percent imperviousness based on literature values or a statistically measured sample of imperviousness. However, in the case of the County, all of the non-residential parcels have impervious area measured and these data are already part of the assessment database; therefore, other less accurate rate structures (e.g., percent imperviousness assigned) are not supported.

The FSA 2011 Survey shows that 83 percent of the respondents use an impervious area for fee setting, 7 percent use pervious and impervious area, and 10 percent use other methods (such as intensity of development). For counties, 60 percent use impervious area, 20 percent use the gross area, and 20 percent use either intensity of development or other methods

4.4.4 Adjustments and Credits

Exemptions and credits are related to a reduction in the fee for a customer due to a reduction of the services provided to the customer. For an exemption, all or some of the fee is eliminated because of special circumstances, such as a reduction in imperviousness due to a portion of the property not draining to the County's stormwater system. A credit on the other hand is related to the reduction in fees due to special action taken by the fee payer to reduce the need for stormwater services such as the design, construction and maintenance of a stormwater pond that reduces both stormwater flows and pollutants associated with runoff. In both cases, however, the amount of the reduction can depend on the services being provided the customer.

As noted in Section 2, the three basic services of any stormwater program are Engineering & Permitting which includes NPDES compliance, operation and maintenance (O&M), and capital improvements (CIP). For a total LOS C recommended program costing $5,150,000 annually (see Table 4-2), the portions of each component are as follows:

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Program Component	Cost	Percent
Engineering & Permitting	$1,350,000	26.2%
Operation & Maintenance	$1,800,000	35.0%
Capital Improvement Program	$2,000,000	38.8%

The Engineering & Permitting costs for any particular customer would be the same regardless of the presence of private BMPs on the property because these costs relate to general services received by all; thus for an example, the maximum potential credit allowed could be about 73.8 percent (the sum of percentages for O&M and CIP). For this program, this value has been rounded up to 75 percent. If a customer has a stormwater facility that reduces the runoff and treats stormwater pollutants, the O&M and CIP services provided by the County would be reduced. For this reason, the amount of the reduction for credits should be related to the reduced services provided to the property based on 75 percent for the stormwater utility fee.

Adjustment Based on Control of Stormwater Volume

One of the adjustments that can be considered is related to the reduction of stormwater runoff to the County's stormwater system. For many stormwater utilities, the only circumstance in which a reduction is meaningful to the overall stormwater system is for the 100-year storm event, a major stormwater quantity level of service measure. The control of stormwater for the 100-year storm event can be accomplished for two characteristics of the event: rate and volume. Rate control allows the total amount of runoff to be discharged to the stormwater system over a prolonged period of time, but does not decrease the volume of runoff. Volume control reduces the total amount of runoff ultimately discharged to the stormwater system.

For the utilities with an adjustment for volume controls, many are related to the 100-year storm event. Control of the volume for a 100-year storm event would be a significant and measurable reduction in the O&M and CIP services provided to a property. As a result, an adjustment based on the control of the 100-year storm volume can be assigned an adjustment for the O&M and CIP portion of the fee, which represents 75 percent for the utility.

It should be noted that these adjustments are related to specific characteristics of the customer's property. An adjustment for the control of the 100-year storm event and the discharge of property runoff to non-municipal stormwater systems requires site specific information. If adjustments for these conditions are allowed by the County, then the customer must petition the County by providing parcel specific, competent and substantial evidence such as photographs or engineering drawings.

Adjustments for Stormwater Facilities Without Volume Controls

These adjustments are for customers who, except for mitigating circumstances, would have to pay the whole fee. Mitigating circumstances include onsite stormwater facilities that attenuate and treat stormwater runoff. For example, compare three properties: one built with no detention ponds, one built with a detention pond that is not maintained, and the last with a maintained pond. In the first case, stormwater runs off the land uncontrolled and untreated to the County's stormwater system. In the second, while the runoff was originally controlled, due to lack of maintenance, runoff is no longer controlled and is no better than the first case. In the last example, runoff is controlled and treated, thereby reducing the burden on the County's system. Of these three cases, the third clearly has reduced the services that the County needs to provide and deserves a reduction in fee (credit).

There are a number of methods used to adjust the fees for credits. The most common methods include a percentage reduction and relative reduction. In the percentage reduction, if the customer designs, builds and maintains an on-site stormwater facility, then a straight percentage reduction on the fee based on the O&M and CIP budget components of the revenue needs. For the second, the reduction is relative to an ideal stormwater facility. For example, assuming that to treat stormwater runoff, a property needs 0.1 acre-feet (ac-ft) of storage for every acre of impervious land. The ideal with this assumption for a 10-acre site with 50 percent imperviousness would be 0.5 ac-ft of storage. If this parcel constructs a pond with 0.5 ac-ft, then the site gets the maximum credit. If the actual pond is smaller, then the credit is relative to the ratio of the actual size and the ideal. Clearly, the first method is easier to administer but the second is more site-specific.

Either of the credit methods can be administered by County staff. However, to keep the program simple initially, the percentage reduction should be allowed if credits are authorized. Also, it is important that facilities are maintained annually to retain the credit. Therefore, the credit should require annual certification of maintenance via competent and substantial evidence and should be checked periodically by County staff through random and unannounced site inspection. Furthermore, since the County wishes to encourage the construction and maintenance of private stormwater ponds according to County standards, the 75 percent credit for detention ponds should be allowed only if the pond meets current County code.

A second type of adjustment for stormwater treatment would be for an incentive to reduce stormwater runoff and treat stormwater on site. For example, if a property owner uses Low Intensity Development (LID) techniques (e.g., Directly Connected Impervious Area or DCIA reduction, vegetative buffers, rain gardens, cisterns, etc.) both the runoff volume and the runoff pollutants are reduced, decreasing the effort required by the County to deal with the volume and pollutants. Since on-site stormwater facilities and LID techniques reduce the capital needs of the County, the adjustment should be no more than 33 percent of the separate utility fee. The County is in the process of developing specific LID protocols and methods; it is recommended that this credit should be re-evaluated as part of the rate structure after a standard protocol has been approved.

4.5 Consequences of Rate Structure Options

Using the rate model, the number of billing units (a.k.a., SFU) changes depending on the rate structure options chosen. **Table 4-5** provides the revenue consequences for each of the general rate structure options in comparison to the existing rate structure (i.e., single family-defined billing unit, 1 billing unit defined for each dwelling unit for all residential parcels, and 1 SFU defined for each 3,272 square feet of impervious area on nonresidential parcels). Each of the options is compared to the SFUs for the existing rate structure.

Table 4-5 Leon County, Florida Stormwater Utility Update
Summary of Consequences for Rate Structure Options

Option	Total SFU	% Change in SFU from Current
Current Rate Structure	49,081	
ERU Based Fee	48,420	1.4%
Tiered Single Family	51,772	-5.2%
Tiered Single Family w/Large SF Extra	53,223	-7.8%
Variable Non-Single Family	45,663	7.5%
Credit for Pond at 75%	47,348	3.7%
Vacant Parcel is Excluded	47,457	3.4%
Disabled Vets & Low Income Senior	48,365	-2.9%

Most alternative rate structure options increase the fee required to fund the existing program from 1 to 7 percent. The Tiered Single Family alternative slightly decreases the rate and the Tiered Single Family with Extra Large Single Family treated like nonresidential parcels would decrease the fee by almost 7 percent. Also, for the Disabled Veterans and Low Income Senior parcels, a 50 percent reduction in fee would slightly decrease the number of SFUs.

4.6 Urban Services Area Options

During the consideration of the level of service (LOS) for stormwater services, the LOS for properties within the USA and that for properties outside of the USA was considered. Based on discussions with the County staff, it was concluded that the LOS inside and outside the USA were the same for Engineering & Permitting and CIP activities. However, the LOS for O&M services may be less for properties outside of the USA. As noted in Table 4-2, the total existing O&M program costs $1,800,000. According to County staff, 67 percent of the stormwater facilities are in the USA; assuming the O&M is consistent with the percent of facilities then the O&M costs in the USA are $1,206,000 and outside the USA the costs are $594,000. **Table 4-6** below results from using the parcel data from Section 3 (the distribution of SFUs is based on the ratio of total revenues from Tables 3-1 and 3-2.

In this example, while the revenue requirements for the non-USA areas are smaller than for the USA, there are fewer SFU in the non-USA area. This results in a slightly larger fee in the USA area.

Table 4-6 Leon County, Florida Stormwater Utility Update
O&M Rate for USA and Non-USA Areas

Area	Total SFU	Total Revenue Need	Resultant O&M Fee ($/year/SFU)
USA Parcels	32,303	$1,206,000	$39.30
Non-USA Parcels.	16,778	$594,000	$37.27

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Section 5
Rate Alternatives

As noted in the level of service (LOS) analysis, the County is subsidizing the stormwater management program each year using general fund revenues. According to County records, the actual subsidy for FY11 was approximately $1.891 million; the subsidy budget for FY12 was $2.619 million; projected subsidy budget for FY13 was $2.985 million. These represent a 38 percent and 14 percent increase over these years.

The purpose of this Section is to show the fiscal and rate consequences to fund the stormwater program (or at least, components of it) over the next 10 years. As noted previously, the County is interested in considering the rate needed to fund the Engineering & Permitting, O&M and CIP programs at levels of $1.35 million, $1.8 million and $2.0 million, respectively, totaling $5.15 million. One option to fund this program is to authorize a sufficient rate in the first year. Another option is to amortize the rate over a period of 5 years. In either case, the subsidy would be eliminated.

Rate Model

For the purposes of this analysis, the following rate structure options have been included in the model to consider the rates needed to fund the program defined above:

- Single Family Unit equivalent (SFU);
- Tiered Non-Single Family Residential;
- "Vacant" parcels with impervious area included;
- Disabled Veterans and Low Income Senior Adjustment of 50 percent; and,
- Credits for Stormwater Facilities (75 percent reduction).

For this rate structure, the estimated number of SFU's is 42,686.

Rate Scenario Results

Based on the number of SFU's, to generate $5.15 million, the fee would be estimated to be $140 per SFU per year assuming a 95 collection. If the reduction in fee is offered for Disabled Veterans and Low Income Senior exemptions, the General Fund subsidy required would be$200,480 (1,432 SFUs times $140).

To fund the $5.15 million in 5 years accounting for a 95 percent collection, the fee would start out at $44 per year per SFU, and increase by $24 per year per SFU for each of the next 4 years. After 5 years, the ultimate rate would be about $140 per year per SFU. The rates vary with time since the rate model includes an increase of 1 percent per year in the number of SFU's and a 2 percent increase per year in costs.

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A summary of the rate options is provided in **Table 5-1** and **Table 5-2.**

Table 5-1 Leon County, Florida Stormwater Utility Update Study
Rate Alternatives to Fund $3.15 Million Annually

Year	Revenue	Rate
FY13	$1,336,310	$33.33
FY14	$1,881,363	$46.00
FY15	$2,437,183	$59.00
FY16	$3,003,931	$72.00
FY17	$3,581,770	$85.00
FY18	$3,617,588	$85.00
FY19	$3,653,764	$85.00
FY20	$3,690,302	$85.00
FY21	$3,727,205	$85.00
FY22	$3,764,477	$85.00

Table 5-2 Leon County, Florida Stormwater Utility Update Study
Rate Alternatives to Fund $5.15 Million Annually

Year	Revenue	Rate
FY13	$1,781,747	$44.00
FY14	$2,781,145	$68.00
FY15	$3,800,353	$92.00
FY16	$4,839,666	$116.00
FY17	$5,899,386	$140.00
FY18	$5,958,380	$140.00
FY19	$6,017,964	$140.00
FY20	$6,078,144	$140.00
FY21	$6,138,925	$140.00
FY22	$6,200,314	$140.00

EXHIBIT A

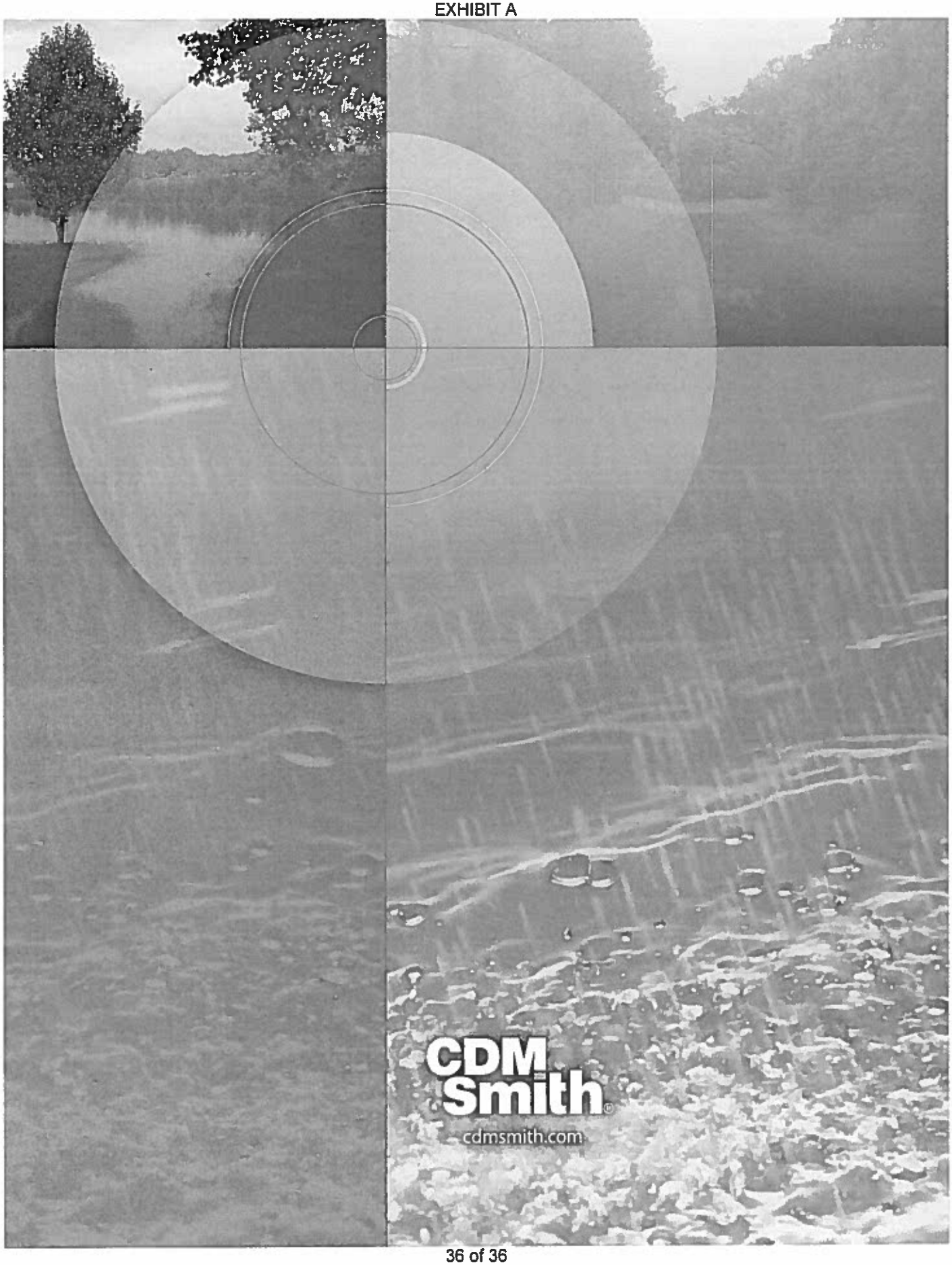


EXHIBIT B

RATE SCHEDULE

Property Use Category	Unit of Measurement Applied	Assessment Rate
Residential	Single Family Unit	$85
Residential	Single Family-Multi Dwellings/Other	$68
Residential	Multi Family Structures	$60
Residential	Mobile Homes	$51
Non-Residential	Total Square Feet of Impervious Area Divided by 3,272 Sq. Ft. (Single Family Unit Equivalent)	$85

A Single Family Unit Equivalent, or SFU is defined as the average or median impervious area for single family detached residences within Leon County. From the most recent statistical data obtained, this method results in a median value of 3,272 square feet for Leon County. Therefore, one SFU equals 3,272 Sq. Ft.

EXHIBIT 2

STORMWATER MANAGEMENT SERVICES AND FACILITIES NON-AD VALOREM ASSESSMENT ROLL

Due to the voluminous nature thereof, the assessment roll is not attached to this Resolution in this Agenda Item but has been made available for public inspection in the office of the County Administrator and will be attached hereto upon adoption.

DR-408A
N. 02/91

FLORIDA
DEPARTMENT
OF REVENUE

CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of Leon Cty. Bd. of County Commissioners, located in Leon County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 18th day of June, 2019 (year).

Chairman of the Board or authorized agent

of Leon County Board of County Commissioners
Name of local government

Leon County, Florida

NOTICE OF PUBLIC HEARING

Notice is hereby given, pursuant to Section 197.3632(4)(b), Florida Statutes, that the Board of County Commissioners of Leon County, Florida (the "Board"), will conduct a public hearing on Tuesday, June 18, 2019, 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 adoption of a stormwater management services and facilities non-ad valorem assessment roll for the subject parcels of improved real property located within the unincorporated area of Leon County, Florida.

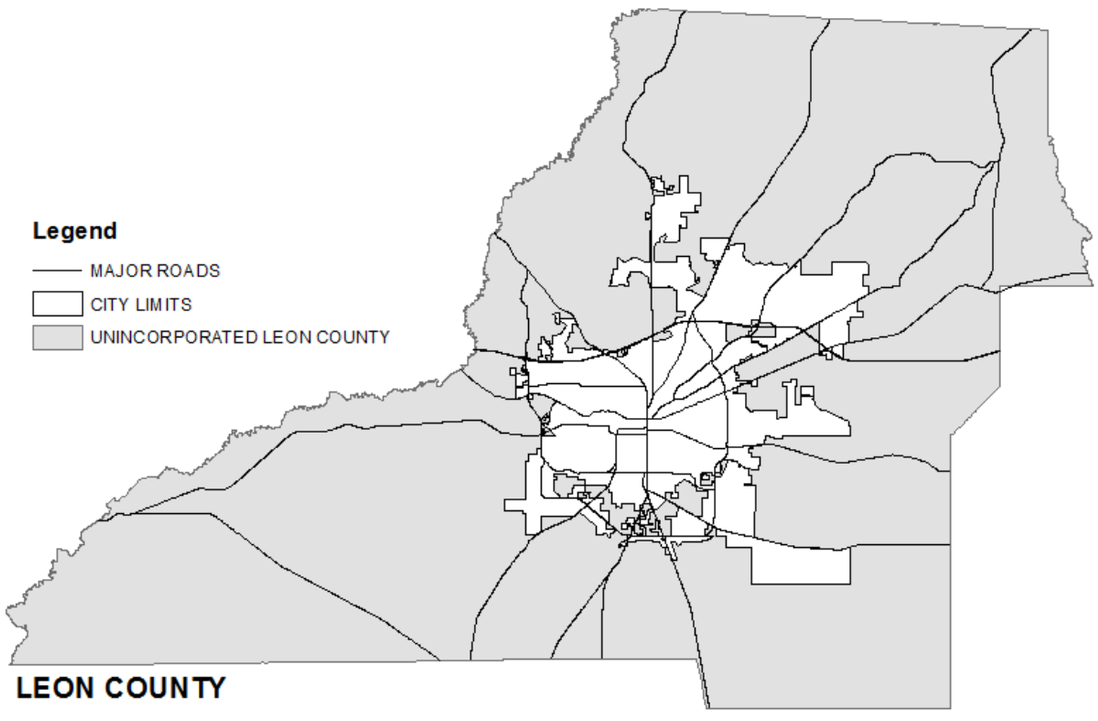
The purpose of the assessment is to equitably recover costs incurred for providing and funding County stormwater management services and facilities, including but not limited to, flood prevention and response; construction of stormwater treatment facilities; stormwater pond maintenance; and water quality monitoring, to benefit improved parcels of property located within the unincorporated area of Leon County (geographic depiction of the property subject to the assessment is set forth below). The assessment shall be collected annually by the Leon County Tax Collector.

All interested parties are invited to present their comments at the public hearing at the time and place set out above. All affected property owners have the right to appear at the public hearing, and have the right to file written objections with the Board within 20 days of the publication of this notice.

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 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 public hearing 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 date of the public hearing. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), or 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Advertise: May 28, 2019



Leon County
Board of County Commissioners

Notes for Agenda Item #24

Leon County Board of County Commissioners

Agenda Item #24

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: First and Only Public Hearing to Approve the Resolution Adopting the Solid Waste Disposal Services Non-Ad Valorem Assessment Roll and the Certification of the Entire Roll to Tax Collector

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Scott Ross, Director, Office of Financial Stewardship Maggie Theriot, Director, Office of Resource Stewardship
Lead Staff/ Project Team:	Timothy Barden, Budget Manager Michelle Tipton, Management and Budget Analyst

Statement of Issue:

As required by Florida Statutes, this Public Hearing provides for the adoption of an assessment roll for all properties being assessed for the first time, and certification of the entire assessment roll for Solid Waste Disposal Services.

Fiscal Impact:

This item has a fiscal impact. This non-ad valorem special assessment generates revenue in the amount of $1,575,960 that is contemplated in the proposed FY 2020 budget.

Staff Recommendations:

Option #1: Conduct the first and only public hearing and approve the Resolution adopting the Non-Ad Valorem Assessment Roll for Solid Waste Disposal Services (Attachment #1) and authorize the Chairman to certify the entire Roll to the Tax Collector (Attachment #2).

Report and Discussion

Background:

As required by Florida Statutes, this Public Hearing provides for the adoption of a Solid Waste Disposal Services assessment roll for all properties being assessed for the first time, and certification of the entire assessment roll to the Tax Collector.

Section 18-164, Leon County Code of Laws provides that, prior to October 1st of each year, the Board of County Commissioners shall 1) adopt a budget for the operation and maintenance of the Solid Waste Management System; and 2) adopt a resolution incorporating a determination of annual fees, rates, charges, or assessments for disposal service to be imposed upon the owners of improved residential real property in the service area.

Section 197.3632, Florida Statutes, requires that the Board of County Commissioners hold a public hearing and adopt an assessment roll for all properties being assessed for the first time, and certify the entire assessment roll to the Tax Collector by September 15th.

Analysis:

The annual disposal service charge is applied to all single-family residences, with the exception of apartment complexes, mobile home parks, and public lodging establishments that are served by commercial garbage service. The annual disposal service charge covers the cost of transporting, processing and disposing of solid waste. On August 28, 2012 the Board established the annual disposal service charge of $40.00, which remains in effect annually, thereafter, until such time the Board determines otherwise. No changes are recommended for the FY 2020 annual disposal service charge.

The public hearing was advertised in the Tallahassee Democrat at least 20 days prior to the hearing, according to Florida Statute (Attachment #3). Additionally, a first-class U.S. mail notice was sent to 254 owners of property subject to the disposal service charge for the first time.

The proposed assessment roll has been made available for public inspection at the County Administration offices located at the fifth floor of the County Courthouse. However, it has not been attached to this item due to the voluminous nature thereof. The assessment roll contains the name of the owner, the parcel identification number, the parcel address, and the amount of the assessment. Written comments and objections filed by affected property owners, if any, have been compiled and likewise have been made available for public inspection in the County Administration office.

The proposed Resolution adopting the Solid Waste Disposal Services Non-Ad Valorem Assessment Roll for all properties subject to the assessment for the first time (Attachment #1), and the Certificate to the Assessment Roll to the Tax Collector (Attachment #2), are included for the Board's consideration.

Not adopting the Non-ad Valorem Assessment Roll for Solid Waste Disposal Services will create a budget impact in the amount of $1,575,960 for Fiscal Year 2020.

Options:

1. Conduct the first and only public hearing and approve the proposed Resolution adopting the Solid Waste Disposal Services Non-Ad Valorem Assessment Roll (Attachment #1) and authorize the Chairman to certify the entire Roll to the Tax Collector (Attachment #2).
2. Conduct the first and only public hearing and do not approve the proposed Resolution adopting the Solid Waste Disposal Services Non-Ad Valorem Assessment Roll.
   (This action would require changes to the FY 2020 proposed budget.)
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Proposed Resolution adopting the Solid Waste Disposal Services Non-Ad Valorem Assessment Roll
2. Certificate of the entire Solid Waste Disposal Services Non-Ad Valorem Assessment Roll to the Tax Collector
3. Notice of Public Hearing

LEON COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ADOPTING THE SOLID WASTE DISPOSAL SERVICES NON-AD VALOREM ASSESSMENT ROLL; PROVIDING FOR CERTIFICATION OF THE ROLL TO THE TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on June 25, 1995, the Board of County Commissioners enacted the Solid Waste Disposal Ordinance, which authorizes the Board to establish an *Annual Disposal Service Charge* for the disposal of solid waste, which is an annual special assessment imposed upon each parcel of *Improved Residential Real Property* in the *Service Area* of unincorporated Leon County; and

WHEREAS, on August 28, 2012, the Board of County Commissioners adopted a *Rate Resolution* determining the *Annual Disposal Service Charge* for the operation and maintenance of the solid waste disposal system applicable to all *Improved Residential Real Property* located within the *Service Area* of unincorporated Leon County (see Exhibit 1); and

WHEREAS, pursuant to Section 18-167, Leon County Code of Laws, and Section 197.3632, Florida Statutes, the Board of County Commissioners has reviewed the solid waste disposal services non-ad valorem assessment roll for conformity with the *Rate Resolution*; and

WHEREAS, the Board wishes to approve and adopt the solid waste disposal services non-ad valorem assessment roll and to certify the roll for collection to the Tax Collector; and

WHEREAS, Leon County has provided notice of this public hearing at least twenty days prior to same by first class United States mail and by publication in the *Tallahassee Democrat* advising that a public hearing would take place;

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

Section 1. Recitals.

The Recitals to this Resolution are incorporated herein and made a part hereof as if fully set forth below.

Section 2. Definitions.

For purposes of this Resolution, the definitions contained in section 18-161, Leon County Code of Laws, are incorporated herein by reference.

Section 3. Adoption of Non-Ad Valorem Assessment Roll.

Pursuant to Section 197.3632, Florida Statutes, Leon County hereby approves and adopts the solid waste disposal services non-ad valorem assessment roll, which is attached hereto as Exhibit 2 and incorporated herein as if fully set forth below.

Section 4. Unit of Measurement for Non-Ad Valorem Assessment.

The unit of measurement for the annual solid waste disposal services non-ad valorem assessment is as set forth in the *Rate Resolution*, Resolution No. 2012-37, which is attached hereto as Exhibit 1 and incorporated herein as if fully set forth below, and the amount of the annual solid waste disposal services assessment is as further set forth in Exhibits 1 and 2 for each single family unit of *Improved Residential Real Property* located within the *Service Area* of the unincorporated area of Leon County, for the period commencing October 1, 2012, and continuing each year thereafter until such time as the Board determines.

Section 5. Certification of Non-Ad Valorem Assessment Roll to Tax Collector.

The solid waste disposal services non-ad valorem assessment roll is hereby certified to the Tax Collector for collection in accordance with Florida law.

Section 6. Effective Date.

This resolution shall have effect upon adoption.

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County, Florida, this 18th day of June, 2019.

LEON COUNTY, FLORIDA

By:_____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTESTED BY:
Gwendolyn Marshall, Clerk of Court
& Comptroller, Leon County, Florida

By:_____

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W. A. Thiele, Esq.
County Attorney

RESOLUTION NO. 2012-37

A RESOLUTION DETERMINING THE ANNUAL DISPOSAL SERVICE CHARGE FOR THE OPERATION AND MAINTENANCE OF THE SOLID WASTE DISPOSAL SYSTEM APPLICABLE TO ALL IMPROVED RESIDENTIAL REAL PROPERTY LOCATED WITHIN THE UNINCORPORATED AREA OF LEON COUNTY.

RECITALS

WHEREAS, Section 18-165, Leon County Code of Laws, adopted by the Leon County Board of County Commissioners on July 25, 1995, authorizes the Board to impose an annual disposal service charge on all improved residential real property in the service area of Leon County; and

WHEREAS, Section 18-164, Leon County Code of Laws, authorizes the Board to annually adopt a resolution determining the annual disposal service charge to be imposed upon all improved residential real property within the service area; and

WHEREAS, the Board finds that the reasonable costs of providing residential solid waste disposal services within the service area is forty dollars ($40.00) per single family residential unit per year; and

WHEREAS, the Board finds that the annual disposal service charge shall cover the period from October 1, 2012, through September 30, 2013 and annually thereafter until such time as the Board determines otherwise.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

1. The Recitals set forth above are incorporated herein and made a part hereof.

2. The annual disposal service charge for each single family residential unit located within the service area of Leon County is hereby determined and shall be forty dollars ($40.00) for the period from October 1, 2012, through September 30, 2013, and annually thereafter until such time as the Board determines.

3. This Resolution shall be effective upon adoption.

DONE AND ADOPTED by the Board of County Commissioners of Leon County, Florida, this 28th day of August, 2012.

LEON COUNTY, FLORIDA

BY: _____
Akin Akinyemi, Chairman
Board of County Commissioners

ATTEST:
Bob Inzer, Clerk of the Court
Leon County, Florida

BY: _____

Approved ~~as to~~ Form:
Leon County Attorney's Office

BY: _____
Herbert W.A. Thiele, Esq.
County Attorney

EXHIBIT 2

SOLID WASTE DISPOSAL SERVICES
NON-AD VALOREM ASSESSMENT ROLL

Due to the voluminous nature thereof, the assessment roll is not attached to this Resolution in this Agenda Item but has been made available for public inspection in the office of the County Administrator and will be attached hereto upon adoption.

DR-408A
N. 02/91

FLORIDA
DEPARTMENT
OF REVENUE

CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of Leon Cty. Bd. of County Commissioners, located in Leon County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 18th day of June, 2019 (year).

Chairman of the Board or authorized agent

of Leon County Board of County Commissioners
Name of local government

Leon County, Florida

NOTICE OF PUBLIC HEARING

Notice is hereby given, pursuant to Section 197.3632(4)(b), Florida Statutes, that the Board of County Commissioners of Leon County, Florida (the "Board"), will conduct a public hearing on Tuesday, June 18, 2019, 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 adoption of a solid waste disposal system non-ad valorem assessment roll for the subject parcels of improved real property located within the unincorporated area of Leon County, Florida.

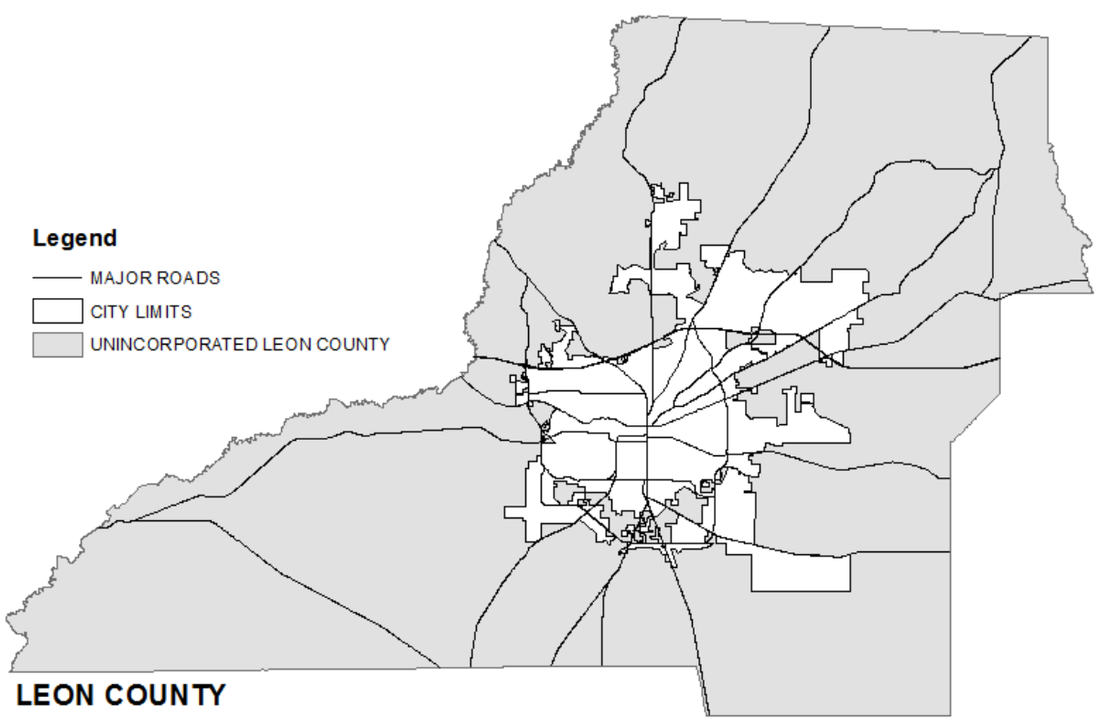
The purpose of the assessment is to equitably recover costs incurred for the construction, operation and maintenance of the solid waste disposal system for the benefit of improved residential parcels of property located within the unincorporated area of Leon County (geographic depiction of the property subject to the assessment is set forth below). The assessment shall be collected annually by the Leon County Tax Collector.

All interested parties are invited to present their comments at the public hearing at the time and place set out above. All affected property owners have the right to appear at the public hearing, and have the right to file written objections with the Board within 20 days of the publication of this notice.

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 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 public hearing 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 date of the public hearing. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), or 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Advertise: May 28, 2019



Leon County
Board of County Commissioners

Notes for Agenda Item #25

Leon County Board of County Commissioners

Agenda Item #25

June 18, 2019

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: First and Only Public Hearing to Approve the Proposed Resolution Adopting the Fire Rescue Services Non-Ad Valorem Assessment Roll and the Certification of the Roll to the Tax Collector

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:	Tim Barden, Budget Manager, Office of Management and Budget Michelle Tipton, Management Analyst

Statement of Issue:

As required by Florida Statutes, this Public Hearing provides for the adoption of an assessment roll for all properties being assessed for the first time, and certification of the entire assessment roll for Fire Rescue Services.

Fiscal Impact:

This item has a fiscal impact. The total estimated collection for the unincorporated area of the Fire Rescue Services Assessment is $8,381,159, of which $2,529,253 will be placed on property tax bills as an assessment for FY 2020. The remaining amount ($5,851,906) will be collected by the City of Tallahassee through the City utility bill and quarterly billing.

Staff Recommendation:

Option #1: Conduct the first and only public hearing to approve the proposed Resolution adopting the Fire Rescue Services Non-Ad Valorem Assessment Roll (Attachment #1) and authorize the Chairman to certify the entire Roll to the Tax Collector (Attachment #2).

Report and Discussion

Background:

As required by Florida Statutes, this Public Hearing provides for the adoption of a Fire Rescue Services assessment roll for all properties being assessed for the first time, and certification of the entire assessment roll to the Tax Collector.

In July 2013, the County and City negotiated a comprehensive amendment to the Interlocal Agreement for purposes of administering and funding the provision of fire suppression, fire prevention, and emergency medical services on a countywide basis. Regarding the fire rescue charge, the County focused on providing future rate certainty and a level of fiscal constraint on the possible growth in the fire rescue charge. To accomplish this, the agreement provides, in pertinent part:

- For FY 2015 the rate remained unchanged; this had the effect of having a constant rate for a total of six years;
- Beginning in FY 2016, for five years, the single-family dwelling unit fire rescue charge rate cannot increase more than 15% in total over the five years; and,
- Beginning October 1, 2020 (FY 2021) and continuing for five years, the fire rescue charge rate structure would be developed utilizing an inflationary index. The multi-year fiscal plan approved by the Board at the April 23, 2019 Budget Workshop provides future funding to eliminate the need to increase the fire services fee for the unincorporated area.

The Board formally adopted the Fourth Amendment to the Fire and Emergency Services Interlocal Agreement at the May 26, 2015 meeting, which included the second term fire services study and the associated rate resolution.

Analysis:

Under Section 197.3632(9), Florida Statutes, special assessments may be placed on the annual property tax bill as a non-ad valorem assessment irrespective of whether the assessment has previously been collected by another method.

The County has utilized the uniform method for collecting stormwater and solid waste non-ad valorem assessments, as well as to collect assessments related to 2/3 paving and sewer projects. The amount of the assessment imposed will be payable to the Tax Collector.

The County primarily collects the Fire Rescue Services assessment in three ways: City Utility invoice, quarterly direct bill by the City, and the property tax bill. For FY 2020, an additional 706 property owners will have the assessment removed from the quarterly payment system and added to their property tax bill. Of the property owners initially on the quarterly billing method, 12,297, or 60% have now moved to the property tax bill. These property owners either preferred to pay the assessment on their property tax bill or failed to remain current with the quarterly bills.

The total estimated collection for the unincorporated area for the FY 2020 fire assessment is $8,381,159; this includes $5,851,906 collected by the city though utility bills and properties remaining on quarterly billing, and $2,529,253 as an assessment on the property tax bill.

A first-class mail notice was sent to each property owner subject to the non-ad valorem assessment for fire rescue services for the first time, and/or who has failed to pay the assessment under the billing services provided by the City of Tallahassee, in accordance with the requirements of Section 197.3632(4) (b), Florida Statutes (Attachment #3).

The proposed assessment roll has been made available for public inspection at the County Administration offices located at the fifth floor of the County Courthouse. However, it has not been attached to this item due to the voluminous nature thereof. The assessment roll contains the name of the owner, the parcel identification number, the parcel address, and the amount of the assessment. Written comments and objections filed by affected property owners have been compiled and likewise have been made available for public inspection in the County Administration office.

The proposed Resolution adopting the Fire Rescue Services Non-Ad Valorem Assessment Roll for all properties subject to the assessment for the first time (Attachment #1), and the Certificate to the Assessment Roll to the Tax Collector (Attachment #2), are included for the Board's consideration.

Not adopting the Non-ad Valorem Assessment Roll for Fire Rescue Services will create a budget impact in the amount of $8,381,159 for FY 2020.

Options:

1. Conduct the first and only public hearing to approve the proposed Resolution adopting the Fire Rescue Services Non-Ad Valorem Assessment Roll (Attachment #1) and authorize the Chairman to certify the entire Roll to the Tax Collector (Attachment #2).
2. Conduct the first and only public hearing and do not approve the proposed Resolution adopting the Fire Rescue Services Non-Ad Valorem Assessment Roll.
   (This action would require changes to the FY 2019/2020 proposed budget.)
3. Board direction.

Recommendation:
Option #1

Attachments:
1. Proposed Resolution adopting the Fire Rescue Services Non-Ad Valorem Assessment Roll
2. Certificate of entire Fire Rescue Services Non-Ad Valorem Assessment Roll to Tax Collector
3. Notice of Public Hearing

LEON COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ADOPTING THE FIRE RESCUE SERVICES NON-AD VALOREM ASSESSMENT ROLL; PROVIDING FOR CERTIFICATION OF THE ROLL TO THE TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, on February 26, 2009, Leon County and the City of Tallahassee entered into an Interlocal Agreement for the provision of fire suppression, fire prevention and emergency medical services county-wide commencing October 1, 2009; and

WHEREAS, the Interlocal Agreement by and between Leon County and the City of Tallahassee provides for the funding and payment of *Fire Rescue Services* by means of the levy and collection of special assessments upon benefited property; and

WHEREAS, on March 19, 2009, the Board of County Commissioners enacted an ordinance amending Chapter 7, Leon County Code of Laws, relating to the provision and funding of *Fire Rescue Services*; and

WHEREAS, on May 26, 2015, the Board of County Commissioners adopted a *Fire Rescue Assessment Rate Resolution* levying and imposing upon each improved parcel of nongovernmental property located within the unincorporated area of the County an assessment in an amount found to be reasonably related to the cost of providing *Fire Rescue Services* to such property and thereby providing an equitably corresponding special benefit to such property; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, the Board of County Commissioners has reviewed the fire rescue services non-ad valorem assessment roll for conformity with the *Fire Rescue Assessment Rate Resolution*; and

WHEREAS, the Board wishes to approve and adopt the fire rescue services non-ad valorem assessment roll and to certify the roll for collection to the Tax Collector; and

WHEREAS, Leon County has provided notice of a public hearing at least twenty days prior to same by first class United States mail and by publication in the *Tallahassee Democrat* advising that a public hearing would take place.

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

Section 1. Recitals.

The Recitals to this Resolution are incorporated herein and made a part hereon as if fully set forth below.

Section 2. Definitions.

For purposes of this Resolution, the definitions contained in section 7-39, Leon County Code of Laws, are incorporated herein by reference.

Section 3. Adoption of Non-Ad Valorem Assessment Roll.

Pursuant to section 197.3632, Florida Statutes, Leon County hereby approves and adopts the fire rescue services non-ad valorem assessment roll, which is attached hereto as Exhibit 2 and incorporated herein as if fully set forth below.

Section 4. Unit of Measurement for Non-Ad Valorem Assessment.

The unit of measurement for the fire rescue services non-ad valorem assessment is as set forth in the *Fire Rescue Assessment Rate Resolution*, R15-20, which is attached hereto as Exhibit 1, and incorporated herein as if fully set forth below. The amount of the fire rescue services assessment for each subject parcel of property is as further set forth in Exhibit 2, also attached hereto and incorporated herein as if fully set forth below. The *Fire Rescue Assessment* shall be and is hereby imposed annually commencing October 1, 2015, and continuing each year thereafter until such time as changed or discontinued by the Board.

Section 5. Certification of Non-Ad Valorem Assessment Roll to Tax Collector.

The fire rescue services non-ad valorem assessment roll is hereby certified to the Tax Collector for collection in accordance with Florida law.

Section 6. Effective Date.

This resolution shall have effect upon adoption.

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County, Florida, this 18th day of June, 2019.

LEON COUNTY, FLORIDA

By:_____
Jimbo Jackson, Chairman
Board of County Commissioners

ATTESTED BY:
Gwendolyn Marshall, Clerk of Court
& Comptroller, Leon County, Florida

By:_____

APPROVED AS TO FORM:
Leon County Attorney's Office

By:_____
Herbert W. A. Thiele, Esq.
County Attorney

RESOLUTION NO. 15-20

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS RELATING TO THE PROVISION AND FUNDING OF FIRE RESCUE SERVICES; PROVIDING FOR RECITALS; PROVIDING FOR AUTHORITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR A RESOLUTION; PROVIDING FOR PROVISION OF FIRE RESCUE SERVICES; PROVIDING FOR GENERAL LEGISLATIVE DETERMINATIONS; PROVIDING FOR FIRE RESCUE CHARGE; PROVIDING FOR EXEMPT PROPERTY; PROVIDING FOR LIEN; PROVIDING FOR COLLECTION OF FIRE RESCUE CHARGE; PROVIDING FOR FINAL ADJUDICIATION AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the County desires to continue to provide fire rescue services, facilities and programs, hereafter "*fire rescue services*," in the most efficient manner possible in order to promote the health, safety and general welfare of its citizens; and

WHEREAS, the County desires to maintain a uniform financial mechanism for the funding of such *fire rescue services* to its citizens on an equitable basis; and

WHEREAS, the City of Tallahassee and the County have entered into an Interlocal Agreement to administer the provision of and funding for *fire rescue services*; and

WHEREAS, the Interlocal Agreement by and between the City of Tallahassee and the County provides for the funding and payment for *fire rescue services* by means of the levy, imposition and collection of special assessments upon benefited *nongovernment property* and the imposition of fire rescue fees on *government property*; and

WHEREAS, on March 19, 2009, the Board of County Commissioners enacted an ordinance amending Chapter 7, Leon County Code of Laws, relating to the provision and funding of *fire rescue services*; and

WHEREAS, the Board of County Commissioners desires to adopt a *fire rescue assessment rate resolution* and *fire rescue fee rate resolution* pursuant to Chapter 7, Leon County Code of Laws.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

Section 1. Recitals. The Recitals set forth above are deemed incorporated herein as if fully set forth below.

Section 2. Authority. This Resolution is adopted pursuant to the authority granted the County under Article VIII, Section 1, Florida Constitution, Chapter 125, Florida Statutes, the Leon County Charter, Chapter 7 of the Leon County Code of Laws, and other applicable provisions of law.

Section 3. Definitions. For purposes of this Resolution, the definitions contained in Section 7-39, Leon County Code of Laws, are incorporated herein by reference as if fully set forth below. In addition, as used in this Resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires:

"*Building area*" means the actual area of a *building* expressed in square feet and reflected on the *tax roll* or, in the event such information is not reflected or is determined not to be accurately reflected on the *tax roll*, that area determined by the County.

"*Code descriptions*" mean the descriptions listed in the *fixed property use codes* and the descriptions listed in the *improvement codes*.

"*Core stations*" are those fire stations located within five road miles of at least two other stations.

"*Commercial property*" means those *tax parcels* with a *code description* designated as "*commercial*" in the *improvement codes*, including those *tax parcels* that meet the definition of *recreational vehicle park* herein.

"*Cost apportionment*" means the apportionment of the *fire rescue cost* among all *property use categories* according to the *demand percentages* established pursuant to the apportionment methodology described in Sections 7.A.3 and 7.B.2 of this Resolution.

"*Cost Factor*" means the factor that represents the varying cost in providing *fire rescue services* to the different *service zones*, as calculated in accordance with Section 7.B of this Resolution.

"*Demand percentage*" means the percentage of demand for *fire rescue services* attributable to each *property use category* determined by analyzing the historical demand for *fire rescue services* as reflected in *incident reports* in the *state database* under the methodology described in Sections 7.A.3 and 7.B.2 of this Resolution.

"*DOR code*" means a property use code established in Rule 12D-8.008, Florida Administrative Code, assigned by the Property Appraiser to *tax parcels*.

"*Dwelling unit*" means (1) a *building*, or a portion thereof, available to be used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only, or (2) the use of land in which lots or spaces are offered for rent or lease for the placement of mobile homes or the like for residential purposes.

"EMS services" means those services recorded in *FFIRS* that assign a "type of situation found code" of 3, 300, 311,320, 321, 321B, 322, 323, 381, 551E, 554, and 661.

"EMS Cost" means the amount, other than first response medical rescue services, determined by the County to be associated with *EMS services*.

"*FFIRS*" means the Florida Fire Incident Reporting System maintained by the Florida State Fire Marshal.

"Fire rescue cost" means the *fire rescue cost* as defined in Chapter 7 of the Leon County Code of Laws, but specifically excluding any *EMS Cost*.

"*Fire rescue services"* means fire rescue services, facilities and programs.

"*Fire rescue fee*" means a fee for *fire rescue services* provided to each improved parcel of *governmental property* located within the unincorporated area of the County.

"*Fire services property use category*" means the use codes developed for the purpose of assigning a *fire rescue charge* for collection on a *utility* bill.

"*Fixed property use codes*" mean the property use codes used by *FFIRS* as specified in the attached Exhibit A, Appendix B.

"*Improvement codes*" mean the building use codes assigned by the Property Appraiser to *tax parcels* as specified in the attached Exhibit A, Appendix C.

"*Incident report*" means an individual report filed with the Florida State Fire Marshal under *FFIRS* that is not associated with *EMS services*.

"*Industrial/warehouse property*" means those *tax parcels* with a *code description* designated as "*industrial/warehouse*" in the *improvement codes*.

"*Mixed use property*" means a *tax parcel* that contains *buildings* whose use descriptions are capable of assignment under a *code description* in the *improvement codes* in more than one *property use category*.

"*Non-residential property*" means, collectively, *commercial property* and *industrial/warehouse property*.

"*Parcel apportionment*" means the further apportionment of the *fire rescue cost* allocated to each *property use category* by the *cost apportionment* among the *tax parcels* under the methodology established in Sections 7.A.3 and 7.B.2 of this Resolution.

"*Property use categories*" means, collectively, *residential property* and all categories of *non-residential property.*

"Recreational vehicle park" means (1) a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more recreational vehicles or tents; and (2) licensed by the Department of Health of the State of Florida, or its successor in function as a "recreational vehicle park" or "lodging park" under Chapter 513, Florida Statutes, as may be amended from time-to-time.

"*Residential property*" means those *tax parcels* designated as "Residential" in the *improvement codes.*

"*Service zones*" mean the geographic areas defined to differentiate between the two levels of *fire rescue services* provided within the County based upon proximity to *core stations.*

"State database" means the incident data derived from the *FFIRS incident reports* maintained by the Florida State Fire Marshal.

"Tax parcel" means a parcel of property located within the unincorporated area of the County to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

Section 4. Resolution. This Resolution shall constitute the *fire rescue assessment rate resolution* and the *fire rescue fee rate resolution* as described in Sections 7-42 and 7-43, Leon County Code of Laws.

Section 5. Provision of Fire Rescue Services. The County shall continue to provide *fire rescue services* for the benefit of all parcels of *assessed property* located within the unincorporated areas of the County commencing October 1, 2015. All or a portion of the cost to provide such *fire rescue services* shall be funded from proceeds of the *fire rescue charge*. The remaining cost, if any, required to provide *fire rescue services* shall be funded by available County revenues other than such proceeds.

Section 6. General Legislative Determinations. It is hereby ascertained and declared that the *fire rescue services* provide a special benefit to the *assessed property* based upon the following legislative determinations and based upon that certain report entitled "City of Tallahassee and Leon County, Florida, Fire Assessment Memorandum" dated April 14, 2015, prepared by Government Services Group, Inc., which is hereby specifically approved and adopted as Exhibit A, same being attached hereto and incorporated herein as if fully set forth below. Upon the adoption of this Resolution, the legislative determinations ascertained and declared in Sections 7-42 and 7-43, Leon County Code of Laws are hereby ratified and confirmed.

A. It is hereby ascertained, determined, and declared that each parcel of property subject to a *fire rescue charge* located within the unincorporated area of the County, and the *owners* and occupants of said parcel, will be benefited by the County's provision of *fire rescue services*, in an amount not less than the *fire rescue charge* imposed against such parcel and that such *fire rescue charge,* as computed in a manner as set forth in this Resolution, constitutes a fair and reasonable charge for the provision of *fire rescue services*.

B. The availability and provision of comprehensive *fire rescue services* enhance and strengthen the relationship of such services to the use and enjoyment of the parcels of property,

the market perception of the area and, ultimately, the property and rental values within the assessable area.

C. The Board does hereby find that the various legislative findings and determinations contained herein are found to have existed as of the original imposition of the *fire rescue charge* in 2009 and relate back thereto. Therefore, such findings shall be deemed to have been incorporated in the provisions of Chapter 7, Leon County Code of Laws, adopted March 13, 2009, and Resolution No. 09-16, adopted June 9, 2009, as if they had been set forth fully therein and continued thereafter.

Section 7. Fire Rescue Charges.

A. Fire Rescue Fee.

1. Imposition; Legislative Determinations.

   a. A *fire rescue fee* is hereby imposed upon each improved parcel of *government property* located within the unincorporated area of the County, and which is hereby ascertained, determined, and declared to be reasonably and fairly related to the cost of providing *fire rescue services* to such *government property* and as such the *fire rescue fee* constitutes a fair, reasonable, just, and equitable manner for apportioning and allocating the *fire rescue cost for government property*. The *fire rescue fee* imposed hereby is not a special assessment; it is a fee for services available and rendered to *government property*.

   b. Upon the adoption of this Resolution determining the *fire rescue fee* and identifying the *government property* to be billed a *fire rescue fee*, the legislative determinations ascertained and declared in Section 7-42, Leon County Code of Laws, are hereby ratified and confirmed.

c. It is fair and reasonable to use the *fire services property use category* to assign property use for a *fire rescue fee* because the use codes are most compatible with the system of billing on the City of Tallahassee *utility* bill.

d. It is fair and reasonable to use the *fire rescue costs for* the development of the *fire rescue fee* and apply the *fire rescue fee* for future fiscal years at the rates established in this Resolution because it is hereby determined that the actual annual cost of providing *fire rescue services*, over the five-year period will be as great as or greater than the *fire rescue fee* established herein.

e. It is fair and reasonable and consistent with the decision of the Florida Supreme Court in the case of City of North Lauderdale v. SMM Properties, Inc., 825 So.2d 343 (Fla. 2002), to exclude from the *fire rescue costs*, amounts determined to constitute the cost of providing emergency medical services.

f. Apportioning *fire rescue costs for government property* among classifications of improved *government property* based upon historical demand for *fire rescue services*, but not emergency medical services, is a fair and reasonable method of *cost apportionment* because it reflects the property uses' potential fire risk based upon *building* use and is a reasonable proxy for the amount of fire flow, fire fighters, quantity and size of apparatus, and other special firefighting equipment that must be available in accordance with the County's required standards and practices.

g. The greater the *building area*, the greater the potential for a large fire and the greater amount of firefighting resources that must be available in the event of

a fire in a structure of that *building*'s size. Therefore, it is fair and reasonable to use *building area* as a proxy for determining the *fire rescue fees*.

h. It is fair and reasonable to not charge a *fire rescue fee* to *government property* that is vacant as evidenced by the cessation of *utility* services. The costs of administering and collecting *fire rescue fees* from such vacant property exceed the anticipated *fire rescue fees* that could be collected from such property.

i. The *incident reports* are the most reliable data available to determine the potential demand for *fire rescue services* from *government property* use and to determine the benefit to property use resulting from the availability of *fire rescue services* to protect and serve *buildings* located within *government property* and their intended occupants. There exists sufficient *incident reports* documenting the historical demand for *fire rescue services* from *government property*. The *demand percentage* determined for each classification of *government property* by an examination of such *incident reports* is consistent with the experience of the County. Therefore, the use of *demand percentages* determined by an examination of *incident reports* is a fair and reasonable method to apportion the *fire rescue costs* among each classification of *government property*.

j. The suppression of fire on vacant property primarily benefits the *buildings* within the adjacent improved property by the containment of the spread of fire rather than the preservation of the vacant property. Therefore, it is fair and reasonable not to apportion any of the costs attributed to providing *fire rescue services* to vacant property and the *incident reports* omitted from the *demand percentage* calculation.

k. The budget is sized based upon its ability to provide *fire rescue services* to *assessed property* within the unincorporated area. Therefore, the level of services required to meet anticipated demand for *fire rescue services* and the corresponding fire services budget required to fund *fire rescue services* provided to non-specific property uses would be required notwithstanding the occurrence of any incidents from such non-specific uses. Therefore, it is fair and reasonable to omit from the *demand percentage* calculation, the *incident reports* documenting *fire rescue services* provided to non-specific property uses and vacant property.

2. Methodology for Determining Fire Rescue Fees. The *fire rescue fees* shall be calculated as follows:

a. The number of *incident reports* filed within a sampling period was determined for *government property* and all *property use categories* of *nongovernment property*. The percentages of total *incident reports* allocated to *government property* as compared to total *incident reports* allocated to *nongovernment property* were used to calculate the *fire rescue cost* for *assessed property* and the *fire rescue cost for government property*.

b. The *fire rescue cost for government property* was then apportioned among the *tax parcels* of *government property* as follows:

1. Add the *building area* of all the *buildings* of *government property* to arrive at the aggregate square footage for *government property*. Any *buildings* that exceed 100,000 square feet of *building area* shall only be included at 100,000 square feet.

2. Divide the *fire rescue cost for government property* by the product of subsection 1. above to arrive at a rate per square foot of *building area* to be charged to *government property*.

3. For each *building* of *government property*, multiply the applicable square foot rate determined in subsection 2. above by the number of square feet for that *building* and then sum the amounts for all *buildings* on that *tax parcel*.

3. Amount of Fire Rescue Fee.

The *fire rescue cost for government property* is further determined to be a reasonable estimation of a five-year average annual cost of providing *fire rescue services* to *government property*. The amount of the *fire rescue fee* imposed upon *government property for fire rescue services* is specifically based upon the Rate Study, Exhibit A, established pursuant to and in accordance with Section 7-42, Leon County Code of Laws, and shall be as set forth in Exhibit B, Rate Schedule, same being attached hereto and incorporated herein as if fully set forth below, commencing October 1, 2015, annually, until otherwise determined by the Board.

B. Fire Rescue Assessment.

1. Imposition; Legislative Determinations; Cost Apportionment Methodology; Parcel Apportionment Methodology; Amount.

A *fire rescue assessment* is hereby levied and imposed upon each improved parcel of *nongovernment property* located within the unincorporated area of the County, and which is hereby ascertained, determined, and declared to be reasonably related to the cost of providing *fire rescue services* and thereby provides an equitably corresponding special benefit to *nongovernment property*. The *fire*

rescue assessment is hereby ascertained, determined and declared to be based upon a reasonable estimation of the five-year average annual cost of providing *fire rescue services* to such *nongovernment property*. It is further ascertained, determined and declared that the *fire rescue assessment* imposed hereby provides a special benefit to and is equitably apportioned among the *assessed property* based upon the special benefit assumptions and apportionment methodology set forth in the Rate Study, Exhibit A, and as further set forth below:

a. It is further hereby ascertained and declared that the *fire rescue services* provide a special benefit to *nongovernment property,* that is improved by the existence or construction of a *building,* based upon the following legislative determinations:

   1. *Fire rescue services* enhance the use and enjoyment of improved property, which constitutes a special benefit to *owners*, commercial tenants, residential tenants, and occupants by the following:

      a) Protecting the value of the improvements, structures, and contents through the provision of available *fire rescue services*;

      b) Protecting the life and safety of occupants, residential tenants and commercial tenants, in the use and enjoyment of the improvements and structures within improved parcels; and

      c) Lowering the cost of fire insurance, including renter's insurance and property coverage for the repair and replacement of contents of improvements and structures within the improved parcels, by the presence of a professional and comprehensive fire services program within the unincorporated area of the County.

2. The *fire rescue services* enhance the use and enjoyment of commercial tenants by protecting the continued commercial operations within improved parcels of property within the unincorporated area of the County.

3. The *fire rescue services* enhance the value of business and commercial interests, which accrues to *owners* and lessees, by protecting the continued commercial operations within improved parcels of property within the unincorporated area of the County.

4. The legislative determinations of special benefit ascertained arising from the *fire rescue services*, as set out and declared in Section 7-43, Leon County Code of Laws, are incorporated herein by reference and further ratified and confirmed.

b. It is fair and reasonable to create *service zones* to reflect the level of service differentiation between a property located in a higher density area that receives fire protection coverage from multiple *core stations* and a property located in an area generally described as rural and typically serviced by a single fire station.

c. It is fair and reasonable to use the *improvement codes* and the *DOR codes* for the *cost apportionment* and the *parcel apportionment* because: (1) the *tax roll* database employing the use of such property use codes is the most comprehensive, accurate, and reliable information readily available to determine the property use and *building area* for improved property within the County, (2) the *tax roll* database within such property use codes is maintained by the Property Appraiser and is thus consistent with parcel designations on

the *tax roll*, and (3) the parcel descriptions on the *tax roll* are not incompatible with the property use descriptions on the City of Tallahassee's *utility* customer database which has been developed and maintained by the City of Tallahassee and which will be used in many instances to bill the *fire rescue assessments*.

d. The data available in the *improvement codes* is more useful and accurate to determine *building area* than the data maintained in the *DOR codes* because (1) the data maintained in the *improvement codes* reveals the existence of a *building* with a different use than the use described in the *DOR codes*, (2) the *improvement codes* represent records maintained by the Property Appraiser with the most information relative to *building area* regardless of property use, and (3) the City of Tallahassee *utility* customer database does not contain *building area* data.

e. It is fair and reasonable and consistent with the decision of the Florida Supreme Court in the case of City of North Lauderdale v. SMM Properties, Inc., 825 So. 2d 343 (Fla. 2002), to exclude from the *fire rescue costs,* amounts determined to constitute the cost of providing *EMS services*.

f. Apportioning the *fire rescue cost for assessed property* among classifications of improved property based upon historical demand for *fire rescue services*, but not *EMS services*, is fair and reasonable method of *cost apportionment* because it reflects the property uses' potential fire risk based upon *building* use and is a reasonable proxy for the amount of fire flow, fire fighters, quantity and size of apparatus, and other special firefighting equipment that must be available in accordance with the County's required standards and practices..

g. The cost of responding to fire incidents varies among the *service zones.* Therefore, it is fair and reasonable to use a *cost factor* in calculating the *demand percentages* because it reflects the varying costs that are associated with the responses and services to different *property use categories* based upon average call duration, which accounts for the time that personnel and equipment were out of service.

h. It is fair and reasonable to use the *fire rescue costs for assessed property* for the development of the *fire rescue assessment* and apply the *fire rescue assessment* for future fiscal years at the rates established in this Resolution because it is hereby determined that the actual annual cost of providing *fire rescue services* over the five-year period will be as great as or greater than the *fire rescue assessment* established herein.

i. The *incident reports* are the most reliable data available to determine the potential demand for *fire rescue services* from property use and to determine the benefit to property use resulting from the availability of *fire rescue services* to protect and serve *buildings* located within the *assessed property* and their intended occupants. There exists sufficient *incident reports* documenting the historical demand for *fire rescue services* from *assessed property* within the *property use categories.* The *demand percentage* determined for each *property use category* by an examination of such *incident reports* is consistent with the experience of the City of Tallahassee Fire Department. Therefore, the use of *demand percentages* determined by an examination of *incident reports* is a fair and reasonable method to apportion the *fire rescue costs* among the *property use categories.*

j. The suppression of fire on vacant property primarily benefits the buildings within the adjacent improved property by the containment of the spread of fire rather than the preservation of the vacant property. Therefore, it is fair and reasonable not to apportion any of the costs attributed to providing *fire rescue services* to vacant property and the *incident reports* documenting historical *fire rescue costs* provided to vacant property were thus omitted from the *demand percentage* calculation.

k. The budget for *fire rescue services* is sized based upon its ability to provide service to *assessed property* within the unincorporated area. Therefore the level of services required to meet anticipated demand for *fire rescue services* and the corresponding budget required to fund *fire rescue services* provided to nonspecific property uses would be required notwithstanding the occurrence of any incidents from such nonspecific uses. Therefore, it is fair and reasonable to omit from the *demand percentage* calculation the *incident reports* documenting *fire rescue services* provided to nonspecific property uses and vacant property.

l. It is fair and reasonable to not charge a *fire rescue assessment* to *nongovernment property* that is vacant as evidenced by the cessation of *utility* services. The costs of administering and collecting *fire rescue assessments* from such vacant property exceed the anticipated *fire rescue assessments* that could be collected from such property.

m. The size or the value of the *residential property* does not determine the scope of the required *fire rescue services* response. The potential demand for *fire*

rescue services is driven by the existence of a *dwelling unit* and the anticipated average occupant population.

n. Apportioning the *fire rescue costs* to *residential property* on a per *dwelling unit* basis is required to avoid cost inefficiency and unnecessary administration and is a fair and reasonable method of *parcel apportionment* based upon historical call data.

o. The demand for *fire rescue service* availability is substantially the same for all *residential property*; therefore, it is fair and reasonable to use the combined *demand percentages* attributable to all types of *residential property,* both *single family property* and *multi-family property,* to determine *fire rescue assessments* for *residential property*.

p. The risk of loss and the demand for *fire rescue services* availability is substantially the same for *buildings* below a certain minimum size. Because the value and anticipated occupancy of non-residential *buildings* below a certain minimum size is less, it is fair, reasonable and equitable to provide a lesser assessment burden on improved property containing such *buildings* by the creation of specific *building area* classification ranges for such parcels.

q. The assessment of *nonresidential property* by square footage classification ranges is fair and reasonable for the purpose of *parcel apportionment* because the demand for fire rescue service, fire flow, fire fighters, quantity and size of apparatus, and other special firefighting equipment is determined and measured by the square footage of structures and improvements within benefited parcels.

r. The greater the *building area*, the greater the potential for a large fire and the greater amount of firefighting resources that must be available in the event of a fire in a structure of that *building*'s size. Therefore, it is fair and reasonable to use *building area* as a proxy for determining the *tax parcel*'s *fire rescue assessment*.

s. The separation of improved *non-residential property* into *building area* classification ranges is fair and reasonable for the purposes of *parcel apportionment* because: (1) the absence of a need for precise square footage data within the ad valorem tax records maintained by the Property Appraiser undermines the use of actual *building area* within each improved parcel as a basis for *parcel apportionment*; (2) the administrative expense and complexity created by an on-site inspection to determine the actual *building area* within each improved parcel assessed is impractical; (3) the demand for *fire rescue services* availability is not precisely determined or measured by the actual *building area* within benefited parcels; and (4) the classification of parcels within *building area* classification ranges is a fair and reasonable method to classify benefited parcels and to apportion costs among benefited parcels that create similar demand for the availability of *fire rescue services*.

t. The demand for the availability of *fire rescue services* diminishes at the outer limit of *building* size since a fire occurring in a structure greater than a certain size is not capable of being suppressed under expected conditions and the fire control activities under such circumstances are directed to avoid the spread of the fire event to adjacent *buildings*. Therefore, it is fair and reasonable to

place a cap on the *building area* classification of benefited parcels within *non-residential property*.

u. In accordance with Section 125.0168, Florida Statutes, which mandates that counties treat recreational vehicle park property as *commercial property* for non-ad valorem special assessments levied by a county, like the *fire rescue assessment*, it is fair and reasonable to treat each space within recreational vehicle park property as a *building* on *commercial property* and to assign the square footage of 191 square feet, the average size of a recreational vehicle, according to the Florida Association of RV Parks and Campgrounds.

2. Cost Apportionment Methodology for Fire Rescue Assessment.

a. The number of *incident reports* filed within a sampling period was determined for *government property* and all *property use categories* of *nongovernment property*. The percentages of total *incident reports* allocated to *government property* as compared to total *incident reports* allocated to *nongovernment property* were used to calculate the *fire rescue cost for assessed property* and the *fire rescue cost for government property*.

b. Next, to correlate the *nongovernment tax parcels* to the *service zones*, the *incident reports* filed within a sampling period were geo-coded on the GIS system map based upon the address provided in the *FFIRS* database.

c. Based upon such correlation by *service zone*, the number of *incident reports* filed within a sampling period were determined for each *service zone*.

d. A *cost factor* was then developed and applied to the *incident reports* within each *service zone* based upon the difference in average call duration between

the *service zones* with Zone 1 being assigned a 1.00 weighting *cost factor* and Zone 2 being assigned a 1.26 weighting *cost factor.*

e. A *demand percentage* was then determined for each *service zone* by calculating the percentage that *incident reports* allocated to each *service zone* bears to the total number of *incident reports* documented for both *service zones* during the sampling period. The *demand percentage* for each *service zone* was then applied to the *fire rescue cost for assessed property* and the resulting product is the cost allocation of that portion of the *fire rescue costs* allocated to each *service zone*.

f. Using the weighted *incident reports*, fire rescue incidents were assigned within the County to the *property use categories* by correlating the *code descriptions* within the *fixed property use codes* to the *improvement codes* and *DOR codes*.

g. To correlate the *property use categories* with the *state database*, the *code descriptions* within the *fixed property use codes* similar to *code descriptions* within the *improvement codes* that were used to determine the *property use categories* were identified. Exhibit A, Appendix C contains a designation of *code descriptions* by *property use category* with the *improvement codes*, and Exhibit A, Appendix B contains a designation of *code descriptions* by *property use category* with the *fixed property use codes*. Such correlation between *code descriptions* by *property use category* between the *fixed property use codes* and the *improvement codes* is necessary to allocate the historical demand for *fire rescue services* as reflected by the weighted *incident reports* for *tax parcels* on the *tax roll* within the *property use categories*.

h. Based upon such assignment of weighted *incident reports* to *property use categories*, the number of weighted *incident reports* filed within a sampling period was determined for each *property use category*. A *demand percentage* was then determined for each *property use category* in each *service zone* by calculating the percentage that weighted *incident reports* allocated to each *property use category* bear to the total number of weighted *incident reports* documented for all *property use categories* within the sampling period. The *demand percentage* for each *property use category* within each *service zone* was then applied to the *fire rescue cost for assessed property* for that *service zone*, and the resulting product is the cost allocation of that portion of the *fire rescue cost for assessed property* allocated to each *property use category* within that *service zone*.

3. Parcel Apportionment Methodology.

a. The apportionment among *tax parcels* of *nongovernment property* of that portion of the *fire rescue cost for assessed property* apportioned to each *property use category* within each *service zone* under the *cost apportionment* is consistent with the *parcel apportionment* methodology described and determined herein.

b. RESIDENTIAL PROPERTY. For each *service zone*, the *fire rescue assessment* for each *tax parcel* of *residential property* shall be computed by multiplying the *demand percentage* attributable to *residential property* by the *fire rescue cost for assessed property* allocated to the respective *service zone*, dividing such product by the total number of *dwelling units* shown on the *tax*

roll within the *service zone*, and then multiplying such quotient by the number of *dwelling units* located on such *tax parcel*.

c. NON-RESIDENTIAL PROPERTY. The *fire rescue assessments* for each *building* of *nonresidential property*, except recreational vehicle property, shall be computed as follows for each *service zone*:

1. Respectively, multiply the *fire rescue cost for assessed property* for the applicable *Service zone* by the *demand percentage* attributable to each of the non-residential *property use categories*. The resulting dollar amounts reflect the portions of the fire *rescue services* budget to be respectively funded from *fire rescue assessment* revenue derived from each of the non-residential *property use categories*.

2. Separate each *building* in each of the *nonresidential property use categories* into one of the following square footage categories:

a) *buildings* with a *building area* of 1,999 square feet or less;

b) *buildings* with a *building area* between 2,000 square feet and 3,499 square feet;

c) *buildings* with a *building area* between 3,500 square feet and 4,999 square feet;

d) *buildings* with a *building area* between 5,000 square feet and 9,999 square feet;

e) *buildings* with a *building area* between 10,000 square feet and 19,999 square feet;

f) *buildings* with a *building area* between 20,000 square feet and 29,999 square feet;

g) *buildings* with a *building area* between 30,000 square feet and 39,999 square feet;

h) *buildings* with a *building area* between 40,000 square feet and 49,999 square feet; and

i) *buildings* with a *building area* between 50,000 square feet and 59,999 square feet; and

j) *buildings* with a *building area* between 60,000 square feet and 69,999 square feet; and

k) *buildings* with a *building area* between 70,000 square feet and 79,999 square feet; and

l) *buildings* with a *building area* between 80,000 square feet and 89,999 square feet; and

m) *buildings* with a *building area* between 90,000 square feet and 99,999 square feet; and

n) *buildings* with a *building area* of 100,000 square feet or greater.

3. As to each non-residential *property use category* multiply the number of *buildings* categorized in:

a) Paragraph (2)(a) of this subsection by 1,000 square feet; and

b) Paragraph (2)(b) of this subsection by 2,000 square feet; and

c) Paragraph (2)(c) of this subsection by 3,500 square feet; and

d) Paragraph (2)(d) of this subsection by 5,000 square feet; and

e) Paragraph (2)(e) of this subsection by 10,000 square feet; and

f) Paragraph (2)(f) of this subsection by 20,000 square feet; and

g) Paragraph (2)(g) of this subsection by 30,000 square feet; and

h) Paragraph (2)(h) of this subsection by 40,000 square feet; and

i) Paragraph (2)(i) of this subsection by 50,000 square feet; and

j) Paragraph (2)(j) of this subsection by 60,000 square feet; and

k) Paragraph (2)(k) of this subsection by 70,000 square feet; and

l) Paragraph (2)(l) of this subsection by 80,000 square feet; and

m) Paragraph (2)(m) of this subsection by 90,000 square feet; and

n) Paragraph (2)(n) of this subsection by 100,000 square feet.

4. For each non-residential *property use category*, add the products of paragraphs (3)(a) through (3)(n) of this subsection. The sum of these products reflects an aggregate square footage area for each non-residential *property use category* to be used in the computation of *fire rescue assessments*.

5. Divide the product of paragraph 1. of this subsection relative to each of the non-residential *property use categories* by the sum of the products for each non-residential *property use category* described in paragraph 4. of this subsection. The resulting quotient expresses a dollar amount adjusted or weighted per square foot of improved area to be used in computing *fire rescue assessments* on each of the respective non-residential *property use categories*.

6. For each of the non-residential *property use categories*, multiply the resulting quotients from paragraph 5. of this subsection by each of the respective products in paragraphs (3)(a) through (3)(n) of this subsection. The resulting products for each non-residential *property use category*, expresses a series of gross dollar amounts expected to be funded by all *buildings* in the respective non-residential *property use categories* in each of the square footage categories described in paragraph 2. of this subsection.

7. For each of the non-residential *property use categories*, divide each of the respective products of paragraph 6. of this subsection by the number of *buildings* determined to be in each of the square footage categories identified in paragraph 2. of this subsection. The result expresses the respective dollar amounts of the *fire rescue assessments* to be imposed upon each *building* in each of the non-residential *property use categories*.

d. RECREATIONAL VEHICLE PARK PROPERTY. Notwithstanding the procedure in subsection c. above for *non-residential property*, the *fire rescue assessments* for each *tax parcel* of *recreational vehicle park* property shall be computed as follows:

1. Aggregate the amount of square footage for each *tax parcel* of *recreational vehicle park*, with recreational vehicle park spaces, as reported to the Department of Health, at 191 square feet each, mobile home spaces, as reported to the Department of Health, at actual *building area* or 720 square feet each if actual square footage is not available, and actual *building area* for all other *buildings*.

2. Assign the respective dollar amount of the *fire rescue assessments* determined in subsection c. above for *commercial property* for the applicable *service zone* to the comparable aggregated square footage category ranges of *recreational vehicle park* property as calculated in paragraph 1. above. Any aggregated square footage that exceeds 100,000 square feet on a *tax parcel* shall be assigned the *commercial* dollar amount for 100,000 square feet. The result expresses the respective dollar amounts of the *fire rescue assessments* to be imposed upon each *recreational vehicle park* property.

e. MIXED USE PROPERTY. The *fire rescue assessments* for each *tax parcel* classified in two or more *property use categories* shall be the sum of the *fire rescue assessments* computed for each *property use category*.

4. Amount of Fire Rescue Assessment.

The amount of the *fire rescue assessment* levied and imposed upon *nongovernment property* shall be as set forth in Exhibit B, Rate Schedule, commencing October 1, 2015, annually, until otherwise determined by the Board.

Section 8. Exempt Property. The *fire rescue assessment* heretofore imposed upon *nongovernment property* shall not be levied nor imposed against property owned or occupied by a "religious institution" as that term is defined in Section 170.201(2), Florida Statutes, to the extent same is used as a place of worship.

Section 9. Lien. The *fire rescue assessments* imposed herein shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

Section 10. Collection of Fire Rescue Charge; Legislative Determinations. The collection of the *fire rescue charge* shall be made pursuant to and in accordance with Section 7-44, Leon County Code of Laws, and is authorized hereby, commencing October 1, 2015. The use of the *utility* bills for the collection of the *fire rescue fee* and *fire rescue assessment* is a method of collection that is reasonably related and directed to those that derive the benefit received by the property from the provision of *fire rescue services*. The benefit to the property is not solely received by the *owner* of the property but also extends to all intended occupants,

including but not limited to, tenants, leaseholders and others occupying the property. There is a rational nexus between the use of the *utility* bill to collect the *fire rescue fees* and *fire rescue assessments* from the property and the intended occupants of the property, including but not limited to, owners, tenants, leaseholders and others occupying property, and the benefit they derive through the enhancement of their use and enjoyment of the property. The use of *utility* bills for collection also provides a convenient mechanism of payment and further relieving any potential economic burden by providing an opportunity to pay smaller fees in twelve (12) increments annually as opposed to one larger lump sum payment being collected annually.

Section 11. Final Adjudication. The adoption of this Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment, the method of apportionment, the rate of assessment and fee, the and the levy and lien of the *fire rescue charges*), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Resolution.

Section 12. Effective Date. This Resolution shall have effect upon adoption and shall apply to all property located within the unincorporated area of Leon County.

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[SIGNATURE PAGE FOLLOWS ON NEXT PAGE]

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County, Florida, this 26th day of May, 2015.

LEON COUNTY, FLORIDA

BY: _____
MARY ANN LINDLEY, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

ATTESTED BY:

BOB INZER
CLERK & COMPROLLER
LEON COUNTY, FLORIDA

BY: John Stoltz, Deputy Clerk

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

BY: _____
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY

EXHIBIT
tabbies
A

City of Tallahassee and Leon County, Florida

Fire Assessment Memorandum

APRIL 14, 2015

Presented by:
Government Services Group, Inc.
1500 Mahan Drive, Suite 250
Tallahassee, Florida 32308
(850) 681-3717
(850) 224-7206 Fax

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Introduction

The City of Tallahassee (City) and Leon County (County) entered into a professional services agreement with GSG to provide specialized services in the development and implementation of a non-ad valorem assessment program to fund fire services within the incorporated and unincorporated areas of the County (Fire Assessment Project).

The objective of this Fire Assessment Project is to develop and implement an update to the City's current revenue program capable of efficiently and effectively collecting all assessable and billable costs associated with providing fire services on an annual basis throughout the entire County for Fiscal Year 2015-16 and future fiscal years. The mechanism for collecting the fire fee from governmental properties will remain in effect, however both the City and County will utilize the City's utility bill as the collection method for all non-governmental properties where possible and the City will assist the County in the collection of the fire assessment utilizing the utility bill, separate bills and tax bill. This document is the Fire Assessment Memorandum (Assessment Memorandum), which is one of the project deliverables specified in the scope of services.

The work effort, documented by this Assessment Memorandum, focused on the calculation of assessment rates and classifications required to fully fund the identified assessable costs to provide countywide fire services for Fiscal Year 2015-16 and future fiscal years. However, the City and County have the choice of funding all or only a portion of the assessable costs based on policy direction. In addition, the work effort recorded in this Assessment Memorandum required the identification of the full costs of assessable fire services (net of all fire related revenues) and the allocation of those costs to properties that specially benefit from the provision of such fire services.

BACKGROUND

In 1999, the City adopted a fire services funding program consisting of two components: a Fire Fee and a Fire Assessment. The goal of the Fire Services Funding Project in 1999 was to design an alternative revenue program capable of efficiently and effectively collecting all assessable and billable costs associated with providing fire services on an annual basis. The Fire Fee is the funding mechanism that secures recovery of the cost for providing fire services to governmental property. The Fire Assessment is the funding mechanism for non-government property that could be collected on the City's utility bill. The program was updated to account for changes in call data, property data and service delivery in Fiscal Year 2004-05 and once again in Fiscal Year 2009-10.

OBJECTIVES

The City retained GSG to develop an annual recurring special assessment program that is capable of funding all of the assessable costs associated with providing countywide fire services. The City will utilize the utility bill for collection of the fire assessment and will assist the County in the collection of the fire assessment utilizing the utility bill, separate bills and the tax bill. Data available on the ad valorem tax roll was used to develop the Fiscal Year 2015-16 assessment program. GSG has been

charged to fully cost the services to be provided by the City, develop a fair and reasonable apportionment methodology for such assessable costs and determine assessment rates and parcel classifications that are accurate, fair and reasonable.

The fire non-ad valorem assessments must meet the Florida case law requirements for a valid special assessment. These requirements include the following:

1. The service provided must confer a special benefit to the property being assessed; and
2. The costs assessed must be fairly and reasonably apportioned among the properties that receive the special benefit.

The work effort of this project required the evaluation of data obtained from the City to develop a fire assessment program that focuses upon the projected Fiscal Year 2015-16 assessable cost calculations. The objectives of this initial effort were to:

- Determine the full costs of providing fire services within the County.
- Review such final cost determination with the City to determine which elements provide the requisite special benefit to the assessed properties.
- Determine the relative benefit anticipated to be derived by categories of property use within the County from the delivery of fire services.
- Recommend the fair and reasonable apportionment of assessable costs among benefited parcels within each category of property use.
- Calculate assessment rates and parcel classifications for Fiscal Year 2015-16 and future years based on the projected Fiscal Year 2015-16 budget adjusted for year over year increases.

Service Description and Assessable Cost Calculations

The fire services apportionment methodology allocates assessable costs on the basis of the anticipated demand for fire services by categories of private, real property use as identified on the real property assessment roll prepared for the levy of ad valorem taxes. The assessable fire costs are allocated among private, real property use categories based upon the historical demand for these services. This demand is identified by examining the fire incident data as reported by the City to the State Fire Marshal's office.

The fire services apportionment methodology for government property allocates billable costs to provide fire services based upon the historical demand for these services for all government owned property (i.e. City, County, State, Federal, etc.), as reflected by the incident data reported by the City.

SERVICE DELIVERY DESCRIPTION

Fire Rescue services are provided throughout the County from 16 paid fire rescue stations and 5 volunteer fire rescue stations. One of the volunteer stations is co-located at Station 15. Table 1 identifies fire rescue buildings/facilities inventory, as well as the corresponding physical location address for the facility.

Table 1
Fire Rescue Department Buildings/Facility Inventory

Station	Address
Station #1	327 North Adams Street Tallahassee, FL 32301
Station #2	2805 Sharer Road Tallahassee, FL 32302
Station #3	3005 South Monroe Street Tallahassee, FL 32301
Station #4	2899 West Pensacola Street Tallahassee, FL 32304
Station #5	3238 Capital Circle Southwest Tallahassee, FL 32304
Station #6	2901 Apalachee Parkway Tallahassee, FL 32311
Station #7	2805 Shamrock South Tallahassee, FL 32308
Station #8	2423 Hartsfield Road Tallahassee, FL 32304
Station #9	3205 Thomasville Road Tallahassee, FL 32312

Station	Address
Station #10	5323 Tower Road Tallahassee, FL 32303
Station #11	8752 Centerville Road Tallahassee, FL 32308
Station #12	4701 Chaires Cross Road Tallahassee, FL 32311
Station #13	1555 Oak Ridge Road Tallahassee, FL 32311
Station #14	16614 Blountstown Highway Tallahassee, FL 32310
Station #15	1445 Bannerman Road Tallahassee, FL 32312
Station #16	911 Easterwood Drive Tallahassee, FL 32311
Miccosukee (County-Volunteer)	15210 Mahan Drive Tallahassee, FL 32308
Bradfordville (County-Volunteer) (Co-located at Station #15)	1445 Bannerman Road Tallahassee, FL 32312
Chaires-Capitola (County-Volunteer)	10541 Valentine Road South Tallahassee, FL 32317
Woodville (County-Volunteer)	155 East Oakridge Tallahassee, FL 32305
Lake Talquin (County-Volunteer)	16614 Blountstown Highway Tallahassee, FL 32312

Source: City of Tallahassee

The City of Tallahassee Fire Rescue Department provides standard fire suppression, medical services, hazmat response, technical rescue, airport capabilities, state disaster response, emergency response and disaster preparedness, fire prevention and safety education. Five of the sixteen City stations provide Advanced Life Support (ALS) services in coordination with Leon County EMS.

Dispatch services for fire and EMS services are provided through a joint dispatch operation between the City and the County.

Tables 2 through 5 outline the Fire Rescue Department's current service operations and service components. Table 2 outlines the Fire Rescue Department's organizational structure.

Table 2
City of Tallahassee Fire Rescue Department Organizational Chart

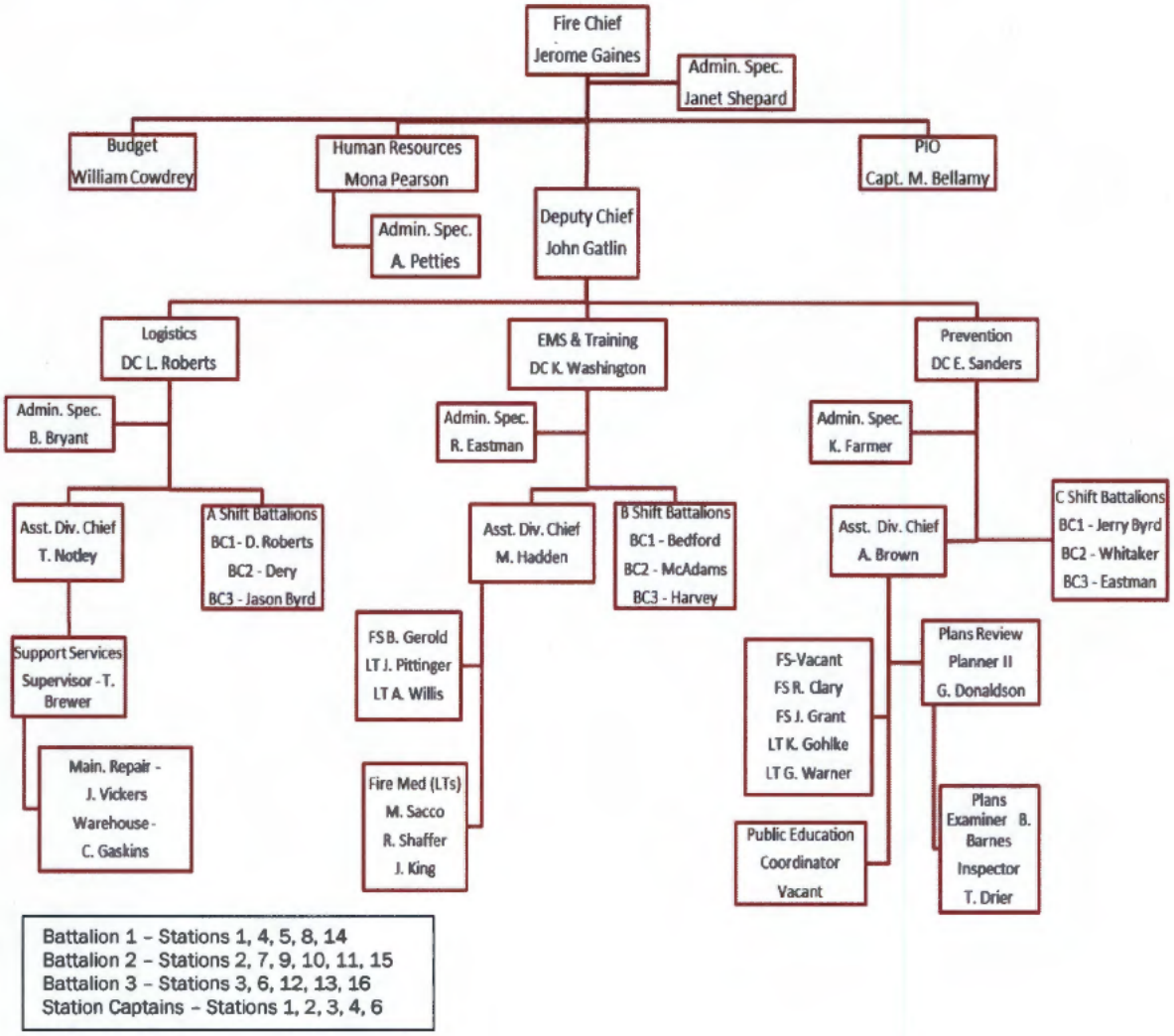


Table 3 describes the normal staffing for each apparatus. This information is used in the development of the Administrative Factor, as further discussed in the "Development of Factors" section of this Assessment Memorandum.

Table 3
Fire Rescue Department Apparatus Normal Staffing Requirements

Apparatus	Typical Staffing
Aerial	3-4 personnel
Pumper	3-4 personnel
Ford Expedition/Battalion Chief	1 personnel
Rescue	2 Personnel
Air Truck	1 Personnel
Brush Truck	1 Personnel
Rescue Boat	2 Personnel
Tanker	1 Personnel
Chevy Suburban/FireMed1	1 Personnel
HazMat Apparatus	3-4 personnel
Squad or Mass Care	3-4 personnel
USAR Apparatus	3-4 personnel

Source: City of Tallahassee

Table 4 lists the location and the fire flow/pumping capacity of the Fire Rescue Department's apparatus. This information is used to determine the square footage cap for non-residential properties.

Table 4
Fire Rescue Department Apparatus Fire Flow

Location	Apparatus	Fire Flow (GPM)
Station 1	1994 E-One Tanker	1,500
	1996 E-One International Air and Light	N/A
	2014 Pierce Impel Pumper	1,500
	2007 E-One 95' Platform	1,500
	2008 Ford Expedition	N/A
	2003 E-One Typhoon Rescue Pumper	1,500
Station 2	1996 E-One Haz-Mat	N/A
	1998 Pace 16ft. Trailer	N/A
	2008 Ford Expedition	N/A
	2001 E-One Platform	1,500
	2002 Ford F-550 Brush Truck	350
	2005 E-One Typhoon Rearmount Pumper	1,500
Station 3	1994 Rescue-1 Boat	N/A
	2005 Ford-550 HazMat Tow Vehicle	N/A
	1997 E-One Medium Rescue	N/A
	2014 Pierce Impel 75 ft. Aerial	1,500
	2008 Ford Expedition	N/A
	2005 E-One Typhoon Rescue Pumper	1,500

Location	Apparatus	Fire Flow (GPM)
Station 4	2010 Rescue -1 Boat	N/A
	2002 E-One Bronto Aerial Platform	1,500
	1996 E-One International Rescue Squad	500
	1998 16ft. Trailer	N/A
	2002 Ford F-550 Brush Truck	350
	2014 Pierce Impel Pumper	1,500
	2005 International 4X4 Tractor	N/A
	2005 Hackney Trailer	N/A
	2005 E-One International Air Light Truck	N/A
Station 5*	1994 International ARFF	500
	2010 E-One Titan Force ARFF	3,300
	2014 Oshkosh Striker 3000	3,300
Station 6	1994 Rescue-1 Boat	N/A
	1997 95 Ft. E-One Tower	1,500
	2002 Ford F-550 Brush Truck	350
	2005 E-One Typhoon Rearmount Pumper	1,500
Station 7	2005 E-One Typhoon Rearmount Pumper	1,500
Station 8	2005 E-One Typhoon Rearmount Pumper	1,500
Station 9	2005 E-One Typhoon Rescue Pumper	1,500
Station 10	1998 E-One International Tanker/Pumper	2,500
	2000 E-One International Rescue	650
Station 11	1998 E-One International Tanker/Pumper	2,500
	1996 E-One International Rescue	650
Station 12	1998 E-One International Tanker/Pumper	2,500
	2000 E-One International Rescue	650
Station 13	1998 E-One International Tanker/Pumper	2,500
	2000 E-One International Rescue	650
Station 14	1994 Rescue-1 Boat	N/A
	2000 E-One International Rescue	650
	2006 E-One International Tanker/Pumper 7600	2,500
Station 15	1994 Rescue-1 Boat	N/A
	2000 Ford F-450 Brush Truck	350
	2003 E-One Typhoon Rearmount Pumper	1,500
Station 16	Tanker/Pumper	2,500
	Rescue	650
	Total GPM	**44,800**

Source: City of Tallahassee
* Pumping capacity for Station 5 is not included in total because those apparatus are dedicated to the airport.

The current pumping capacity is defined as the combined amount of water that all apparatus in the Fire Rescue Department can pump to a first alarm non-residential fire. As outlined by Table 4 above, the pumping capacity of the City's Fire Rescue Department is 44,800 gallons per minute. Accordingly, based on National Fire Protection Association firefighting standards for fire flow as provided for in NFPA 1 Fire Code, 2015, Chapter 18 (assuming ordinary construction), the Fire Rescue Department currently has sufficient fire flow capacity to provide service coverage in the event of a structure fire involving unlimited square feet.

Table 5 below details the Fire Rescue Department's response protocol.

Table 5
Minimum Response Protocol

Call Type	Typical City Response
Medical	Engine (1)
Vehicle Accident	Engine (1)
Vehicle Accident with Extraction	Engine (2), Battalion Chief (1)
Residential Fire	Engine (2), Truck(1), Battalion Chief (1), FireMed (1)
Residential/Building Alarm	Engine (1)
Commercial Fire	Engine (3), Truck (1), Battalion Chief (1), FireMed (1)
Hazardous Material	Engine (2), Tanker (1), Truck (1), Haz-Mat (1), Battalion Chief (1), FireMed (1)
Service Calls	Engine (1)

Call Type	Typical County Response
Medical	Rescue (1), Tanker (1)
Vehicle Accident	Rescue (1), Tanker (1)
Vehicle Accident with Extraction	Rescue (1), Tanker (1), Battalion Chief (1), FireMed (1), Engine or Truck (1)
Residential Fire	Rescue (1), Tanker (2), Battalion Chief (1), FireMed (1), Engine or Truck (1)
Residential/Building Alarm	Rescue (1), Tanker (1)
Commercial Fire	Rescue (1), Tanker (1), Battalion Chief (1), FireMed (1), Engine or Truck (3)
Hazardous Material	Rescue (1), Tanker (1), Battalion Chief (1), FireMed (1), Engine or Truck (2), HazMat (1)
Service Calls	Rescue (1), Tanker (1)

Source: City of Tallahassee

DEVELOPMENT OF FACTORS

FIRE RESCUE V. EMERGENCY MEDICAL SERVICES

In June 2000, litigation over the City of North Lauderdale fire rescue assessment program resulted in a decision by the Fourth District Court of Appeals in the case of SMM Properties, Inc. v. City of North Lauderdale, (the "North Lauderdale" case). The Fourth District Court of Appeals concluded that Emergency Medical Services (EMS) did not provide a special benefit to property. The Court, however, reaffirmed that fire suppression, fire prevention, fire/building inspections and first response medical services do provide a special benefit to property. In 2002, the Florida Supreme Court upheld the decision of the Fourth District Court of Appeals.

To address these concerns, GSG developed a methodology that removed the costs associated with emergency medical services. This method of splitting the fire and EMS portions of a consolidated public safety department's budget was upheld by the Fourth District Court of Appeals in Desiderio Corporation, et al. vs. The City of Boynton Beach, Florida, et al., 39 So.3d 487 (Fla. 4th DCA 2010).

The proposed fire rescue department's line item costs were allocated between fire rescue and emergency medical services as a result of the Florida Supreme Court's opinion in City of North Lauderdale v. SMM Properties that emergency medical services (above the level of first response) do not provide a special benefit to property. Accordingly, the County's fire rescue costs were split from emergency medical service costs based on the following general guidelines.

DIRECT ALLOCATIONS

To the extent that certain line items could be allocated directly to fire, direct allocations were made. For example, all costs associated with "Utility Service Expense," "Volunteer Fire Department," and "Contractual Svcs – VFD County" were allocated entirely to fire. All costs directly related to "Medical Services" were directly allocated to EMS.

ADMINISTRATIVE FACTOR

Certain line items were allocated between fire and EMS based on an Administrative Factor. This Administrative Factor is derived by creating a ratio between non-EMS or fire personnel and total combat personnel per shift. The administrative factor calculations are based on the City's total Fire Rescue Department combat personnel staffing, including an allocation for volunteers. Under normal staffing, this results in 75 non-EMS personnel and 14 EMS personnel for a total of 89 combat personnel. This normal staffing yields an 84.27 % percent non-EMS Administrative Factor.

This percentage was applied to all applicable line items to allocate the costs that could not be directly allocated as fire costs or EMS costs, and that could not be operationally allocated (see below). For example, the Administrative Factor was applied to the line item expenditures for "Food,' "Human Resource Expense" and "Utilities - Electric" to determine the fire service costs of these line items.

OPERATIONAL FACTOR

Other line items were allocated between fire and EMS based on an Operational Factor. The Operational Factor is derived by creating a ratio between non-EMS (i.e. fire) calls and EMS calls, and this ratio which is based on the City's Fire Rescue Department's operations, was then applied to certain budget line items such as "Vehicle Fuel" and "Vehicle Replacement".

To develop the Operational Factor, GSG obtained fire rescue incident data identifying the number of fire rescue calls made to property categories within the entire County over a three-year period. The City fire rescue incident data was used to determine the demand for fire rescue services. GSG obtained information from the City in an electronic format, identifying the number and type of fire rescue incident responses for calendar years 2011, 2012 and 2013.

The State Fire Marshal's office uses the Florida Fire Incident Reporting System (FFIRS). This system is a tool for fire rescue departments to report and maintain computerized records of fire rescue incidents and other department activities in a uniform manner. Under this system, a series of basic phrases with code numbers are used to describe fire rescue incidents. Appendix A provides a codes list for the "type of situation found" as recorded on the fire rescue incident reports used to identify EMS and non-EMS calls.

The ratio between non-EMS (i.e. fire) calls and EMS calls is then applied to all applicable line items to allocate the costs that could not be directly allocated as fire costs or EMS costs, and that could not be administratively allocated. For calendar years 2011, 2012 and 2013, the City reported 50,089 total non-government fire rescue incident calls to FFIRS, of which 19,406 were non-EMS (i.e. fire) calls and 30,683 were EMS calls. This information results in a 38.74% non-EMS Operational Factor.

ASSESSABLE COST CALCULATIONS

The fire services assessable cost calculations for Fiscal Years 2015-16 through 2019-20 are based on the following assumptions for the purpose of this Fire Assessment Memorandum.

- Actual projected expenditures and revenues were provided by the City for Fiscal Years 2015-16 through 2019-20.
- Revenues are shown as a reduction of the total projected expenditures for each fiscal year, thereby reducing the total assessable costs for that year. Revenues are comprised of revenues directly received from or for the delivery of fire services, such as "Fire Inspection Fees," "Forfeited Discounts," "Firefighters Supplemental," and contract for service revenues that are allocated to the fire budget.
- All costs associated with providing contract services to the Tallahassee Regional Airport were included in the assessable budget with the corresponding contract revenues removed from the assessable budget calculations.
- The line item "Under Collection Rate" under "Additional Costs" reflects a 95% collection rate of the Fire Services Assessment.
- The line item "GSG Study/Annual/Update" under "Operating Expenditures" is the cost associated with the anticipated update of the fire assessment program in Fiscal Year 2019-20. These costs are reimbursable through the assessment program.
- The costs associated with supporting the volunteer fire departments were included as 100% fire costs and are included in the assessable budget.

Table 6 provides a calculation of the assessable costs for Fiscal Year 2015-16 based on an application of the above factors to the Fiscal Year 2015-16 Projected Budget. The calculation yields an assessable cost of $35,497,107 for Fiscal Year 2015-16.

Table 6
Fire Services Assessable Cost Calculations (FY 2015-16)

	FY 15-16 Projected Budget	FY 15-16 Assessable Budget
Personnel Services		
Salaries	$16,683,075	$13,919,205
Capitalized Wages	($37,935)	($31,968)
Salary Enhancements	$1,138,964	$950,374
Firefighter Holiday Pay	$617,613	$515,380
Overtime	$861,507	$734,035
Other Salary Items	$655,681	$540,911
Pension-Current	$4,143,996	$3,457,681
Pension-MAP	$55,983	$46,619
Mandatory Medicare	$242,113	$201,821
Health Benefits	$1,945,308	$1,612,587
Heath Benefits-OPEB	$200,977	$169,363
Flex Benefits	$81,415	$66,711
Total Personnel Services	**$26,588,697**	**$22,182,721**
Operating Expenditures		
Advertising	$6,645	$5,600
Cleaning & Laundry	$8,731	$8,209
Reproduction	$5,412	$2,404
Equipment Repairs	$44,801	$17,357
Medical Services	$67,001	$0
Construction Services	$10,000	$8,427

	FY 15-16 Projected Budget	FY 15-16 Assessable Budget
Unclassified Contract Svcs	$290,916	$170,389
Computer Software	$3,150	$2,654
Telephone	$22,550	$17,827
Chem-Med-Lab	$70,246	$1,672
Food	$1,211	$1,021
Gasoline	$697	$270
Office Supplies	$20,441	$15,978
Uniforms & Clothing	$298,761	$251,082
Unclassified Supplies	$156,294	$108,628
Non-Capitalized Furniture	$5,673	$5,541
Travel & Training	$72,359	$49,453
Journals & Books	$16,857	$14,963
Memberships	$4,008	$3,098
Certificates & Licenses	$2,300	$590
Rent Expense-Machines	$9,992	$8,420
Unclassified Charges	$52,500	$44,242
Bad Debt Expense	$161,366	$135,983
Unclassified Equipment	$351,619	$308,733
Human Resource Expense	$421,915	$355,546
Accounting Expense	$87,776	$73,969
Purchasing Expense	$42,490	$35,806
Information Systems Expense	$1,709,303	$1,440,424
Risk Management Expense	$575,434	$484,916
Radio Communications Expense	$165,497	$139,464
Revenue Collection Expense	$64,707	$54,528
Utility Service Expense	$1,269,676	$1,269,676
Vehicle Garage Expense	$990,333	$383,685
Vehicle Fuel	$338,765	$131,248
Vehicle Replacement	$3,172,465	$1,229,109
Utilities-Sewer	$30,377	$25,599
Utilities-Sanitation	$16,149	$13,609
Utilities-Stormwater	$21,749	$18,328
Utilities-Gas	$37,495	$31,597
Utilities-Water	$25,177	$21,217
Utilities-Electric	$187,813	$158,269
Utilities-Fire Services	$47,890	$40,357
Indirect Costs	$757,947	$638,719
Debt Service Transfer	$2,834,850	$2,388,919
RR&I Transfer	$1,247,500	$1,051,264
Inter-Fund Transfer	$10,990	$9,261
Contribution to Human Resources	$45,000	$37,921
Contribution to Consolidated Dispatch Agency	$321,978	$271,330
Contractual Svcs – VFD County	$482,479	$482,479
Airport Fire Protection	$1,234,050	$1,234,050
GSG Study/Annual/Update	$0	$0
Total Operating Expenditures	**$17,823,335**	**$13,203,830**
Total Expenditures	**$44,412,032**	**$35,386,551**
Revenues		
City-Fire Inspection Fees	$294,500	$294,500
City-Firefighters Supplemental	$76,450	$76,450
City-Airport	$1,234,050	$1,234,050
City-Forfeited Discounts	$59,300	$59,300
Total Revenues	**$1,664,300**	**$1,664,300**
Total Expenditures	$44,412,032	$35,386,551

	FY 15-16 Projected Budget	FY 15-16 Assessable Budget
Less Total Revenues	($1,664,300)	($1,664,300)
Total Net Expenditures before Additional Costs	**$42,747,732**	**$33,722,251**
Additional Costs		
Under Collection Rate (5%)		$1,774,856
Total Additional Costs		**$1,774,856**
Total Assessable Costs		**$35,497,107**

Table 7 shows the calculation of the full cost of the Fire Services Assessment Program for Fiscal Year 2015-16 through Fiscal Year 2019-20 as well as the five-year average Fire Services Assessment Program cost.

Table 7
Fire Services Assessable Cost Calculations Proforma Five-Year Average (FY 2015-16 thru FY 2019-20)

	FY 15-16 Assessable Budget	FY 16-17 Assessable Budget	FY 17-18 Assessable Budget	FY 18-19 Assessable Budget	FY 19-20 Assessable Budget	Five-Year Average Assessable Budget
Total Personnel Services	$22,182,721	$23,552,663	$24,866,486	$27,625,129	$28,829,470	$25,411,294
Total Operating Expenditures	$13,203,830	$13,360,632	$13,697,672	$13,209,205	$13,000,395	$13,294,347
Total Expenditures	**$35,386,551**	**$36,913,295**	**$38,564,158**	**$40,834,334**	**$41,829,865**	**$38,705,641**
Total Revenues	**($1,664,600)**	**($1,729,956)**	**($1,766,528)**	**($1,795,675)**	**($1,825,561)**	**($1,756,404)**
Total Net Expenditures before Additional Costs	**$33,722,251**	**$35,183,339**	**$36,797,630**	**$39,038,659**	**$40,004,304**	**$36,949,237**
Total Additional Costs	**$1,774,856**	**$1,851,755**	**$1,936,718**	**$2,054,667**	**$2,105,490**	**$1,944,697**
Total Assessable Costs	**$35,497,107**	**$37,035,094**	**$38,734,348**	**$41,093,326**	**$42,109,794**	**$38,893,934**

The average annual increase in the total assessable costs from Fiscal Year 2009-10 (Prior Study) to 2019-20 is estimated to be 4 - 5%. This estimate could be used for budgetary planning purposes relating to the fire assessment moving forward.

Determination of Fire Services Demand

INCIDENT DATA

GSG obtained information from the City in an electronic format, identifying the number and type of fire rescue incident responses for calendar years 2011, 2012 and 2013. The City uses the Florida Fire Incident Reporting System (FFIRS) to record its fire rescue incidents. The FFIRS is a tool for fire rescue departments to report and maintain computerized records of fire rescue incidents and other department activities in a uniform manner.

Under this system, a series of basic phrases with code numbers are used to describe fire rescue incidents. A data field in the FFIRS, "type of situation found," identifies the incident as an EMS or non-EMS type of call for each incident. Appendix A provides a code list for the "type of situation found" as recorded on the fire rescue incident reports used to identify EMS and non-EMS calls.

Another data field in the FFIRS, "fixed property use," identifies the type of property that fire rescue departments respond to for each fire rescue incident. The fixed property uses correlate to property uses determined by the Leon County Property Appraiser on the ad valorem tax roll. Appendix B provides a code list for the "fixed property use" as recorded on the fire rescue incident reports.

GSG analyzed the calendar year 2011, 2012 and 2013 fire rescue incident data from the FFIRS files to evaluate trends and determine if aberrations were present. The fire rescue incident data for calendar years 2011, 2012 and 2013 represents 52,103 fire rescue incidents. Of the 52,103 fire rescue incidents, there were 30,683 incidents classified as EMS type incidents based on the type of situation found indicated on the incident report. The 30,683 EMS type incidents were not included in the analysis.

There are certain fire incidents that could not be assigned to a specific property or parcel. These calls represent non-specific type incidents, which are incidents that either could not be correlated to a specific parcel or calls that involved auto accidents and other types of incidents along roads and highways.

Of the 21,420 remaining fire type incidents, 14,638 were calls to specific property uses. The remaining 6,782 incidents were considered non-specific type incidents. Because of the inability to correlate these non-specific type incidents to specific property categories, the call analysis does not include these 6,782 incidents. Additionally, the level of services required to meet anticipated demand for fire services and the corresponding annual fire services budget required to fund fire services provided to non-specific property uses would be required notwithstanding the occurrence of any incidents from such non-specific property uses.

The suppression of fires on vacant land and agricultural property primarily benefits adjacent property by containing the spread of fire rather than preserving the integrity of the vacant parcel. Thus, incidents to vacant and agricultural property were not included in the final analysis of the fire call database. The 116 calls to these two property use categories were removed.

Of the remaining 14,522 fire type incidents, there were 2,014 calls for service to government properties and 12,508 calls to non-Government properties as identified by addresses or fixed property use codes provided in the FFIRS reports. The costs associated with providing service to government properties was segregated and those government properties will fund fire service through a fee that is determined by the historical demand for service as detailed later in this Memorandum.

Table 8 outlines the assignment of fire type incidents based on the analysis conducted by GSG.

Table 8
Fire Calls by Category (Calendar Years 2011, 2012 and 2013)

Property Category	Number of Fire Incidents	Percentage of Total Incidents
Non-Government	12,508	86.13%
Government	2,014	13.87%
Total	**14,522**	**100%**

Source: City of Tallahassee

PROPERTY DATA

GSG obtained information from the ad valorem tax roll from the Leon County Property Appraiser's office to develop the assessment roll. Each building within the County on the ad valorem tax roll was assigned to one or more of the property use categories based on their assignment of use by the Leon County Property Appraiser or verification of use obtained through field research. A list of building improvement codes used by the Leon County Property Appraiser and their assignment to a property use category is provided as Appendix C.

The Residential Property Use Category includes such properties as single-family dwelling units, duplexes, mobile homes, triplexes, quadruplexes, apartments, condominiums, townhouses, and cooperatives. In the event the data was indefinite, the DOR codes were used to clarify mobile home categories and help identify condominium and townhouse buildings. For parcels assigned to the Residential Property Use Category, GSG utilized the total number of dwelling units as determined from the building files on the ad valorem tax roll or through the use of field research.

The Non-Residential Property Use Category includes commercial and industrial/warehouse property uses. For parcels within the Non-Residential Property Use Categories (Commercial and Industrial/Warehouse), GSG determined the amount of square footage of the structures using the building files on the ad valorem tax roll or through the use of field research.

For RV parks regulated under Chapter 513, Florida Statutes, in accordance with Sections 166.223 and 125.0168, Florida Statutes, which mandate that cities and counties treat RV parks like commercial property for non-ad valorem assessments levied by the City and County, each RV space within the park was treated as a building of commercial property and assigned the square footage of 191 square feet, the average size of a recreational vehicle, according to the Florida Association of RV Parks and Campgrounds.

Computation of Fire Services Assessments

This section of the Memorandum includes the assessment rates as calculated within this Assessment Memorandum. The fire rescue assessment cost calculations provided herein are primarily based on information supplied by the City. The assessable cost projections developed by GSG are designed to forecast assessment rates within each property use category for Fiscal Years 2015-16 through 2019-20.

SERVICE ZONES

Service zones were created under the previous fire assessment study in Fiscal Year 2009-10 to reflect the level of service differentiation of a property located in a higher density area that receives fire protection coverage from multiple stations as compared to a property located in an area generally described as rural and typically serviced by a single fire station. For this purpose, "core stations" were identified and defined as those stations within five road miles of at least two other stations. The creation of a core area was necessary to eliminate the appearance of a higher service level of those properties that may be within five road miles of two stations; however, the location of the property lies between two stations that are nearly ten miles apart. This same approach was used in this study. Any changes in the level of service provided in the two zones will need to be reviewed in subsequent studies to ensure that this approach is still valid.

Those properties included in "Zone 1" were generally located within five road miles of two "core stations." Properties located outside of five road miles of two "core stations" were included in "Zone 2." A map of the service zones is provided in Appendix E.

Calls were plotted, or "geocoded," on a map based upon the address provided in the FFIRS database. Those calls correlated to properties included in "Zone 1," and those calls correlated to properties included in "Zone 2," were aggregated and assigned to the respective zone. Table 9 details the assignment of calls to service zones.

Table 9
Fire Calls to Non-Governmental Properties by Zone (Calendar Years 2011, 2012 and 2013)

Zone	Number of Calls to Specific Property Uses
Zone 1	9,590
Zone 2	2,918

The calls for service were then weighted based on the average call duration differential between Zone 1 and Zone 2 to account for the difference in resources used on calls between the two zones. On average a call in Zone 2 is 26% longer in duration than a call in Zone 1. Therefore, all calls in Zone 2 were multiplied by a weighting factor of 1.26 to determine the weighted number of calls while all calls in Zone 1 were assigned a weighting factor of 1.00. Table 10 details the weighting of calls by zone

Table 10
Weighted Fire Calls to Non-Governmental Properties by Zone (Calendar Years 2011, 2012 and 2013)

Zone	Number of Calls to Specific Property Uses	Weighting Factor	Number of Weighted Calls to Specific Property Uses
Zone 1	9,590	1.00	9,590.00
Zone 2	2,918	1.26	3,676.68

Table 11 outlines the property use category assignment of weighted fire type incidents for non-governmental properties based on the historical demand for service in each zone.

Table 11
Weighted Fire Calls by Category to Non-Governmental Properties (Calendar Years 2011, 2012 and 2013)

	Zone 1		Zone 2	
Category	**Number of Incidents**	**Percentage of Calls**	**Number of Incidents**	**Percentage of Calls**
Residential	6,036	62.94%	3,186.54	86.67%
Commercial	3,448	35.95%	444.78	12.10%
Industrial/Warehouse	106	1.11%	45.36	1.23%
Total	**9,590**	**100%**	**3,676.68**	**100%**

Source: City of Tallahassee

SPECIAL BENEFIT ASSUMPTIONS

The following assumptions support a finding that the fire services, facilities, and programs provided by the City provide a special benefit to the assessed parcels.

- Fire services, facilities, and programs possess a logical relationship to the use and enjoyment of property by: (i) protecting the value and integrity of improvements and structures through the availability and provision of comprehensive fire services; (ii) protecting the life and safety of intended occupants in the use and enjoyment of property; (iii) lowering the cost of fire insurance by the presence of a professional and comprehensive fire services program; and (iv) containing fire incidents occurring on land with the potential to spread and endanger other property and property features.
- The availability and provision of comprehensive fire services enhances and strengthens the relationship of such services to the use and enjoyment of the parcels of property, the market perception of the area and, ultimately, the property values within the assessable area.

APPORTIONMENT METHODOLOGY

The following section describes the assessment apportionment methodology for fire services based on: (i) the fire services assessable cost calculations; (ii) the ad valorem tax roll maintained by the property appraiser and the availability of the data residing on the database; and (iii) the fire rescue incident data.

COST APPORTIONMENT

The assessable costs were first apportioned among government and non-government property based upon the historical demand for service percentages shown in Table 8. The assessable costs attributable to non-government property were then apportioned to Zone 1 and Zone 2 and then further to the individual property use categories in each service zone based upon the weighted historical demand for fire services reflected by the fire incident data experienced in each service zone for Calendar Years 2011, 2012 and 2013. The five-year average cost apportionment is illustrated in Table 12.

Table 12
Cost Apportionment (Five-Year Average)

	Zone 1 (72.29% of Weighted Fire Calls)			Zone 2 (27.71% of Weighted Fire Calls)		
Category	**Total Calls**	**Percentage**	**Assessable Costs**	**Total Calls**	**Percentage**	**Assessable Costs**
Residential	6,036	62.94%	$15,239,222	3,186.54	86.67%	$8,045,128
Commercial	3,448	35.95%	$8,705,242	444.78	12.10%	$1,122,946
Industrial/Warehouse	106	1.11%	$267,621	45.36	1.23%	$114,521
Total	**9,590**	**100%**	**$24,212,085**	**3,676.68**	**100%**	**$9,282,595**

PARCEL APPORTIONMENT

The share of the assessable costs apportioned to each property use category was further apportioned among the individual buildings of property within each property use category in the manner described in Table 13.

Table 13
Parcel Apportionment within Property Use Categories

Category	**Parcel Apportionment**
Residential	Dwelling Unit
Non-Residential -Commercial -Industrial/Warehouse	Improvement Area Per Building Within Square Footage Ranges (100,000 Square Foot Cap Per Building)

Applying the foregoing parcel apportionment methodology, fire assessment rates were computed for each property use category. The specific methodology, underlying special benefit and fair apportionment assumptions are included below and generally described.

RESIDENTIAL PARCEL APPORTIONMENT ASSUMPTIONS

The following assumptions support findings that the parcel apportionment applied in the Residential Property Use category are fair and reasonable. The Residential Property Use Category includes such properties as single-family dwelling units and multi-family dwelling units.

- The size or the value of the residential parcel does not determine the scope of the required fire services. The potential demand for fire services is driven by the existence of a dwelling unit and the anticipated average occupant population.
- Apportioning the assessable costs for fire services attributable to the residential property use category on a per dwelling unit basis is required to avoid cost inefficiency and unnecessary administration, and is a fair and reasonable method of parcel apportionment based upon historical fire call data.
- The consolidation of single-family and multi-family properties into a single category is fair and reasonable because they are similar property uses and the number of calls per dwelling unit is not significantly different.

RESIDENTIAL PARCEL APPORTIONMENT CALCULATION

Based upon the historical demand for fire services, the percentages of assessable costs attributable to residential properties were calculated. The amount of the assessable costs allocable to each residential property was divided by the number of dwelling units in the Residential Property Use Category to compute the fire assessment to be imposed against each dwelling unit. For each residential parcel, the actual number of dwelling units located on the parcel will be multiplied by the residential dwelling unit rate to compute the residential fire assessment amount for the parcel.

Table 14 illustrates the assignment of dwelling units under this apportionment methodology to the Residential Property Use Category for each zone.

Table 14
Parcel Apportionment (Residential Property Use Category)

Residential Property Use Category	Number of Dwelling Units-Zone 1	Number of Dwelling Units-Zone 2
Residential Dwelling Units	75,921	43,378

Source: Leon County Property Appraiser Data

NON-RESIDENTIAL PARCEL APPORTIONMENT ASSUMPTIONS

The Non-Residential Property Use category includes commercial and industrial/warehouse property uses. The capacity to handle fires and other emergencies in Non-Residential Property Use category is governed by the following:

- The current pumping capacity is defined as the combined amount of water that all apparatus in the Fire Department can pump to a non-residential fire. As outlined by Table 4 above, the pumping capacity of the Fire Department is 44,800 gallons per minute. Accordingly, based on National Fire Protection Association firefighting standards for fire flow as provided for in NFPA 1 Fire Code, 2015, Chapter 18 (assuming ordinary construction), the Fire Rescue Department currently has sufficient fire flow capacity to provide service coverage in the event of a structure fire involving unlimited square feet. To avoid inefficiency and unnecessary administration, the City has made a policy decision to set the maximum classification of any building at 100,000 square feet.

The following assumption supports findings that the parcel apportionment applied in the Non-Residential Property Use category is fair and reasonable.

- The risk of loss and demand for fire services availability is substantially the same for structures below a certain minimum size. Because the value and anticipated occupancy of structures below a certain minimum size is less, it is fair, reasonable, and equitable to provide a lesser assessment burden on such structures by the creation of a specific property parcel classification for those parcels.
- The separation of non-residential buildings into square footage classifications is fair and reasonable for the purposes of parcel apportionment because: (i) the absence of a need for precise square footage data within the ad valorem tax records maintained by the property appraiser undermines the use of actual square footage of structures and improvements within each improved building as a basis for parcel apportionment; (ii) the administrative expense and complexity created by an on-site inspection to determine the actual square footage of structures and improvements within each improved parcel assessed is impractical; and (iii) the demand for fire services availability is not precisely determined or measured by the actual square footage of structures and improvements within benefited parcels; and (iv) the classification of buildings within square footage ranges is a fair and reasonable method to classify benefited parcels and to apportion costs among benefited buildings that create similar demand for the availability of fire services.
- The consolidation of commercial and institutional properties into a single category is fair and reasonable because the non-government institutional type properties are similar in use to the commercial type properties.

The parcel apportionment for each Non-Residential Property Use Classification shall include both minimum building classifications and an additional classification of all other buildings based upon the assumed square footage of structures and improvements within the improved parcel. The Non-Residential Property Use Classifications include Commercial and Industrial/Warehouse. The following describes the Non-Residential Property parcel apportionment calculation and classification for the Commercial and Industrial/Warehouse categories.

NON-RESIDENTIAL PARCEL APPORTIONMENT CALCULATION

Based upon the historical demand for fire services, property in the Non-Residential Property Use categories will be responsible for funding a percentage of assessable costs. The amount of the assessable costs allocable to buildings within each of the Non-Residential Property Use Classifications was calculated based upon the following building classifications.

- Non-residential buildings with square footage of non-residential improvements less than 1,999 square feet were assigned an improvement area of 1,000 square feet per building. Buildings with square footage of non-residential improvements between 2,000 square feet and 3,499 square feet were assigned an improvement area of 2,000 square feet per building. Buildings with non-residential improvements between 3,500 square feet and 4,999 square feet were assigned an improvement area of 3,500 square feet per building. Buildings with non-residential improvement areas between 5,000 square feet and 9,999 square feet were assigned an improvement area of 5,000 square feet per building. For buildings containing non-residential improvements between 10,000 square feet and 99,999 square feet, assignments of improvement area were made in 10,000 square foot increments.
- For buildings, containing non-residential improvements over 99,999 square feet, an assignment of improvement area of 100,000 was made.

Sections 125.0168 and 166.223, Florida Statutes, relating to special assessments levied on recreational vehicle parks regulated under Chapter 513, Florida Statues are based on the following:

- When a city or county levy a non-ad valorem special assessment on a recreational vehicle park regulated under Chapter 513, the non-ad valorem special assessment shall not be based on the assertion that the recreational vehicle park is comprised of residential units. Instead, recreational vehicle parks regulated under Chapter 513 shall be assessed as a commercial entity in the same manner as a hotel, motel, or other similar facility.

Table 15 illustrates the assignment of improvement area under this apportionment methodology for the Commercial and Industrial/Warehouse categories.

Table 15
Parcel Apportionment (Non-Residential Property Use Category)

Square Foot Tiers	Number of Commercial Buildings		Number of Industrial/Warehouse Buildings	
	Zone 1	Zone 2	Zone 1	Zone 2
≤ 1,999	1,444	238	86	45
2,000 - 3,499	961	173	147	54
3,500 - 4,999	536	88	122	51
5,000 - 9,999	809	111	274	79
10,000 - 19,999	407	73	196	27
20,000 - 29,999	141	19	60	5
30,000 - 39,999	81	4	28	2
40,000 - 49,999	48	7	13	0
50,000 - 59,999	34	3	9	0
60,000 - 69,999	18	4	5	0
70,000 - 79,999	13	2	3	4
80,000 - 89,999	11	2	5	1
90,000 - 99,999	9	3	3	0
>= 100,000	39	3	13	0

Source: Leon County Property Appraiser Data

Because the suppression of fires on vacant land and agricultural property primarily benefits adjacent property by containing the spread of fire rather than preserving the integrity of the vacant parcel, incidents to vacant and agricultural property were not included in the final analysis of the fire call database. Therefore, only the primary structures on vacant and agricultural parcels will be charged.

FIRE ASSESSMENT RATES

Applying the parcel apportionment methodology, fire services assessment rates were computed for each specified property use category. Based on the assessable costs of providing fire services, the number of fire calls apportioned to specific property categories and the number of billing units within the specified property categories.

Table 16 illustrates the assessment rates after application of the assessment methodology based on 100 percent funding of the five-year average total assessable costs.

Table 16
Fire Services Assessment Rates (Five Year Average)

Residential Property Use Categories		Zone 1 - Rate Per Dwelling Unit	Zone 2 - Rate Per Dwelling Unit
Residential Dwelling Unit		$201	$185
Commercial Property Use Category	**Building Classification (in square foot ranges)**	**Zone 1 – Rate Per Building**	**Zone 2 - Rate Per Building**
	≤ 1,999	$293	$267
	2,000 - 3,499	$585	$533
	3,500 - 4,999	$1,023	$933
	5,000 - 9,999	$1,461	$1,332
	10,000 - 19,999	$2,921	$2,663
	20,000 - 29,999	$5,842	$5,326
	30,000 - 39,999	$8,762	$7,989
	40,000 - 49,999	$11,683	$10,652
	50,000 - 59,999	$14,603	$13,315
	60,000 - 69,999	$17,524	$15,978
	70,000 - 79,999	$20,444	$18,641
	80,000 - 89,999	$23,365	$21,304
	90,000 - 99,999	$26,285	$23,967
	≥ 100,000	$29,206	$26,630
Industrial/Warehouse Property Use Category	**Building Classification (in square foot ranges)**	**Zone 1 - Rate Per Building**	**Zone 2 – Rate Per Building**
	≤ 1,999	$28	$76
	2,000 - 3,499	$56	$152
	3,500 - 4,999	$98	$265
	5,000 - 9,999	$139	$378
	10,000 - 19,999	$278	$756
	20,000 - 29,999	$556	$1,511
	30,000 - 39,999	$834	$2,266
	40,000 - 49,999	$1,112	$3,021
	50,000 - 59,999	$1,390	$3,776
	60,000 - 69,999	$1,668	$4,532
	70,000 - 79,999	$1,946	$5,287
	80,000 - 89,999	$2,224	$6,042
	90,000 - 99,999	$2,502	$6,797
	≥ 100,000	$2,780	$7,552

*Estimated Gross Revenue: $33,494,680; Estimated Institutional Tax Exempt Buy-down: $1,052,276; Estimated Net Revenue: $32,442,404.

EXEMPTIONS AND IMPACT OF EXEMPTIONS

Because the fire services assessment is being developed to meet the case law standards for a valid special assessment, any proposed exemptions require special scrutiny. The crafting of an exemption must be founded upon a legitimate public purpose, and not tramp on state or federal constitutional concepts of equal protection and constitutional prohibitions against establishment of religion or the use of the public treasury directly or indirectly to aid religious institutions. Furthermore, to ensure public acceptance, any exemption must make common sense and be fundamentally fair. Finally, the impact of any proposed exemption should be evaluated in terms of its magnitude and fiscal consequences on the City and County's general funds respectively.

Whenever crafting an exemption, it is important to understand that the fair apportionment element required by Florida case law prohibits the shifting of the fiscal costs of any special assessment from exempt landowners to other non-exempt landowners. In other words, the funding for an exemption from a special assessment must come from a legally available external revenue source, such as the City and

County's general funds. Funding for fire assessment exemptions cannot come from the proceeds derived directly from the imposition of special assessments for fire services and facilities. Because any exemption must be funded by an external funding source, the grant of any exemption will not have any impact upon the fire assessment to be imposed upon any other non-exempt parcels.

The decision to fund exemptions for fire services assessments on property owned by non-governmental entities is based upon the determination that such exemptions constituted a valid public purpose.

Table17 summarizes the estimated impact of exempting institutional, wholly tax-exempt property based on the five-year average assessable budget.

Table 17
Estimated Impact of Exemptions (Five-Year Average)

Financial Classification	Zone 1	Zone 2	Total
Estimated Assessable Costs	$24,212,085	$9,282,595	$33,494,680
Estimated Buy-down for Institutional Tax-Exempt Building Uses	$791,202	$261,074	$1,052,276
Estimated Revenue Generated	**$23,420,883**	**$9,021,521**	**$32,442,404**

Fire Services Fees Imposed on Governmental Property

The special benefit and fair and reasonable apportionment requirements for a valid special assessment do not rigidly apply to charges against government property. Florida case law has stated that user fees are paid by choice and are charged in exchange for a particular governmental service, which benefits the property paying the fee in a manner not shared by other members of the public. In the user fee context, choice means that the property paying the fee has the option of not using the governmental service and thereby avoiding the charge. Under such tests and definition of choice, the validity of both impact fees and stormwater fees have been upheld.

Impact fees are imposed to place the economic burden of infrastructure required by growth on new development. Stormwater fees are imposed to control and treat the stormwater burden generated by the use and enjoyment of developed property. Likewise, fire services provided by the City and County are intended to meet the historical demand for fire services from developed property and such fee benefits the owner or user of developed property in a manner not shared by other members of society (e.g., the owner of undeveloped property).

The Florida Attorney General has recognized that state-owned property is not required to pay a special assessment without legislative authorization but that such authorization is not needed for user fees or service charges. Additionally, a valid charge cannot be enforced by a lien against public property absent elector approval. Rather, the enforcement remedy is a mandamus action to compel payment. In addition, certain general laws preempt the home rule power of local governments to impose special assessments on educational institutions.

As discussed previously and documented in the "Incident Data" section of this document, the fire services incidents were analyzed to determine the fire services demand for all governmental property. It was determined that approximately 13.87% of the total fire calls were attributable to governmental property. Therefore, approximately 13.87% of the total assessable budget was allocated to governmental property as shown in Table 18 below.

Table 18
Government Cost Allocation

Total Assessable Costs	Percentage of Governmental Calls	Governmental Cost Allocation
$38,893,934	13.87%	$5,399,254

The costs attributable to each governmental entity will be allocated based on each entities percentage of the total governmental square footage as determined by the City. GSG calculated a rate per square foot for governmental property based on the governmental cost allocation in Table 18 and the total governmental square footage as provided by the City. This calculation is shown in Table 19 below.

Table 19
Government Rate Calculation

Governmental Cost Allocation	Total Government Square Feet	Government Rate Per Square Foot
$5,399,254	25,608,345	$0.211

Additional Information

EXEMPTION CALCULATIONS

GSG utilized the most current data to identify institutional, tax-exempt parcels within the County in order to calculate the aggregate cost ('buy down') of these parcels. In addition, best efforts were made by GSG to reconcile any differences necessary to calculate the estimated buy down for this exemption category. Missing or incorrect property data could affect the estimated aggregate costs.

NON-SPECIFIC CALLS

In the fire call analysis, certain fire related calls were classified as non-property specific, because of the location of occurrence in the incident report. These calls represent non-specific incidents that either could not be correlated to a specific parcel or involved auto accidents or other types of incidents along roads and highways. These calls are excluded from the analysis that determines the percentage of calls for service to respective property types and therefore, are not considered in the determination of the extent of budget required to fund the department. Because the budget is established based on the ability of the department to adequately protect structures, no adjustment has been made to the budget due to non-property specific calls.

MOBILE HOME AND RECREATIONAL VEHICLE PARK VACANCY CREDIT

As a consequence of the transient use and potential extraordinary vacancies within mobile home and recreational vehicle (RV) parks as compared to other residential property and the lack of demand for fire services for unoccupied spaces, it is fair and reasonable to provide for an extraordinary vacancy adjustment procedure for mobile home and RV park properties. Vacant mobile home and RV spaces within a mobile home or RV park will be charged; however, these properties will be eligible for an extraordinary vacancy adjustment for vacant mobile home or RV spaces.

VERIFICATION OF SQUARE FOOTAGE OF STRUCTURES ON TAX-EXEMPT PARCELS

The ad valorem tax roll provides the data required to determine value. So long as properties remain in the name of owners exempt from ad valorem taxation, the property appraiser may not consistently maintain data related to building improvements on such parcels. As a consequence of such data imperfections, the square footage on some of the parcels, particularly for institutional private sector classifications, may not be complete. The City of Tallahassee Fire Department staff has assisted GSG in verifying square footage information for certain parcels of property within the County.

BILLING PROPERTIES WITH MULTIPLE UTILITY ACCOUNTS

The proposed methodology can determine the assessment rate per building on a tax parcel. However, for some non-residential properties there may be many utility accounts assigned to a building. When utilizing the utility bill to collect the Fire Services Assessment, a considerable amount of data collection will be necessary to assess each utility account assigned to the building.

Appendix A

SITUATION FOUND CODES AND DESCRIPTIONS

Code	Description	Type
100	Fire, Other	Non-EMS
111	Building Fire	Non-EMS
112	Fires in structures other than in a building	Non-EMS
113	Cooking fire, confined to a container	Non-EMS
114	Chimney or flue fire, confined to chimney or flue	Non-EMS
115	Incinerator overload or malfunction, fire confined	Non-EMS
116	Fuel burner/boiler malfunction, fire confined	Non-EMS
117	Commercial compactor fire, confined to rubbish	Non-EMS
118	Trash or rubbish fire, contained	Non-EMS
118B	Bonfire Contained	Non-EMS
120	Fire in mobile property used as a fixed structure, other	Non-EMS
121	Fire in mobile home used as a fixed residence	Non-EMS
122	Fire in mobile home, camper, recreational vehicle	Non-EMS
123	Fire in portable building, fixed location	Non-EMS
130	Mobile property (vehicle) fire, other	Non-EMS
131	Passenger vehicle fire	Non-EMS
132	Road freight or transport vehicle fire	Non-EMS
134	Water vehicle fire	Non-EMS
137	Camper or RV fire	Non-EMS
138	Off Road vehicle or heavy equipment fire	Non-EMS
140	Natural vegetation fire	Non-EMS
141	Forest, woods or wildland fire	Non-EMS
142	Brush, or brush and grass mixture fire	Non-EMS
143	Grass fire	Non-EMS
150	Outside rubbish fire, other	Non-EMS
151	Outside rubbish, trash or waste fire	Non-EMS
152	Garbage dump or sanitary landfill fire	Non-EMS
153	Construction or demolition landfill fire	Non-EMS
154	Dumpster or other outside trash receptacle fire	Non-EMS
155	Outside stationary compactor/compacted trash fire	Non-EMS
160	Special outside fire, other	Non-EMS
161	Outside storage fire	Non-EMS
162	Outside equipment fire	Non-EMS
170	Cultivated vegetation, crop fire, other	Non-EMS
200	Overpressure rupture, explosion, overheat, other	Non-EMS
210	Overpressure rupture from steam, other	Non-EMS
211	Overpressure rupture of steam pipe or pipeline	Non-EMS
213	Steam rupture of pressure or process vessel	Non-EMS
220	Overpressure rupture from air or gas, other	Non-EMS
221	Overpressure rupture of air or gas pipe/pipeline	Non-EMS
223	Air or gas rupture of pressure or process vessel	Non-EMS
240	Explosion (no fire), other	Non-EMS
243	Fireworks explosion (no fire)	Non-EMS
251	Excessive heat, scorch burns with no ignition	Non-EMS
3	Rescue Call	EMS
300	Rescue, EMS call, other	EMS
311	Medical assist, assist EMS crew	EMS
320	Allergic reaction	EMS

Code	Description	Type
321	EMS call, excluding vehicle accident with injury	EMS
321B	Blood Pressure Check	EMS
322	Vehicle accident with injuries	EMS
323	Motor vehicle/pedestrian accident (MV Ped)	EMS
324	Motor Vehicle Accident, No Injuries	Non-EMS
331	Lock-in (if lock out, use 511)	Non-EMS
341	Search for person on land	Non-EMS
342	Search for person in water	Non-EMS
350	Extrication, rescue, other	Non-EMS
351	Extrication of victim(s) from building/structure	Non-EMS
352	Extrication of victim(s) from vehicle	Non-EMS
353	Removal of victim(s) from stalled elevator	Non-EMS
354	Trench/below grade rescue	Non-EMS
355	Confined space rescue	Non-EMS
356	High angle rescue	Non-EMS
361	Swimming/recreational water areas rescue	Non-EMS
365	Watercraft rescue	Non-EMS
370	Electrical rescue	Non-EMS
371	Electrocution or potential electrocution	Non-EMS
372	Trapped by power lines	Non-EMS
381	Rescue or EMS standby	EMS
400	Hazardous condition, other	Non-EMS
400P	Hazardous Condition Powder	Non-EMS
410	Flammable gas or liquid condition, other	Non-EMS
411	Gasoline or other flammable liquid spill	Non-EMS
412	Gas leak	Non-EMS
413	Oil or other combustible liquid spill	Non-EMS
422	Chemical spill or leak	Non-EMS
423	Refrigeration leak	Non-EMS
424	Carbon monoxide incident	Non-EMS
440	Electrical wiring/equipment problem, other	Non-EMS
441	Heat from short circuit (wiring), defective/worn	Non-EMS
442	Overheated motor	Non-EMS
443	Light ballast breakdown	Non-EMS
444	Power line down	Non-EMS
445	Arcing, shorted electrical equipment	Non-EMS
451	Police Assist	Non-EMS
460	Accident, potential accident, other	Non-EMS
461	Building or structure weakened or collapsed	Non-EMS
462	Aircraft standby	Non-EMS
462A	Aircraft Standby, Electrical Indicators	Non-EMS
462E	Aircraft Standby, Engine Failure	Non-EMS
462O	Aircraft Standby, Other	Non-EMS
463	Vehicle accident, general cleanup	Non-EMS
471	Explosive, bomb removal (for bomb scare, use 721)	Non-EMS
480	Attempted burning, illegal action, other	Non-EMS
481	Attempt to burn	Non-EMS
482	Threat to burn	Non-EMS

Code	Description	Type
500	Service call, other	Non-EMS
500C	Service Call Other - Check	Non-EMS
510	Person in distress, other	Non-EMS
511	Lock-out	Non-EMS
512	Ring or jewelry removal	Non-EMS
520	Water problem, other	Non-EMS
521	Water evacuation	Non-EMS
522	Water or steam leak	Non-EMS
531	Smoke or odor removal	Non-EMS
540	Animal problem, other	Non-EMS
541	Animal problem	Non-EMS
542	Animal rescue	Non-EMS
550	Public service assistance, other	Non-EMS
551	Assist police or other governmental agency	Non-EMS
551E	Assist EMS	EMS
551R	Airport Runway Check	Exclude
552	Police matter	Non-EMS
553	Public service	Non-EMS
553D	Public Service Smoke Detector	Non-EMS
554	Assist invalid	EMS
555	Defective elevator	Non-EMS
561	Unauthorized burning	Non-EMS
571	Cover assignment, standby, moveup	Non-EMS
600	Good intent call, other	Non-EMS
611	Dispatched & canceled en route	Non-EMS
621	Wrong location	Non-EMS
621L	Unable to Locate	Non-EMS
622	No incident found upon arrival	Non-EMS
631	Authorized controlled burning	Non-EMS
632	Prescribed fire	Non-EMS
641	Vicinity alarm (incident in other location)	Non-EMS
650	Steam, other gas mistaken for smoke, other	Non-EMS
651	Smoke scare, odor of smoke	Non-EMS
652	Steam, vapor, fog or dust thought to be smoke	Non-EMS
653	Barbecue, tar kettle	Non-EMS
661	EMS call, party transported by non-fire agency	EMS
671	Hazmat release investigation w/no hazmat	Non-EMS
672	Biological hazard investigation, none found	Non-EMS
700	False alarm or false call, other	Non-EMS
710	Malicious, mischievous false call, other	Non-EMS
711	Municipal alarm system, malicious false alarm	Non-EMS
712	Direct tie to FD, malicious/false alarm	Non-EMS
713	Telephone, malicious false alarm	Non-EMS
714	Central station, malicious false alarm	Non-EMS
715	Local alarm system, malicious false alarm	Non-EMS
721	Bomb scare - no bomb	Non-EMS
730	System malfunction	Non-EMS
731	Sprinkler activation due to malfunction	Non-EMS

Code	Description	Type
732	Extinguishing system activation due to malfunction	Non-EMS
733	Smoke detector activation due to malfunction	Non-EMS
734	Heat detector activation due to malfunction	Non-EMS
735	Alarm system sounded due to malfunction	Non-EMS
736	CO detector activation due to malfunction	Non-EMS
740	Unintentional transmission of alarm, other	Non-EMS
740R	Alarm Reset	Non-EMS
741	Sprinkler activation, no fire - unintentional	Non-EMS
742	Extinguishing system activation	Non-EMS
743	Smoke detector activation, no fire - unintentional	Non-EMS
744	Detector activation, no fire - unintentional	Non-EMS
745	Alarm system sounded, no fire - unintentional	Non-EMS
745B	Alarm System Activated/Burnt Foor/No Fire	Non-EMS
745T	Alarm System Activated/Testing/Maintenance	Non-EMS
746	Carbon monoxide detector activation, no CO	Non-EMS
800	Severe weather or natural disaster, other	Non-EMS
813	Wind storm, tornado/hurricane assessment	Non-EMS
814	Lightning strike (no fire)	Non-EMS
900	Special type of incident, other, Dumpster fire	Non-EMS
900A	Training/Academy	Exclude
900B	Training/Territory	Exclude
900E	Inspection	Exclude
900G	Drug Test	Exclude
900H	Hose Testing	Exclude
900I	Hydrant Inspection	Exclude
900P	Prefire Planning	Exclude
900R	Fire/Re-Check	Non-EMS
900T	Test Incident/CAD/PMDC	Exclude
911	Citizen complaint	Non-EMS

Appendix B

FIXED PROPERTY USE CODES AND DESCRIPTIONS

Code	Description	Category
000	FIXED PROP USE UNDETERMINED	NON-SPECIFIC
100	UNKNOWN OTHER	NON-SPECIFIC
110	FIXED USE RECREATION, OTHER	COMMERCIAL
111	BOWLING ESTABLISHMENT	COMMERCIAL
112	BILLIARD CENTER	COMMERCIAL
113	AMUSEMENT CENTER	COMMERCIAL
115	ROLLER RINK	COMMERCIAL
116	SWIMMING FACILITY	COMMERCIAL
120	VARIABLE USE AMUSEMENT/RECREATION	COMMERCIAL
121	BALLROOM,GYMNASIUM	COMMERCIAL
122	EXHIBITION HALL	COMMERCIAL
123	ARENA/STADIUM	COMMERCIAL
124	PLAYGROUND	COMMERCIAL
129	AMUSEMENT CENTER INDOOR/OUTDOOR	COMMERCIAL
130	PLACES OF WORSHIP,CHURCH,FUNERAL PARLOR	COMMERCIAL
131	CHURCH/CHAPEL	COMMERCIAL
134	FUNERAL PARLOR/CHAPEL	COMMERCIAL
140	CLUBS, OTHER	COMMERCIAL
141	ATHLETIC CLUB/YMCA	COMMERCIAL
142	CLUB HOUSE	COMMERCIAL
143	YACHT CLUB	COMMERCIAL
144	CASINO, GAMBLING CLUBS	COMMERCIAL
150	PUBLIC, GOVT, OTHER	COMMERCIAL
151	LIBRARY	COMMERCIAL
152	MUSEUM, ART GALLERY	COMMERCIAL
154	MEMORIAL STRUCTURE,MONUMENT	COMMERCIAL
155	COURT ROOM	COMMERCIAL
160	EATING/DRINKING PLACES	COMMERCIAL
161	RESTAURANT	COMMERCIAL
162	NIGHTCLUB	COMMERCIAL
170	TERMINALS OTHER	COMMERCIAL
173	BUS TERMINAL	COMMERCIAL
180	THEATER, STUDIO OTHER	COMMERCIAL
181	PERFORMANCE THEATER	COMMERCIAL
182	AUDITORIUM, CONCERT HALL	COMMERCIAL
183	MOVIE THEATER	COMMERCIAL
185	RADIO, TV STUDIO	COMMERCIAL
200	EDUCATIONAL PROPERTY OTHER	COMMERCIAL
210	SCHOOLS NON-ADULT OTHER	COMMERCIAL
211	PRE-SCHOOL	COMMERCIAL
213	ELEMENTARY SCHOOL	COMMERCIAL
215	HIGH SCHOOL/JR HIGH/MIDDLE SCHOOL	COMMERCIAL
241	COLLEGE/UNIVERSITY	COMMERCIAL
254	DAY CARE-IN COMMERCIAL PROPERTY	COMMERCIAL
255	DAY CARE-IN RESIDENCE-LICENSED	COMMERCIAL
300	HEALTHCARE/DETENTION OTHER	COMMERCIAL
311	CARE OF THE AGED/NURSING STAFF	COMMERCIAL
321	MENTAL RETARDATION/DEVELOPMENT DISABILITY FACILITY	COMMERCIAL

Code	Description	Category
322	ALCOHOL/SUBSTANCE ABUSE RECOVERY CENTER	COMMERCIAL
323	ASYLUM/MENTAL INSTITUTION	COMMERCIAL
331	HOSPITAL-MEDICAL/PSYCHIATRIC	COMMERCIAL
332	HOSPICES	COMMERCIAL
340	CLINICS, OTHER	COMMERCIAL
341	CLINIC, CLINIC-TYPE INFIRMARY	COMMERCIAL
342	DOCTOR/DENTIST/SURGEONS OFFICE	COMMERCIAL
343	HEMODIALYSIS UNIT	COMMERCIAL
361	JAIL/PRISON - NOT JUVENILE	COMMERCIAL
363	REFORMATORY, JUVENILE DETENTION CENTER	COMMERCIAL
365	POLICE STATION	COMMERCIAL
365A	POLICE TRAINING CENTER	COMMERCIAL
400	RESIDENTIAL OTHER	RESIDENTIAL
419	ONE- AND TWO-FAMILY DWELLING	RESIDENTIAL
429	MULTI-FAMILY DWELLINGS	RESIDENTIAL
439	ROOMING, BOARDING, RESIDENTIAL HOTELS	COMMERCIAL
449	HOTELS, MOTELS, INNS, LODGES	COMMERCIAL
459	RESIDENTIAL BOARD AND CARE	COMMERCIAL
460	DORMITORIES OTHER	COMMERCIAL
462	FRATERNITY, SORORITY HOUSE	COMMERCIAL
464	MILITARY BARRACKS/DORMITORY	RESIDENTIAL
500	MERCANTILE PROPERTIES OTHER	COMMERCIAL
511	CONVENIENCE STORE	COMMERCIAL
519	FOOD, BEVERAGE SALES, GROCERY STORE	COMMERCIAL
529	TEXTILE, WEARING APPAREL SALES	COMMERCIAL
539	HOUSEHOLD GOODS SALES, REPAIRS	COMMERCIAL
549	SPECIALTY SHOPS	COMMERCIAL
557	BARBER, BEAUTY SHOP, PERSONAL SERVICES	COMMERCIAL
559	RECREATIONAL, HOBBY,HOME SALES, PET STORE	COMMERCIAL
564	SELF-SERVICE LAUNDRY/DRY CLEANING	COMMERCIAL
569	PROFESSIONAL SUPPLIES	COMMERCIAL
571	SERVICE STATION	COMMERCIAL
579	MOTOR VEHICLE, BOAT SALES/SERVICE/REPAIRS	COMMERCIAL
580	GENERAL ITEM STORES, OTHER	COMMERCIAL
581	DEPARTMENT STORE	COMMERCIAL
592	BANK W/FIRST STORY BANKING FACILITY	COMMERCIAL
593	MEDICAL, RESEARCH, SCIENTIFIC OFFICE	COMMERCIAL
596	POST OFFICE OR MAILING FORMS	COMMERCIAL
599	BUSINESS OFFICES	COMMERCIAL
600	BASIC INDUSTRY, UTILITY, DEFENSE OTHER	INDUSTRIAL/WAREHOUSE
610	ENERGY PRODUCTION, OTHER	INDUSTRIAL/WAREHOUSE
614	STEAM, HEAT ENERGY PLANT	INDUSTRIAL/WAREHOUSE
615	ELECTRIC GENERATING PLANT	INDUSTRIAL/WAREHOUSE
629	LABORATORIES	INDUSTRIAL/WAREHOUSE
631	NATIONAL DEFENSE SITE/MILITARY SITE	COMMERCIAL
635	COMPUTER, DATA PROCESSING CNTR	INDUSTRIAL/WAREHOUSE
639	COMMUNICATIONS CENTER	INDUSTRIAL/WAREHOUSE
640	UTILITY, ENERGY DISTRIBUTION CNTR OTHER	INDUSTRIAL/WAREHOUSE

Code	Description	Category
642	ELECTRIC TRANSMISSION DISTIB. SYSTEM	INDUSTRIAL/WAREHOUSE
644	GAS DISTRIBUTION SYSTEM, PIPELINE	INDUSTRIAL/WAREHOUSE
647	WATER UTILITY	INDUSTRIAL/WAREHOUSE
648	SANITARY SERVICE	INDUSTRIAL/WAREHOUSE
655	CROPS, ORCHARDS	LAND
669	FOREST, TIMBERLAND	LAND
700	MANUFACTURING PROPERTY, PROCESSING	INDUSTRIAL/WAREHOUSE
800	STORAGE PROPERTY OTHER	INDUSTRIAL/WAREHOUSE
807	OUTSIDE MATERIAL STORAGE AREA	NON-SPECIFIC
808	SHED	NON-SPECIFIC
819	LIVESTOCK, POULTRY STORAGE	LAND
839	REFRIGERATED STORAGE	INDUSTRIAL/WAREHOUSE
880	VEHICLE STORAGE; OTHER	INDUSTRIAL/WAREHOUSE
882	GENERAL VEHICLE PARKING GARAGE	INDUSTRIAL/WAREHOUSE
888	FIRE STATIONS	COMMERCIAL
888T	FIRE TRAINING CENTER/ACADEMY	COMMERCIAL
891	GENERAL WAREHOUSE	INDUSTRIAL/WAREHOUSE
898	WHARF, PIER	INDUSTRIAL/WAREHOUSE
899	RESIDENTIAL OR SELF STORAGE UNITS	INDUSTRIAL/WAREHOUSE
900	OUTSIDE, SPECIAL PROPERTIES; OTHER	NON-SPECIFIC
919	DUMP SANITARY LANDFILL	NON-SPECIFIC
921	BRIDGE, TRESTLE	NON-SPECIFIC
926	OUTBUILDING, EXCLUDING GARAGE	NON-SPECIFIC
931	OPEN LAND, FIELD	LAND
935	CAMPSITE WITH UTILITIES	COMMERCIAL
936	VACANT LOT	LAND
938	GRADED AND CARED FOR PLOTS OF LAND	LAND
940	WATER AREAS, OTHER	NON-SPECIFIC
946	LAKE/RIVER/STREAM	NON-SPECIFIC
951	RAILROAD RIGHT OF WAY	NON-SPECIFIC
952	SWITCH YARD, MARSHALLING YARD	NON-SPECIFIC
960	STREET, OTHER	NON-SPECIFIC
961	DIVIDED HIGHWAY, HIGHWAY	NON-SPECIFIC
962	PAVED PUBLIC STREET, RESIDENTIAL	NON-SPECIFIC
963	PAVED PRIVATE STREET, COMMERCIAL	NON-SPECIFIC
965	UNCOVERED PARKING AREA	NON-SPECIFIC
972	AIRCRAFT RUNWAY	COMMERCIAL
972H	AIRCRAFT HANGER/STORAGE	COMMERCIAL
972T	AIRPORT CONTROL TOWER	COMMERCIAL
974	AIRCRAFT LOADING AREA	COMMERCIAL
981	CONSTRUCTION SITE	NON-SPECIFIC
983	PIPELINE, POWER LINE RIGHT OF WAY	NON-SPECIFIC
984	INDUSTRIAL PLANT YARD	INDUSTRIAL/WAREHOUSE
NNN	NONE	NON-SPECIFIC
UUU	UNDETERMINED	NON-SPECIFIC

Appendix C

LEON COUNTY PROPERTY APPRAISER
BUILDING IMPROVEMENT CODES AND USE DESCRIPTIONS
WITH ASSIGNMENT OF PROPERTY USE CATEGORY

Code	Description	Category
0100	SINGLE FAMILY RESIDENTIAL	Residential
0300	DUPLEX	Residential
0400	CONDOMINIUM	Residential
0500	STUDENT APARTMENTS	Residential
0501	FRAT/SORORITY	Commercial
0510	STUDENT MULTI LEASE	Residential
0600	STANDARD APARTMENTS	Residential
0601	APT/ LESS THAN 10 UNITS	Residential
0602	DORMITORY	Residential
0650	LIHTC	Residential
0700	TOWNHOUSE	Residential
0800	MOBILE HOME	Residential
1000	GARDEN APARTMENT	Residential
1100	HIGH RISE	Residential
1200	EXEMPT MULTI FAMILY	Residential
1400	MOTELS	Commercial
1500	EXTENDED STAY HOMES	Commercial
1600	HOTELS	Commercial
1700	HOSP/NURS HOME	Residential
1710	NURSING HOME	Residential
1720	CLINIC	Commercial
1730	VET CLINIC	Commercial
1740	REGIONAL MEDICAL CENTER	Commercial
1750	ASSISTED LIVING FACILITY	Residential
1800	CO-OP	Residential
2000	STORE	Commercial
2010	CONDO-STORE	Commercial
2011	SALON/BARBER SHOP	Commercial
2012	LAUNDROMAT	Commercial
2013	CARWASH	Commercial
2014	PHYS FITNESS CENTER	Commercial
2015	STORE SFR CONV	Commercial
2016	IND/RETAIL/STORE	Commercial
2018	DRY CLEANERS	Commercial
2020	CONVENIENCE STORE	Commercial
2030	CONV-STORE/GAS	Commercial
2040	SUPERMARKET	Commercial
2050	PHARMACY	Commercial
2060	JR DISCOUNT	Commercial
2070	SUPER DISCOUNT	Commercial
2080	AUTO PARTS	Commercial
2090	AUTO SERVICE	Commercial
2100	DEPARTMENT STORE	Commercial
2110	JR DEPARTMENT STORE	Commercial
2200	SHOP CENTER	Commercial
2210	NBHD SHOP CENTER	Commercial
2220	COMM SHOP CENTER	Commercial
2300	SERVICE STATION	Commercial

Code	Description	Category
2400	REC/BOWL ALLEY	Commercial
2410	CLUBHOUSE/REC	Commercial
2500	REST/LOUNGE	Commercial
2510	FAMILY RESTAURANT	Commercial
2520	TAKE-OUT RESTAURANT	Commercial
2600	FAST FOOD DRIVE IN	Commercial
2610	FAST FOOD NO SEAT	Commercial
2620	NITE CLUB	Commercial
2700	AUDIT/THEATER	Commercial
2800	MALL	Commercial
2810	SUPER REG MALL	Commercial
3000	OFFICE	Commercial
3010	OFFICE CONDO	Commercial
3015	OFFICE CONDO HIGH RISE	Commercial
3020	OFFICE STRIP CENTER	Commercial
3030	OFFICE LOW RISE	Commercial
3040	OFFICE MID RISE	Commercial
3045	OFFICE PARK	Commercial
3050	OFFICE HIGH RISE	Commercial
3060	OFFICE INDUSTRIAL	Commercial
3070	OFFICE/SFR CONVERSION	Commercial
3080	CONDO MEDICAL OFFICE	Commercial
3100	ED/RELIGIOUS	Commercial
3110	CHILD CARE	Commercial
3200	PUBLIC PARKING	Industrial/Warehouse
3300	BANKS	Commercial
3400	BANKS-BRANCH	Commercial
3410	BANKS-DRV THRU	Commercial
3500	FUNERAL HOME	Commercial
3600	TRAINING CENTER	Commercial
3700	MEDICAL OFFICE	Commercial
3901	BROADCAST CENTER	Commercial
3902	WCTV 2	Commercial
3930	CLASSROOM/TRAINING	Commercial
3940	LIBRARY/MULTI-MEDIA	Commercial
3950	OFFICES	Commercial
3960	DORMITORY/HOUSING	Commercial
3970	MEDICAL FACILITIES	Commercial
3980	COURTHOUSE	Commercial
4000	WAREHOUSE	Industrial/Warehouse
4010	CONDO WAREHOUSE	Industrial/Warehouse
4020	DISTRIBUTION WAREHOUSE	Industrial/Warehouse
4030	TECH MANUFACTURING	Industrial/Warehouse
4031	INDUSTRIAL OFFICE	Industrial/Warehouse
4040	WAREHOUSE/MULTI-BAY	Industrial/Warehouse
4100	SERVICE/PARKING GARAGE	Industrial/Warehouse
4110	INDEPENDENT AUTO CENTER	Commercial
4200	MINI WAREHOUSE	Industrial/Warehouse

Code	Description	Category
4300	COLD STORAGE	Industrial/Warehouse
4400	LIGHT MANUFACTURING	Industrial/Warehouse
4500	HEAVY MANUFACTURING	Industrial/Warehouse
4600	AUTO SHOW/GARAGE	Industrial/Warehouse
4610	CAR/TRUCK RENTAL	Commercial
4620	BOAT S/E DEALER	Commercial
4700	PREFAB METAL BUILDING	Not Used
4800	BARN SHED	Not Used
4810	AIRPORT TERMINAL	Commercial
4900	MAINT/MECH/WAREHOUSING	Industrial/Warehouse
4910	RESEARCH/DEVELOP LABS	Industrial/Warehouse
4920	STADIUMS/ARENAS	Commercial
4930	PARKING GARAGES	Industrial/Warehouse
4940	PRISONS/JAILS	Commercial
4950	MILITARY FACILITIES	Commercial
4960	FIRE STATION	Commercial
MHPK	MOBILE HOME PARK	Residential
MUSE	MUSEUM/CULTURAL	Commercial
RVPK	RV PARK	Commercial

Appendix D

DEPARTMENT OF REVENUE (DOR) CODES

CODE	DESCRIPTION
0	VACANT RESIDENTIAL
100	SINGLE FAMILY IMPROVED
200	MOBILE HOME
300	MULTI FAMILY +10 UNITS
400	CONDOMINIUM
500	CO-OPS
600	RETIREMENT HOMES/NONEXPT
700	MISC RESIDENTIAL
800	MULTI FAMILY 2-9 UNITS
1000	VACANT COMMERCIAL
1100	STORES 1 STORY
1200	MIXED USE STORE/OFFICE
1300	DEPARTMENT STORES
1400	SUPERMARKETS
1500	REGIONAL SHOPPING CTRS
1600	COMMUNITY SHOPPING CTR
1700	OFFICE NON-PROF 1 STORY
1800	OFFICE NON-PROF 2+ STORY
1900	PROFFESIONAL SERVICES
2000	AIR/MARINE/BUS TERMINALS
2100	RESTAURANTS/CAFETERIAS
2200	DRIVE-IN RESTAURANT
2300	BANK/S & L/MORTGAGE/CREDIT
2400	INSURANCE COMPANY OFFICE
2500	REPAIRS SVC TV/LAUNDRIES
2600	SERVICE STATIONS
2700	AUTO SALES/SERVICE/RENTAL
2800	MOBILE HOME PARKS/PK LOTS
2900	WHOLESALE/PRODUCE OUTLETS
3000	FLORIST/GREENHOUSE
3100	OPEN STADIUMS
3200	THEATER/AUDITORIUM (ENCL)
3300	NIGHTCLUB/BAR/LOUNGE
3400	BOWLING/SKATING/POOL HALL
3500	TOURIST ATTRACTION
3600	CAMPS
3700	RACE TRACK; HORSE/DOG/AUTO
3800	GOLF COURSE/DRIVING RANGE
3900	HOTELS/MOTELS
4000	VACANT INDUSTRIAL
4100	LT MFG/SM MACH SHOP/PRINT
4200	HEAVY IND/EQUIP MFG/MACH
4300	LUMBER YARD/SAWMILL
4400	PACK PLANT (FRUIT/MEAT)
4500	CANNERIES/DISTILLERIES

CODE	DESCRIPTION
4600	FOOD PROCESSING/BAKERIES
4700	CEMENT PLANTS
4800	WAREHOUSING
4900	OPEN STORAGE
5000	IMPROVED AGRICULTURAL
5100	VEGETABLE CROPS
5200	BI-ANNUAL ROW CROPS
5300	ROW CROPS
5400	TIMBERLAND SITE 90+
5500	TIMBERLAND SITE 80-89
5600	TIMBERLAND SITE 70-79
5700	TIMBERLAND SITE 60-69
5800	TIMBERLAND SITE 50-59
5900	TIMBERLAND NOT CLASSIFIED
6000	IMPROVED PASTURE LAND
6100	SEMI-IMPROVED LAND
6200	NATIVE LAND
6300	WASTE LAND
6400	GRAZING LAND CLASS V
6500	GRAZING LAND CLASS VI
6600	CITRUS
6700	POULTRY/BEES/FISH/RABBIT
6800	DAIRY, HOG & CATTLE FEED
6900	ORNAMENTALS, MISC AG
7000	VACANT INSTITUTIONAL
7100	CHURCHES
7200	PRIVATE SCHOOLS & COLLEGE
7300	PRIVATE OWNED HOSPITALS
7400	HOMES FOR THE AGED
7500	ORPHANAGES
7600	MORTUARIES/CEMETERIES
7700	CLUBS, LODGES, UNION HALLS
7800	SANITARIUMS, CONVALES, REST
7900	CULTURAL ORG, FACIILITIES
8000	UNDEFINED
8100	MILITARY
8200	GOVT FOREST/PARKS/RECREATIONAL
8300	PUBLIC COUNTY SCHOOLS
8400	COLLEGES
8500	HOSPITALS
8600	COUNTY
8700	STATE
8800	FEDERAL
8900	MUNICIPAL NOT PARKS
9000	LEASEHOLD GOVT OWNED

CODE	DESCRIPTION
9100	UTILITIES, GAS/ELEC/TELEP
9200	MINING, PETROLEUM, GAS
9300	SUBSURFACE RIGHTS
9400	RIGHT-OF-WAY
9500	RIVERS & LAKES, SUBMERGED
9600	SEWAGE DISP, BORROW PITS
9700	OUTDOOR REC OR PARK
9800	CENTRALLY ASSESSED
9900	ACREAGE NON AGRICULTURAL

Appendix E

MAP OF SERVICE ZONES

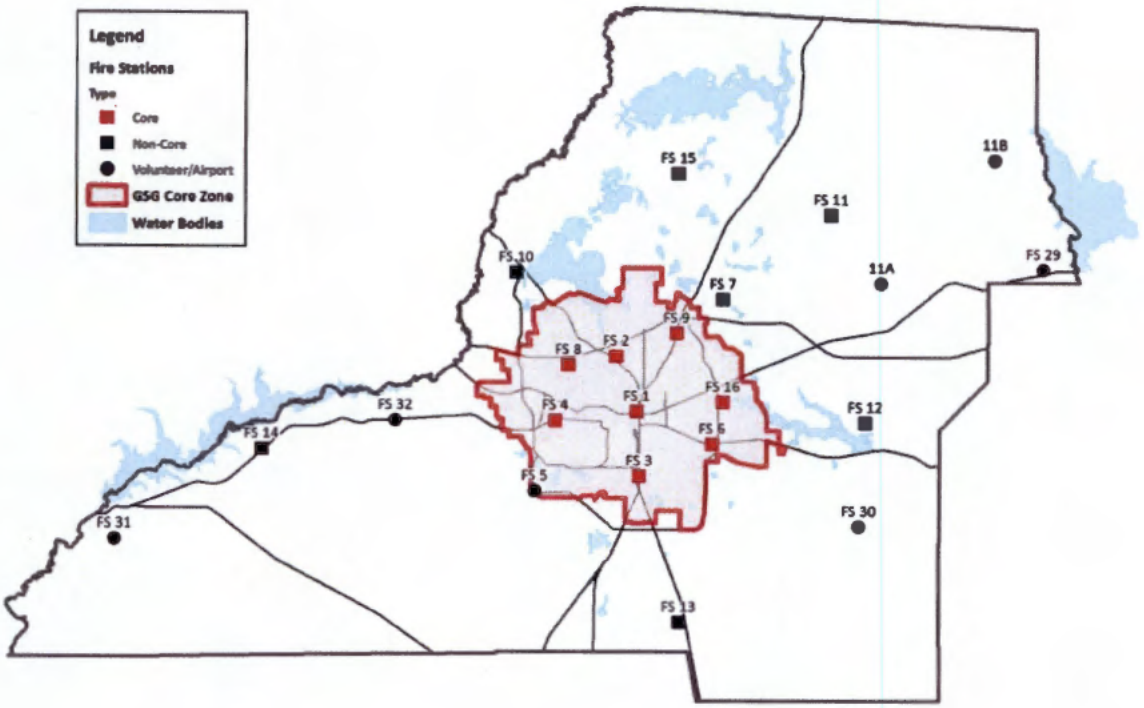

Legend
Fire Stations
Type
Core
Non-Core
Volunteer/Airport
GSG Core Zone
Water Bodies
FS 15
11B
FS 11
FS 10
11A
FS 29
FS 7
FS 9
FS 8
FS 2
FS 16
FS 1
FS 4
FS 12
FS 32
FS 14
FS 6
FS 3
FS 5
FS 30
FS 31
FS 13

EXHIBIT
tabbies
B

Rate Schedule

		Per Annum For FY 2016 and FY 2017		Per Annum for FY 2018 and each Fiscal Year Thereafter	
		Zone 1	Zone 2	Zone 1	Zone 2
Residential	Per Residential Dwelling Unit	$170.85	$157.25	$201.00	$185.00
Commercial/Institutional	Square Feet Classification				
	≤ 1,999	$249.05	$226.95	$293.00	$267.00
	2,000 - 3,499	$497.25	$453.05	$585.00	$533.00
	3,500 - 4,999	$869.55	$793.05	$1,023.00	$933.00
	5,000 - 9,999	$1,241.85	$1,132.20	$1,461.00	$1,332.00
	10,000 - 19,999	$2,482.85	$2,263.55	$2,921.00	$2,663.00
	20,000 - 29,999	$4,965.70	$4,527.10	$5,842.00	$5,326.00
	30,000 - 39,999	$7,447.70	$6,790.65	$8,762.00	$7,989.00
	40,000 - 49,999	$9,930.55	$9,054.20	$11,683.00	$10,652.00
	50,000 - 59,999	$12,412.55	$11,317.75	$14,603.00	$13,315.00
	60,000 - 69,999	$14,895.40	$13,581.30	$17,524.00	$15,978.00
	70,000 - 79,999	$17,377.40	$15,844.85	$20,444.00	$18,641.00
	80,000 - 89,999	$19,860.25	$18,108.40	$23,365.00	$21,304.00
	90,999 - 99,999	$22,342.25	$20,371.95	$26,285.00	$23,967.00
	≥ 100,000	$24,825.10	$22,635.50	$29,206.00	$26,630.00
Industrial/Warehouse	≤ 1,999	$23.80	$64.60	$28.00	$76.00
	2,000 - 3,499	$47.60	$129.20	$56.00	$152.00
	3,500 - 4,999	$83.30	$225.25	$98.00	$265.00
	5,000 - 9,999	$118.15	$321.30	$139.00	$378.00
	10,000 - 19,999	$236.30	$642.60	$278.00	$756.00
	20,000 - 29,999	$472.60	$1,284.35	$556.00	$1,511.00
	30,000 - 39,999	$708.90	$1,926.10	$834.00	$2,266.00
	40,000 - 49,999	$945.20	$2,567.85	$1,112.00	$3,021.00
	50,000 - 59,999	$1,181.50	$3,209.60	$1,390.00	$3,776.00
	60,000 - 69,999	$1,417.80	$3,852.20	$1,668.00	$4,532.00
	70,000 - 79,999	$1,654.10	$4,493.95	$1,946.00	$5,287.00
	80,000 - 89,999	$1,890.40	$5,135.70	$2,224.00	$6,042.00
	90,999 - 99,999	$2,126.70	$5,777.45	$2,502.00	$6,797.00
	≥ 100,000	$2,363.00	$6,419.20	$2,780.00	$7,552.00
Governmental	per square foot	$0.18	$0.18	$0.21	$0.21

EXHIBIT 2

FIRE RESCUE SERVICES
NON-AD VALOREM ASSESSMENT ROLL

Due to the voluminous nature thereof, the assessment roll is not attached to this Resolution in this Agenda Item but has been made available for public inspection in the office of the County Administrator and will be attached hereto upon adoption.

DR-408A
N. 02/91

FLORIDA
DEPARTMENT
OF REVENUE

CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of Leon Cty. Bd. of County Commissioners, located in Leon County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 18th day of June, 2019 (year).

Chairman of the Board or authorized agent

of Leon County Board of County Commissioners
Name of local government

Leon County, Florida

NOTICE OF PUBLIC HEARING

Notice is hereby given, pursuant to Section 197.3632(4)(b), Florida Statutes, that the Board of County Commissioners of Leon County, Florida (the "Board"), will conduct a public hearing on Tuesday, June 18, 2019, 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 adoption of a fire rescue services non-ad valorem assessment roll for the subject parcels of improved real property located within the unincorporated area of Leon County, Florida.

The purpose of the special assessment, imposed on May 26, 2015, is to equitably recover costs incurred for providing and funding fire rescue services to improved parcels of property located within the unincorporated area of Leon County (geographic depiction of the property subject to the assessment is set forth below). The assessment shall be collected annually by the Leon County Tax Collector.

All interested parties are invited to present their comments at the public hearing at the time and place set out above. All affected property owners have the right to appear at the public hearing, and have the right to file written objections with the Board within 20 days of the publication of this notice.

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 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 public hearing 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 date of the public hearing. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), or 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Advertise: May 28, 2019

