

BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
February 26, 2009

Attachment # 1
Page 1 of 20

The Board of County Commissioners of Leon County, Florida, met in regular session at 3:00 p.m. with Chairman Desloge presiding. Present were Commissioners Akinyemi, Thael, Proctor, Rackleff, Dailey, and Sauls. Also present were County Administrator Parwez Alam, County Attorney Herb Thiele, Finance Director David Reid and Board Secretary Rebecca Vause

Invocation was provided by Commissioner Sauls who then led the Pledge of Allegiance.

AWARDS AND PRESENTATIONS

- Commissioner Dailey presented a Resolution to the Tallahassee Lion Club in recognition of its 80th Anniversary. Brian Armstrong, President, accepted the Resolution on behalf of the Lions Club and thanked the Board for its support.
- Chairman Desloge presented a Resolution proclaiming February 28, 2009 as the American Women's Business Association's Silver Dome Chapter Founder's Day in Leon County. Diana Mitchell accepted the Resolution of behalf of the Chapter.
- Chairman Desloge presented a Resolution to Tom Waits for his 20 Years of Outstanding Service as a Member of the County's Tourist Development Council (TDC). Chairman Desloge noted his respect and applauded Mr. Waits support for the tourism industry.
 - Mr. Waits expressed his appreciation for the Resolution and the Commission's support for the TDC. He thanked previous Board's leadership in the creation of the TDC. He suggested that the Board review Ordinance 95-15 and that the Board utilize the industry's counsel as much as possible.
- Update on the Woodville Branch Library Project
 - Ivan Johnson, Johnson Peterson Architects, provided a brief update on the Woodville Library. He noted that this is an addition to the existing Woodville Community Center.
 - Ms. Azizi Arington-Bey presented the plan which included an additional 2,000 sq. ft of facility and more parking spaces.
 - Commissioner Akinyemi confirmed with Mr. Johnson that the building addition could be done without the acquisition of new land; however, additional land would be necessary for the new parking.
 - Commissioner Thael inquired if there were plans to include any Florida Green Building Standards or to make the building LEED (Leadership in Energy & Environmental Design) certified. Mr. Johnson assured the Board that green measures will be utilized wherever possible in the design of the addition.
 - Commissioner Proctor expressed concern that the proposed addition was a "much watered down" version than what he had anticipated. Mr. Johnson responded that the library would be integrated into the current community center and would offer services compatible with any other County library.
 - Commissioner Sauls stated that a standalone library would have been preferred; however the economic situation at this time would not support such a project. She offered that the addition would allow better use of the community center and was appreciative of the new opportunities the facility will offer the Woodville community.

- Vince Long, Deputy County Administrator, articulated that the facility would be a full service library consistent with other branch libraries, i.e., hours of operation, staffing levels, etc.
 - Mr. Johnson provided that the addition was designed around the budget that was allocated for the project.
 - Commissioner Proctor voiced that he would prefer to postpone the project than to accept a compromise.
 - County Administrator Alam responded that there was monies allocated through last year's budget process for the project and efforts have been made to stay within that budget.
 - Mr. Alam commented that the B.L. Perry, Jr. in District 1 is comparable to the Eastside and proposed NW Library.
 - Commissioner Proctor further explained his disappointment in the scope and size of the project.
 - Commissioner Akinyemi encouraged further examination to utilize and acquire more footage if possible.
 - Commissioner Sauls remarked that the issue could be revisited if the facility was heavily used by residents.
- Commissioner Dailey presented a Resolution to the Florida A&M University Marching "100" Band recognizing their performance in the Inaugural Parade celebrating the Presidential Inauguration of Barack Obama. Dr. Julian White, Director of the Marching 100, accepted the Resolution on behalf of the students, President, faculty and staff of Florida A&M University. He thanked the Board for the acknowledgement and stated that it was honor and privilege to represent Leon County, the City of Tallahassee and the State of Florida at the Inauguration.
 - Commissioner Proctor noted for the record that in addition to the Marching 100, the Tallahassee Boys Choir took part in the Inaugural festivities.
- Update on the Gaines Street Project
 - Roxanne Manning, Tallahassee Community Redevelopment Agency provided an update on the project. Highlights of Ms. Manning's presentation included:
 - Gaines St. Redevelopment Plan adopted in 2000;
 - needed property had been acquired;
 - work began in earnest in 2008;
 - anticipated completion is the end of 2010 (reduced by three years)
 - design of sewer, water and infrastructure is complete and permitting is being pursued;
 - construction to begin in the Summer 2009 (Woodward Avenue to Monroe Street);
 - a traffic management plan had been developed to assist commuters in the use of alternate routes;
 - heavy construction would be done during night time hours;
 - detailed communication plan has been developed to keep public informed of progress, and
 - Encouraged use of Gaines Street "Twitter" feed, Facebook and city's web site for updates on project.

Commissioner Rackleff established that FSU plans for the area would compliment the Gaines Street redesign.

Commissioner Akinyemi commended Ms. Manning on the progress of the project. He inquired about the project's use of FAMU Way and if federal funding was being pursued. Ms. Manning responded that FAMU Way was being reviewed to determine how it can better "fit" into the project and confirmed that Brownsfield funding has been secured for a portion of the roadway and other federal grants are being pursued.

Commissioner Thael expressed enthusiasm over the project and stressed the importance of safety design for the street. Ms. Manning explained the anticipated bicycle travel on the street. Commissioner Thael stated that an educational program should be done to educate the public on bicycle safety.

Chairman Desloge recommended that efforts be made to assist businesses within Railroad Square to remain and be integrated into the project. Ms. Manning assured Chairman Desloge that every effort will be made to maintain the "artistic focus and coolness and funkiness" of Railroad Square and they are committed to assist within allowable statutes those businesses in any way possible.

CONSENT

Commissioner Sauls moved, duly seconded by Commissioner Akinyemi, to approve the following Consent Agenda with the exception of items 4 & 15, which were pulled for discussion; Item 10 was removed and Items 1, 17 & 18 were moved from Consent to General Business. The motion carried 7-0.

1. **Acceptance of Report Regarding the Relationship of Florida State University to the Tallahassee-Leon County Comprehensive Plan**

This item was taken up under General Business.

County Attorney Thiele advised that the Board had requested his office review the Florida State University Master Plan as it related to the County's participation in the Plans review process, as well as the issues associated with the bio-mass plant. He explained that the agenda item addressed the generic issue of whether or not Leon County should participate in the Master Campus Plan process. Mr. Thiele informed the Board that a review of relevant statutes indicated that Leon County most likely would qualify as an affected local government and might actually be a host local government (along with the City of Tallahassee) entitled to more input into the process that is currently permitted. Mr. Thiele shared that a similar issue had occurred in Alachua County between the University of Florida, the City of Gainesville and Alachua County.

Mr. Thiele added that if the Board chose to pursue the "host local government" designation, his office be authorized to correspond with the parties, including FSU, informing them that Leon County be considered a host local government in review of their 2010 Campus Master Plan.

Commissioner Akinyemi moved, duly seconded by Commissioner Thael to approve Option 1, as amended: Accept Report on Board Inquiry Regarding the Relationship Between the Florida State University and the Tallahassee-Leon County Comprehensive Plan, and direct the County Attorney to notify affected parties, including FSU, that Leon County be considered a host local government and that it be included in the review process of the 2010 Campus Master Plan.

Commissioner Proctor complimented staff on an outstanding analysis and agenda item report. He opined that the Southern Strategy element of the Strategic Plan was ignored by FSU's Master Plan.

The motion carried 7-0.

2. Acceptance of the Contractor's Licensing and Examination Board 2007-2009 Annual Report

The Board approved Option 1: Accept the Contractor's Licensing and Examination Board 2007-2008 Annual Report

3. Acceptance of Staff Report Regarding Previous County Efforts to Provide Employee Down Payment Assistance

The Board approved Option 1: Accept staff's findings regarding previous County efforts to provide employee down payment assistance.

4. Acceptance of a Status Report Regarding the Electronics Recycling Building and Household Hazardous Waste Project at the Solid Waste Management Facility on Apalachee Parkway

Commissioner ThaeLL requested that the item be pulled for further discussion.

County Administrator Alam shared that the cost of the project was approximately \$550,000 and is budgeted through the Solid Waste Trust Fund.

Commissioner ThaeLL stated that his concerns regarding the building of the facility had been addressed by the County Administrator. He remarked that during these economic times, the County should be very careful about expending dollars. Commissioner ThaeLL suggested that staff's recommendation should, in addition to acceptance of the status report, include a direction by the Board to construct an addition to the electronics recycling building.

Commissioner ThaeLL moved, duly seconded by Commissioner Sauls, to approve Option 1, as amended: Accept the status report regarding the Electronics Recycling Building and Household Hazardous Waste Project at the Solid Waste Management Facility on Apalachee Parkway, and provide direction to staff to construct the Electronics Recycling addition.

Chairman Desloge confirmed with staff that there are no plans to phase out these services at this time and the facility would be used indefinitely.

Commissioner Akinyemi asked the status of the Master Site Plan for the recycling complex and if this project would be integrated into those plans. Norm Thomas, Solid Waste Director, responded that the impact of the current economic situation had caused some projects to be delayed; however, the proposed addition would fit into the total concept of the Master Site Plan.

The motion carried 7-0.

5. Approval of Minutes: January 15, 2009 and January 29, 2009 Regular Meetings

The Board approved Option 1: Approve the minutes of the January 15, 2009 and January 29, 2009 Regular Meetings.

6. Approval of 2009 Board Priorities

The Board approved Option 1: Approve the 2009 Board Priorities Action Plans.

7. Approval of Revisions to Leon County Personnel Policies and Procedures Manual to Include Declared State of Local Emergency Guidelines for County Employees

The Board approved Option 1: Approve revisions to Leon County Personnel Policies and Procedures Manual Section V-Pay Plan and Section VII-Attendance and Leave to include Declared State of Local Emergency Guidelines for County Employees.

8. Approval of Payment of Bills and Vouchers Submitted for February 26, 2009, and Pre-Approval of Payment of Bills and Vouchers for the Period of February 27 through March 28, 2009: \$7,293,878

The Board approved Option 1: Approve payment of bills and vouchers submitted for February 26, 2009 and pre-approval of payment of bills and vouchers for the period of February 27 through March 18, 2009: \$7,293,878

9. Authorization to Solicit Citizen Input; Schedule a Planning Commission Consistency Review; and, Schedule Two Public Hearings to Consider an Ordinance Amending the Land Development Code to Revise Portions of the Environmental Management Act

The Board approved Option 1: Authorize staff to solicit citizen comments, schedule a consistency review by the Planning Commission, and schedule two public hearings to consider an ordinance amending the Land Development Code to amend portions of the Environmental Management Act.

9. Approval of Agreement to Award Bid to Panacea Coastal Construction, Inc. for the Replacement of Roof System at the Robert Stevens Health Clinic in the Amount of \$114,781.

This item was removed from the Agenda.

County Administrator Alam explained that a bid protest had been filed and this issue would come back to the Board at a future date.

11. Acceptance of a Regional Selective Routing Installation Project Grant in the Amount of \$311,903.

The Board approved Option 1: Accept the Regional Selective Routing Installation Project Grant for \$311,903, and approve the Resolution and associated Budget Amendment Request.

12. Approval of Modification Number 4 to the Agreement Between the Florida Department of Community Affairs and Leon County Regarding the Community Development Block Grant - Economic Development Category for Capital Circle Commerce Park

The Board approved Option 1: Approve Modification Number 4 to the Grant Agreement between the Florida Department of Community Affairs and Leon County for the Community Development Block Grant - Economic Development Category for Capital Circle Commerce Park, and authorize the Chairman to execute.

13. Approval of the Second Amendment to the Street Sweeping Agreement Between Leon County and the City of Tallahassee

The Board approved Option 1: Approve the Second Amendment to the Street Sweeping Agreement between Leon County and the City of Tallahassee, and authorize the County Administrator to execute.

14. Request to Schedule the First Public hearing for Linene Woods 2/3 Private Road Paving Project for Thursday, April 9, 2009 at 6:00 p.m., and Approval of a Resolution and Associated Budget Amendment Request

The Board approved Option 1: Schedule the first of two public hearings for Linene Woods 2/3 Private Road Paving Project for Thursday, April 9, 2009 at 6:00 p.m. and approve the Resolution and associated Budget Amendment Request

15. Approval of Resolution and Associated Budget Amendment Request to Implement Improvements at the Apalachee Regional Park Facility to Provide a Venue for Cross-County Running Events and Authorization to Execute License Agreements with Florida State University (FSU) and Gulf Winds Track Club (GWTC)

Commissioner Thael asked that the item be pulled for further discussion.

County Administrator Alam stated that staff had worked with FSU and the GWTC to identify alternative venues (other than the Miccosukee Greenway) for cross-country races. He announced that the parties determined that the Apalachee Regional Park was an ideal location to hold these events and the cost to implement improvements to the park would be split (FSU and GWTC contributing \$10,000 each and the County \$11,500).

Commissioner Thael commended Tony Park, Public Works Director and Pat Plocek, Parks and Recreation Director, for their efforts in resolving this very contentious issue. Chairman Desloge also applauded Mr. Park and Plocek s' efforts and added that Leigh Root was instrumental in finding a resolution to this matter also.

Commissioner Akinyemi asked if physical improvements to the site would be needed and if so what was the anticipated timeline and budget impacts. Mr. Park explained that physical improvements were needed and it is anticipated that the improvements would be completed in time for this running season. He added that the budget impact was approximately \$31,000, split just about equally.

Commissioner Akinyemi moved, duly seconded by Commissioner Rackleff, to approve Option 1: Approve the Resolution and associated Budget Amendment Request to implement improvements at the Apalachee Regional Park Facility to provide a venue for cross-country running events, and authorize the County Administrator to execute license agreement, in a form approved by the County Attorney's Office, with Florida State University and Gulf Winds Track Club. The motion carried 7-0.

16. Approval to Implement a Negotiated Tip Fee of \$27 per Ton for Receiving "Clean" yard trash from the City of Tallahassee

The Board approved Option 1: Approve the implementation of the negotiated tip fee of \$27 per ton for "clean" yard trash from the City of Tallahassee.

17. Request to Schedule a First and Only Public Hearing to Amend Chapter 18, Article IV of the Code of Laws of Leon County Relating to Stormwater Utility.

This item was taken up under General Business.

County Attorney Thiele stated that the item addressed two issues: 1) Request that the Board schedule a public hearing on a proposed ordinance to provide a mechanism whereby owners of real property located in areas subject to flooding events may request the County improve their real property by constructing or providing stormwater control and treatment facilities, a method for property owner can pay for improvements and maintenance; and 2) Determine if the Board wanted to reduce the percent threshold of owners required to petition the County from 2/3 (or 67%) to 60%.

Commissioner Rackleff stated that he supported a 60% threshold, as it would allow more organized neighborhoods to participate in the program.

Commissioner Rackleff moved, duly seconded by Commissioner Sauls, to approve Option 1: Schedule the first and only public hearing for March 19, 2009 and direct the County Attorney to include in the proposed Ordinance a reduction in the threshold from 67% to 60%. The motion carried 7-0.

18. Request to Schedule First and Only Public Hearing to Adopt an Ordinance Authorizing the Levying and Imposition of an Additional Fifth Cent Tourist Development Tax for Thursday, March 19, 2009 at 6:00 p.m.

This item was taken up under General Business.

Chairman Desloge clarified that the agenda item was to schedule a public hearing on the issue; this was not the public hearing.

County Attorney Thiele remarked that his office was directed to draft an ordinance that would enact the fifth cent tourist development (or bed) tax for Board consideration. The agenda item requested Board direction on the scheduling of a public hearing on the issue for March 19, 2009. He advised that 1) adoption of the fifth cent would require a super majority vote of the Commission (5-2 vote), and 2) Amendments would be required to the Tourist Development Plan to provide general parameters or criteria on what the fifth cent would be earmarked to do. He added that the statute was very limited in its intent on what the tax could be used for.

Speakers:

Pace Allen, 104 W. 5th Avenue, thanked Commissioners for the opportunity to allow public input on the issue and stated that he wanted to continue to hear from Commissioners on this issue and opined that tourist, in fact consider taxes when visiting Tallahassee.

Jon Moyle, 118 N. Gadsden St., President, Performing Arts Center, expressed support for the public hearing and levying of the fifth cent. He added that the PAC would share at a future time ideas on how the tax could best be used.

Brian Armstrong, 7025 Lake Basin Rd, noted his support for the Performing Arts Center and commented that it would contribute to the development of the local economy. He provided that signatures of support for the PAC could be obtained, if needed.

Commissioner Dailey voiced support for levying of the fifth cent as an alternative revenue source and offered the following points:

- The additional tax would not impact Leon County residents and on average would amount to only an 80 cent increase to a hotel room cost and would not be a deterrent to local tourism.
- Allocate one of the pennies already levied to fund the Council on Culture and Arts (COCA) activities. This would generate approximately \$800,000 annually.
- In 2012 split the fifth cent between the Performing Arts Center (PAC) and the Art Space Project.
- The County is under no obligation to fund the PAC in 2012 if goals established for the project are not met.
- The \$2.4 million collected over the next three years be used to support current and future TDC activities, i.e., public relations and marketing and to build up the fund balance transfer.

Commissioner Dailey moved, duly seconded by Commissioner Rackleff, to approve Option 1, as amended: Schedule first and only public hearing to consider the adoption of an ordinance authorizing the levying and imposition of an additional one percent (fifth cent) Tourist Development Tax, for March 19, 2009, at 6:00 p.m., and direct the County Attorney to 1) draft an ordinance to levy the fifth cent to support Tourist Development Council activities until 2012; at which time the fifth cent would be split between the Performing Arts Centers and the Art Space Project and 2) designate one of the existing pennies to fund COCA related activities.

Commissioner Proctor established that the Performing Arts Center was a 501(c)3 and inquired of the purpose of the Arts Space Project.

Ms. Peggy Brady, representing COCA, responded that the Art Space Project was part of the Arts Exchange development on Railroad Avenue and was home to the Tallahassee Boys Choir and a multiple rehearsal facility.

Commissioner Proctor expressed appreciation for the clarification and noted the importance of an additional interior space for local entertainment. He stated that future projects should not be dependent on one body and favored the implementation of a Community Governing Board whereby a percentage of performances be optioned to local entities. Commissioner Proctor indicated that he would support the motion and would "be listening carefully with regard to his final endorsement".

Commissioner Akinyemi commended Commissioner Dailey for identifying the additional revenue source and noted that he generally does not advocate levying new taxes. However, he noted that the tax would be minimal and would not affect local residents. He will support the motion based on what it will bring to the youth of the community.

Commissioner Thael confirmed with Mr. Thiele that the fifth cent could not be used to fund the Delta Airlines guarantee (agreement entered into with the City of Tallahassee and the State) and he noted that another source of funds would need to be identified for that commitment.

Chairman Desloge indicated that funding options for the Delta guarantee would be explored during budget discussions. He echoed fellow commissioners' comments on the effects of the tax on tourism and stated that he would support the motion.

The motion carried 7-0.

GENERAL BUSINESS

19. **Approval Of Fast Tracking Program for Public Sector Projects**

County Administrator Alam recalled that the Board had directed staff to bring back an agenda item to fast track public projects through the development review, permitting, procurement and right-of-way acquisition processes. He noted that the agenda item focused on three process areas: 1) development review and permitting; 2) procurement, and 3) right-of-way procurement. He added that staff had included various recommendations for the Board's consideration. Mr. Alam noted a correction on page 5 of the agenda package, Table 2, should read "Board of County Commissioners". Kim Dressel, Assistant to the County Administrator, pointed out that staff continues to work on right-of-way acquisitions.

Commissioner Sauls mentioned that the local stimulus package was intended to serve the local community and inquired if there was any way to increase the "local preference" points. Mr. Alam responded that staff could bring this issue back for Board consideration at the March 19, 2009 meeting.

Commissioner Akinyemi stressed the need to follow "due process" and noted that some of the proposed changes were needed to streamline the process, while others should be considered more temporary.

Commissioner Akinyemi moved, duly seconded by Chairman Desloge, to approve Option 1, as amended. The Board approved Options 1-5: 1) Direct staff to implement the process improvements described in this agenda item that do not require changes to existing Board policy; 2) Direct staff to continue developing proposed revisions to the Environmental Management Act, as described in this agenda item, and return to the Board for its consideration; 3) Delegate current Board authority and authorize the County Administrator or his designee to grant public sector linear infrastructure variances of up to 25%; 4) Direct staff to modify all applicable policies and implement the following: 9a) reflect proposed purchasing process thresholds identified in Table 1; (b) reflect recommended contract award and signature authority thresholds identified in Table 2; (c) authorize the Purchasing Director to release RFPs expected to result in costs no greater than \$100,000 and authorize the County Administrator or his designee to release all RFPs; (d) increase the County Administrator's intrafund transfer authority to \$250,000; (e) direct staff, as a standard practice when pricing information is known, to seek Board authorization to execute an agreement in a form approved by the County Attorney's office during the same meeting staff seeks authorization to negotiate the agreement; (f) authorize staff to release a notice to proceed after an award has been made, proper approvals obtained and the following has been received: (i) acceptable contract documents with the contractor's signature; (ii) an acceptable insurance certificate; and (iii) an acceptable performance bond, and 5) Direct staff to develop policy revisions modeled upon the Blueprint 2000-FDOT "Incentive Offer" procedure and return to the board for consideration; and direct staff to bring back a status report, after one year, on the changes to determine if they should be made permanent or eliminated. The motion carried 7-0.

Commissioner Sauls moved, duly seconded by Commissioner Dailey, to direct staff to bring back an agenda item for the March 19, 2009 meeting on options to increase the "local preference" points and methods to drive the local dollar. The motion carried 7-0.

Commissioner Thael expressed concern about potential impacts to the natural features within the community relative to the Linear Infrastructure Variance change.

Commissioner Thael moved, duly seconded by Commissioner Proctor, to direct staff to report back to the Board on the Linear Infrastructure Variance changes, specifically: 1)

any variances that are required, 2) types of variances; 3) impacts on natural features, and 4) what kind of mitigation is being proposed. The motion carried 7-0.

Mr. Alam shared that staff would provide additional information on the Environmental Management Act (EMA) Amendment process and these issues would be fully described.

20. Approval of Leon County Economic Stimulus Projects

County Administrator Alam commented that Chairman Desloge has been heavily involved in this issue. He advised that the board packet contained the Regional Stimulus Projects and projects specific to Leon County were outlined in Attachment 2. Mr. Alam requested Board approval of the County stimulus projects and to also direct staff to continue to identify projects that would be eligible for stimulus funding.

Commissioner Dailey moved, duly seconded by Commissioner Thaeff, to approve Options 1 & 2: 1) Approve the Leon County Economic Stimulus Projects, and 2) Direct staff to continue to identify projects that are eligible for economic stimulus funding.

Commissioner Akinyemi thanked Chairman Desloge for his efforts in this area and noted concern over the Woodville Sewer project and requested that the issue be agendaed for further Board discussion on additional options on this topic.

Chairman Desloge supported this request due to the recent discussions related to Wakulla Springs.

Commissioner Proctor expressed concern that sidewalks for FAMU were not included in the project list. Chairman Desloge shared that this project may be included as a City project.

Commissioner Dailey commented that the City had received approximately \$500,000 in Community Development Block Grant monies which could be used for sidewalk improvements and suggested that communications be sent to the Mayor encouraging him to consider this project in the City's sidewalk plans.

Commissioner Proctor addressed Commissioner Akinyemi's concerns over the Woodville Sewer project. He provided that Woodville sewer efforts had been ongoing and this was a topic that he had presented to the Board previously. He professed that if the Woodville Sewer Project was not included in the list, he would vote against the total list.

Commissioner Akinyemi acknowledged that the project should be done; however, he would like to carefully consider all options.

Chairman Desloge stated that the proposed stimulus package had been well received by the Governor's Office and thanked staff for their assistance in this endeavor. He added that the proposed projects were a "place holder" and emphasized that a considerable amount of discussion would be held on the projects.

The motion by Commissioner Dailey to accept Options 1 & 2 carried 7-0.

Commissioner Akinyemi moved, duly seconded by Commissioner Rackleff, to request staff bring back in two months an agenda item to provide an overview of the Woodville sewer project, to include technology and ownership. The motion carried 6-1 (Commissioner Proctor in opposition).

Chairman Desloge provided an update on the "Extreme Home Make-Over" Event and applauded Myddelton-Parker Builders, the community, and County staff for rising to the challenge and making it a successful project. He established that the County received no monetary allowance from the ABC Network for its contribution and efforts in the makeover event.

The Board recessed at 5:20.

21. Consideration of Participation in Securing Professional Lobbying Services to Leverage Economic Stimulus Funds

County Administrator Alam explained that the Board, at their last meeting, had discussed the funding of a professional lobbyist to assist the Regional Economic Stimulus Partnership in leveraging economic stimulus funds, if the City of Tallahassee and Leon County School Board committed equal funding to the lobbying effort. He advised that the City Commission had delegated authority to the Mayor to take this action and the issue has not been addressed by the School Board.

Commissioner Dailey clarified with Mr. Alam that funds already appropriated for the County's lobbying efforts could be utilized and Reserve Funds would not be needed.

Commissioner Thae'll opined that an expenditure of \$20,000 would be a good investment to potentially bring in hundreds of thousands of stimulus dollars into the community. He asserted that additional personnel is needed to help identify and respond to grants associated with the stimulus funds and a small window of opportunity would exist to respond.

Commissioner Thae'll moved, duly seconded by Commissioner Dailey to approve Option 1, as amended: Authorize the County Administrator to negotiate an agreement with regional partners for a professional lobbying firm/grant writing firm as designated by the Board, and prepare the appropriate budget request to approve utilization of funds budgeted for County Professional Lobbying Services approve the Budget Amendment Request in the amount of \$20,000.

Commissioner Rackleff expressed hesitancy in moving forward with the funding as he is unclear how it would work. He voiced that the County currently spends \$140,000 annually for Federal and State lobbying services and questioned why these firms could not provide the services being requested. He proposed that the proposed \$20,000 be split between the two firms as compensation for the additional services.

Commissioner Dailey agreed that the County needed to have clear intentions before moving forward. He articulated that the current contracted lobbyist should focus on important issues affecting the County at both the Federal (congressional budget) and State (Legislative session activities) levels and cannot give the oversight needed for the stimulus funds. Commissioner Dailey suggested that a "hybrid" lobbyist (experience and contacts at both the federal and state levels) is needed. He suggested that county's and organizations within the Economic Stimulus Funding partnership that commit funds for the lobbying efforts should be represented.

Commissioner Thae'll submitted that it would benefit Leon County greatly to include the smaller neighboring counties. He suggested that the Counties depend on each other to be successful and the issue should be viewed more broadly.

Commissioner Dailey offered that there are opportunities for County to assist, be good neighbors and provide guidance to the more rural counties on how to apply for funding for projects that Leon County would not qualify.

Commissioner Proctor expressed support for the motion and noted that local representation was needed.

Commissioner Rackleff reiterated his questions and concerns over the role and responsibility of the lobbyist.

Mr. Alam attempted to respond to Commissioner's questions. He responded that it would be difficult to predict the result and success of the proposed expenditure, however opined that the \$20,000 was a small enough amount to authorize when compared to the potential outcome. He stated that the role and responsibility of the lobbyist would be dependent upon the direction required to have the best chance at securing the stimulus funds. Mr. Alam recommended that the Board authorize the Chair to move forward.

Commissioner Proctor moved, duly seconded by Commissioner Akinyemi, to Call the Question. The motion carried 7-0.

Commissioner Thaele, as the maker of the motion, stated that he would support authorizing the County Administrator to represent the County in negotiating an agreement.

The motion to approve Option 1, as amended, carried 6-1 (Commissioner Rackleff in opposition)

22. Reconsideration of Meeting Dates for Board of County Commissioners

County Administrator explained that the item was requested by the Board at the last meeting. He requested that should the Board choose to make the change, the effective date be May 1, 2009 to allow staff time to work out conflicts in the schedule.

Commissioner Sauls moved, duly seconded by Commissioner Proctor, to approve Option 2: Revise the regular Board of County Commissioners' meeting days to the second and fourth Tuesday of the month, effective May 1, 2009.

Commissioner Proctor distributed correspondence to Commissioners which suggested the following items be considered:

- allow the Chair the discretion to cancel Board meetings with less than three items for General Business consideration;
- hold one monthly meeting on the second Tuesday of each month and a second monthly meeting on the fourth Tuesday of each month, if needed (at the Chair's discretion), and
- Conduct periodic Board meetings at FSU, FAMU and TCC.

Commissioner Rackleff stated his support for moving the meetings back to Tuesday and noted that Thursday meeting conflict with travel to conference and conventions.

Chairman Desloge articulated a preference to maintain the Thursday meetings, as it allowed more time for review of agenda items and added that Tuesday meeting conflict with School Board meetings.

The motion carried 6-1 (Chairman Desloge in opposition)

There was discussion on Commissioner Proctor's suggestions. Although fellow Commissioners could not support the recommendations to cancel meetings with less than three agenda items and the scheduling of once a month Board meeting, it was agreed that off-site meetings would be beneficial.

Commissioner Thaele moved, duly seconded by Commissioner Rackleff, to direct staff to bring back an agenda item relative to off-site Commission meetings. The motion carried 7-0.

23. Approval of Agreement Awarding Bid to Pro-Steel Buildings, Inc. in the Amount of \$1,711,740 for the Construction of the Leon County Miccosukee Road Complex Truck Sheds

County Administrator Alam explained that this was Phase II of the Master Plan developed for the Miccosukee Road Complex. He added that monies had been budgeted for this project. Mr. Alam announced that by utilizing the competitive bid process and due to the current economic situation, the County was able to acquire very favorable responses and the cost of the project was significantly lower than the projected \$3 million. He offered that it was a good time economically to proceed with other planned projects, as this same type of response could be expected.

Commissioner Thaele viewed the project as an opportunity to put people to work, help stimulate the economy, and improve the functionality of fleet management.

Commissioner Thaele moved, duly seconded by Chairman Desloge, to approve Option 1: Approve the Agreement with Pro-Steel Buildings, Inc. in the amount of \$1,711,740 for Leon County Miccosukee Road Complex truck sheds; and authorize the County Administrator to execute.

Commissioner Proctor expressed disappointment that the County had only a 3% MBE participation target in its bid requirements, as the minority population was 40%. He acknowledged that the recommended bidder had a minority participation of 5.32. Commissioner Proctor opined that it was wrong that minority vendors are displaced and disengaged from being able to do business with their own government. Commissioner Proctor inquired of the status of the Disparity Study commissioned by the Board.

Alan Rosenzweig, Assistant County Administrator, responded that the Disparity Study was being worked on and should be finalized within the next several months.

Commissioner Rackleff remarked that approximately \$200,000-\$300,000 was allocated to the Small Business Development Center (SBDC) to train minority businesses to compete for County contracts. He asked staff the results of that training. Gary Johnson, MWSBE Director, responded that due to some difficulties only \$4,000 of the monies was expended. He added that agreement with the SBDC resulted in the certification of some small business enterprises, of which gives no regard to race or gender. Mr. Johnson concluded that "there was no benefit" as it related to Commissioner Proctor's concerns.

Commissioner Akinyemi echoed Commissioner Proctor's comments. He announced that he will inquire as to what is going on in the industry and provide a report to the Board. He expressed that his issue went beyond the issue of race based award, but just fundamental fairness and openness of the process. He will support the motion, although he looks forward to change.

Commissioner Proctor confirmed with Mr. Johnson that the County allocated \$200,000 to train minority vendors and only \$4,000 was expended. Mr. Johnson replied that the program was not successful as many businesses were reluctant to go through the training process. Commissioner Proctor found this information to be very disconcerting.

*Commissioner Proctor moved, duly seconded by Commissioner Akinyemi, to convene a Citizen's Blue Ribbon Panel to assess the County's minority participation program and bring back recommendations on the usefulness of an MBE program. *Note: There was no vote taken on this motion.*

Commissioner Rackleff stated that he shared Commissioner Proctor's frustration over this issue and he is "baffled" as to why there is not a higher minority participation in county contracting. He suggested that staff maintain a year by year tally of the dollar amount of contracts to minority vendors.

Commissioner Akinyemi pointed out that some of the SBDC training resulted in certifications and offered that it was a failure of management's part that the training was not successful. He opined that the Disparity Study was a needed tool to deal with this issue.

Commissioner Thaell's motion to approve Option 1 carried 7-0.

There was further discussion by the Board on minority participation and the Disparity Study. Staff offered that the Study would be completed in May and would provide information and address questions and concerns that were being discussed.

Commissioner Proctor moved, duly seconded by Commissioner Akinyemi, that a thorough review of the Disparity Study be done and, if warranted, to appoint a Citizens Advisory Committee to assess the Study and provide recommendations to the Board on the County's MBE program. The motion carried 7-0.

24. Approval of the Fiscal Year 2010 Budget Calendar and Setting Maximum Discretionary Funding Levels for Outside Agencies

County Administrator Alam noted that based on the Board's action to move the meetings from Thursday to Tuesday, the proposed calendar would change. He recommended that the Board adopt the calendar, but allow staff to bring back a new calendar at the next meeting. Mr. Alam recommended that the funding amount for the Friends of the Library be increased by \$500 (from \$2,500 to \$3,000).

Commissioner Sauls moved, duly seconded by Commissioner Thaell, to approve Options 1, 2, 3, & 4, with the provisions outlined by the County Administrator:

- 1) Approve the Fiscal year 2010 Budget Calendar;
- 2) Direct staff to provide maximum discretionary funding levels for the development of the tentative FY 2009 budget, with the understanding that funding could be reduced during the budget process depending on available resources, as follows:

▪ CHSP	\$750,000
▪ Line Item Funding for Agencies	\$986,559
▪ Event Sponsorship	\$21,500
▪ Youth Sports Teams	\$4,750
- 3) Direct staff to seek applications for line-item funding from the following agencies:
 - Council non Culture & Arts (COCA)

- DISC Village
- United Partners for Human Services
- Keep Tallahassee-Leon County Beautiful
- Tallahassee Trust for Historic Preservation
- Whole Child Leon (United Way Big Bend)

- 4) Direct staff to seek funding applications for the Tallahassee Memorial Trauma Center and the Economic Development Council.

Commissioner Akinyemi commented that long range budget discussions were needed.

The motion carried 6-0 (Commissioner Dailey out of Chambers)

25. Approval of a Memorandum of Understanding Between Wakulla County and Leon County for Use of the Gum Road Transfer Station

County Administrator Alam shared that the agreement would allow Wakulla County to deliver their household garbage to the Gum Road Transfer Station and produce approximately \$75,000 annually for the Solid Waste Enterprise Fund.

Commissioner Sauls moved, duly second by Commissioner Akinyemi, to approve Option 1: Approve the Memorandum of Understanding with Wakulla County authorizing the use of the Gum Road Transfer Station, and authorize the County Administrator to execute. The motion carried 7-0.

The Board reconvened at 6:00 p.m.

SCHEDULED PUBLIC HEARINGS, 6:00 P.M.

26. Public Hearing on a Proposed Resolution of Intent to Use the Uniform Method of Levy, Collection, and Enforcement of Non-Ad Valorem Assessments for the Purposes of Adopting a Common Fire Services Fee with the City of Tallahassee.

Pursuant to the attached legal advertisement, a public hearing was conducted.

County Administrator Alam explained that the public hearing was conducted to adopt: 1) a Resolution of Intent to Utilize the Uniform Method of Collection, and 2) an Interlocal Agreement between the County and City for the functionally consolidated provision of Fire and Emergency medical Services/Advanced Life Support services (Fire-EMS/ALS). Mr. Alam reminded the Board that the Resolution of Intent would not require the Board to collect the fees, but was needed to give the Board that option.

Mr. Alam noted that Chairman Desloge was the Board's appointee to work with the City (Commissioner Gillum) on development of this Agreement and noted the benefits of the Agreement. Mr. Alam remarked that a revised Agreement, which included minor modifications from the City Commission meeting held on February 25, had been distributed to the Board.

Chairman Desloge thanked both City and County staff for their work on the product and complimented City Commissioner Gillum for his efforts in working with him to produce a product that benefits both the City and County.

Commissioner Thael acknowledged the work done by Chairman Desloge, Commissioner Gillum, and Chiefs' Dick and Quillin for their dedication to making the system work better and more efficiently.

Commissioner Thael had numerous comments and concerns regarding the proposed assessments.

- He inquired the process by which the assessment would be collected specifically by residents residing within the unincorporated areas. Chairman Desloge provided the City would collect the fire services fee through its utility billing, would bill City electric customers in the unincorporated areas, and assist in the direct billing of those residents in the unincorporated area not serviced by City electric (approximately 20,000 households). Chairman Desloge stated that details continue to be worked out.
- He established that meetings had been held with Talquin Electric regarding their assistance in developing a billing option for the fee and learned that the request had been positively received by Talquin management for further discussion and would be presented to their Board of Directors for consideration.
- Discussed with staff the impact and how fees would be collected should the fee not be paid by residents in the unincorporated areas.
- Stated that payment for fire services had been paid previously through the Public Services Tax and the additional fee would be approximately \$180.00 a year to the average homeowner.
- Offered that he wanted a commitment to citizens that the fee would be made "revenue neutral" and requested that staff return with information for a comparable reduction in the ad valorem property tax millage of that amount per household.

Mr. Alam noted that information would be provided at the March 19, 2009, Budget Workshop that would address Commissioner Thael's questions and concerns.

Commissioner Thael requested that staff include information on the equalization of revenues at the March 19 Workshop.

Commissioner Rackleff expressed encouragement by the cooperative spirit in which the County's request was received by Talquin Electric.

Commissioner Proctor noted his concern that the County would have little options in collection of the fee, as it does not have the leverage that the City and Talquin would have. He added that he would support the motion, however, was sensitive to the fact that City utility users were already paying one of the "highest utility rates in the county".

Chairman Desloge reiterated that a lot of answers would be provided and details worked out during the Budget Workshop.

Commissioner Thael confirmed that if the fee is assessed through property taxes, homeowners (not renters) would be responsible for the fee.

Chairman Desloge confirmed that there were no Citizens to be Heard on this item and closed the Public Hearing.

Commissioner Proctor moved, duly seconded by Commissioner Rackleff, to approve Option 1: Conduct the Public Hearing and adopt the Resolution of Intent to Use the Uniform Method of Levy, Collection, and Enforcement of Non-Ad Valorem Assessments for the purposes of adopting a Common Fire Services Fee with the /city of Tallahassee. The motion carried 7-0.

Commissioner Sauls moved, duly seconded by Commissioner Dailey, to approve Option 2: Approve proposed Interlocal Agreement for Fire - EMS/ALS Services with the City of Tallahassee. The motion carried 7-0.

Commissioner Sauls moved, duly seconded by Commissioner Dailey, to approve Option 3: Approve contract amendments to extend the existing Fire Services and EMS/ALS Agreements to coincide with the effective date of the proposed Interlocal Agreement. The motion carried 7-0.

ADD ON AGENDA ITEM:

27. Status Report on Business Recruitment Package for Project Lake

County Administrator reported that this issue was discussed and approved at the City Commission meeting held the previous night, contingent upon Leon County's approval. He noted that staff, along with Ms. Beth Kirkland, Executive Director of the Economic Development Council was available to answer any questions.

Commissioner Thael confirmed that no action was needed by the Board; the issue is presented for review and comment only. He shared that this was a targeted industry that would bring a total of 250 jobs over a five year period with an average salary of \$45,000 per year. Commissioner Thael noted that the fiscal commitment required and encouraged staff to review all fiscal options that would allow the County's participation in the proposal. He commented that the project was comparable to the Turbocor project.

Commissioner Akinyemi remarked that the County would be investing in a building, equipment and in bringing another partner to Innovation Park. He voiced support for the project.

Commissioner Rackleff articulated that he would like an opportunity to review the business plan and had questions regarding the company's motivation in wanting to relocate. He pointed out that the total value of the proposal was \$8.1 million of which 94% was funded from state and local governments. Commissioner Rackleff offered that more information was needed and articulated concerns to fund this type of development when funding for schools and other entities and projects have decreased.

Commissioner Proctor proclaimed that for the amount of money this project required, the County could offer a bail out package for local businesses in crisis. He expressed concern about the current trend of businesses to "venue shop" and offered that an investment of this amount should provide the County more say and ownership into the company. Commissioner Proctor asserted that it was not appropriate for the City and County to provide 100% investment in the company.

Chairman Desloge acknowledged that there was risk in the project; however the intent was to create jobs and he opined that the project had a lot of potential. He pointed out the similarities to the Turbocor project.

No motion or action on this item was required by the Board.

CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS (3 minute limit)

COMMENTS/DISCUSSION ITEMS

County Administrator

- Jon Brown, Public Information Director, updated Commissioner's on "Extreme Home Make-Over" schedule of activities.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Proctor

- Requested staff review a constituent request for minor home renovation assistance to accommodate physical rehabilitation.
- Referenced a memo dated February 18, 2009, to fellow Commissioners regarding Property Value Interpretation. He stated that he had received constituent concerns that home loan values had decreased while Property Appraiser assessments had remained the same.
 - Commissioner Proctor expressed concern over this issue and requested that the Board consider a 1.5 millage reduction to accommodate the gap between the market value of homes and the assessed value.
 - *Commissioner Proctor moved, duly seconded by Commissioner Dailey, to conduct a Workshop to review, discuss and address property tax issues.*
 - Commissioner Rackleff shared that the methodology used to appraise property values was dictated by the Department of Revenue. He opined that most of the issues addressed and the actions proposed were not within the Board's purview.
 - Mr. Alam suggested that the proposed 1.5 millage reduction could be considered at the Board's Budget Workshop on March 19, 2009 and that a Workshop, to include staff from the Property Appraisers Office, could be held.
 - Commissioner Proctor proclaimed that he wanted to be progressive as well as aggressive in reviewing the market realities of property taxes for Leon County homeowners.
 - *The motion to conduct the Workshop carried 7-0.*
- *Commissioner Proctor moved, duly seconded by Commissioner Thaell, to authorize \$400.00 from his Commission account, to support the 14th Annual Hoops of Fire Men's Basketball Tournament to be held March 27-28, 2009. The motion carried 7-0.*

Commissioner Thaell

- Requested a Resolution acknowledging the 25th Anniversary of the passage of the Victims of Crime Act.

Commissioner Sauls

- Announced her appointments to the 2010 Consensus Committee: Sarah Lee Alderson, Tom Napier, and Frank Ranicky

Commissioner Akinyemi

- *Commissioner Akinyemi moved, duly seconded by Chairman Desloge, to waive the rules. The motion carried 7-0.*
- *Commissioner Akinyemi moved, duly seconded by Commissioner Sauls, to commit \$2,500 from the Contingency Fund in support of Florida Association of Counties (FAC) Legislative Day activities.*
- Requested a Resolution proclaiming March 24, 2009 Women's History Day in Leon County.

Commissioner Dailey

- *Commissioner Dailey moved, duly seconded by Chairman Desloge, to waive the rules to discuss funding for the Springtime Tallahassee Parade and events. The motion carried 7-0.*
- *Commissioner Dailey moved that the Board contribute \$20,000 from Tourist Development Council (TDC) funds to support the Springtime Tallahassee Parade and Jubilee in the Park events.*
 - Commissioner Dailey submitted that this is the largest festival in the community with an economic impact of over \$5 million dollars and puts over 800 heads in beds. He noted that actions by the Board indicated that the fifth cent would be enacted and opined that the funds be replenished from that tax source.
 - Commissioner Dailey stipulated that the contribution be used to support the operational costs of the Springtime Tallahassee Parade and Jubilee in the Park and not be used to support any private events or salaries.
 - Commissioner Proctor stated his support for the motion; but voiced, for the record, that he would not participate in the event but acknowledged the progress the Springtime Committee has made to alight itself in a more contemporary age.
 - Commissioner Akinyemi commented on the importance of supporting local events.
 - Chairman Desloge asserted that this is a signature event for the community.
 - *Commissioner Desloge suggested that the motion be amended to limit the expenditure to \$20,000 and some level of accountability for the funds.*
 - *Commissioner Dailey accepted the amendment.*
 - Commissioner Sauls will support the motion and viewed the use of TDC funds as an appropriate expenditure.
 - Commissioner Dailey confirmed that the motion was amended to "up to \$20,000" for general operations, with no monies dedicated to staff salaries or private events.
 - Commissioner Dailey requested that Springtime Tallahassee officials provide information on how the monies would be spent at the next Board meeting.
 - *The motion as amended carried 7-0.*

Commissioner Rackleff

- Brought attention to the demolition of three historic buildings (240, 244 and 246 South Monroe). One location of significance is the old McCrory's Five & Dime; which was the site of a sit-in during the civil rights movement. He has contacted local legislative delegation for assistance in saving and preserving the building as a possible Civil Rights Museum and encouraged fellow Commissioners to join him in his attempt to protect the site.

Chairman Desloge

The gavel was passed to Vice-Chair Rackleff

- *Chairman Desloge moved, duly seconded by Commissioner Sauls, to request staff bring back an agenda item regarding the development of "check list" to be used when implementing a policy, ordinance, or resolution to more formally evaluate how it compares to policies, ordinances, etc. with the City of Tallahassee. The motion carried 7-0.*

The gavel was returned to Chairman Desloge

- Received a note from Judge Shelfer requesting that Courtroom 2-D be dedicated in Judge Timothy Harley's name. The request was accepted without objection.

- Explained that he wanted to communicate with FSU President, T.K. Wetherall, to formally clarify the County's liability and representation on the Civic Center Board with regards to its \$125,000 liability in instances of a short fall. Chairman Desloge explained that it was his understanding that FSU currently seats most of the members of the Board and as such assumed management of the civic center relieving the County of its liability.
- Shared a letter received from Harry Reed, Executive Director, Capital Region Transportation Planning Agency, regarding concerns that a portion of funds from the stimulus package for transportation projects could be directed to another county.
 - Chairman Desloge requested authority to write a letter on the County's behalf to ensure that some County road projects remain a priority for the district.

ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 9:15 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____
Bryan Desloge, Chairman
Board of County Commissioners

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