

BOARD OF COUNTY COMMISSIONERS  
LEON COUNTY, FLORIDA  
REGULAR MEETING  
September 8, 2009

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 Akinyemi, who then led the Pledge of Allegiance.

**Awards and Presentations:**

- Commissioner Desloge presented a Resolution designating September as "National Hunger Action Month".
  - Ms. Cheryl Phoenix, America's Second Harvest of the Big Bend, accepted the Resolution and introduced representatives from partner agencies, such as Holy Comforter Episcopal Church, GoodNews Outreach, and the Greater Frenchtown Revitalization Council. She thanked the Commission for putting "their compassion into action" by the proclamation to promote public awareness and the placement of food donation bins at the Courthouse, library and other County offices.
  - Ms. Phoenix noted that over 25,000 citizens in Leon County struggle with hunger, the amount of food distributed countywide has increased over 70% and that their 58 partner agencies are feeding over 20,000 people each month.
- Chairman Desloge introduced Mark O'Bryant, CEO, Tallahassee Memorial HealthCare, who updated the Board on the progress of the Tallahassee Memorial Trauma Center. Highlights of Mr. O'Bryant's report included:
  - Received Provisional Status in May 2008 and Certified Trauma Center Certification in July 2009;
  - Total of 1,217 traumas treated in 2008-2009;
  - Car crashes represent largest category of trauma cases;
  - Leon County the largest area served;
  - Net loss to of \$3.45 million for Trauma Program operation;
  - Overview of hospital's strategic plan, and
  - Recognized as a highly efficient, cost effective health care hospital

Commissioner Akinyemi noted the hospital's \$3.45 million deficit to operate the program and asked what efforts could be taken to help alleviate some of the losses. Mr. O'Bryant acknowledged that there are certain requirements to serve as a certified trauma center and there is very little to be done to trim back losses. He indicated that continued community support, hospital expansion and maintaining/strengthening of other fiscally viable services would be used to help balance the deficit.

Commissioner Thael thanked Mr. O'Bryant for fulfilling his promise to bring a certified trauma program to the area. He commented on the need for a better community safety education.

Commissioner Rackleff asked for information on what differences are realized by the trauma center designation. Ms. Frieda Lyons explained the difference in the standard of care received by a trauma patient and added that the ability to compare

themselves with other operations and sharing of information are also important elements. Commissioner Rackleff confirmed that Leon County, City of Tallahassee and Wakulla Counties are the only local governments contributing to the trauma center. Mr. O'Bryant added that requests have been made to other counties serviced by the center, however, he has not as of yet received a response to their request.

**Consent:**

*Commissioner Sauls moved, duly seconded by Commissioner Akinyemi to approve the following Consent Agenda with the exception of items 11 and 14, which were pulled for discussion and Item #7 which was removed from the Agenda. The motion carried 7-0.*

**1. Approval of Minutes: January 7, 2009 Joint City/County Adoption Hearing on Cycle 2008-1, EAR-Based Comprehensive Plan Amendments**

*The Board approved Option 1: Approve the minutes of January 7, 2009 Joint City/County Adoption Cycle 2008-1 EAR Based Comprehensive Plan Amendments.*

**2. Approval of Payment of Bills and Vouchers Submitted for September 8, 2009 and Pre-Approval of Payment of Bills and Vouchers for the Period of September 9 through September 21, 2009: \$4,756,379**

*The Board approved Option 1: Approve payment of Bills and Vouchers Submitted for September 8, 2009 and Pre-Approval of Payment of Bills and Vouchers for the Period of September 9 through September 21, 2009: \$4,756,379*

**3. Adoption of Revised Policy No. 96-8, "Drug and Alcohol Testing"**

*The Board approved Option 1: Adopt revised Policy No. 96-8 "Drug and Alcohol Testing" and direct Risk Management and Human Resources to administer and enforce this policy.*

**4. Approval of Resolution and Associated Budget Amendment Request to Establish a Budget for the Health Department to Reimburse the County for Costs Associated with the Storage of H1N1 (Swine) Flu Vaccines**

*The Board approved Option 1: Approve the Resolution and Budget Amendment to establish a budget for the Health Department to reimburse the County for costs associated with the leasing of warehouse space for the storage of H1N1 vaccines and related equipment.*

**5. Request to Reschedule the Tuesday, November 24, 2009 Regular and Reorganization Meeting for Tuesday, November 17, 2009**

*The Board approved Option 1: Reschedule the Tuesday November 24, 2009 regular and Board reorganization meeting for Tuesday, November 17, 2009.*

**6. Acceptance of a Florida Department of Health, Bureau of Emergency Medical Services Grant in the Amount of \$13,702**

*The Board approved Options 1 & 2: 1) Accept the Florida Department of Health, Bureau of Emergency Medical Services Grant in the amount of \$13,702, and 2) Approve the Resolution and associated Budget Amendment Request.*

**7. Approval of Resolution in Support of Restoring Passenger Rail Service Throughout North Florida and the Gulf Coast Region**

*This item was removed from the Agenda.*

**8. Acceptance of an Amended Conservation Easement from Garry Howard and J.L. Howard**

*The Board approved Option 1: Approve and accept for recording the amended Conservation Easement from Garry Howard and J.L. Howard for the Pic-N-Pull Type A Site Plan project.*

**9. Approval of a Resolution and Associated Budget Amendment Request Establishing a Budget for the Wildlife Preservation Fund**

*The Board approved Option 1: Approve the Resolution and Associated Budget Amendment Request to establish a budget for the Wildlife Preservation Fund.*

**10. Approval of a Resolution and Associated Budget Amendment Request to Establish Budget Authority for the FY 09/10 Allocation of State Housing Initiative Partnership Funding**

*The Board approved Option 1: Approve the Resolution and Associated Budget Amendment Request to establish budget authority for the FY 09/10 State Housing Initiative Partnership Funding in the Amount of \$138,863.*

**11. Authorization to Negotiate a Contract with Reynolds, Smith and Hill for the Bannerman Road Corridor Study**

Chairman Desloge requested that the item be pulled for further discussion.

County Administrator Alam explained that the selection committee has recommended Reynolds, Smith and Hill; however, the scoring was very close (three points separating the proposals).

Chairman Desloge indicated that he pulled the item to discuss how local preference is gauged in the review of bids and wanted to ensure that the County is maximizing local economic benefits.

Commissioner Akinyemi shared that he has a pending agenda to review the County's WMBE and procurement policy. He opined that the RFP evaluation process is very subjective and that individuals involved need special training to be able to remain objective and carefully review proposals with no agenda to the outcome. He expressed his concern over the scoring of the proposals.

**Speakers:**

- Debbie Dantin, 506 Frank Shaw Rd., Dantin Consulting, stated that it is difficult for local firms to compete with larger firms and voiced frustration at the change in scoring. She requested that the Board reconsider awarding the project in the manner in which it was done and that it continue to look for opportunities to promote local and small businesses.
- David Van Leuven, 3728 Lifford Circle, spoke on local economic. He advised that the GPI project team consisted of eight local firms, which provide a paycheck to over 100 local residents. Due to the scoring changes as indicated

in attachment 4 of the agenda packet, he requested that the recommendation be overturned or the project re-bid.

- Richard Moore, 2011 Roden Cove, Moore Consulting Group, one of the sub contractors on the proposal with GPI stated that his firm is owned by a woman and has been in the community since 1985. He suggested that the Commission, when there is essentially a tie, should take it upon itself to take a look at and do what best benefits the community.

Commissioner Thaeil established with Tony Park, Public Works Director, the process that was utilized by the Committee and Mr. Park advised that any changes made in the scoring were made prior to the totaling of scores by the Chairman of the Evaluation Committee. Mr. Park asserted that no scores were changed after the final tally. Commissioner Thaeil acknowledged the good qualities of Reynolds, Smith and Hill; however expressed his support for local businesses and in helping local residents stay employed. He concurred that the process is subjective and suggested that a workshop be conducted. He asked that staff look at how other communities deal with the evaluation process and if there is a better method to be used. He noted the good points made by speakers and suggested that they be considered by the Board.

Commissioner Rackleff pointed out that there have been a number of disputes over contract awards and that this would be a recurring event that could be attributed to the lack of local government and state spending on transportation projects. He recalled that he was in support of the gasoline tax increase that would have provided needed revenue for road projects.

County Administrator Alam remarked that the current economic conditions have made the evaluation process more difficult, as there is more competition for projects. He assured the Board the evaluation ratings are not shared among committee members and are not known until the process has been completed.

County Attorney Thiele was asked to weigh in on what options are available to the Board to consider on this issue. Mr. Thiele advised that the criteria by which the proposals were judged cannot now be changed to affect this project. The Board can 1) accept staff's recommendations as contained in the agenda package or 2) re-bid the project with different criteria.

Commissioner Sauls expressed discomfort disregarding the criteria used and opined that the Board should accept staff's recommendation.

*Commissioner Sauls moved, duly seconded by Commissioner Rackleff, to approve Option 1: Authorize staff to negotiate a contract with Reynolds, Smith and Hill (RS&H) to provide professional services for the Bannerman Road corridor Study.*

Chairman Desloge noted that it seemed the consensus of the Board was to have a more in-depth discussion on local preference, irregardless of the outcome of this issue.

Chairman Sauls asserted that there needed to be a system in place that the Board could support 100%.

Commissioner Akinyemi established with Mr. Thiele that the Board can modify point awards only if specifically stated in the bid. Mr. Thiele advised that once a bid is released that criteria should be followed.

Commissioner Thael stated that the County should work with the Florida Association of Counties (FAC) and others to help change the Competitive Contracting Negotiating Act (CCNA) as it ties the hands of public policy makers. He added that he would not support the motion and indicated that more emphasis should be placed on local preference. He offered that the project be re-bid.

Keith Roberts, Purchasing Director, in response to questions by Commissioner Rackleff defined "local preference" as stated in the County's current policy.

Commissioner Proctor offered that the clear definition of WMBE has been lost.

*Commissioner Proctor offered a substitute motion to re-bid the project and put an emphasis on local preference and WMBE standards. The substitute motion was seconded by Commissioner Thael.*

Commissioner Dailey confirmed with Mr. Thiele that the criteria can be changed; however, an amendment to the local preference ordinance to change the numerical scoring would be needed. Commissioner Dailey stated that he would support the substitution motion and suggested that criteria be established upfront on how tied scoring would be handled. He also suggested that a new evaluation committee be formed to review the bids and stressed the need for complete transparency during the process.

*Commissioner Proctor accepted the amendment that new members be appointed to the evaluation committee.*

Commissioner Rackleff stated that he could not support the substitute motion as it does not make the system fairer or more objective; nor did it provide for any more clarity to a process than currently exists. He also voiced concern over the replacement of current evaluation committee members who he opined were highly skilled and understood the County's mission.

Commissioner Proctor stated that the Board has been very clear in its support of local preference and offered that new committee members to review the applications would add integrity to the process.

County Administrator recommended that the Board hold a workshop that would include a review of the process used by other jurisdictions, recommendations on ways to improve the process and local preference.

Speaker:

- Drew Roark, 1545 Raymond Diehl Road, representing Reynolds, Smith and Hill (RS&H). He pointed out that RS&H has 10-12 local employees and have been in the area for 15 years. In addition, the nine firms on the team are local. He noted that all WMBE requirements have been met or will be exceeded. Mr. Roark remarked that the proposal process is very expensive for all firms and asked for the Board's consideration of staff's recommendation.

Commissioner Dailey indicated that he favored asking staff to bring something back, specifically regarding this bid. He stressed that he wanted to ensure that an appropriate process was in place and agreed that further discussion was needed on point variables, local preference in WMBE requirements for future procurement projects.

County Administrator Alam shared that should the Board reject the bid, the project would be re-bid using new requirement/standards approved by the Board. Mr. Alam assured the Board that no points were changed during the bid process and no communications were held between evaluation committee members on their individual rankings.

Commissioner Proctor noted that there are vendors within the community who have been unsuccessful in procuring business with the County.

Commissioner Thael commented that price considerations should be included in the process in these types of bids in the future.

Commissioner Sauls opined that RS&H won the bid fair and square and should be awarded the bid; however, spoke in favor of reviewing the process and make changes as appropriate.

*The substitute motion carried 5-2 (Commissioners Sauls and Rackleff in opposition).*

County Administrator Alam recommended that the Board direct staff to bring back a policy recommendation to be utilized in the re-bid process. Chairman Desloge requested that this be done as soon as possible. There was no opposition noted to the Administrator's recommendation.

**12. Adoption of Resolution Adopting, Ratifying, and Confirming the Stormwater Assessment Roll and Certification to the Tax Collector.**

*The Board approved Options 1 & 2: 1) Adopt the Resolution adopting, ratifying, and confirming the stormwater assessment roll at the \$20 rate, and authorize the Chairman to execute, and 2) Certify the roll to the Tax Collector.*

**13. Approval of Agreements Awarding Bids to CXT, Inc. and Public Restroom Company for Continuing Service to Supply Pre-Engineered Buildings**

*The Board approved Option 1: Approve the Agreements awarding bids to CXT, Inc. and Public Restroom Company for continuing service to supply pre-engineered buildings, and authorize the County Administrator to execute the Agreements.*

**14. Approval of Agreement Awarding Bid to Allen's Excavation, Inc. in the Amount of \$297,500 for the Construction of the Lake Henrietta Bicycle and Pedestrian Trail Connection**

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

Commissioner Rackleff thanked staff for their follow through on this issue as it is an important project for the southwest area. He noted that the project uses County-owned land to connect the N. Ridge Road and Jake Gaither Neighborhoods with direct pedestrian access to Lake Henrietta and the St. Marks Trail. Commissioner Rackleff commented that the project would enhance the quality of life for neighborhood residents and stimulate reinvestment by homeowners. He remarked that the trail would be named the "Charles Billings Trail" as Mr. Billings was a friend to all and had a special fondness for the Jake Gaither Golf Course. He invited Mr. Billings' family to address the Commission.

Martha Billings, widow to Mr. Billings, expressed her gratitude to the Board, especially Commissioner Rackleff, for seeing the project through to fruition and ensuring that

Leon County citizens have even more opportunities to participate in recreation within the community.

Commissioner Rackleff moved, duly seconded by Commissioner Akinyemi to approve Option 1: *Approve the Agreement awarding the bid to Allen's Excavation, Inc. in the amount of \$297,500 for the construction of the Lake Henrietta Bicycle and Pedestrian Trail, and authorize the County Administrator to execute. The motion carried 6-0 (Commissioner Proctor out of Chambers)*

**15. Approval of Resolutions Adopting the Annual Disposal Service Charge for the Solid Waste Non-Ad Valorem Special Assessment and Ratifying, Confirming and Certifying the Special Assessment Roll to the Tax Collector**

*The Board approved Options 1 & 2: 1) Approve the Resolution establishing the annual disposal charge for the Solid Waste non-ad valorem special assessment in the amount of \$40,000 per residential unit for FY 2009/10, and authorize the Chairman to execute, and 2) Approve the Resolution ratifying, confirming, and certifying the Special Assessment Roll for solid waste disposal to the Tax Collector, and authorize the Chairman to execute.*

**Citizens to be Heard**

- Jennifer Amison, 1987 Buckfield Drive, requested the Board's assistance in resolving a problem with a 15 foot easement at property located at 876 Ellis Road.
  - Chairman Desloge informed Ms. Amison that there was no interaction with Commissioners at this portion of the agenda; however, he asked David McDevitt, Growth & Environmental Management (GEM) Director and John Kraynak, Environmental Services Director, to meet with Ms. Amison to discuss her concerns and provide a follow-up to the Board.
- Max Harmony, 726 W. 10<sup>th</sup> Ave., voiced opposition to the proposed curfew that was discussed by the Board at its August 25 Board meeting and provided reasons why it should not be adopted in the future.

**General Business**

**16. Approval of FY 09/10 Insurance Coverage**

County Administrator Alam explained that Board approval was being sought to award insurance renewals for Property and Casualty, Workers' Compensation and General Liability insurance. He reported the following recommended awards: 1) property insurance, \$611,122 to Brown and Brown; 2) Workers' Compensation, \$139,159 to Florida League of Cities and 3) General Liability, \$346,078 to Brown and Brown. Mr. Alam pointed out the County, through its implementation of a competitive bid process has reduced its insurance costs by 52% within the past two years.

Commissioner Dailey disclosed that his company does contractual work for the Florida League of Cities (not the Florida League of Cities Trust which is the actual company that bid on the County insurance) and asked County Attorney Thiele if he had a conflict of interest in engaging and voting on this issue. Mr. Thiele advised that in his opinion there was no conflict of interest as the Florida League of Cities Trust is a separate entity from the Florida League of Cities.

Commissioner Thaell remarked that he was proud of the work done by staff on this issue and indicated that as the Commissioner that requested staff revisit the matter he was very pleased with the significant savings. \

*Commissioner Thael moved, duly seconded by Commissioner Sauls, to approve Option 1: Approve the following insurance coverages for fiscal year FY 2009/2010: a) Property Insurance (\$611,122): Brown and Brown; b) Workers' Compensation (\$139,159): Florida League of Cities; c) General Liability (including Public Official, Employee Practices Liability, Auto \$346,078): Brown and Brown, and d) As the low bidder for General Liability, authorize Brown and Brown to place pollution, accidental death and dismemberment, and aviation liability coverages. The motion carried 6-0 (Commissioner Proctor out of Chambers).*

**17. Consideration of Primary Healthcare Program Allocations for Fiscal Year 2009/2010**

County Administrator Alam explained that the item seeks Board direction regarding FY 09/10 funding allocation for Primary Healthcare Programs. He advised that the total amount allocated is \$1,486,937, excluding mental health services. Mr. Alam asked Vince Long, Deputy County Administrator, to summarize discussions held by the Healthcare Advisory Board (HAB) at their September 3, 2009 meeting regarding primary healthcare funding recommendations.

Mr. Long conveyed the HAB's appreciation for holding the Primary Healthcare Program harmless during FY 09/10 budget discussions. He advised that the HAB recommended funding allocations for FY 09/10 remain consistent with the previous year and that the \$350,000 in unallocated funds continue to support the Bond Women and Children's Health Care Services Program at \$248,260 and that the remaining \$101,740 be distributed as follows: Capital Medical Society (WeCare) - \$12,000 and the remaining 87,740 be split eventually between Bond Community Health Center and Neighborhood Health Services (\$44,870 each).

Commissioner Proctor confirmed with Mr. Long that the Commission was not bound by the HAB recommendations and offered that the \$12,000 request from WeCare was insufficient and asked how the amount was derived.

Speaker:

- Karen Wendland, 1204 Miccosukee Rd, Capital Medical Society Executive Director, the entity that operates WeCare, explained that the \$12,000 request represented a 12% increase over their already allocated funds. She stated that WeCare is a network of 315 specialty doctors and 52 dentists who donate their services free of charge to low income uninsured residents. Ms. Wendland assured the Board that had she been aware of a possible \$101,000 in unallocated funds, her request would have been higher as funding for the dental program was desperately needed and secure funding did not currently exist. She noted that it costs approximately \$55,000 annually to operate the dental program and asked that the Board consider increasing the WeCare allocation to \$40,000. Ms. Wendland added this was the only free service available to low income uninsured adults in the area.

Commissioner Proctor articulated his support for the increased funding request for WeCare and asked that the Board consider approval of the \$40,000 request by Ms. Wendland.

- Patrick Wiggins, 386 West Brevard, Neighborhood Health Services (NHS) Executive Director, voiced gratitude for the Board's support and endorsed WeCare's request for enhanced funding. He noted that NHS has worked hard to become more efficient and effective and pointed out an increase in productivity

and client satisfaction, a decrease in cost per encounter and an improved working relationship with local partners. He added that two things were needed to achieve their vision: better space and approximately \$250,000 additional dollars.

Commissioner Thael commented that the demand for services is growing and that the County is attempting to bring more revenue into the community through its support of economic development. He voiced support for WeCare's request and commented that the value of donated services provided by the 315 specialist and 52 dentists in the WeCare network is "staggering" and lends to the fact that we have a world class health care community. He asserted that the County has done a great deal to fund health care services to needy residents. Commissioner Thael recommended, for further discussion, that \$50,000 be allocated to WeCare and the remaining \$300,000 be split equally between NHS and Bond.

- Henry Lewis, 531 Tuskegee St, member of the HAB, thanked the Board on behalf of the College of Pharmacy for its support of pharmaceutical services. He shared that the FAMU College of Pharmacy received the 2008 statewide Blue Cross Blue Shield Onyx Award for providing pharmaceutical services for under-served, uninsured and indigent individuals. He noted that in 2008, 37,080 prescriptions were filled by NHS and Bond representing approximately \$4.6 million in retail costs if filled in the open market. Dr. Lewis pointed out that the School of Pharmacy came in second, to the University of Southern Cal, in providing community health services by pharmacy schools nationwide.

Commissioner Rackleff confirmed with staff the source of the surplus revenue and articulated his desire to find a way to fund health care programs in a meaningful way.

Commissioner Proctor remarked that a reduction in Bond's funding would impact their federal match dollars. Commissioner Proctor offered options 1 & 2, which is consistent with recommendation of HAB and recommends honor \$40,000 for WeCare and the balance split \$30,500 each to NSH and Bond.

*Commissioner Proctor moved, duly seconded by Commissioner Akinyemi, to approve Options 1 & 2, as amended: 1) Continue the funding of primary healthcare services in the amount of \$1,486,937 (currently budgeted in the FY 09/10 Tentative Budget), including the following allocations: Bond (\$329,380), WeCare (\$90,043), FAMU (\$355,000), NHS (\$355,000), and Healthy Kids/Kid Care (\$7,514), and 2) Continue funding the Bond Women and Children's Health Care Services Program for an additional year in the amount of \$248,260 and the remaining \$101,740 be distributed as follows: \$40,000 to WeCare \$40,000 and \$30,670 each to NSH and Bond.*

Commissioner Dailey established with Mr. Wiggins that funding sources for the NHS include the County, City, United Way, Dept. of Health, private/special grants, and fund raising and that their total budget is approximately \$1.8 million dollars. Commissioner Dailey inquired what assistance could the County provide to help NHS become federally qualified. Mr. Wiggins thanked the Board for the assistance and stated that he would report back to the Board on this issue.

Chairman Desloge established that Bond's budget was approximately \$4.5-\$5 million, of which \$3.5-\$4 million is federally funded.

*Commissioner Dailey made a substitute motion to approve Option 1 & 2: 1) Continue the funding of primary healthcare services in the amount of \$1,486,937 (currently budgeted in the FY 09/10 Tentative Budget), including the following allocations: Bond (\$329,380),*

*WeCare (\$90,043), FAMU (\$355,000), NHS (\$355,000), and Healthy Kids/ Kid Care (\$7,514), and 2) Continue funding the Bond Women and Children's Health Care Services Program for an additional year in the amount of \$248,260 & and the remaining \$101,740 be distributed as follows: \$40,000 to WeCare and the balance (\$61,740) to NHS. The motion was seconded by Chairman Desloge.*

There was discussion, initiated by Commissioner Thaeil, on designating \$250,000 from the stimulus matching funds (included in this year's budget) for Bond, to use this as part of their federal match. There was no support for the idea.

Chairman Desloge asked that consideration be given via a separate motion, to Mr. Wiggins request for additional space.

*The motion on the floor to approve Option 1 & 2, as amended carried 7-0.*

*Commissioner Dailey moved, duly seconded by Commissioner Thaeil, to bring back an agenda item to look at possible locations for NHS. The motion carried 7-0.*

The Board recessed for a dinner break at 5:33 p.m. and will reconvene at 6:00 p.m. to conduct the Public Hearings (Items 19 - 21)

**18. Approval of Project List for the Transportation Investment Generating Economic Recovery Grant Program**

County Administrator Alam explained that staff has presented a list of joint City/County projects to be included in the Leon County and City of Tallahassee Transportation Investment Generating Economic Recovery Grant (TIGER) Application for Board approval. He noted that the list is a compilation of 26 sidewalk projects totaling \$38 million, and in addition, the City has requested \$5 million for the purchase of a GPS system for Star Metro. The total amount to be requested is \$43 million.

*Commissioner Thaeil moved, duly seconded by Chairman Desloge, to approve Option 1: Approve the project list for the Transportation Investment Generating Economic Recovery Grant Program.*

Commissioner Proctor conveyed that he could not support the project list as there was "not one dollar pegged" for any part of the South end of the community. He asserted that sidewalks were greatly needed on Palmer Avenue and expressed frustration over the lack of sidewalk projects for the Southside. He conveyed that he could not support the motion.

Commissioner Thaeil asked staff to address the issues brought forward by Commissioner Proctor. County Administrator Alam explained that there were two criteria followed for a project to be included on the grant application: 1) inclusion in the Capital Region Transportation Planning Agency's (CRTPA) Long-Range Transportation Plan and 2) completion date of February 17, 2012. Tony Parks, Public Works Director, further explained that although there were not many projects in the CRTPA Plan, the City has had several programs which incorporated sidewalk improvements.

Commissioner Thaeil pointed out that an equal distribution of requested projects could amount to approximately \$7.5 million per district and noted that there were projects on the list for District 1 that amounted to approximately \$6.8 million.

Commissioner Akinyemi established with Mr. Park that the grant deadline was September 15, 2009 and a decision expected in January/February. Commissioner

Akinyemi requested that staff be mindful of an equitable and fair distribution of resources and opportunities when making decisions that impact the entire County. He stated that he would support the motion as the projects will provide better mobility throughout the county for citizens.

Commissioner Rackleff echoed Commissioner Akinyemi's comments related to enhanced mobility from the projects and voiced his enthusiastic support of the motion. He also reviewed the project list and cited a number of very badly needed projects for the southern portion of the County.

Commissioner Sauls requested information about the sidewalk connecting Ft. Braden School to the community center. Mr. Park explained that Highway 20 is a State road and thus not eligible for inclusion on the list and added that right of way was needed. Commissioner Rackleff voiced his support for the connector and offered his assistance.

Commissioner Proctor reiterated his assertion that there were populations within the County that were not being represented adequately in the CRTPA Master Plan. He confirmed with Shington Lamy, Special Projects Coordinator, that the WMBE federal standard of eight percent would be used by contractors for the projects and that there would be a reporting mechanism in place to ensure that the guidelines are being met.

Commissioner Proctor asked Commissioner Thaell to amend his motion to include clarity in spending and an emphasis on ensuring that WMBE federal guidelines are met. Commissioner Thaell did not accept the amendment.

Commissioner Thaell expressed frustration over the discussion and reiterated that the list was fair and equitable.

Chairman Desloge remarked that Commissioners "drive" the CRTPA Master List and was developed using traffic count and traffic and mobility needs developed over the last 10 years. He emphasized that this was not a decision made by staff.

*The motion by Commissioner Thaell to approve Option 1: Approve the project list for the Transportation Investment Generating Economic Recovery Grant Program. carried 6-1 (Commissioner Proctor in opposition).*

This concluded the Board's Meeting Agenda and the Commission entered into Staff/Commissioner Discussion Items.

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

**Scheduled Public Hearings, 6:00 P.M.**

**19. Conduct First and Only Public Hearing to Consider the Purchase of the Huntington Oaks Plaza Property and the Conveyance of the View Pointe Property to Oaks Huntington LLC**

County Administrator Alam announced the Public Hearing.

Mr. Alam explained that activity and events that occurred to reach agreement. He summarized that the County would acquire the Huntington Oaks Property in exchange for the County's View Point Property, \$2,678,000, and Oaks Huntington's retention of 75% of the Food Lion's lease payments.

*Commissioner Dailey moved, duly seconded by Commissioner Rackleff, to approve Option 1: Conduct the first and only public hearing and : (a) approve and authorize the Chairman to execute the Resolution authorizing the acquisition of the Huntington Oaks Property in exchange for the County's View Pointe Property, \$2,678,000 in cash and Oaks Huntington's retention of 75% of the Food Lion's lease payments (Attachment #1); (b) authorize the County Administrator to execute a Purchase and Sale Agreement; (c) authorize staff to accept the sidewalk project easement for the View Ponte Property; and (d) authorize staff to accept the assignment of the Property Management & Leasing Agreement with TALCOR.*

Chairman Desloge remarked that this was a creative way to solve a lot of problems and applauded staff's efforts. Mr. Alam also expressed his appreciation and stated that it was a pleasure to work with all parties involved in the transaction.

*The motion carried 7-0.*

**20. First of Two Public Hearings on a Proposed Ordinance Amending the Appropriate Sections of Chapter 10 of the Land Development Code to Implement Comprehensive Plan Reform**

County Administrator Alam announced the Public Hearing.

*Commissioner Sauls moved, duly seconded by Commissioner Dailey, to approve Option 1: Conduct the first of two public hearings on an proposed Ordinance amending appropriate sections of Chapter 10 of the Land Development Code to implement Comprehensive Plan Reform, and schedule the second and final public hearing for Tuesday, October 13, 2009 at 6:00 p.m. The motion carried 7-0.*

**21. Conduct First and Only Public Hearing to Adopt Proposed Ordinance Repealing Chapter 11, Article IV of the Leon County Code of Laws Entitled "Local Business Tax Receipt"**

County Attorney Thiele announced the Public Hearing.

*Commissioner Dailey moved, duly seconded by Commissioner Sauls, to approve Option 1: Conduct first and only public hearing and, pursuant to the recommendation of the Office of Management & Budget, adopt the proposed ordinance repealing Chapter 11, Article IV of the Leon County Code of Laws.*

Chairman Desloge thanked the Tax Collector and staff for helping put this together.

*The motion carried 7-0.*

The Board now entered into discussion of Item 18 under General Business.

**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:**

**County Administrator**

- Mr. Alam reminded Commissioners that appointments to the Charter Review Committee would be made soon and that potential nominees should submit an application to Christine Coble. He shared that Charter Review Committee meetings would be held every Thursday and then broadcast on Comcast channel 16 the following Tuesday.

- Commissioner Sauls verified that Committee meetings would be held every Thursday for four months and expressed concern about the large commitment of time expected by Committee members. Mr. Alam responded that the time requirements can be altered, according to the pleasure of the Board.
- Chairman Desloge pointed out those citizens interested appointment should submit an application which can be obtained through the County's Web site [www.leoncountyfl.gov](http://www.leoncountyfl.gov).
- Chairman Desloge stated that each Commissioner would make two appointments and one student representative would be appointed by the full Board.

**Discussion Items by Commissioners:**

**Commissioner Proctor**

- Requested a Resolution recognizing National Breast Cancer Awareness Month in October to present to Neighborhood Health Services.

**Commissioner Thael**

- Requested a Resolution recognizing Gallop Franklin, recently elected FAMU Student Body President, without objection.
- Requested approval to invite the Okhlockonee River Soil and Water District and Florida Fish and Wildlife Commission to make a brief presentation to the Board on the Munson Slough realignment project, without objection.

**Commissioner Sauls**

- Mentioned that Palmer Monroe Community Center was in her district and asked if there was any information regarding the facility.
- Chairman Desloge conveyed that he and City Commissioner Gillum would meet on Thursday to discuss/brainstorm on how or could the center be turned into a "teen center". He added that the public defender had contacted him regarding the need for this type of facility in the community.

**Commissioner Akinyemi**

- Recalled that the County had entered into an agreement with the City of Tallahassee and the State to provide a revenue guarantee to Delta Airlines in an attempt to offer more flights into Tallahassee. He asked staff to provide a status report on whether the goals and criteria are being achieved.

**Commissioner Rackleff**

- *Commissioner Rackleff moved, duly seconded by Chairman Desloge, to direct the County Attorney to bring back information and a draft ordinance relating to the establishment of quiet zones at railroad crossings in the City. The motion carried 7-0.*
- Referenced the problems recently cited at Wakulla State Bank, including a cease and desist order issued by the Florida Office of Financial Regulation and established with staff that the County did not have a banking relationships with Wakulla State Bank.
- Asked staff to review and provide an inventory of vacant land throughout the County that may be an appropriate use for community gardens. He suggested that FAMU be consulted for guidance.

**Chairman Desloge**

- Congratulated Pat Plocek, Parks & Recreation Director, on his appointment to the Board of National Association of County and Park and Recreation Officials.
- Mentioned that he had been approached by Big Bend Hospice to make a presentation to the Board on "Five Wishes". He expressed support for the request.

- *Commissioner Akinyemi moved, duly seconded by Commissioner Thael, to invite Big Bend Hospice to make a presentation to the Board on "Five Wishes" at the September 25, 2009 Board meeting. The motion carried 7-0.*

**Receipt and File:**

- none

**ADJOURN**

There being no further business to come before the Board, the meeting was adjourned at 6:47 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: \_\_\_\_\_  
Bryan Desloge, Chairman  
Board of County Commissioners

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