BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
March 23, 2010

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

The Invocation was provided by Minister Jean DeBarbieris Owen, Unity Eastside Church. Commissioner Akinyemi then led the Pledge of Allegiance.

Awards and Presentations

- Chairman Rackleff presented a Resolution Celebrating the 30th Anniversary of the Second Judicial Circuit's Guardian Ad Litem Program and designating that April 2010 be acknowledged as National Child Abuse Awareness Month in Leon County.
  - Deborah Moore, Circuit Director, accepted the Resolution on behalf of the Program and expressed appreciation to the Board for the recognition and its support.
  - Ms. Moore noted that 330 volunteers throughout the Second Circuit focus on the education, mental health, safety, permanency and well being of 650 children.

- Chairman Rackleff accepted, on behalf of Doctor's Without Borders' Haiti Relief Effort, a donation of $1,700 collected as a result of a campaign championed by the Leon High School's French National Honor Society.

- Commissioner Proctor presented a Resolution Congratulating the Rickards High School Special Olympics Basketball Team on winning the GOLD at the 2009/2010 Special Olympics State Basketball Games.
  - Coach Pete Barnett accepted the Resolution on behalf of the Special Olympics Basketball Team

- Commissioner Proctor presented a Resolution Congratulating the Rickards Raiders Cheerleader Competition Squad on their Outstanding Performance at the State and National levels.
  - Head Coach Shenika Mungin accepted the Resolution on behalf of the team.

- Commissioner Proctor presented a Resolution Acknowledging the Achievements of the Rickards High School Lady Raiders Basketball Team on their outstanding 2009-2010 season and its appearance in the Florida Class 3A State Championship Final Four Region 1.
  - Head Coach Chariya Davis accepted the Resolution on behalf of the team.

  Dr. Michelle Gayle, Rickards High School Principal, thanked the Board for its support and welcomed the Board to visit the Schools "Programs of Excellence" at any time.

- Chairman Rackleff welcomed Dan Sanborn, CEO of Capital Area Chapter of the American Red Cross, who provided an update on its activities.
  - Mr. Sanborn voiced a need for the community to come forward with its time, talent and treasure; as help is needed to fulfill the Red Cross mission to have volunteers trained in times of disaster.
  - Invited each Commissioner to visit the new facility.

Consent:

Commissioner Thaell moved, duly seconded by Commissioner Desloge, to approve the Consent Agenda with the exception of Item 5 which was pulled for further discussion. The motion carried 7-0.

1. **Approval of Minutes: January 25, 2010 Regular Meeting; February 9, 2010 Workshop on Leon County Research and Development Authority; February 9, 2010 Workshop on Mosquito Control Program and Adulticiding Alternatives; and, February 9, 2010 Regular Meeting.**

   The Board approved Option 1: Approve the minutes of the January 26, 2010 Regular Meeting; February 9, 2010 Leon County Research and Development Authority Workshop; February 9, 2010 Mosquito Control Program and Adulticiding Alternatives Workshop, and February 9, 2010 Regular Meeting.

2. **Acceptance of the FY 2008/09 Annual Audit and Financial Report**

   The Board approved Options 1 & 2: 1) Accept the FY 2008/09 Annual Audit and Financial Report, and 2) Authorize the Chairman to sign letter in response to the audit findings in the Management Letter.

3. **Ratification of the Board Actions Taken at the February 9, 2010 Workshop on the Leon County Research and Development Authority**

   The Board approved Option 1: Ratify Board actions taken at the February 9, 2010 Workshop on the Leon County Research and Development Authority.

4. **Adoption of a Resolution Expressing Opposition to Offshore Oil Drilling in Florida Waters**

   The Board approved Option 1: Adopt the proposed Resolution expressing opposition to offshore oil drilling in Florida waters.

5. **Acceptance of the Science Advisory Committee Summary Statement for the Lake Munson Workshop**

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

   Commissioner Akinyemi requested clarification and expressed concerns regarding the following: 1) Why is there a recommendation for draw down? 2) What are the costs involved and who is paying? 3) Was there any public input? 4) Why has a plan for marsh habitat restoration not been brought back?

   Commissioner Akinyemi moved, duly seconded by Commissioner Sauls, to request staff come back with an agenda item to address these concerns prior to accepting the report. The motion carried 6-0 (Commissioner Proctor out of Chambers).

6. **Acceptance of a Conservation Easement from Frances Nicholas for the Nicholas Limited Partition Subdivision Project**

   The Board approved Option 1: Approve and accept for recording the conservation easement from Frances Nicholas for the Nicholas Limited Partition Subdivision project.

7. Acceptance of a Conservation Easement from Linda Pepper and Ellen Seeman for the Nicholas Limited Partition Subdivision Project

The Board approved Option 1: Approve and accept for recording the conservation easement from Linda Pepper and Ellen Seeman for the Nicholas Limited Partition Subdivision project.

8. Approval of a Funding Request for a $500 Sponsorship of the 11th Annual Conference for Excellence in Nonprofit Management and Leadership presented by the United Partners for Human Service

The Board approved Option 1: Sponsor the 11th Annual Conference for Excellence in Non profit Management and Leadership in the amount of $500.

9. Adoption of Revised Policy No. 98-11, "Eligibility for Library Cards"; Revised Policy No. 98-12, "Loan of Library Materials"; and, Revised Policy No. 98-14, "Overdue Library Materials"

The Board approved Options 1, 2, & 3: 1: Adopt Revised Policy No. 98-11, "Eligibility for Library Cards"; 2) Revised Policy No. 98-12, "Loan of Library Materials"; and, 3) Revised Policy No. 98-14, "Overdue Library Materials"

10. Adoption of Revised Policy No. 96-1, "Purchasing and Minority, Women and Small Business Policy" Section 16 (I)

The Board approved Option 1: Adopt revision to Policy No. 96-1, "Purchasing and Minority, Women and Small Business Enterprise Policy" Section 16 (I).

11. Approval of Payment of Bills and Vouchers Submitted for March 23, 2010 and Pre-Approval of Payment of Bills and Vouchers for the Period of March 24 through April 12, 2010: $873,380.00

The Board approved Option 1: Approve Payment of Bills and Vouchers Submitted for March 23, 2010 and Pre-Approval of Payment of Bills and Vouchers for the Period of March 24 through April 12, 2010: $873,380.00

12. Approval of a Cost Reimbursement Agreement with the Florida Department of Transportation for the Resurfacing of Winery Way within The Vineyards Subdivision as a Result of Activities Associated with the Mahan Drive Construction Project

The Board approved Options 1, 2, & 3: 1) Approve the Agreement with Florida Department of Transportation (FDOT) for reimbursement of funds for the resurfacing of Winery Way within The Vineyards Subdivision and authorize the County Administrator to execute, 2) Approve the Resolution and associated Budget Amendment Request, and 3) Accept the "Grant of Right-of-Entry to Allow Resurfacing of Roadway Easement" executed by The Vineyards Property Owners Association, Inc. for a segment of Winery Way.

13. Approval of a Memorandum of Understanding Between Sustainable Tallahassee, the Leon County School Board, Goodwill Industries and Leon County Regarding a Reuse Center for Schools

The Board approved Option 1: Approve the Memorandum of Understanding Between Sustainable Tallahassee, the Leon County School Board, Goodwill Industries and Leon County, and authorize the County Administrator to sign.

14. Request for Authorization to Proceed with a Resolution to Rescind the Huntington Development of Regional Impact

The Board approved Option 1: Authorize the County Attorney's Office to draft a resolution rescinding the Huntington DRI.

15. Acceptance of Septic System Loan and Inspection Programs Planning Committee Status Report

The Board approved Option 1: Accept the Septic System Loan and Inspection Programs Planning Committee status report.

16. Acceptance of Status Report on Vision 2020, LLC

The Board approved Option 1: Accept the Vision 2020, LLC Quarterly Report

17. Acceptance of the 2009 Tallahassee-Leon County Board of Adjustment and Appeals Annual Report

The Board approved Option 1: Accept the 2009 Tallahassee-Leon County Board of Adjustment and Appeals Annual Report

18. Acceptance of the 2009 Concurrence Management Annual Report

The Board approved Option 1: Accept the 2009 Concurrence Management Annual Report.

19. Acceptance of the Status Report on Open-Pit Sand Mine Land Use and Environmental Compliance for Existing Sand Mine Operations

The Board approved Option 1: Accept the status report on open-pit sand mine land use and environmental compliance for existing sand mine operations.

20. Acceptance of 2008-2009 Annual Report of the Code Enforcement Board and the Code Compliance Program

The Board approved Option 1: Accept the 2008-2009 Annual Report of the Code Enforcement Board and the Code Compliance Program

21. Acceptance of the Water Resource Committee Annual Report

The Board approved Option 1: Accept the Leon County County-wide Citizens Water Resources Committee 2008-2009 Annual Report

22. Acceptance of a Status Report on the Ben Boulevard Drainage Improvement Project and the Lakeside Drive Flooding Engineering Analysis

The Board approved Option 1: Accept the status report on the Ben Boulevard Drainage Improvements project and the Lakeside Drive Engineering Analysis.

23. Acceptance of a Status Report Regarding Costs Associated with Connecting Apalachee Regional Park to J.R. Alford Greenways

The Board approved Option 1: Accept the status report regarding the possibility of and cost associated with connecting Apalachee Regional Park to J.R. Alford Greenways.

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

- Curtis Baynes, 1323 E. Tennessee St., spoke in regards to Item #15, *Acceptance of Septic System Loan and Inspection Programs Planning Committee Status* Report and requested the Board consider an agenda item to establish a water and sewer district rather than requiring performance-based septic systems, particularly in the Primary Springs Protection Zone.
  - Kim Dressel, Senior Assistant to the County Administrator, advised that the Board had authorized release of an RFP to look at options for the treatment and management of on-site sewage treatment system and staff is in the process of evaluating those proposals.
- Chazman Geames, 5490 Jackson Bluff Rd.; spoke on behalf of the YMCA Minority Achievers Program. He requested the Board's consideration of a $6,000 funding request in support of the Southern Regional Achievers Teen Summit, a national college prep readiness program for middle and high school students, to be held March 26-28 on FAMU's Campus.
  - County Administrator Alam advised that this was a United Way organization and County policy prohibits funding for those organizations which receive funds from the United Way.
  - Chairman Rackleff offered that Commissioners' could contribute through their Commissioner accounts.
- Netalia Gainer, 1818 Newman Lane, expressed concerns about pedestrian lane safety and requested the Board consider the widening of Deerlake Road.
  - Commissioner Desloge advised that, pursuant to a meeting with Killearn Lake Homeowners Association and Public Works staff, sidewalks and bike trails will be constructed along Deerlake Road.

General Business

24. Acceptance of Human Relations Advisory Committee's Report

County Attorney Thiele provided an overview of the agenda item. He stated that the item requests acceptance of a report from the Human Relations Advisory Committee (HRAC) along with an ordinance for the Board's consideration. He noted that the ordinance had not been reviewed for legal issues; however a cursory examination had been done. He noted that a number of decision issues remain and Board direction is needed in areas such as accommodations and education. Mr. Thiele suggested that the Board approve the report and direct his office review the proposed ordinance and bring back an agenda item which addresses concerns and then, if approved, move forward to public hearing.

Speakers

- Jeff Peters, 3539 Apalachee Parkway, advised that although he was a member of the HRAC, he was speaking as an individual citizen. He addressed the need for the "five or more employees" language as this is a small business community and it is essential to have an ordinance that protects people. He noted that the ordinance provides a path within the Court system for individuals to seek legal regress and suggested that paragraph (a) of Section 9.36 Remedies, be deleted from the proposed ordinance.
- Jim VanRiper, 2024 Ted Hines Dr., HRAC Chairman, thanked the Board for standing against demonstration and looked forward to moving the ordinance forward so that all citizens of Leon County can be protected. He shared that the HRAC recognized the need for review and refinement by the County's legal staff prior to presentation at the public hearing; however asked that timelines be established and requested a public hearing at the next available opportunity in April.
  - Commissioners dialogued with Mr. VanRiper on issues such as the need to address the concerns of the legal department, the establishment of timeframes, protections against employment discrimination, and how the HRAC dialogued and debated issues.

- It was established by County Attorney Thiele that staff could have an agenda item/ordinance ready for review and consideration at the April 27 meeting and the public hearing conducted in May.

- Currie Leggoe, 1319 Diamond St., stated that no one should be discriminated against and urged the Board's acceptance of the proposed ordinance.
- Jim Walker, 705 Volusia Dr., commented that as an environmental activist he was a supporter of life (human and non-human), and individuals should be treated with respect. He requested that the Board take swift action to remove discrimination.
- Paul Hatfield, P.O. Box 3106, offered that protections are provided by state and federal rules and regulations and opined that the ordinance would further restrict small businesses and provide undue rights to special interest groups. He submitted that the ordinance was not needed and requested the Board vote the item down.
  - Commissioner Thaell requested clarification from the County Attorney on whether there are discrimination protections in place at the state and federal levels for individuals within the LGBT community. Mr. Thiele responded protections to some extent exist at state level, but not at the Federal level.
- Ralph Mason, 3105 N. Shannon Lakes Dr., noted that this issue was discussed by the Charter Review Committee and deemed appropriate to be handled by the HRAC. He stated that the ordinance protects all fellow beings and urged the Board to protect all citizens and adopt the proposed language submitted by the HRAC.
- Jackie Watts, 2034 Atapha Nene, shared that she was a local business owner and favored the passage of the ordinance. She encouraged the Board to end discrimination in Tallahassee.
  - Chairman Rackleff ascertained with Ms. Watts that a significant part of the gay community are local business owners and members of the Chamber of Commerce.
- Joan Kanan, 2974 Bayshore Dr., remarked that she has lived in Tallahassee most of her life and opined that laws were needed to ensure that the gay community is not discriminated against and asked that the Board join other municipalities in the adoption of a human rights ordinance.
- Casie Moran, 1317 Lehigh Dr., indicated that as a self-employed local realtor she could identify herself as a member of the LGBT community and not suffer consequences from her employer. She asserted that the time has come to pass this type of ordinance.
- Nathan Dunn, 2553 Nova Court, advised that he is professionally associated with Florida Family Action, a statewide family advocacy organization. He stated that he represented many who oppose policies that create special rights for certain individuals based on sexual orientation or gender identity. He opined that categories of gender identity fail to meet criteria for inclusion in discrimination law and expressed concerns regarding the "narrow" religious exemption language. He requested that the Board not advance the ordinance.
- Rev. Mark Byrd, 1288 Mosswood Chase, stated that in his role as minister, he is aware of many individuals who have lost or are in fear of losing their jobs due to their sexual orientation. He suggested that every moment the Board delays in taking this action, someone is at risk of being fired or losing their job.
- Dr. Louise Ritchie, 1001 Lasswade Dr., appeared before the Board and requested that the ordinance be passed as soon as possible so that individuals who are the most qualified will be hired.
- Agnes Furey, 3053 Rain Valley Circle, commented that people are being discriminated against and encouraged the Commission to move the ordinance forward so that another layer of discrimination can be removed.

- Susan Pourciau, 2729 W. Pensacola St., spoke in favor of the ordinance and encouraged the Commission to move forward as swiftly as possible. She offered it was the power, prerogative, and responsibility of local governments to step forward and no longer accept discrimination. She noted that the protections offered by federal and state law are not sufficient or are not being interpreted to protect persons due to their sexual orientations.
- Myles Robertson, 2024 Ted Hines Drive, reminded Commissioners that discrimination does exist and urged passage of the ordinance as soon as possible.
- Amy Adams, 3330 North Shore Circle, requested that the Board pursue an ordinance to protect the rights of others for housing and employment and Tallahassee, as Florida Capital, needs to take the lead in opposing discrimination.
- Ron Bunting, 1511 Old St. Augustine Rd., asserted that prejudices are unacceptable and remarked that protections do not exist. He expressed support for the ordinance and suggested that the City of Tallahassee has passed such an ordinance.
  - Commissioner Thaell established with Mr. Thiele that the City of Tallahassee does not provide the types of protections contained in the proposed ordinance.
- Brian Lee, 1603 Sauls St., acknowledged members of his church congregation in attendance to support the ordinance. He expressed that protecting individuals from unfair discrimination is a religious value and asked Commissioners to move forward with a sense of urgency and help protect the rights of the citizens of Leon County.
- Linda Miklowitz, 2542 Arthur's Court, urged compassion and empathy and offered that the ordinance was an important gesture and a beginning to the end of discrimination. She suggested that that the item be placed on the Board's April agenda.
- Phillip Perry, 1156 Alachua Ave., acknowledged his support for the ordinance and opined that this is a progressive community that is ready for this type of action. He noted that the ordinance makes smart business.
- Justin Ford, 700 W. Virginia St., appealed to the Board, as a veteran, to stand up and fight for everyone's rights.
- Jessica Lowe-Minor, 3400 Old Bainbridge Rd., encouraged the Board to move the ordinance forward, as Leon County should be known as a place where people can find places to live, be hired based on qualifications and not be discriminated against because of personal preferences. She spoke on behalf of a member of the LGBT community who has received suspicious and harassing phone calls clearly indicating that discrimination is going on within the community.
- Dennis Murphy, 1412 Seminole Dr, remarked that this action was a move in the wrong direction and that employee/employer conflicts be resolved through mediation. He urged the Board to not approve the proposed ordinance, but instead promote peace through mediation, knowledge and understanding.
- Michael Joseph, 1404 S. Magnolia Dr., relayed that he had been discriminated against and stressed the importance for the Board to approve the language contained in the proposed ordinance.

Chairman Rackleff adjourned the meeting at 5:09 p.m. for the Board's dinner break. He announced that the meeting would reconvene at 6:00 p.m. for the scheduled public hearings. He advised that upon the conclusion of the public hearings, the Board would enter into discussion of Item 24.

At the Board's request Kim Dressel, Senior Assistant to the County Administrator, provided a summary of issues whereby Board direction was requested: 1) whether to extend and be more definitive in definition of public accommodations; 2) broadening of scope to include education, and 3) employer size. She also requested that the authorization of a workgroup to include staff from the county administrator and county attorney's office and the HRAC. She advised that the HRAC has recommended Jeff Peters work with the County on this group.

Chairman Rackleff clarified with County Attorney Thiele that upon Board direction to move forward, staff would bring back an agenda item, to include a draft ordinance, at the April 27 meeting and prepare for public hearing in May.

Commissioner Akinyemi discussed with Ms. Dressel possible exceptions to the public accommodations portion of the ordinance and was provided a summary of various approaches used by other counties to address this area. Commissioner Akinyemi articulated respect for an individual's right to their own ideologies and would support the expansion of protections to housing, employment, public accommodation and education.

Commissioner Akinyemi moved, duly seconded by Commissioner Thaell, to approve Options 1, 2, and 3, as amended: 1) Accept the Human Relations Advisory Committee's report; 2) Direct the County Attorney's office to review the draft Ordinance, relative to legal sufficiency, and to return to the Board an amended draft Ordinance deemed legally sufficient, and 3) ~~schedule a workshop~~ direct staff to prepare an agenda item on the proposed ordinance for the April 27, 2010 meeting and schedule the public hearing on the ordinance for May 11, 2010.

Commissioner Thaell asserted his support for protections of basic human rights for individuals and expressed disappointment in the void of state and federal protections. He voiced concern about asking the County Administrator or his staff to be the arbitrator for the remaining issues and asked that more options be brought back for the Board's consideration and discussion regarding the requirement for small business employers. He noted that there were definitions within the ordinance that were vague and remarked on the need to adopt an ordinance that was legally defensible. He questioned whether the Commission should extend its regulatory authority into the schools, without first having discussions with the School Superintendent or School Board, as they are a legally elected body and a sister government. Commissioner Thaell suggested that the motion include that the HRAC Chairman be part of the working group also.

Commissioner Proctor stated that he would not support the motion as he has received numerous communications from individuals within his district overwhelming against the proposed ordinance. He opined that this issue should be presented to the voters of Leon County in November to decide for themselves and vote accordingly. He cited the disparity to the citizens of the southern portion of the County without access to city sewer services and until this inequality is addressed he cannot support moving forward. He noted that there are multiple forms of discrimination (racial and gender) throughout the community that he has raised and have not been adequately addressed.

Commissioner Proctor offered a substitute motion, duly seconded by Commissioner Desloge, to accept the item as presented and direct staff to prepare language to place a referendum on the November general election ballot and allow the citizens to decide this issue for themselves.

Chairman Rackleff declared that he would not support the substitute motion and deemed it a "cop out" of an issue of importance. He articulated that he would support the original motion for numerous reasons. Firstly, the Board should not, as a matter of public policy, tolerate discrimination in the community, whether race, gender, national origin, religion, or sexual orientation. He offered that the proposed ordinance is not inconsistent with what has being done in other states and municipalities through regular legislative process, as is being contemplated. Secondly, it is good business; if a community is to have strong economic development, it needs a climate which promotes diversity and offers protections. Chairman Rackleff concluded that this was a personal issue for him as he has a gay son, and it was troubling that individuals within the community would openly discriminate against him. He submitted that this action was long overdue and urged support for the original motion.

Commissioner Desloge indicated that he too had received a lot of phone calls and e-mails on this issue, mostly in opposition to the proposed action. He stated that he personally was not in favor of the ordinance; however did support the substitute motion that it be placed on the November ballot for the people to decide. He shared that membership on the HRAC has been reduced to four people and is no longer representative of the Board as a body. Commissioner Desloge pointed out that the fiscal impact is an unknown.

Commissioner Dailey thanked all the citizens for coming and speaking to the Board. He shared that he would not support the substitute motion. He noted that there were issues and concerns that needed to be worked through and serious conversation was needed about the process. He asserted that there is no room for discrimination and will vote in favor of the original motion.

County Attorney Thiele responded to Commissioner Akinyemi and explained the process to be utilized to place the issue on the ballot. Commissioner Akinyemi suggested that mediation be included as an option. He also referenced the recent front page article in the *Tallahassee Democrat* regarding the Board's upcoming discussion on this issue and noted that speakers in favor of the action outweighed those in opposition. He encouraged more public input into this topic.

Commissioner Sauls commented that she had received numerous phone calls and e-mails on this issue and opined it correct to allow the issue be go forward on the ballot for the voters to decide.

Commissioner Thaell recalled the community divisiveness caused by the Gainesville/Alachua County referendum on this issue and offered that it was the Board's responsibility to set the course.

The substitute motion failed 3-4 (Commissioners Rackleff, Dailey, Akinyemi and Thaell in opposition).

Commissioner Dailey suggested that both Chambers of Commerce be included in discussions regarding the proposed ordinance.

The original motion to approve options 1, 2, and 3 as amended carried 4-3 (Commissioners Desloge, Proctor and Sauls in opposition).

The Board took a break at 7:10 and reconvened at 7:18 p.m.

Chairman Rackleff advised that out of respect for the large number of people waiting to speak on Item 26; the Board would now enter into discussion on that item and return to Item 25 later in the agenda.

25. Adoption of a Resolution Expressing Opposition to HB 445 and SB 782

Commissioner Proctor moved, duly seconded by Commissioner Desloge, to approve Option 1: Adopt the Resolution expressing opposition to HB 445 and SB 782. The motion carried 7-0.

26. Consideration of a Request for the Donation or Lease of the Gadsden Street Parking Lot to the Riley House/Museum for the Creation of Legacy Park

County Administrator Alam explained that the item requests consideration of the donation of the Gadsden Street parking lot to the Riley House/Museum for the creation of Legacy Park. He shared that the parking lot was purchased in 2003 for $1.5 million, to help meet the County's

short and long-term parking and office space needs. He noted the Gadsden Street lot provides parking for constitutional officer, judicial, and traffic court staff and that it would cost at least $100,000 annually to transition staff to alternate parking. Mr. Alam also mentioned that the County had entered into a parking meter agreement with the City of Tallahassee, which includes the addition of 20 metered spaces on the Gadsden Street lot. Mr. Alam distributed a copy of Florida Statutes 125.38 Sale of county property to United States, or State; which states that the Board must determine that the property was not needed for any County purpose; otherwise the Statute prohibits the donation of real property. He recommended that the Board adopt staff recommendation for Options 1 & 2.

Chairman Rackleff clarified with the County Administrator that the Riley House request includes the entire lot and that the County's proposal would not in any way destroy the Riley House. Mr. Alam affirmed that the County would continue to work with the Riley House in their parking needs when special events and functions were held.

Speakers:

- Althemese Barnes, 2619 Summerwood Ave., Riley House Executive Director, notified the Board that Ms. Edwina Stephens was scheduled to speak; however due to an illness was unable to appear. She informed the Board that Ms. Stephens requested that her support for the request be made known to the Board.

  Ms. Barnes thanked that Board for its support and conveyed that it has been the desire of the Riley House for 14 years to expand its interpretative space. She shared that the proposal would attract more out of town visitors, tourist and history buffs and would provide a reason for residents and flow-through traffic to visit the downtown area. She articulated the historical significance of the Riley House and other structures and monuments to Tallahassee's past. Ms. Barnes added that the proposal has the potential to refine the image of the community and expand grant opportunities.
- Patty Wilson Byars, 4425 Meandering Way, remarked that the Riley House was a great learning environment for Leon County students and citizens. She spoke on the implementation and success of the Blended Lives Program, developed in cooperation between the Riley House and Goodwood Manor to teach Leon County school students the importance of working together in a blended environment.
- Quenita White, 2915 Sharer Road, read a statement issued by Dr. David Jackson, Professor of History at FAMU and Chairman of the John G. Riley Board. He asked that the Board consider allowing the Riley House to utilize the parking lot next to its current structure for expansion purposes. He stated that the Riley House serves as a resource for FSU, FAMU and TCC students. (A copy of Dr. Jackson's comments was presented for inclusion into the record.)
- Annie Harris, 436 W. Georgia St., stated that the property donation would assist the County in meeting its economic development and tourism goals and requested the Board vote in favor of, and be supportive of, all educational programs that the Legacy Park can provide.
- Spencer Ingram, 118 Salem Court, asked that the Board view the project as "more of a vision than a parking lot". He noted the important historical significance of the Riley House. He expressed support for the Riley Legacy Park and questioned whether the use of the property as a parking lot is its most efficient use.
- Cicero Hartsfield, 3971 Emerald Chase, grew up in the "Smokey Holler" neighborhood and expressed that this, along with the Riley House, was an important part of the community's rich black history. He professed support for Ms. Barnes' vision to grow the Riley House and make this a better community.

- Julianne Hare, 3048 Bell Grove Drive, discussed the possibility of instituting "park and ride" programs at under-utilized parking lots such as Tallahassee Mall and K-Mart and commented on the opportunity to not only expand the community's heritage knowledge but to create another green community space.
- Steve Whitaker, 1630 Branch St., offered that the Riley House has produced many defining moments to students, historians, etc. and expressed his support for the expansion of the Riley House facilities.
- Mary May, 2862 N. Settler's Blvd., provided an illustration of Tallahassee in 1946-47 and stated that the Riley House is an important repository of African American history in Tallahassee/Leon county. She expressed concern that a lack of space could impact future opportunities to expand exhibits or to improve educational programs.
- Arthur Lugisse, 533 Norman Dr., shared his work with Ms. Barnes on expansion of cultural exchange and economic development and suggested that the parking lot property provides the best opportunity for expansion.
- Elinor Elfner, 1107 Seminole Ave., remarked that she has been a member of Riley House for over 10 years and that it represents an important part of Leon County and the Big Bend and should be recognized. She noted that the Riley House is a very historically preserved place that is listed on the Historic Register. She asked assistance in protecting history and requested the Board approve at a minimum the transfer of the eastern portion of the parking lot to the Riley House.

Commissioner Desloge expressed his appreciation to Ms. Barnes for her energy and efforts on behalf of the Riley House. He noted that the County has been a large supporter of the organization; however he could not in good conscious support the donation of the property. He asserted that the County would continue to support the Riley House in any way possible.

Commissioner Desloge moved, duly seconded by Commissioner Sauls, to approve Options 1 & 2: 1) Do not donate or lease the Gadsden Street parking lot to the Riley House/Museum and 2) Continue to coordinate with the Riley House/Museum for its annual fund raiser/new exhibit display, Rock-a-thon, and Blended Lives program.

Commissioner Akinyemi acknowledged the fiscal facts provided by staff, the $100,000 required to relocate staff parking and indicated that he was familiar with the Statute distributed by the County Administrator; however, he too questioned whether a parking lot on prime property in downtown Tallahassee was the "highest and best use of the property". He submitted that the Riley House was an African American History Museum jewel and the request provided an opportunity for the Board to do something unique, historic and significant. He referred to attachment 3 of the Board's agenda packet (architects' conceptual designs for the Gadsden Street Lot) and suggested that possibilities and/or cooperative efforts be explored.

Commissioner Akinyemi offered a substitute motion to direct representatives from Leon County, Riley House and Blueprint 2000 work closely and seriously to develop the following: 1) a sector plan for the area; 2) decide on highest and best use of the property; 3) recommend the form of ownership and conveyance for the property, and 4) coordinate the timing of this effort with the opening of Cascade Park. The substitute motion was seconded by Commissioner Thaell.

Chairman Rackleff clarified with Commissioner Akinyemi that his motion referred to the property owned by Leon County.

Commissioner Proctor offered his support for the donation of the property to the Riley House and spoke at length on the total diminishment of assets pertinent to the cultural experience of African American people. He remarked that staff's recommendation was based on dollars and did not allow for the cultural richness and significance of the Riley House. He conveyed that his interpretation of Florida Statute 125.38 empowers the County to lease or sale for a nominal price (set by the Board), regardless of its value, real property to a non-profit promoting the community's interest and welfare and asserted that the Riley House met that criteria.

County Administrator Alam responded that the request represents a $1.5 million donation and that the property should not be viewed as a parking lot, but as an asset of the taxpayers of Leon County. He deemed that the property was acquired for future use by the County; however should the Board determine there was no future need for the property, it could be donated. Mr. Alam also pointed out that the property could be sold. He asked that County Attorney Thiele clarify the Statute.

County Attorney Thiele advised that the Statute allows the County to make a conveyance for less than fair market value only if a factual determination is made by the Board that the property does not serve a current and future County purpose.

Commissioner Dailey voiced support for the substitute motion and suggested that the County approach Blueprint 2000 regarding the addition of the Riley House plan to their list of projects. Thus, the property would be purchased by Blueprint from the County and officially become part of Cascades Park. He addressed the immediate parking needs and submitted that a lease could be entered into, by which the Riley House would assume more of the space as the parking situation is alleviated.

Commissioner Thaell indicated that he would support the substitute motion and appreciated Commissioner Dailey's suggestion to add the Riley House plan to Blueprint projects (when one-cent reauthorized). He stated that concerns regarding the need for additional parking could be addressed by the encouragement of car pooling and use of transit service. He endorsed the establishment of the Visioning Committee to determine the best and highest use of the land.

Commissioner Desloge emphasized that this was a significant transaction and encouraged fellow Commissioners to consider the value of the property ($1.5 million) and the incurrence of $100,000 in on-going expenses. He stated that a great relationship has been established with the Riley House and indicated that the Blueprint idea had merit down the road; however those funds would not be renewed until 2017-2019.

Commissioner Akinyemi clarified that his substitute motion did not involve a sale and that the proposed study group would determine the best and highest use. He envisioned that the group's outcome would confirm that this would be the County's best investment.

Commissioner Akinyemi amended his motion to include a timeline of three months for the group to bring back recommendations. Also, the Group should include one Commissioner, one county administration senior staff member, a Riley House representative, and a representative from Blueprint. He also noted that citizen involvement was very important to this process.

Chairman Rackleff volunteered to be the Board's representative.

Commissioner Sauls reaffirmed that the substitute motion does not convey the property. She commented that the Board has always been very supportive of the Riley House; however she expressed concern with how to determine that the property was not needed for County usage

and where the recurring money for parking would come. Commissioner Sauls pointed out that the agenda item states that the property is needed and confirmed with County Attorney Thiele that the Board could move forward without making that factual determination at this time.

Chairman Rackleff offered that he would support the motion. He stated that he was very cognizant that this was a very valuable, useful piece of property; however, was not indispensable. He acknowledged the extreme high cost of parking and stressed the need for future policies to include transportation and parking reduction strategies that reduces the number of parking spaces in the downtown area. These strategies could include a parking "buy out" program.

Commissioner Akinyemi called the question. The motion to call the question carried 6-1 (Commissioner Proctor in opposition).

The substitute motion as amended carried 6-1 (Commissioner Desloge in opposition).

27. Approval to Award Bid to Ram Construction & Development, in the Amount of $419,900 for the Dr. B.L. Perry, Jr., Branch Library Expansion

County Administrator Alam pointed out that the bid was approximately one-half of the original construction estimate of $724,742. He noted that RAM Construction did not meet the 17% MBE target; however a Good Faith Effort form was completed by the company. Mr. Alam stated that he hoped the full aspirational goal would be reached by RAM Construction.

Alan Rogers, co-owner of RAM Construction & Development, appeared before the Board and articulated, on behalf of RAM Construction owners, their commitment to reach the MBE/WMBE aspirational goals per County policy.

Commissioner Sauls moved, duly seconded by Commissioner Desloge, to approve Option 1: Approve award of bid to RAM Construction & Development in the amount of $419,900, for the expansion of the Dr. B.L. Perry, Jr. Branch Library, request RAM make a commitment to increase their minority business participation to meet or exceed the aspirational target, and authorize the County Administrator to execute the agreement. The motion carried 4-0 (Commissioners Thaell, Akinyemi, and Proctor out of Chambers).

28. Consideration of Alternatives for County Employee Health Insurance for the 2011 Plan Year

County Administrator Alam requested Lillian Bennett, Human Resources Director, provide information on the item to the Board. Ms. Bennett explained the item responds to Board direction to bring back a Request for Proposals (RFP) for health insurance to coincide with the FY 2011 budget cycle and a request for staff to review creative alternatives to potentially reduce the cost of the current health insurance program. She provided results of the County employee health insurance survey, of which 53% of workforce participated, and shared several health insurance alternatives for the Board's consideration. These alternatives included: issue RFP; develop Joint Leon County, City of Tallahassee and Leon County School Board Health Insurance Program; participate in State of Florida Program and consider self-insuring the program by an on-site medical clinic or alternative pharmacy carve out program, and modification to plan design and/or contribution strategy.

Speakers:

- Bill Gunter, 1117 Savannah Trace, Rogers, Gunter Vaughn Insurance, Inc. (RGVI) noted that the cost of insurance will continue to escalate and stated that his company has the expertise to advise and consult with the County on its health insurance benefits. He asked for the Board to consider the adoption of Option 2. b.
- Bart Gunter, 3449 Mahoney Drive, Rogers, Gunter Vaughn Insurance, Inc. (RGVI) offered that the County needed an insurance agent with regard to its group health plan and that RGVI would welcome an opportunity to assist the County's Human Resources department in bringing options to the Board. He mentioned that as the insurance representative for the school board, they are the only agent available that can bring the three entities (county, city and school board) together. He submitted that the adoption of Option 2. b. would include all the alternatives noted in Section 2.
- Sam Rogers, 1741 Marston Place, Rogers, Gunter Vaughn Insurance, Inc. re-emphasized the advantages to the County to have an agent and acknowledged their positive relationship with Blue Cross Blue Shield.

Commissioner Thaell asserted that the County must get a handle on health care costs as they are unsustainable and that employees should be engaged as part of the solution. He added that he supported the concept presented and hoped that the agenda comes back within a month or so.

Commissioner Thaell moved, duly seconded by Commissioner Desloge, to approve Option 2b : Waive RFP requirements for Broker Services and begin discussions and with Rogers, Gunter and Vaughn Insurance (RGVI) on the development of a Joint Leon County, City of Tallahassee and Leon County School Board Health Insurance Program and bring back an agenda item with program details and Broker fees for Board review and consideration.

Ms. Bennett indicated that Board direction was needed on whether or not to include any additional or expanded services into the insurance program, as noted in Option 1. Commissioner Thaell commented that although the additional services contained in Option 1 would increase the cost, they could in the long term decrease the utilization rate. He requested that should RGVI be approved as the Board's broker, an assessment of all options available to help the County bring down utilization and get a better handle on the escalation of healthcare costs be included.

Commissioner Akinyemi indicated that he intended to support the motion. He clarified with Ms. Bennett that savings could have been realized last year with a change in the plan design; however she could not affirm that the use of broker services to compare rates would save the County money. County Attorney Thiele established in response to Commissioner Akinyemi's comments related to the Board's ability to designate RGVI as a sole source provider, that RGVI's current role as broker for the school board and as a potential broker for the City, could provide a unique characteristic or function to be deemed a sole source provider by the Board.

Commissioner Proctor clarified with Ms. Bennett the intent of Option 2.b. and dialogued with Mr. Terry Steaple, Executive Director, Capital Health Plan (CHP), on the unique relationship between the community and CHP, their dominance as a healthcare provider, the suppression of CHP rates under the "community rate" and the escalation of utilization exceeding premiums paid. Commissioner Proctor concluded that County employees are provided with a high level of health benefits and expressed concern that by joining with the City and School Board those services would be downgraded.

Commissioner Desloge acknowledged that $15 million a year for health coverage is a big number. He opined that if some services were "tweaked", as discussed previously and without being too punitive to employees, there was a way to drive pricing down.

Commissioner Sauls asserted that employees are the County's most valuable asset and she wanted to ensure that they continued to be provided with the best health plan possible.

The motion to approve Option 2.b. carried 7-0.

29. Approval of the FY 2010 Mid-Year Adjustments

County Administrator Alam provided a summary of staff's recommendations; highlighting the mid-year cost-of-living raise; addition of energy coordinator position, and amendment to contract for consultant to the Citizen Review Committee. Mr. Alam noted that all constitutional officers were included in the cost of living increase.

Chairman Rackleff clarified that the mid-year cost of living increase would be a minimum of $500, not $1,000 as stated in Option 2.

Commissioner Akinyemi moved, duly seconded by Commissioner Dailey, to approve Options 1, 2 as amended, and 3: 1) Approve the Mid-Year Budget Adjustments Resolution and associated Budget Amendment Request, 2) Approve the pro-rated mid-year cost-of-living adjustment at a rate of 2.6% or a minimum of ~~$1,000~~ $500 for the remainder of FY 2010, and 3) Authorize the County Administrator to execute the First Amendment to the Independent Contractor Professional Services Employment Contract with Kurt Spitzer and Associates.

Commissioner Thaell confirmed that Commissioner salaries would not be increased by this action.

Commissioner Desloge acknowledged that although County employees were deserving of a raise; he could not in good conscious support a pay increase with the impending budget deficit.

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

30. Request to Schedule the First and Only Public Hearing to Adopt a Proposed Ordinance Amending Chapter 11, Article XVII, Section 11-531 of the Code of Laws of Leon County entitled "Creation of an Implementation Advisory Board" for Tuesday, April 13, 2010 at 6:00 p.m.

County Administrator requested Candice Wilson, Health and Human Services Director, provide an overview of the item. Ms. Wilson recalled that the Board had requested an agenda item to consider the addition of a provider from the mental healthcare community to the Healthcare Advisory Board (HAB) and also the restoration of voting rights of the Board's representative to the HAB. In addition, the Board requested information on the scope, mission, and original intent of the creation of the HAB.

Speakers:

- Dr. Jim Stockwell, 1438 Constitution Place, HAB Chairman, thanked the Board for its support of healthcare within the community and stated that the HAB was a very important entity that brings together diverse individuals to address the health of Leon County citizens. He commented on the importance of HAB oversight and citizen input into the use of tax dollars and asked the Board to take more time to consider this issue. Dr. Stockwell requested that a workshop or workgroup be established to look at ways to create a more effective HAB and that the HAB not be dismantled.

- Duncan Moore, 2179 Miller Landing Road, advised that he was a member of Board of Neighbor Health Services and a multi-year member of the HAB. He suggested that the Board proceed with repealing the ordinance that created the HAB and an alternative organization be established and Chaired by Dr. Stockwell to provide suggestions to the Commission. He complimented the efforts of Dr. Stockwell to serve the disadvantaged in the community.
- Rob Renzi, 6410 Williams Rd., opined that the current structure creates an opportunity for conflicts of interest and Sunshine Law violations. He expressed concern over the lack of attendance by members and the voting rights of substitutes.
- Richard Gragg, 1606 S. Meridian, shared that he was the FAMU Representative and recently elected Vice-Chair of the HAB. He offered that the Board was effective and necessary. He recommended that a workshop of stakeholders and interested parties be held to discuss and work through issues and to develop recommendations for the Commission on how the Board should operate. He stated that a strategic plan with measurable goals and outcomes was needed. He added that a HAB was beneficial in the pursuit of grant funds which require collaborative efforts.
- Patrick Wiggins, 513 N. Meridian St, Executive Director, Neighborhood Health Services expressed support for the repeal of the ordinance to that the committee could be re-established and refocused.
- Otis Kirksy, 89 Sand Pine Trail, Crawfordville, Neighborhood Health Services Board Chairman, indicated his support for the repeal of the ordinance as the current HAB has become dysfunctional and has lost some of its objectivity. He noted the importance of a HAB, but suggested a new beginning was needed.

Commissioner Proctor acknowledged that the HAB in its current structure is not effective and the establishment of a workgroup as suggested should be considered. He opined that, in light of new directives anticipated from Washington, a strong advisory council was needed to help integrate the new policies into the community.

Commissioner Thaell expressed his gratitude to all who have participated, guided and envisioned a healthier community. He expressed concern with the current structure, the potential for conflict and the process. He commented on the need for a group of advisors to help guide the Board to better understand the new healthcare reforms.

Chairman Rackleff confirmed with County Administrator Alam that an ordinance was not needed to establish a new healthcare advisory committee. Mr. Alam strongly recommended that the County Administrator and Health Department Director not be included on the new healthcare advisory committee.

Chairman Rackleff suggested that the Board move the repeal of the ordinance to public hearing and schedule a workshop to determine the kind of advisory board desired by the Commission.

Commissioner Desloge moved, duly seconded by Commissioner Thaell, to approve Option 1, as amended: Schedule the first and only public hearing to adopt a proposed Ordinance repealing Chapter 11, Article XVII, Section 11-531 of the Code of Laws of Leon County, entitled "Creation of an Implementation Advisory Board" to abolish and dissolve the Healthcare Advisory Board for Tuesday, April 13, 2010 at 6:00 p.m., and schedule a workshop as soon as possible to develop a plan on how a new healthcare advisory committee would be structured.

Commissioner Akinyemi offered that although he understands the concerns expressed, this was a big step that he was not prepared to make at this time.

Commissioner Akinyemi offered a substitute motion to approve Options 2 and 3: 2) Schedule the first and only public hearing to adopt a proposed Ordinance amending Chapter 11, Article XVII, Section 11-531 of the Code of Laws of Leon County, entitled "Creation of an Implementation Advisory Board" for Tuesday, April 13, 2010, at 6:00 p.m. to include a member from the mental healthcare community, and 3) approve an amendment to the Healthcare Advisory Board Bylaws restoring voting rights to the Commissioner appointed by the Chairman. The motion failed for lack of a second.

Chairman Rackleff acknowledged the support to move forward with a newly formed advisory committee in a decisive manner.

The original motion carried 6-1 (Commissioner Akinyemi in opposition).

31. Ratification and Additional Board Direction for the Workshop on the Leon County Mosquito Control Program and Adulticiding Alternatives

Alan Rosenzweig, Assistant County Administrator, provided a brief overview of the agenda item stating that the agenda item addressed directives from the Board to staff as a result of the February Mosquito Control Workshop.

Speakers:

- Dr. Tom Termotto, 1306 Sumerlin Dr., expressed appreciation to the Board for its time and efforts in re-evaluating County policy and its implementation. He commended County staff for listening and responding to concerns of citizens; especially in the scheduling of the Mosquito Control Workshop. He shared his hope for the establishment of an Environmental Task Force by the Governor's Office.
- Richard Hotz, P.O. Box 1302, Monticello, FL, cited the health effects from pesticide spraying and requested that less toxic methods of mosquito control be found.
- Cynthia Cowan, 3459 Hawks Hill Trail, stated that she does not use chemicals in her personal life, and is concerned about pesticide spraying on her garden. She offered to help Leon County implement "environmental centers" throughout the community.
- Renee Rogers, 9601 Miccosukee Rd, asserted that study's show pesticides cause serious illnesses and sound information and great discrimination is needed in its use.
- Bernard Windham, 12164 Whitehouse Rd, remarked that serious and chronic medical conditions have been linked to chemical pesticides.

Commissioner Sauls voiced concern that individuals are not aware of the establishment of no spray zones and noted that 14,000 residents are affected by this buffer. She also was concerned about the affect this action would have on the parks as there are approximately 50 parks and rec facilities within the City and County affected by this change. She established with staff that the City was not aware of the proposed change in policy. Commissioner Sauls requested that the issue be delayed and that notices be sent to the 14,000 residents within the no spray zone.

Commissioner Sauls moved, duly seconded by Commissioner Desloge, to continue this item and send out 14,000 notices to affected residents regarding the "no spray" buffer zone and, at a reasonable time, bring the issue back before the Board.

Commissioner Proctor stated that he would not support a delay and expressed hesitancy in spending approximately $10,000 in postage and printing.

Commissioner Proctor offered a substitute motion, duly seconded by Commissioner Akinyemi, to approve Options 1, 2, 3, & 4: 1) Ratify actions taken at the Workshop on the Leon County Mosquito Control Program and Adulticiding Alternatives, and adopt the ¼-mile no-spray buffer zone around parcels identified on the No-Spray list for all truck fogging and hand fogging with no exclusions for parks and recreational facilities or other public facilities; 2) Defer further consideration of constructing bat houses until impacts of the ¼-mile no-spray buffer zone can be determined and analyzed; 3) Direct staff to bring back the Enabling Resolution for establishing a Citizens Stakeholders Committee that identifies the specific mission, make-up and duration of the committee, and 4) Direct staff to bring back an Integrated pest Management Policy for Board consideration.

Commissioner Thaell stated that he would support the substitute motion and that it was important for citizens to be made aware of the proposed action and the information learned by the Board in making this decision. He suggested that the County's web-site and local newspaper be used to inform and educate the citizens on the proposed changes.

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

32. Consideration and Authorization to Finalize the Proposed Ordinance and Documentation to Create and Enact Leon County Energy Conservation District

County Attorney Thiele shared that staff had been directed to investigate the opportunities to assist Leon County residents in weatherization or retrofitting of their homes. He advised that the County has Home Rule Authority under Chapter 125, Florida Statues, to create a County Energy Conservation District and shared that the District would provide the methodology for funding and a repayment system utilizing non-ad valorem assessments on the annual tax bill and also could be utilized to obtain weatherization grants and other energy programs. He noted that this program would not replace but complement the programs offered by the City.

Speaker:

- Jim Walker, 705 Okaloosa St., urged more conservation by residents and suggested that making homes more energy efficient can result in increased property values. He voiced support for and urged creation of the Energy District.

Commissioner Thaell stated that this was a great opportunity for residents and would help citizens save up to 20% in energy utilization and would also further the goals of the County's climate action program. He noted that the loans would be offered at a low interest rate and tied to property taxes. Commissioner Thaell also pointed out that this action would provide job opportunities for local businesses, i.e., construction, land scape, plumbing, etc. He urged support for the item.

Commissioner Thaell moved, duly seconded by Commissioner Desloge, to approve Option 1: Direct the County Attorney's Office to finalize the proposed ordinance creating the Leon County Energy Improvement District, and to schedule same for public hearing on April 13, 2010 at 6:00 p.m. The motion carried 6-0 (Commissioner Proctor out of Chambers).

33. Consideration of the Initiation of a Pilot Weatherization Program

Commissioner Akinyemi moved, duly seconded by Commissioner Desloge, to approve Options 1 & 2: 1) Approve the initiation of a pilot weatherization program and approve the associated budget amendment request, and 2) Approve the associated Budget Amendment Request. The motion carried 7-0

34. Acceptance of Status Report on Proposed Biomass Plant in Gretna, Gadsden County, Florida

No discussion or action was taken by the Board on this issue.

35. Expirations, Vacancies and Appointments to the Adjustment and Appeals Board, Affordable Housing Advisory Committee, Bannerman Road Corridor Study Citizens Advisory Committee, Contractor's Licensing and Examination Board, Housing Finance Authority, Human Relations Advisory Committee, Science Advisory Committee, Senior Outreach Advisory Committee, and Sustainability Task Force.

Commissioner Proctor moved, duly seconded by Commissioner Sauls, to continue this item until April 13, 2010. The motion carried 7-0.

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

- Chairman Rackleff confirmed that there were no speakers.

Chairman Rackleff convened the Board at 6:00 to conduct the scheduled public hearings.

Scheduled public Hearings, 6:00 p.m.

36. Second and Final Public Hearing to Adopt the Proposed Ordinance Amending Chapter 10, Section 10-7.529 of the Leon County Code of Laws entitled "General Requirements for Sidewalks with New Development; Fee In-Lieu of Sidewalk Construction"

County Administrator Alam announced the public hearing.

Chairman Rackleff confirmed that there were no public speakers on this issue.

Commissioner Akinyemi moved, duly seconded by Commissioner Dailey, to approve Option 1: Conduct second and final public hearing and adopt the ordinance amending chapter 10, Section 10-7.529 of the Leon County Code of Laws entitled "General Requirements for Sidewalks with New Development; Fee In-Lieu of Sidewalk Construction." The motion carried 7-0.

37. Second and Final Public Hearing on an Ordinance to Amend the Leon County land Development Code to Implement the Mahan Gateway Node Future Land Use Map Category

County Administrator Alam announced the public hearing.

Chairman Rackleff confirmed that there were no public speakers on this issue.

Commissioner Sauls moved, duly seconded by Commissioner Desloge, to approve Option 1: Conduct the second and final public hearing and adopt the proposed ordinance amending Section 10-6.654 of Chapter 10 of the Land Development Code to implement the Mahan Gateway Node Future Land Use Map category.

Commissioner Akinyemi commended staff for their work on this issue and inquired about the architectural standard requirements for the Gateway Node. Zach Galloway, Land Use Planner, responded that minimal architectural standards were included, such as transparency along street frontage and building type materials. Wayne Tedder, Planning Director, explained that Board direction would be needed should the Board desire to include these standards.

The motion to approve Option 1 carried 7-0.

Commissioner Akinyemi considered a motion to include architectural standards in terms of scale, use of material, roof types, etc for the three modes within the Mahan Gateway; however, after discussions with Mr. Tedder he withdrew his motion as there seemed to be provision in place that address this concern.

38. Second and Final Public Hearing to Adopt a Proposed Ordinance Amending Appropriate Sections of Chapter 10 of the Land Development code to Implement provisions of Comprehensive Plan Amendment Provisions of Comprehensive Plan Amendment PCT080115 pertaining to Residential Preservation

County Administrator Alam announced the public hearing.

Chairman Rackleff confirmed that there were no public speakers on this issue.

At the request of Chairman Rackleff, staff provided a brief overview of the proposed ordinance.

Commissioner Sauls moved, duly seconded by Commissioner Desloge, to approve Option 1: Conduct the second and final hearing and adopt the proposed Ordinance amending appropriate sections of Chapter 10 of the Land Development Code to implement provisions of Comprehensive Plan Amendment PCT080115 pertaining to Residential Preservation, based upon the findings of fact and conclusions of law made by the Planning Commission and included herein, and any evidence submitted at the hearing hereon. The motion carried 7-0.

39. First of Two Quasi-judicial Public Hearings on a Proposed Ordinance Amending the Official Zoning Map to Change the Zone Classification from the LP Lake Protection to the OS Open Space zoning District (PRZ #3100003)

County Administrator Alam announced the public hearing.

Chairman Rackleff confirmed that there were no public speakers on this issue.

Commissioner Thaell moved, duly seconded by Commissioner Desloge, to approve Option 1: Conduct the first of two quasi-judicial public hearings on the proposed Ordinance, amending the Official Zoning Map from the Lake Protection (LP) to the Open Space (OS) zoning district, and schedule the second public hearing for April 13, 2010. The motion carried 7-0.

40. First of Two Quasi-judicial Public Hearings on a Proposed Ordinance Amending the Official Zoning Map to Change the Zone Classification from the LP Lake Protection to the OS Open Space Zoning District (PRZ #100004)

County Administrator Alam announced the public hearing.

Chairman Rackleff confirmed that there were no public speakers on this issue.

Commissioner Sauls moved, duly seconded by Commissioner Desloge, to approve Option 1: Conduct the first of two quasi-judicial public hearings on the proposed Ordinance, amending the Official Zoning Map from the Lake Protection (LP) to the Open Space (OS) zoning district, and schedule the second public hearing for April 13, 2010. The motion carried 7-0.

The Board returned to Item 24 for Commission discussion of that issue.

ADD-ON AGENDA ITEM: (this item will be taken up under the Consent Agenda)

41. Approval of Recording the Plat of Persimmon Hill Subdivision Upon Final Review and Approval by Staff and Acceptance of a Two-Year Maintenance Agreement and Surety Device

The Board approved Options 1 & 2: 1) Approve the Plat of Persimmon Hill for recording in the Public Records upon final review and approval by staff, and 2) Accept the Maintenance Agreement and Surety Device, and authorize the Chairman to execute.

Comments/Discussion Items

County Administrator Alam:

- Reminded Commissioners of the Florida Association of Counties (FAC) Legislative Day tomorrow at 9:00 at the Turnbull Center.

County Attorney Thiele: none

Commissioner Discussion Items

Commissioner Desloge:

- Requested an agenda item regarding two non-profit organizations (Turnabout and ECHO) that missed the deadline for applying for HSP funding. The request was approved without objection.
- Requested an agenda item on fiscal transparency. The request was approved without objection.

Commissioner Proctor:

- Requested an agenda item on overall scheduling of athletic fields and possible consolidation of City and County Parks & Recreation programs. Approved without objection.
- Requested a Resolution honoring Chucha Barber, Executive Director of the Mary Brogan Museum, honoring her on the outstanding presentation of the Kinsey Collection to Tallahassee.
- Requested a Resolution for Dr. and Mrs. Kinsey for sharing their collection.
- Expressed concern regarding the current circumstances surrounding the Boys and Girls Club and requested a status report. Approved without objection.
- Requested that an Art Summit be scheduled. Approved without objection.

Commissioner Thaell moved, duly seconded by Commissioner Proctor to extend the Board Meeting until 11:15 p.m. The motion carried 7-0.

Commissioner Sauls

- Requested that staff notify the City that the County will no longer be spraying parks in the newly established "no spray" zones. She requested she be copied on the correspondence. Approved without objection.

Commissioner Akinyemi

- Stated that there are several County projects on hold due to budget constraints. He added that the Miccosukee Community Center is in need of attention. He requested that this issue be brought back as a budget discussion item at the May 11, 2010 budget workshop.
- Requested approval to donate $250 from his Commissioner account to support Rickards High School Challenge Day Gala. Approved without objection.

Commissioner Thaell

- Requested staff agenda an item to look at acquisition of Taxlog Building to be used as a wet lab incubator as part of an economic stimulus project. The County Administrator pointed out that it is a multi-million dollar building. No Board action was taken.
- *Commissioner Thaell moved, duly seconded by Commissioner Dailey, to direct staff to come back with an agenda item regarding the County adopting and implementing within the Urban Service Area a program similar to the City's that would allow a reduction in transportation concurrency mitigation fees for developments anticipated to create jobs. The motion carried 6-1 (Commissioner Sauls in opposition).*
- *Commissioner Thaell moved, duly seconded by Commissioner Akinyemi, to direct staff to bring back an agenda item as soon as possible regarding proposed language to limit the number of domesticated animals allowed at an unoccupied residence in a residential neighborhood. The motion carried 7-0.*
- Requested a Resolution for the Bradfordville Blues Club.
- Requested a Resolution for National Tourism Week.

Commissioner Akinyemi moved, duly seconded by Commissioner Thaell, to extend the Board meeting until 11:20 p.m. The motion carried 7-0.

Commissioner Dailey

- Commended staff on conducting a great meeting with residents regarding the expansion of the Lake Jackson Library.
- Requested the County Attorney provide an update on the Noise Ordinance, specifically concerning activities on larger parcels located on the inside of the Urban Service Area.

Chairman Rackleff

- Requested a Resolution Honoring Chiles High School Green Team's Recycling Program for the April 13, 2010 meeting.
- Requested a Resolution for Earth Day at the April 13, 2010 meeting.
- Requested a Resolution for Public Works Week at the April 27, 2010 meeting.
- Requested approval of a proclamation regarding the relationship between Leon County and St. Maarten. Chairman Rackleff stated that it does not commit the County to anything specific, but to continue the relationship through dialogue, joint ventures, mutual visits and cultural events. (A copy of the proclamation was distributed to the Board.)
    - *Commissioner Akinyemi moved, duly seconded by Commissioner Sauls, to approve the Proclamation. The motion carried 7-0.*

Receipt and File: Leon County Board of County Commissioners Supervised Pretrial Release Program Annual Report

Adjourn:
There being no further business to come before the Board, the meeting was adjourned at 11:17 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____
Bob Rackleff, Chairman
Board of County Commissioners

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