

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA**

AGENDA

REGULAR MEETING

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

**Tuesday, June 14, 2016
3:00 P.M.**

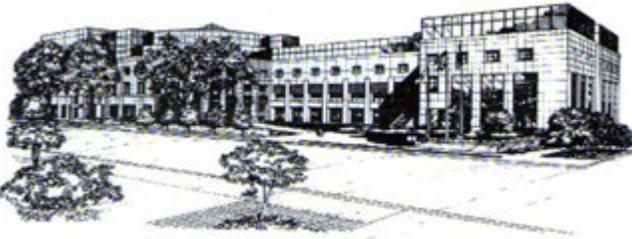
COUNTY COMMISSIONERS

Bill Proctor, Chairman
District 1

Jane Sauls
District 2

Bryan Desloge
District 4

Mary Ann Lindley
At-Large



John Dailey, Vice Chair
District 3

Kristin Dozier
District 5

Nick Maddox
At-Large

Vincent S. Long
County Administrator

Herbert W. A. Thiele
County Attorney

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

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

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

Board of County Commissioners

Leon County, Florida

Agenda

Regular Public Meeting

Tuesday, June 14, 2016, 3:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Pastor Darrick D. McGhee of Bible Based Church of Tallahassee

Pledge of Allegiance by Commissioner Kristin Dozier

AWARDS AND PRESENTATIONS

1. Acceptance of a Status Report on Leon County's Efforts Related to Human Trafficking
(County Administrator/County Administration)
(This item is included under Consent.)

CONSENT

2. Approval of Minutes: April 12, 2016 Regular Board Meeting; April 12, 2016 Joint City/County Transmittal Hearing on Comprehensive Plan Amendments Cycle 2016; April 26, 2016 Regular Meeting, and May 10, 2016 Regular Meeting
(Clerk of the Court/Finance/Board Secretary)
3. Ratification of Commissioner Appointment to the Contractors Licensing and Examination Board
(County Administrator/County Administration)
4. Acceptance of Update on Canopy Roads Citizen Committee Composition
(County Administrator/County Administration/Planning, Land Management and Community Enhancement)
5. Approval of Payment of Bills and Vouchers Submitted for June 14, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of June 15 through July 11, 2016
(County Administrator/Financial Stewardship/Management & Budget)
6. Approval of a Proposed Lease Agreement and Associated Resolution with the Tallahassee Downtown Improvement Authority for Office Space in the Leon County Welcome Center in the Amount of \$10,200 Annually
(County Administrator/Financial Stewardship/Real Estate)
7. Acceptance of Conservation Easements from Homer Golden, Marie Boyette, and Charles Alton Golden
(County Administrator/Development Support & Environmental Management/Environmental Services)
8. Approval of a Memorandum of Agreement with the Florida Department of Transportation for the Maintenance of a Section of Highway 27 (Apalachee Parkway) and US 90 (Mahan Drive) and Adopt the Associated Resolution
(County Administrator/Public Works/Administration)
9. Approval of a Memorandum of Understanding with Leon County School Board for Use of Facilities for Staging during Emergency Events
(County Administrator/Public Works/Administration)

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

None

CONSENT ITEMS PULLED FOR DISCUSSION

CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS

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

GENERAL BUSINESS

10. Acceptance of Status Report on the County's Legal Authority to Regulate Fracking
(County Attorney)
11. Adoption of Proposed New Policy, "Real Estate Policy", and Proposed Revised Policy No. 06-03, Homestead Loss Prevention Program, and Associated Resolution
(County Administrator/County Attorney/Financial Stewardship/Real Estate)
12. Consideration of Full Board Appointments to the Planning Commission and Architectural Review Board.
(County Administrator/County Administration)
13. Consideration of a Request by the Greater Tallahassee Chamber of Commerce to Include Industry Stakeholder Input and an Evaluation of Other Transpiration Fee Alternatives in the Mobility Fee Study Process
(County Administrator/County Administration, PLACE, Planning)

SCHEDULED PUBLIC HEARINGS, 6:00 P.M.

14. First and Only Public Hearing to Adopt the Solid Waste Disposal Services Non-ad Valorem Assessment Roll and Authorize the Certification of the Entire Roll to Tax Collector
(County Administrator/Financial Stewardship/Public Works/Stormwater Management)
15. First and Only Public Hearing to Approve the Resolution Adopting the Stormwater Non-ad Valorem Assessment Roll and Authorize Certification of the Entire Roll to Tax Collector
(County Administrator/Financial Stewardship/Public Works/Stormwater Management)
16. First and Only Public Hearing on Proposed Resolutions to Adopt the Non-Ad Valorem Assessment Rolls for Fire Rescue Services Assessments
(County Administrator/Financial Stewardship)
17. First of Two Public Hearings to Consider Proposed Amendments to the Leon County Land Development Code to Allow Outdoor Sport Shooting Ranges in the Rural Zoning District
(County Administrator/Development Support & Environmental Management/Development Services)

18. First and Only Public Hearing to Adopt an Ordinance Amending the Review Process for Accessory Dwelling Units
(County Administrator/Development Support & Environmental Management/Development Services)
19. First and only Public Hearing Regarding a Proposed Resolution Adopting Inventory List of County-Owned Properties Appropriate for Affordable Housing
(County Administrator /Financial Stewardship/HSCP/ Real Estate/Housing Services)
20. First and Only Public Hearing to Consider the Recommended Order of the Special Master on the Site and Development Plan Application for the Residential Condominiums on Blountstown Highway
(County Attorney)

CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS

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

COMMENTS/DISCUSSION ITEMS

Items from the County Attorney

Items from the County Administrator

Discussion Items by Commissioners

RECEIPT AND FILE

- Dove Pond Community Development District Board of Supervisors meeting held August 21, 2015

ADJOURN

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

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

2016

JANUARY

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PUBLIC NOTICE
2016 Tentative Schedule

All Workshops, Meetings, and Public Hearings are subject to change
 All sessions are held in the Commission Chambers, 5th Floor, Leon County Courthouse unless otherwise indicated. Workshops are scheduled as needed on Tuesdays preceding the Commission meeting.

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
January 2016	Friday 1	Offices Closed	NEW YEAR'S DAY
	Tuesday 12	No Meeting	BOARD RECESS
	<i>Wednesday 13 – Friday 15</i>	<i>FAC New & Advanced County Comm. Workshop</i>	<i>Seminar 2 of 3 Gainesville; Alachua County</i>
	Monday 18	Offices Closed	MARTIN LUTHER KING, JR. DAY
	Tuesday 26	3:00 p.m.	Regular Meeting
	Thursday 28	9:30 – 11:00 a.m.	Community Redevelopment Agency City Commission Chambers
February 2016	Tuesday 2	7:30 a.m.	Community Legislative Dialogue Meeting County Commission Chambers
	<i>Wednesday 3</i>	<i>Legislative Day</i>	<i>FSU Turnbull Center; Tallahassee</i>
	Monday 8	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 9	3:00 p.m.	Regular Meeting
		1:00 – 3:00 p.m.	Workshop on Infant Mortality
	Tuesday 16	No Meeting	NO MEETING
	<i>Saturday 20 – Wednesday 24</i>	<i>NACo Legislative Conference</i>	<i>Washington, D.C.</i>
	Thursday 25	9:30 – 11:00 a.m.	CRA Meeting; City Commission Chambers
	Monday 29	3:00 – 5:00 p.m.	Intergovernmental Meeting City Commission Chambers
March 2016	Tuesday 8	1:30 p.m.	Joint City/County Workshop on Cycle 2016 Comprehensive Plan Amendments
		3:00 p.m.	Regular Meeting
		6:00 p.m.	Public Hearing on a Proposed Ordinance to Amend the On-site Sewage Disposal Systems Provisions
		6:00 p.m.	Public Hearing for the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc.
	Monday 21	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 22	7:30 a.m.	Community Legislative Dialogue Meeting County Commission Chambers

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
		No Meeting	NO MEETING
April 2016	<i>Thursday 7 – Friday 8</i>	<i>FAC Advanced County Commissioner Workshop</i>	<i>Seminar 3 of 3: Gainesville; Alachua County</i>
	Tuesday 12	3:00 p.m.	Regular Meeting
		6:00 p.m.	First Public Hearing to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards
		6:00 p.m.	First & Only Public Hearing to Adopt an Ordinance to Regulate Outdoor Dog Friendly Dining Areas
		6:00 p.m.	Joint City/County Transmittal Hearing on Cycle 2016 -1 Comprehensive Plan Amendments
		6:00 p.m.	First and Only Public Hearing to Consider a Proposed Ordinance to Revise the County's Driveway Connection Permitting, Inspection and Enforcement Process
	Monday 18	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 26	9:00 a.m. – 3:00 p.m.	Budget Policy Workshop
		3:00 p.m.	Regular Meeting
	Thursday 28	9:30 – 11:00 a.m.	Community Redevelopment Agency City Commission Chambers
May 2016	Tuesday 10	3:00 p.m.	Regular Meeting
		6:00 p.m.	Second Public Hearing to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards
		6:00 p.m.	First and Only Public Hearing to Consider an Ordinance Amending Section 13-58 of the Leon County Code of Laws
		6:00 p.m.	First & Only Public Hearing to Consider the Proposed Ordinance Amending Chapter 9 by Enacting a New Article VI of the Leon County Code of Laws Entitled “Human Trafficking”
	Monday 16	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 24	3:00 p.m.	Regular Meeting
		6:00 p.m.	Joint City/County Adoption Hearing on Cycle 2016-1 Comprehensive Plan Amendments
		6:00 p.m.	First and Only Public Hearing on a Proposed Ordinance Amending the Official Zoning Map
	Monday 30	Offices Closed	MEMORIAL DAY

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
June 2016	Tuesday 14	9:00 a.m. – 3:00 p.m.	Budget Workshop
		3:00 p.m.	Regular Meeting
		6:00 p.m.	First of Two Public Hearings to Consider Proposed Amendments to the Leon County Land Development Code to Allow Outdoor Sport Shooting Ranges in the Rural Zoning District
		6:00 p.m.	First and Only Public Hearing to Adopt an Ordinance Amending the Review Process for Accessory Dwelling Units
		6:00 p.m.	First and Only Public Hearing Regarding a Proposed Resolution Adopting Inventory List of County-Owned Properties Appropriate for Affordable Housing
		6:00 p.m.	First and Only Public Hearing to Adopt the Solid Waste Disposal Services Non-ad Valorem Assessment Roll and Authorize the Certification of the Entire Roll to Tax Collector
		6:00 p.m.	First and Only Public Hearing to Approve the Resolution Adopting the Stormwater Non-ad Valorem Assessment Roll and Authorize Certification of the Entire Roll to Tax Collector
		6:00 p.m.	First and Only Public Hearing on a Proposed Resolution to Adopt the Non-Ad Valorem Assessment Rolls for Fire Rescue Services Assessment
		6:00 p.m.	First and Only Public Hearing to Consider the Recommended Order of the Special Master on the Site and Development Plan Application for the Residential Condominiums on Blountstown Highway
	Monday 20	9:00 a.m.	CRTPA Meeting; Wakulla Environmental Institute, 170 Preservation Way, Wakulla
		3:00 – 5:00 p.m.	Intergovernmental Agency Meeting; City Commission Chamber
	Thursday 23	9:30 – 11:00 a.m.	CRA Meeting; City Commission Chambers
	Tuesday 28	No Meeting	NO MEETING
	<i>Tuesday 28 - Friday, July 1</i>	<i>FAC Annual Conference & Educational Exposition</i>	<i>Orlando, Orange County</i>
July 2016	Monday 4	Offices Closed	JULY 4TH HOLIDAY OBSERVED
	Tuesday 12	9:00 a.m. – 12:00 p.m.	Budget Workshop (<i>if necessary</i>)

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
		1:00 p.m. – 3:00 p.m.	Adult Civil Citation Workshop
		3:00 p.m.	Regular Meeting
		6:00 p.m.	<u>Second Public Hearing to Consider Proposed Amendments to the Leon County Land Development Code to Allow Outdoor Sport Shooting Ranges in the Rural Zoning District</u>
	Thursday 14	9:30 – 11:00 a.m.	CRA Meeting; City Commission Chambers
	Friday 22 – Tuesday 26	NACo Annual Conference	Los Angeles County, Long Beach, California
	Tuesday 26	No Meeting	BOARD RECESS
August 2016	Wednesday 3 – Saturday 6	National Urban League Annual Conference	Baltimore, Maryland
	Tuesday 9	No Meeting	BOARD RECESS
	Friday 19 - Sunday 21	Chamber of Commerce Annual Conference	Amelia Island/Fernandina Beach
	Tuesday 23	No Meeting	BOARD RECESS
September 2016	Thursday 1	9:30 – 11:00 a.m.	Community Redevelopment Agency Special Meeting; City Commission Chambers
	Monday 5	Offices Closed	LABOR DAY HOLIDAY
	Monday 12	5:00 – 8:00 p.m.	Intergovernmental Meeting/Public Hearing City Commission Chambers
	Tuesday 13	3:00 p.m.	Regular Meeting
		6:00 p.m.	First Public Hearing Regarding Tentative Millage Rates and Tentative Budgets for FY 2017*
	Wednesday 14- Friday 16	FAC Policy Committee Conference and County Commissioner Workshops	Hutchinson Island Martin County
	Monday 19	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 20	3:00 p.m.	Regular Meeting
		6:00 p.m.	Second Public Hearing on Adoption of Millage Rates and Budgets for FY 2017*
	Wednesday 21- Saturday 24	Congressional Black Caucus Annual Legislative Conference	Washington, D.C.
	Sunday 25- Wednesday 28	ICMA Annual Conference	Jackson County Kansas City, Missouri
	Thursday 29	4:00 p.m.	Community Redevelopment Agency Meeting

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
		6:00 p.m.	Community Redevelopment Agency Public Hearing City Commission Chambers
<i>* These public hearing dates may change because of the School Board's scheduling of its budget adoption public hearings.</i>			
October 2016	<i>TBD</i>	<i>FAC Advanced County Commissioner Program</i>	<i>Part 1 of 3 Gainesville; Alachua County</i>
	Monday 17	9:00 a.m. - 1:00 p.m.	Capital Region Transportation Planning Agency (CRTPA) Retreat; TBD
	Tuesday 18	1:30 – 3:00 p.m.	Workshop on the 2017 State and Federal Legislative Priorities
		3:00 p.m.	Regular Meeting
	Tuesday 25	3:00 p.m.	Regular Meeting
	Thursday 27	9:30 a.m.	Joint Workshop with the City Commission on Affordable Housing Issues
November 2016	Friday 11	Offices Closed	VETERAN'S DAY OBSERVED
	Monday 14	1:00 p.m.	Capital Region Transportation Planning Agency (CRTPA) City Commission Chambers
	Monday 21	9:30 – 11:00 a.m.	Community Redevelopment Agency City Commission Chambers
	Tuesday 22	3:00 p.m.	Installation of Newly-Elected Commissioners Reorganization of the Board Regular Meeting
	Thursday 24	Offices Closed	THANKSGIVING DAY
	Friday 25	Offices Closed	FRIDAY AFTER THANKSGIVING DAY
	<i>Wednesday³⁰ – Friday, Dec. 2</i>	<i>FAC Legislative Conference</i>	<i>Buena Vista Orange County</i>
December 2016	Monday 12	9:00 a.m. – 4:00 p.m.	Board Retreat
	Tuesday 13	3:00 p.m.	Regular Meeting
	Monday 26	Offices Closed	CHRISTMAS DAY OBSERVED
	Tuesday 27	No Meeting	BOARD RECESS
January 2017	Monday 2	Offices Closed	NEW YEAR'S DAY OBSERVED
	Tuesday 10	No Meeting	Board Recess
	Tuesday 24	3:00 p.m.	Regular Meeting

Citizen Committees, Boards, and Authorities 2016/17 Expirations and Vacancies

www.leoncountyfl.gov/committees/expire.asp

VACANCIES

Affordable Housing Advisory Committee

Board of County Commissioners (2 appointments)

A member who represents employers within the jurisdiction.

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

Canopy Roads Citizens Committee

Board of County Commissioners (3 appointments)

Community Health Coordinating Committee

Board of County Commissioners (1 appointment)

A member who represents the Big Bend Health Council

Contractors Licensing and Examination Board

Commissioner – At-Large: Lindley, Mary Ann (1 appointment)

Architect or engineer, business person, general contractor or other contractor (building or residential) who is registered or certified under Section 489.105(3)(a) (c). F.S., or a pool/spa contractor or other contractor (sheet metal; roofing; Air-Conditioning; Mechanical; Pool/Spa Servicing; or Plumbing) who is registered or certified under Section 489.105(3)(d) (o). F.S

Development Support & Environmental Management Citizen's User Group

Board of County Commissioners (1 appointment)

A member who represents a business association or organization

UPCOMING EXPIRATIONS

JUNE 30, 2016

Adjustment and Appeals Board

Board of County Commissioners (1 appointment)

Architectural Review Board

Board of County Commissioners (1 appointment)

A member who is an owner of property designated historic preservation

CareerSource Capital Region

Board of County Commissioners (1 appointment)

Planning Commission

Board of County Commissioners (1 appointment)

JULY 31, 2016

Big Bend Health Council

Board of County Commissioners (4 appointments)

Educational Facilities Authority

Board of County Commissioners (1 appointment)

Investment Oversight Committee

Board of County Commissioners (2 appointments)

SEPTEMBER 30, 2016

Affordable Housing Advisory Committee

Board of County Commissioners (11 appointments)

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

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

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

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

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

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

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

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

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

A member who represents employers within the jurisdiction.

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

Community Development Block Grant Citizens Task Force

Board of County Commissioners (1 appointment)

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

Commissioner – At-Large I: Lindley, Mary Ann (1 appointment)

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

Commissioner – District V: Dozier, Kristin (1 appointment)

Council on Culture and Arts

Board of County Commissioners (1 appointment)

Development Support and Environmental Management Citizens User Group

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

Commissioner - District I: Proctor, Bill (1 appointment)

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

Housing Finance Authority (and CDBG Citizens Task Force)

Commissioner – At-Large I: Lindley, Mary Ann (1 appointment)

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

Commissioner – District V: Dozier, Kristin (1 appointment)

Leon County Research and Development Authority at Innovation Park

Board of County Commissioners (3 appointments)

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

Board of County Commissioners (5 appointments)

Commissioner - District I: Proctor, Bill (1 appointment)

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

Commissioner – District V: Dozier, Kristin (1 appointment)

OCTOBER 31, 2016

Audit Advisory Committee

Board of County Commissioners (2 appointments)

Canopy Roads Citizens Committee

Board of County Commissioners (1 appointment)

Tourist Development Council

Board of County Commissioners (1 appointment)

DECEMBER 31, 2016

Human Services Grants Review Committee

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

Library Advisory Board

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

Tourist Development Council

Board of County Commissioners (1 appointment)

JANUARY 31, 2017

Minority, Women & Small Business Enterprise Committee

Commissioner - District I: Proctor, Bill (1 appointment)
Commissioner - District III: Dailey, John (1 appointment)
Commissioner - District IV: Desloge, Bryan (1 appointment)
Commissioner - District V: Dozier, Kristin (1 appointment)

FEBRUARY 28, 2017

Value Adjustment Board

Board of County Commissioners (1 appointment)

MARCH 31, 2017

Contractors Licensing and Examination Board

Commissioner - At-large II: Maddox, Nick (1 appointment)
Commissioner - District IV: Desloge, Bryan (1 appointment)
Commissioner - District V: Dozier, Kristin (1 appointment)

Science Advisory Committee

Commissioner - District II: Sauls, Jane G. (1 appointment)
Commissioner - District V: Dozier, Kristin (1 appointment)

APRIL 30, 2017

Tallahassee Sports Council

Board of County Commissioners (2 appointments)

MAY 31, 2017

Minority, Women & Small Business Enterprise Committee

Commissioner - At-large I: Lindley, Mary Ann (1 appointment)

**Leon County
Board of County Commissioners**

Notes for Agenda Item #1

Leon County Board of County Commissioners

Cover Sheet for Agenda #1

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of a Status Report on Leon County's Efforts Related to Human Trafficking

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Andy Johnson, Assistant to the County Administrator for Legislative and Strategic Initiatives

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Accept the status report on Leon County's efforts related to human trafficking.

Report and Discussion

Background:

During the April 12, 2016 meeting, the Board directed staff to prepare an agenda item on the status of Leon County's efforts involving human trafficking. This item summarizes recent efforts made by the County to raise public awareness of this crime and to train front-line County staff to recognize and report signs of potential human trafficking activities.

At the June 14, 2016 meeting, representatives from the Florida Department of Law Enforcement will provide a presentation to the Board regarding human trafficking.

Analysis:

Human trafficking involves the commercial exchange and exploitation of humans including; forced prostitution and pornography, involuntary labor, servitude and debt bondage. Victims of human trafficking include children, women and men who are subjected to sexual exploitation or forced labor through force, fraud or coercion. Human trafficking is a growing problem worldwide, recently rising to the second-most common criminal activity behind the illegal drug trade. Traffickers are estimated to exploit 20.9 million victims worldwide, with an estimated 1.5 million victims in North America, the European Union and other developed economies combined. In 2015, the National Human Trafficking Resource Center ranked Florida the third-highest state in the U.S. in the number of calls received by the center's human trafficking hotline.

Despite growing public awareness about human trafficking, significant challenges remain in identifying and supporting victims of this crime. The covert nature of human trafficking, misconceptions about its definition, and a lack of awareness about its indicators present significant obstacles. Additionally, victims generally have limited access to help and often do not self-identify, especially when they have been isolated from friends and family for long periods of time. Feelings of shame and fear of reporting to law enforcement may also add to a reluctance to seek help.

An effective response to human trafficking starts at the local level. Facilitating public awareness is a critical step to connect victims to the services they need, to improve access to information about human trafficking, and to effectively support those in need of assistance. In 2016, Leon County took significant steps, described below, to build local capacity to identify and respond to signs of human trafficking in our community.

Human Trafficking Awareness Training

To raise citizens' awareness about human trafficking, an important component of any effective public awareness effort is to provide training for individuals who are likely to come into contact with victims. In many cases, these individuals are not trained to recognize and report signs of human trafficking. For example, according to the Family Violence Prevention Fund, "28% of trafficking survivors in one study said they came into contact with a healthcare provider during the trafficking situation, and were not recognized." Recognizing potential red flags, knowing the indicators of human trafficking and being aware of how to report suspected human trafficking activities are key steps in identifying potential victims and getting them the assistance they need. During the Florida Association of County Managers Workshop in November 2015, the President of the Southwest Florida Human Trafficking Coalition gave a presentation highlighting statistics about human trafficking in Florida and efforts that county governments can take to confront this

issue locally. Subsequently, the County Administrator connected with representatives from the Florida Department of Law Enforcement (FDLE) to organize training sessions for front-line County staff to recognize and report signs of human trafficking. Leon County Human Resources hosted two training sessions on February 23, 2016 and trained 138 employees from Human Resources, DSEM, Public Works, Facilities, and Animal Control. In addition, a separate training session will be provided for approximately 120 additional staff from Leon County Emergency Medical Services later this year. This training, facilitated by subject matter experts from FDLE, empowers County staff to:

- Define human trafficking and the various forms it takes,
- Understand the risk factors for potential victims of human trafficking,
- Recognize common physical indicators of victims,
- Identify other non-physical signs of human trafficking activity, and
- Report suspected human trafficking activities.

Moving forward, Human Resources staff is evaluating opportunities to integrate human trafficking awareness into recurring training sessions for new and existing County employees.

Human Trafficking Ordinance

At the May 10, 2016 meeting, the Board adopted an ordinance requiring certain types of businesses to post public awareness signs alerting employees and patrons to remedies and protections related to human trafficking (Attachment #1). The ordinance applies to strip clubs, other adult entertainment establishments, and businesses that offer massage or bodywork that are not owned by a healthcare profession regulated pursuant to Chapter 456, Florida Statutes. The sign must be at least 8.5 inches by 11 inches in size, printed in 16 point type, and state the following in English, Spanish and Creole: "If you or someone you know is being forced to engage in an activity and cannot leave -- whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity -- call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida Law."

Options:

1. Accept the status report on Leon County's efforts related to human trafficking.
2. Do not accept the status report on Leon County's efforts related to human trafficking.
3. Board direction.

Recommendation:

Option #1.

Attachment:

1. May 10, 2016 Agenda Item: First and Only Public Hearing to Consider a Proposed Ordinance Amending Chapter 9 of the Leon County Code of Laws by Enacting a New Article VI, Entitled "Human Trafficking"

Leon County Board of County Commissioners

Cover Sheet for Agenda

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Herbert W.A. Thiele, County Attorney

Title: First and Only Public Hearing to Consider a Proposed Ordinance Amending Chapter 9 of the Leon County Code of Laws by Enacting a New Article VI, Entitled "Human Trafficking"

County Administrator Review and Approval:	Herbert W.A. Thiele, County Attorney
Department/ Division Review:	N/A
Lead Staff/ Project Team:	Herbert W.A. Thiele, County Attorney

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Conduct the first and only public hearing and adopt the proposed ordinance amending Chapter 9 of the Leon County Code of Laws by enacting a new article VI, entitled "Human Trafficking" (Attachment #1).

Title: First and Only Public Hearing to Consider a Proposed Ordinance Amending Chapter 9 of the Leon County Code of Laws by Enacting a New Article VI, Entitled "Human Trafficking."
May 10, 2016
Page 2

Report and Discussion

Background:

At the April 12, 2016, regularly scheduled meeting of the Board of County Commissioners, the Board approved the scheduling of a first and only public hearing to be held on May 10, 2016, to consider the adoption of a proposed ordinance amending Chapter 9 of the Leon County Code of Laws by enacting a new Article VI, entitled "Human Trafficking".

Analysis:

A new state law signed by the Governor on June 16, 2015, Florida Statute, 787.29, authorizes counties to enforce posting of human trafficking public awareness signs at adult entertainment and massage/bodywork establishments alerting employees and patrons to remedies and protections related to human trafficking.

The proposed Ordinance will require employers of strip clubs or other adult entertainment establishments or a business that offers massage or bodywork that is not owned by a healthcare profession regulated pursuant to Chapter 456, Florida Statutes, to post a public awareness sign. The sign must be at least 8.5 inches by 11 inches in size, printed in 16 point type, and state the following in English, Spanish and Creole: "If you or someone you know is being forced to engage in an activity and cannot leave -- whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity -- call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida Law." (Attachment #2)

Violation of any provision of the Ordinance shall be deemed a noncriminal violation, punishable by a fine only as provided in Section 775.083, Florida Statutes. This item was properly noticed as reflected in Attachment #3.

Options:

1. Conduct first and only public hearing and adopt the proposed ordinance amending Chapter 9, of the Leon County Code of Laws, by enacting a new Article VI, entitled "Human Trafficking" (Attachment #1).
2. Conduct first and only public hearing and do not adopt the attached proposed ordinance.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Draft ordinance amending Chapter 9 by enacting a new Article VI of the Leon County Code of Laws entitled "Human Trafficking"
2. Sample public awareness sign
3. Notice of Public Hearing

**Leon County
Board of County Commissioners**

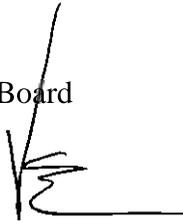
Notes for Agenda Item #2

Leon County Board of County Commissioners

Cover Sheet for Agenda #2

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of Minutes: April 12, 2016 Regular Meeting; April 12, 2016 Joint City/County Transmittal Hearing on Comprehensive Plan Amendments Cycle 2016; April 26, 2016 Regular Meeting, and May 10, 2016 Regular Meeting

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

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Approve the minutes of the April 12, 2016 Regular Meeting; April 12, 2016 Joint City/County Transmittal Hearing on Comprehensive Plan Amendments Cycle 2016; April 26, 2016 Regular Meeting, and May 10, 2016 Regular Meeting.

Attachments:

1. April 12, 2016 Regular Meeting
2. April 12 Joint City/County Transmittal Hearing on Comprehensive Plan Amendments Cycle 2016
3. April 26, 2016 Regular Meeting
4. May 10, 2016 Regular Meeting

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
April 12, 2016**

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

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

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was provided by Chairman Bill Proctor; who then led the Pledge of Allegiance.

Awards and Presentations

- Commissioner John Dailey presented a Proclamation honoring the 25th Anniversary of Mothers in Crisis by designating April 15, 2016 as Hope Universe Day. Dr. Rosalind Tompkins, founder, accepted the recognition and thanked the Board for its support.
- Commissioner Kristin Dozier presented a Proclamation honoring local author Susan Cerulean for her advocacy and congratulating her for winning the coveted 2015 Florida Book Award Gold Prize for *Coming to Pass: Florida's Coastal Islands in a Gulf of Change*. Ms. Cerulean thanked the Board and Commissioner Dozier for the honor.
- Chairman Proctor invited former City Commissioner Mark Mustian to the podium to speak about the Word of South event held over the week-end.
 - Commissioners Desloge and Dozier also praised Commissioner Mustian for his efforts to bring the event to the community and spoke on the positive impact the amphitheater has had on the community.
- Megan Rhiner presented on behalf of Claudia Blackburn of the Department of Health in Leon County, the Healthiest Weight Community Champion Award. The award recognized the County's commitment to creating a healthy community through actions such as, increased funding for sidewalks, the involvement of the Sheriff's Office in a number of community programs, the establishment of community gardens, and an active parks program. Commissioner Nick Maddox accepted the award on behalf of the Board.
- Sha'Ron James, Chair, Commission on the Status of Women and Girls (CSWG), shared an update on the group's efforts and 2016 priorities. She mentioned that the CSWG would engage in a strategic planning initiative to include: 1) an assessment of the current organizational vision, mission and values and 2) establishment of shared goals with the City and County to ensure that they are meeting the needs of both governing bodies and the community. She shared that a strategic planning team consisting of representatives from the City and County Commissions, a current and former CSWG member and the Oasis Center staff liaison would be formed and a written strategic plan would be developed and presented to the Commission in September. Ms. James requested that a representative of the Board be appointed to participate in their strategic planning process.
 - *Commissioner Maddox moved, duly seconded by Commissioner Desloge, the nomination of Commissioner Dozier to represent the Board. The motion carried 6-0 (Commissioner Sauls absent).*

Consent:

Commissioner Maddox moved, duly seconded by Commissioner Dailey, to approve the Consent Agenda, with the exception of Item 8, which was pulled for further discussion. The motion carried 6-0 (Commissioner Sauls absent).

1. Approval of Minutes: February 9, 2016 Infant Mortality Workshop

The Board approved Option 1: Approve the minutes of the February 9, 2016 Infant Mortality Workshop.

2. Ratification of Appointments to the Human Services Grant Review Committee and Science Advisory Committee

The Board approved Options 1 & 2: 1) Ratify Commissioner Proctor's appointment of Kenya Johnson Washington to the Human Services Grant Review Committee for an initial term of two years; and 2) Ratify Commissioners' reappointments to the Science Advisory Committee as follows: a. Commission Dailey reappoints Charles (Skip) Cook for a term of two years; b. Commissioner Desloge reappoints Vincent Salters for a term of two years, and c. Commissioner Maddox reappoints Thomas Lewis for a term of two years.

3. Request to Schedule the First and Only Public Hearing to Consider the Proposed Ordinance Amending Chapter 9 by Enacting New Article VI of the Leon County Code of Laws Entitled "Human Trafficking" for May 10, 2016 at 6:00 p.m.

The Board approved Option 1: Schedule the first and only public hearing to consider and adopt ordinance amending Chapter 9 by enacting a new Article VI of the Leon County Code of Laws entitled "Human Trafficking" for May 10, 2016 at 6:00 p.m.

4. Approval of Second Addendum to the Tri-Party Infrastructure and Conveyance Agreement, and Approval of Agreement for SunPass and Toll-by-Plate Toll Enforcement for the Orchard Pond Parkway Toll Road

The Board approved Options 1, 2 & 3: 1) Approve the Second Addendum to Tri-Party Infrastructure and Conveyance Agreement with any additional non-substantive changes, as needed, in a form approved by the County Attorney; 2) Authorize the Chairman and County Administrator to execute and accept any and all documents necessary to effectuate the conveyances to the County as set forth in the Second Addendum to Tri-Party Infrastructure and Conveyance Agreement, and 3) Approve the Agreement for SunPass and Toll-by-Plate Toll Enforcement, with any additional non-substantive changes, as needed, in a form approved by the County Attorney.

5. Approval of Payment of Bills and Voucher Submitted for April 12, 2016 and Pre-Approval of Payment of Bills and Vouchers for the Period of April 13 through April 25, 2016

The Board approved Option 1: Approve the payment of bills and vouchers submitted for April 12, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of April 13 through April 25, 2016.

6. Approval of Award for Broker Services for County's Insurance

The Board approved Option 1: Approve the award of broker services with Brown and Brown of Florida, Inc. as Leon County's insurance broker for \$24,999 annually, and authorize the County Administrator to execute the broker services agreement in a form approved by the County Attorney.

7. Approval of the STAGE First Amended and Restated Interlocal Agreement with the City of Tallahassee for the Capital City Amphitheater Concert Series

The Board approved Option 1: Approve the STAGE First Amended and Restated Interlocal Agreement with the City of Tallahassee for the Capital City Amphitheater Concert Series.

8. Acceptance of a Report on the Establishment of an Arts, Culture and Heritage Advisory Committee under the Tourist Development Council

Commissioner Desloge requested the item be pulled for further discussion.

County Administrator Long introduced the item.

Commissioner Desloge indicated that while he was fine with staff's recommendation, went on record as stating that the County has in the past created a number of entities under the County's purview, i.e., Educational Facilities Authority, Innovation Park, Civic Center, and wanted to ensure that the appropriate amount of controls and oversights were in place over the long term.

Commissioner Desloge moved, duly seconded by Commissioner Maddox, approval of Option 1: Approve the report on the establishment of an Arts, Cultural, and Heritage Advisory Committee under the Tourist Development Council and take no further action.

Commissioner Lindley, the Board's representative on the COCA Board, acknowledged the differences of opinion on the continuation of the involvement of the Cultural Review Advisory Committee (CRAC). She also noted that the Committee had taken on a difficult task and had made a number of recommendations of which the benefits are now being seen. She then spoke on the benefits of extending the term of the CRAC.

Commissioner Lindley offered an amendment to the motion to accept staff's recommendation, but also extend the Cultural Plan Advisory Committee for two years and to evaluate further continuation at that time.

Commissioner Desloge indicated that he would accept the amendment with an extension of one year. Commissioner Lindley agreed to the one year extension.

County Administrator Long conveyed that the proposed amendment would require an amendment to the County's current contract with COCA. Commissioner Lindley responded that she would appreciate the contract being revised to reflect the actions of the Board.

Commissioner Maddox rescinded his second as he supported staff's recommendation only.

The motion as amended died for lack of a second.

Commissioner Maddox moved, duly seconded by Commissioner Desloge, approval of Option 1: Approve the report on the establishment of an Arts, Cultural, and Heritage Advisory Committee under the Tourist Development Council and take no further action.

Commissioner Dozier recognized the work of COCA over the last couple of years and complimented the most recent Cultural Plan. She supported continuation of the Cultural Plan Advisory Committee however suggested that the roles of COCA and the Committee needed to be established and that some kind of measurements and process put in place to help to determine progress of the plan.

Commissioner Dozier offered a substitute motion to continue the Cultural Plan Review Committee within COCA and come together with a plan on how that process would work. After further clarification from Commissioner Dozier on the substitute motion, Commissioner Lindley offered a second.

The substitute motion failed 3-3 (Commissioners Maddox, Desloge and Dailey in opposition and Commissioner Sauls absent).

The motion to approve Option 1, as offered by Commissioner Maddox carried 5-1 (Commissioner Dozier in opposition and Commissioner Sauls absent).

9. Authorization to Amend the Annual Contract with the State of Florida Department of Health to Allow the Remaining \$118,673 in FY 2016 Funding for the Health Department Contract to Purchase Vehicles for the Health Department.

The Board approved Option 1: Authorize the County Administrator to execute an amendment to the annual contract with the State of Florida Department of Health, in a form approved by the County Attorney, to allow for the remaining \$118,673 in FY 2016 funding, approved as direct contract payment to the DOH-Leon, to be used to purchase vehicles for DOH-Leon.

10. Approval to Continue Cooperation with the City of Tallahassee, Village Square, and Leadership Tallahassee on the Tallahassee-Leon County Longest Table Events

The Board approved Option 1: Approve continuing the cooperation with the City of Tallahassee, Village Square, and Leadership Tallahassee to hold the Longest Table events.

11. Acceptance of a Conservation Easement from Kenwood Place, Ltd. For Kenwood Place Senior Living Facility

The Board approved Option 1: Approve and accept for recording a Conservation Easement from Kenwood Place, Ltd. for Kenwood Place Senior Living Facility.

12. Approval of a Request to Rename "Norman Drive" and "Blountstown Street Service Road" to "Norman Park Drive"

The Board approved Option 1: Approve the request to rename "Norman Drive" and "Blountstown Street Service Road" to "Norman Park Drive".

13. Request to Schedule the First and Only Public Hearing to Consider a Proposed Ordinance Amending the Review process for Accessory Dwelling Units for May 10, 2016 at 6:00 p.m.

The Board approved Option 1: Schedule the first and only Public Hearing to consider an Ordinance to revise the review process for accessory dwelling units for May 10, 2016 at 6:00 p.m.

14. Approval of City of Tallahassee 2035 Water Master Plan Update

The Board approved Option 1: Approve the City of Tallahassee 2013 Water Master Plan Update.

15. Approval of a License Agreement with RCL Management, LLC for Right of Way Use for Placement of a Private Convex Mirror on Old St. Augustine Road

The Board approved Option 1: Approve the license agreement with RCL Management, LLC for right of way placement of a private convex mirror on Old St. Augustine Road, and authorize the County Administrator to execute.

16. Authorization to Amend the Existing Agreement for Processing of Single-Stream Recycling Services with Marpan Recycling

The Board approved Option 1: Authorize the County Administrator to execute an amendment to the existing Agreement for Processing of Single-Stream Recycling Service, in a form approved by the County Attorney.

17. Acceptance of the Semi Annual FY 2015/16 Commissioner Discussion Items Status Report

The Board approved Option 1: Accept the Semi-Annual FY 2015/16 Commissioner Discussion Items Status Report

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

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

General Business

~~18. Consideration of a Funding Request by Bethel Empowerment Foundation to Support the Ready4Work Tallahassee Re-Entry Program~~

REMOVED FROM THE AGENDA

19. Consideration of Full Board Reappointments to the Tallahassee Sports Council and Appointment to Council on Culture & Arts

County Administrator Long introduced the item.

Commissioner Dailey moved, duly seconded by Commissioner Desloge, approval of Options 1 & 2: 1) Full Board reappoints the following Tallahassee Sports Council members to three year terms: Kip West, Elite Sporting Goods and Tim Randolph, Leon County Sheriff's Office; and 2) the appointment of Jay Revell, in the Business Category to the Council on Culture & Arts. Mr. Revell will complete the resigning member's term, through September 30, 2017.

Commissioner Dozier offered for Board consideration the idea of adding an ad hoc position for a Chamber appointment on the COCA Board.

Commissioner Dailey responded that he would rather at this time move forward with the appointment and to ask staff to explore and make recommendation on the possibility of a Chamber appointment.

Commissioner Lindley stated that she was willing to bring the idea up at the next COCA Board meeting.

Chairman Proctor expressed a concern about the composition of committee memberships and asked if efforts could be expanded to seek broader community representation in appointments to County Committees.

Commissioner Lindley mentioned that the County could do better in advertising and promoting committee vacancies and appealed to the public to visit the County's web site to review the various citizen committees and get involved.

Commissioner Dozier encouraged the use of social media as a way to get the word out to the community.

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

20. [REVISED] Request to Schedule a Joint Workshop with the City Commission on Affordable Housing Issues on May 26, 2016 from ~~9:30 a.m. to 11:30 a.m.~~ 10:00 a.m. to 12:00 p.m. in the City Commission Chambers

County Administrator Long introduced the item and conveyed that the Board's agenda item contains the proposed agenda from the City.

Commissioner Maddox moved, duly seconded by Commissioner Desloge, approval of Option 1: Schedule a joint workshop with the City Commission on affordable housing issues on May 26, 2016 from 10:00 a.m. to 12:00 p.m. in the City Commission Chambers.

Commissioner Desloge asked that those non-profits who provide housing are made aware of the upcoming joint workshop. County Administrator clarified with Commissioner Desloge that it was his intent that information be sought from non-profit affordable housing providers, but were not intended as workshop participants.

Commissioner Dozier followed-up on a number of issues that were discussed at the recent Community Redevelopment Authority (CRA) meeting. She referenced a listing of funding opportunities provided by the executive director of the Tampa Housing Authority and suggested staffs review of this information for potential opportunities. She voiced an interest in hearing directly from providers at the workshop, however, left that up to staff's discretion. Commissioner Dozier mentioned that the Big Bend Continuum of Care Board had recently conducted a housing inventory and suggested that this information be sought in an effort to reduce duplication of effort.

Chairman Proctor noted the agenda items proposed by the City and inquired about the County's ability to shape the agenda. County Administrator Long responded that Option 2 includes the avenue for the Board to add to the workshop agenda. Commissioner Dozier added that it was her intent that the ideas that she offered would be considered for the agenda.

Chairman Proctor lauded the efforts of the County's housing department, highlighting the recent Spring Home Expo as an example of the County's attempt to reach out to both current and future homeowners with information and training. He suggested that the joint affordable housing workshop include discussions on how to keep residents from fleeing the County in search of more affordable housing in neighboring counties.

County Administrator Long summed up the additional direction from the Board as follows:

- An update on housing efforts from the non-profit sector;
- A review of the funding opportunities presented at the CRA meeting by the Executive Director of the Tampa Housing Authority;

- An inventory analysis relative to available affordable housing, including an assessment of the Continuum of Care's housing inventory.

Chairman Proctor asked for clarification of the definition of affordable housing. Eryn Calabro, Human Services & Community Partnerships Director, explained that it is based on the HUD index percent of income.

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

SCHEDULED PUBLIC HEARINGS

21. Joint City-County Transmittal Public Hearing on the 2016 Cycle Comprehensive Plan Amendments

The County and City Commissions met in joint session in the County Commission Chambers.

Attending: County Commission: Chairman Proctor and Commissioners John Dailey, Brian Desloge, Kristin Dozier, Mary Ann Lindley and Nick Maddox. City Commission: Mayor Andrew Gillum and Commissioners Nancy Miller, Gill Ziffer, Scott Maddox and Curtis Richardson.

Call to Order:

Chairman Proctor called the Joint City/County Transmittal Public Hearing on the 2016 Cycle comprehensive plan amendments to order at 6:04 p.m.

Introductory Comments by Staff:

Barry Wilcox, Division Manager, Tallahassee-Leon County Planning Department, introduced the 2016 comprehensive plan amendment cycle. He stated that all proposed amendments had received recommendations of approval by both staff and the Local Planning Agency (LPA) and were therefore placed on the Consent Agenda. Mr. Wilcox shared that there were 10 amendments this cycle, two privately initiated map amendments and eight publically initiated amendments (two text and six map).

Mr. Wilcox confirmed that there were no speakers on the proposed amendments.

Consent Agenda:

- PCM201601: Fairmeadow Neighborhood
- PCM201602: Governor's Park
- PCM201603: Woodville Well Site
- PCM201604: Waterworks Site
- PCM201605: Miccosukee and Blairstone Road
- PCM201606: Tallahassee Memorial Hospital
- PCM201608: City of Tallahassee Utility Operation Site
- PCT201609: Intergovernmental Coordination Element
- PCT201610: Future Right-of-Way Needs Map
- PCM201611: Drury Inn and Suites

On behalf of the County: *Commissioner Maddox moved, duly seconded by Commissioner Dozier, approval of Option 1: Conduct the transmittal public hearing on the 2016 Cycle Comprehensive Plan Amendments and direct staff to transmit approved amendments to the*

Florida Department of Economic Opportunity. The motion carried 6-0 (Commissioner Sauls absent).

On behalf of the City: *Commissioner Ziffer moved, duly seconded by Commissioner Maddox, approval of Option 1: Conduct the transmittal public hearing on the 2016 Cycle Comprehensive Plan Amendments and direct staff to transmit approved amendments to the Florida Department of Economic Opportunity. The motion carried 5-0*

Additional Discussion Item: State of the Land Use Element Report:

Mr. Wilcox introduced the Land Use Element Report and offered a presentation on the item. The Commissioners chose to forego the presentation.

Commissioner Dozier expressed a concern regarding staff's intent to seek public input on community values and vision prior to getting input from the Commissions. She asked that staff bring back at the May 26, 2016 Adoption Hearing an item which facilitates discussion amongst both Commissions regarding the community values and vision prior to public input. She discussed with Mr. Wilcox the source documents (Imagine Tallahassee, Sales Tax Extension Citizens Committee Final Report and 2040 Regional Mobility Plan) which were noted in the agenda as possible reference material in staff's visioning efforts.

Commissioner Miller agreed with Commissioner Dozier and conveyed that both Commissions' receive input from the public on a variety of issues and felt they have a good idea what is important to citizens. Commissioner Miller also ascertained from Mr. Wilcox that the Citizen Focus Group was comprised of individuals who have worked with the Planning Department in the past and represent a broad range of groups and interests. Mr. Wilcox added that the Focus Group was not intended as a recommendation body, but merely to assist the team with the review of the current element and the overall Comp Plan update project.

On behalf of the County: *Commissioner Dozier moved, duly seconded by Commissioner Desloge, approval of Option 1) a., b., c (as amended), and d:*

- a. Move forward with the comprehensive revision to the Land Use Element to address the issues identified in this report, but maintain and expand on strong policies that continue to implement community goals for responsible growth and development.*
- b. Utilize a values-based and data-informed planning approach to updating and revising the Land Use Element.*
- c. Direct staff to bring back at the May 24, 2016 Joint City/County Commission Adoption Public hearing an item facilitating a discussion amongst both Commissions regarding the community values and vision. This action to be taken prior to receiving public input.*
- d. Integrate the Land Use and Mobility elements into a single element that jointly addresses land use and transportation.*

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

On behalf of the City: *Commissioner Miller moved, duly seconded by Commissioner Ziffer, approval of Option 1) a., b., c (as amended), and d:*

- a. Move forward with the comprehensive revision to the Land Use Element to address the issues identified in this report, but maintain and expand on strong policies that continue to implement community goals for responsible growth and development.*
- b. Utilize a values-based and data-informed planning approach to updating and revising the Land Use Element.*
- c. Direct staff to bring back at the May 24, 2016 Joint City/County Commission Adoption Public hearing an item facilitating a discussion amongst both Commissions regarding the community values and vision. This action to be taken prior to receiving public input.*

d. *Integrate the Land Use and Mobility elements into a single element that jointly addresses land use and transportation.*
The motion carried 5-0.

There being no further business to come before the Joint Commissions', Chairman Proctor adjourned the Joint City/County Transmittal Public Hearing at 6:28 p.m.

22. First and Only Public Hearing to Adopt an Ordinance to Regulate Outdoor Dog Friendly Dining Areas

County Administrator Long announced the public hearing.

Speaker:

- Jack Cory, 2798 Rabbit Hill Road, appeared to respectfully request that the Board not adopt the ordinance. He mentioned that there currently is no State Statute which prohibits outdoor dog dining and opined that this regulation should occur at the State level so as to have uniform standards throughout Florida counties. He suggested that the County, should it wish to pursue this course of action, promote this through its local legislative delegation.

County Attorney Thiele commented that only special service animals are allowed in restaurants at this time; however, the Florida Legislature has made provisions for local governments to create such an ordinance. He added that the proposed ordinance would cover only the unincorporated areas of the County, as the City has requested to not be included in the ordinance.

Upon questioning by Chairman Proctor on why the City did not wish to be included, County Administrator Long responded that he believed it was simply a matter of timing as the City has expressed an interest to participate at a later date.

Commissioner Desloge indicated that he did not want to wait for the State to take action and shared that he had heard from a number of restaurant owners/managers who wished to offer this option to its patrons.

Commissioner Desloge moved, duly seconded by Commissioner Dailey, approval of Options 1 & 2: 1) Conduct the first and only Public Hearing and adopt proposed Ordinance to regulate outdoor dog friendly dining areas, and 2) Adopt the proposed Fee Resolution for the application review, inspection and approval process associated with the proposed Dog Friendly Dining Ordinance.

Commissioner Dozier agreed that the Board needed to take action; however, added that it would be confusing to residents that it was only in effect in the unincorporated areas. She conveyed that a uniform policy was needed and encouraged the City to move quickly on this issue.

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

23. First and Only Public Hearing to Consider a Proposed Ordinance to Revise the County's Driveway Connection Permitting, Inspection and Enforcement Process

County Administrator Long announced the public hearing and advised that there were no speakers on the issue.

Commissioner Dailey moved, duly seconded by Commissioner Desloge, approval of Options 1, 2, & 3: 1) Conduct the first and only Public Hearing and adopt the proposed Ordinance to revise the County's driveway connection permitting, inspection and enforcement process; 2) Adopt the proposed Fee Resolution for the application review, inspection and approval processes associated with proposed driveway and street connections, and 3) Adopt the County Driveway and Street Connection Guidelines and Procedures Manual. The motion carried 6-0 (Commissioner Sauls absent).

24. First of Two Public Hearings to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards

County Administrator Long announced the public hearing and advised that there were no speakers on the issue.

Commissioner Dozier moved, duly seconded by Commissioner Desloge, approval of Option 1: Conduct the first of two required Public Hearings to consider proposed revisions to the Leon County Land Development Code to provide private and charter school siting standards and schedule the second and final Public Hearing for May 10, 2016 at 6:00 p.m. The motion carried 6-0 (Commissioner Sauls absent).

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

- Barney Bishop, 2215 Thomasville Road, President of Florida Smart Justice Alliance. Appeared and provided an overview and key facts regarding the County's Adult Civil Citation Program. He asserted that a new ordinance was not needed, as the current Adult Civil Citation Program was effective and "works perfectly". (The Board was provided a handout of Mr. Bishop's remarks.)
 - Chairman Proctor voiced his appreciation for Mr. Bishop for introducing the Adult Civil Citation Program to the Public Safety Coordinating Council in 2013 and agreed that the program has been successful.
- Greg Frost, 3335 W. Pensacola Street, President of the Civil Citation Network. He expressed support for Mr. Bishop's comments and shared a success story as a result of the Adult Civil Citation Program. He submitted that policy decisions should be based on fact and his organization, with assistance from other providers, are conducting research which he hopes to share with the Board for its consideration prior to making any policy decision on this issue. He stated that programs addressing adult civil citations have come to be known as merely ticketing and sends a message of decriminalizing marijuana and felt the term "Pre-arrest Diversion" more accurately described the County's program.
 - Commissioner Maddox requested and received additional information on why Mr. Frost preferred the term pre-arrest diversion rather than Adult Civil Citation Program.

Chairman Proctor transferred the gavel to Vice-Chairman Dailey to preside over this item.

Vice Chairman Dailey offered the public an opportunity to speak on this item. There were no other speakers on this topic.

Commissioner Proctor expressed his interest in adopting an ordinance allowing for cannabis of 20 grams or less to be treated as a civil citation. A copy of the proposed ordinance was distributed to the Board. He conveyed his efforts to engage stakeholders such as local university presidents, the Sheriff and State Attorney seeking feedback on his proposal. He remarked that his proactive outreach had received no negative feedback; thus, felt the community was largely supportive.

County Attorney Thiele suggested that an agenda item be requested should the Board wish to consider the proposed ordinance. He described three diversionary programs that could be considered by the Board to help reduce the jail population.

- The State Attorney's (SA) Office has its own program and participation in the program is up to the SA office.
- The current Adult Civil Citation Program adopted by the County, which is limited to certain misdemeanors. Participation is up to the discretion of law enforcement and certain criteria must be met to be eligible for participation.
- The proposed ordinance as presented by Commissioner Proctor. The proposed ordinance would establish a new Countywide ordinance that would provide law enforcement the discretion of giving a civil citation or ordinance violation to an individual found to be in the possession of marijuana under 20 grams. He clarified that the ordinance would only apply to the possession of marijuana and emphasized that the County has no authorization to decriminalize the possession of marijuana, no matter the quantity.

Commissioner Proctor moved, duly seconded by Commissioner Lindley, to direct staff to bring back a proposed ordinance to allow for cannabis 20 grams or less to be treated as a civil citation for Board consideration. (This is the ordinance as proposed by Commissioner Proctor and is attached).

Commissioner Dozier suggested that more clarity and awareness of the current program was needed. She stated that she was content with the current program; however, would support codifying as an ordinance if that would help strengthen the current program. She also added that she would like for the agenda item to be broader and more general and not solely based on the ordinance as presented.

Commissioner Maddox agreed that the current Adult Civil Citation Program was working and was successful. He commented that he could not support the ordinance as presented as it does bring about some unintended consequences. He did believe that looking at the current program and ways to make it stronger was a good idea.

Commissioner Desloge reiterated that the County does not have the authority to decriminalize marijuana. He remarked that criminal justice reform is a huge issue throughout the country. He stated that he was very hesitant to make any changes to the program and would not support the proposed ordinance in its current form. He strongly urged that the Sheriff be involved in discussions on this topic. Commissioner Desloge commended Commissioner Proctor for shedding a light on a successful program the County has had in place for a few years.

Commissioner Lindley stated that she too was interested in hearing what the Sheriff has to say on this issue. She commented that she looks forward to receiving more information and did not necessarily endorse the ordinance in its current form. She mostly wants more clarity and for the community to learn more about the program.

Commissioner Proctor expressed his appreciation for the Board's engagement and discussion of the issue. He commented that a large number of college students live in the community and was troubled that their future could be affected by one mistake. He also mentioned that as the Chairperson of the Public Safety Coordinating Council (PSCC) their charge was to make recommendations on how to reduce the jail population and he deemed this proposed ordinance would help with that goal. He reiterated that he had spoken with the Sheriff, State Attorney and university presidents and did not receive any negative feedback. He added however, that he looked forward to further deliberations.

Commissioner Dozier stated that while she appreciated Commissioner Proctor's efforts to move this topic forward, she was not willing at this time to support the proposed ordinance as presented by Commissioner Proctor.

Commissioner Dozier offered a substitute motion, duly seconded by Commissioner Desloge, to direct staff to bring back an agenda to look holistically at different diversionary programs and provide an analysis to strengthen the existing Adult Civil Citation program.

Commissioner Maddox offered a friendly amendment to schedule a workshop rather than an agenda item. The friendly amendment was accepted by Commissioner Dozier.

Commissioner Desloge shared that while he was willing to move forward with a workshop and have further discussions, he went on record stating that when all was said and done he may determine that the current program meets the need. He also spoke on the lack of clarity and the need to educate the public on the program.

Commissioner Lindley stated that she supported the substitute motion and would appreciate the opportunity to receive additional information.

Commissioner Maddox remarked that his goal is diversion and would support the substitute motion. He stated that based on current information, the Adult Civil Citation Program appears to be working and that at the end of this process the only action that might be needed would be a codification of the program.

Commissioner Proctor ascertained from County Attorney Thiele that the other counties that offer a diversion program, utilize an ordinance like the one proposed by Commissioner Proctor (possession of 20 grams or less of cannabis are eligible for civil violation). He spoke in support of his proposed ordinance.

Commissioner Dailey stated that he could not support the motion as he was comfortable with the current Adult Civil Citation Program. He noted the various law enforcement agencies operating within the community, of which only two are local; therefore, the County ordinance would not be applied to all local arrests.

The substitute motion as amended carried 5-1 (Commissioner Dailey in opposition and Commissioner Sauls absent).

Chairman Proctor recessed the Board for its dinner break at 5:27.

Comments/Discussion Items

County Attorney Thiele:

- No items.

County Administrator Long:

- No items.

Commissioner Discussion Items

Commissioner Sauls:

- Absent.

Commissioner Desloge:

- *Commissioner Desloge moved, duly seconded by Commissioner Dailey, approval for a Proclamation acknowledging "Perinatal Mental Health Awareness Week", the second week in May. The motion carried 6-0 (Commissioner Sauls absent).*

- *Commissioner Desloge moved, duly seconded by Commissioner Dozier, to include as a budget discussion item funding for the Kearney Center. The motion carried 6-0 (Commissioner Sauls absent).*
- *Commissioner Desloge moved, duly seconded by Commissioner Dailey, to direct staff to bring back an agenda item examining the opportunity for the County to participate in the Suwannee River Basin "Original Florida" Outdoor Recreation Compact. The motion carried 6-0 (Commissioner Sauls absent).*
- *Commissioner Desloge moved, duly seconded by Commissioner Dailey, approval for a Proclamation acknowledging May as "National Bike Month". To be presented at the April 26 meeting. The motion carried 6-0 (Commissioner Sauls absent).*
- *Commented that Osceola County has now created designated parking spaces in a number of its complexes and offices as a way to honor wounded veterans and requested staff review the opportunity to designate parking spaces for wounded warriors at the Veterans Services office on Railroad Avenue. County Administrator Long indicated that staff was already working on this issue and a status report would be provided to the Board.*
- *Commissioner Desloge moved, duly seconded by Commissioner Maddox, approval for a Proclamation recognizing May 1-7, 2016 as "National Tourism Week". The motion carried 6-0 (Commissioner Sauls absent).*
- *Commissioner Desloge moved, duly seconded by Commissioner Maddox, to request a Proclamation acknowledging April as "National County Government Month". The motion carried 6-0 (Commissioner Sauls absent).*

Commissioner Lindley:

- No items.

Commissioner Maddox:

- *Commissioner Maddox moved, duly seconded by Commissioner Dailey, approval for a Proclamation honoring Dr. Sandy Halperin in recognition of his contributions to dementia awareness. The motion carried 6-0 (Commissioner Sauls absent).*
- *Informed the Board that he had formalized his decision to run for Second Vice President of the Florida Association of Counties (FAC) and requested the Board's continued support.*

Commissioner Dozier:

- *Commissioner Dozier moved, duly seconded by Commissioner Maddox, approval for a Proclamation recognizing Barbara Westcott and Eunice Cofie, for competing in "Project Entrepreneur". The motion carried 6-0 (Commissioner Sauls absent).*
- *Commissioner Dozier moved, duly seconded by Commissioner Maddox, to direct staff to bring back an agenda item on the status of County efforts involving Human Trafficking. The motion carried 6-0 (Commissioner Sauls absent).*

Commissioner Dailey:

- *Shared that the Florida Veterans Foundation would hold its 4th Annual North Florida Homeless Veterans Operation Stand Down on April 22 and 23 at the fairgrounds.*
- *Discussed the Bethel Empowerment Foundation's Ready4Work-Tallahassee Re-Entry Program, which was removed from the Board's agenda. He believed that there is a way to work through the CHSP funding issue and accomplish the goals of the program.*
 - *Commissioner Dailey moved, duly seconded by Commissioner Maddox, to request the County Administrator convene a meeting with representatives of the Sheriff's Office, Disc Village and Bethel Ready4Work Program to determine if there are opportunities to leverage one another's efforts, maximize the \$500,000 state allocation to the program and should any funding be necessary to have the request come through the Sheriff's Office.*
 - *Commissioner Dozier commented that she had questions about the sustainability of the program and indicated that she believed it important to focus on local re-entry efforts.*

- Commissioner Dailey responded that his motion was not an endorsement of the program, but merely to have the program vetted by the appropriate local stakeholders. He mentioned the \$500,000 state allocation and wanted to offer Bethel an opportunity to create local partnerships in an effort to help this population integrate back into the community.
- The motion carried 5-1 (Commissioner Dozier in opposition and Commissioner Sauls absent).

Chairman Proctor:

- Expressed concerns that some local hotels are charging over \$500 a night for lodging during graduation week. He ascertained from County Attorney Thiele that the County has no ability or authority to impose rate restrictions on area hotels.
- On behalf of Chairman Proctor the following motions were offered:
 - Commissioner Maddox moved, duly seconded by Commissioner Dailey, approval to invite Whole Child Leon to make presentation to the Board at the Board's May 10 meeting. The motion carried 6-0 (Commissioner Sauls absent).
 - Commissioner Maddox moved, duly seconded by Commissioner Dailey, approval for a Proclamation honoring Bethel Baptist Church Youth Committee for their sponsorship of "Clean Water for Flint" endeavor. The motion carried 6-0 (Commissioner Sauls absent).
 - Commissioner Maddox moved, duly seconded by Commissioner Desloge, to request an agenda item for a GAP assessment study on area mental health services. The motion carried 6-0 (Commissioner Sauls absent).
- Announced that he would host a community conversation dealing with mental health, emotional disorders and drug challenges on April 20 at 5:15 p.m. at the fairgrounds. He invited all local leaders to attend.
- Requested a Proclamation honoring the exceptional efforts of former City Commissioner Mark Mustian and the Word of the South event.
 - Commissioner Dozier, while acknowledging the great success of the Word of the South event, mentioned that there have been a number of equally successful events held throughout the City and hesitated singling out one event for Board recognition.
 - Commissioner Lindley suggested that in lieu of a Proclamation, that the Chairman write a letter of appreciation to Mr. Mustian.

Receipt and File:

- Capital Region Community Development Meeting Minutes for December 10, 2015.
- Community Redevelopment Agency FY 2015 Annual Report, October 1, 2014 to September 30, 2015.

Adjourn:

There being no further business to come before the Board, the meeting was adjourned at 7:08 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

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

**Transmittal Public Hearing
Comprehensive Plan Amendments Cycle 2016
Leon County Board of Commissioners &
Tallahassee City Commission
April 12, 2016
Leon County Courthouse**

The County and City Commissions met in joint session in the County Commission Chambers.

Attending: County Commission: Chairman Proctor and Commissioners John Dailey, Brian Desloge, Kristin Dozier, Mary Ann Lindley and Nick Maddox. City Commission: Mayor Andrew Gillum and Commissioners Nancy Miller, Gill Ziffer, Scott Maddox and Curtis Richardson.

Call to Order:

Chairman Proctor called the Joint City/County Transmittal Public Hearing on the 2016 Cycle comprehensive plan amendments to order at 6:04 p.m.

Introductory Comments by Staff:

Barry Wilcox, Division Manager, Tallahassee-Leon County Planning Department, introduced the 2016 comprehensive plan amendment cycle. He stated that all proposed amendments had received recommendations of approval by both staff and the Local Planning Agency (LPA) and were therefore placed on the Consent Agenda. Mr. Wilcox shared that there were 10 amendments this cycle, two privately initiated map amendments and eight publically initiated amendments (two text and six map).

Mr. Wilcox confirmed that there were no speakers on the proposed amendments.

Consent Agenda:

- PCM201601: Fairmeadow Neighborhood
- PCM201602: Governor's Park
- PCM201603: Woodville Well Site
- PCM201604: Waterworks Site
- PCM201605: Miccosukee and Blairstone Road
- PCM201606: Tallahassee Memorial Hospital
- PCM201608: City of Tallahassee Utility Operation Site
- PCT201609: Intergovernmental Coordination Element
- PCT201610: Future Right-of-Way Needs Map
- PCM201611: Drury Inn and Suites

On behalf of the County: *Commissioner Maddox moved, duly seconded by Commissioner Dozier, approval of Option 1: Conduct the transmittal public hearing on the 2016 Cycle Comprehensive Plan Amendments and direct staff to transmit approved amendments to the Florida Department of Economic Opportunity. The motion carried 6-0 (Commissioner Sauls absent).*

On behalf of the City: *Commissioner Ziffer moved, duly seconded by Commissioner Maddox, approval of Option 1: Conduct the transmittal public hearing on the 2016 Cycle Comprehensive Plan Amendments and direct staff to transmit approved amendments to the Florida Department of Economic Opportunity. The motion carried 5-0*

Additional Discussion Item: State of the Land Use Element Report:

Mr. Wilcox introduced the Land Use Element Report and offered a presentation on the item. The Commissioners chose to forego the presentation.

Commissioner Dozier expressed a concern regarding staff's intent to seek public input on community values and vision prior to getting input from the Commissions. She asked that staff bring back at the May 26, 2016 Adoption Hearing an item which facilitates discussion amongst both Commissions regarding the community values and vision prior to public input. She discussed with Mr. Wilcox the source documents (Imagine Tallahassee, Sales Tax Extension Citizens Committee Final Report and 2040 Regional Mobility Plan) which were noted in the agenda as possible reference material in staff's visioning efforts.

Commissioner Miller agreed with Commissioner Dozier and conveyed that both Commissions' receive input from the public on a variety of issues and felt they have a good idea what is important to citizens. Commissioner Miller also ascertained from Mr. Wilcox that the Citizen Focus Group was comprised of individuals who have worked with the Planning Department in the past and represent a broad range of groups and interests. Mr. Wilcox added that the Focus Group was not intended as a recommendation body, but merely to assist the team with the review of the current element and the overall Comp Plan update project.

On behalf of the County: *Commissioner Dozier moved, duly seconded by Commissioner Desloge, approval of Option 1) a., b., c (as amended), and d:*

- a. *Move forward with the comprehensive revision to the Land Use Element to address the issues identified in this report, but maintain and expand on strong policies that continue to implement community goals for responsible growth and development.*
- b. *Utilize a values-based and data-informed planning approach to updating and revising the Land Use Element.*
- c. *Direct staff to bring back at the May 24, 2016 Joint City/County Commission Adoption Public hearing an item facilitating a discussion amongst both Commissions regarding the community values and vision. This action to be taken prior to receiving public input.*
- d. *Integrate the Land Use and Mobility elements into a single element that jointly addresses land use and transportation.*

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

On behalf of the City: *Commissioner Miller moved, duly seconded by Commissioner Ziffer, approval of Option 1) a., b., c (as amended), and d:*

- a. *Move forward with the comprehensive revision to the Land Use Element to address the issues identified in this report, but maintain and expand on strong policies that continue to implement community goals for responsible growth and development.*
- b. *Utilize a values-based and data-informed planning approach to updating and revising the Land Use Element.*
- c. *Direct staff to bring back at the May 24, 2016 Joint City/County Commission Adoption Public hearing an item facilitating a discussion amongst both Commissions regarding the community values and vision. This action to be taken prior to receiving public input.*
- d. *Integrate the Land Use and Mobility elements into a single element that jointly addresses land use and transportation.*

The motion carried 5-0.

There being no further business to come before the Joint Commissions', Chairman Proctor adjourned the Joint City/County Transmittal Public Hearing at 6:28 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

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

DRAFT

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

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

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

Invocation and Pledge of Allegiance

The invocation was provided by Pastor Joseph Wright, Jerusalem Missionary Baptist Church. Commissioner Jane Sauls then led the Pledge of Allegiance.

Awards and Presentation:

- Commissioner Bryan Desloge presented a Proclamation recognizing April as “National County Government Month”. County Administrator Long accepted the recognition on behalf of all County employees.
- Commissioner Bryan Desloge presented a Proclamation recognizing May as “National Bike Month”. Kristen Lee, Program Coordinator, FSU Office of Sustainability, accepted the Proclamation on behalf of all Tallahassee cyclists and thanked the County for promoting bike safety and bicycling as a sustainable mode of transportation.
- Commissioner Bryan Desloge presented a Proclamation recognizing May 1-7, 2016 as “National Travel and Tourism Week”. Lee Daniel, Tourism Development Director, thanked the Board on behalf of the staff and all partners that work tirelessly to improve economic development through tourism.
 - Mr. Daniel also shared an update on the Spring Concert Series at the Amphitheater and the recent Trailhacks Hackathon for Trailahassee.com.
 - Commissioner Dozier thanked Mr. Daniel for the growth of tourism under his tenure.
- Commissioner Bryan Desloge presented a Proclamation recognizing the Second Week of May as “Perinatal Mental Health Awareness Week”. Heather Flynn, FSU College of Medicine thanked the Board and Commissioner Desloge for bringing attention to this issue.
- Commissioner John Dailey presented a Proclamation recognizing the week of May 15 – 21, 2016 as “National Emergency Medical Services Week”. EMS Chief Chad Abrams thanked the Board for the Proclamation on behalf of the hundreds of men and women who provide emergency services every day.
- Presentation of the re-accreditation of Leon County Emergency Medical Services
 - EMS Chief Chad Abrams provided an overview of the accreditation process and staff’s efforts, noting that Leon County EMS met or exceeded all standards with zero deficiencies. Chief Abrams presented a plaque for display at the Courthouse commemorating the accomplishment.

- Chairman Proctor on behalf of the Board praised County Administrator Long, Chief Abrams and the EMS staff for the growth of the department and the outstanding job done every day by the dedicated EMS staff.

Consent:

Commissioner Sauls moved, duly seconded by Commissioner Desloge, approval of the Consent Agenda. The motion carried 7-0.

1. Approval of the Resolutions and Adoption Agreements for the Restatement of the 401(a) Retirement Savings Plan with Nationwide, ICMA-RC and AIG-VALIC

The Board approved Option 1: Approve the Resolutions and Adoption Agreements for the Restatement of 401(a) Retirement Savings Plans for Nationwide, ICMA-RC and AIG-VALIC in accordance with federal laws and regulations and authorize the Chairman to execute.

2. Approval of Payment of Bills and Vouchers Submitted for April 26, 2016 and Pre-Approval of Payment of Bills and Vouchers for the Period of April 27 through May 9, 2016

The Board approved Option 1: Approve the payment of bills and vouchers submitted for April 26, 2016, and pre-approve the payment of bills and vouchers for the period of April 27 through May 9, 2016.

3. Approval of Resolution Supporting Project Presidential as a “Qualified Target Industry” Applicant and the County’s Required Local Match of up to \$54,000

The Board approved Option 1: Approve the Resolution supporting Project Presidential as a Qualified Target Industry applicant and the County’s required local match of up to \$54,000 from the County’s QTI escrow account.

4. Approval of the Agreement Between Leon County Government and Children’s Home Society of Florida for the Provision of State-Mandated Child Protection Examinations for FY 2015/16

The Board approved Option 1: Approve the Agreement between Leon County and Children’s Home Society of Florida for the provision of State-mandated child protection examinations for FY 2015/16, and authorize the County Administrator to execute the agreement.

5. Approval of an Off System Project Maintenance Agreement with the Florida Department of Transportation

The Board approved Option 1: Approve an Off System Project Maintenance Agreement with the Florida Department of Transportation, and authorize the County Administrator to execute.

6. Acceptance of the Market District Action Plan Update

The Board approved Option 1: Acceptance of the Market District Action Plan update.

7. Approval of the Let's Get There Together Public Safety Campaign

The Board approved Option 1: Approve the Let's Get There Together public safety campaign and associated budget amendment to educate pedestrians, bicyclists and motorists on the safe use of sidewalks, bike lanes, mid-block crossings, and other areas where traffic intersects.

Citizens to Be Heard on Non-Agendaed Items

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

General Business

8. Consideration of Revised Board Appointments to the Capital Region Transportation Planning Agency (CRTPA) Board

County Administrator Long introduced the item. He recalled that the Board had at its February 9 meeting directed staff to prepare an agenda item examining the County's membership on the CRTPA, potentially reducing the number of County representatives from seven to four. He added that the CRTPA By-Laws allows the Board discretion to appoint between one and seven members.

Chairman Proctor suggested that the Board consider appointing those Commissioners that do not currently serve on the Community Redevelopment Agency (CRA).

Commissioner Lindley stated that she was not sure that she could support the suggestion, as it would preclude Commissioner Dozier from appointment. She brought up that Commissioner Dozier had recently served as acting chairman and has been engaged in the search for a new executive director. She stated that she would definitely want Commissioner Dozier as a Board representative on the CRTPA.

There was continued discussion amongst the Commissioners regarding the appointments and further decreasing the number of appointees to three.

Commissioner Dozier moved, duly seconded by Commissioner Maddox, approval of Option 1: Appoint Commissioners Dozier, Maddox and Dailey to the CRTPA Board and reduce the number of appointees from seven to ~~four~~ three members and authorize the County Administrator to send a letter notifying the CRTPA Executive Director of the change. The motion carried 7-0.

9. Approval to Support Student Summer Internships Awarded Through the FY 2016 CHSP and Economically Disadvantaged Youth Grant Processes

County Administrator Long introduced the item.

Commissioner Dailey moved, duly seconded by Commissioner Maddox, approval of Option 1, as amended: Approve the one-time support of student summer internships awarded through the FY 2016 CHSP and Economically Disadvantaged Youth Grant processes in the amount of \$54,324 and authorize the County Administrator to hire Dr. Bryant as an OPS program manager in the amount of \$15,500 paid for by the CHSP allocation. The motion carried 7-0.

Citizens to Be Heard on Non-Agendaed Items

- Ed Holifield, Longleaf Court, expressed concerns about the County's decline in the Robert Wood Johnson health rankings in areas such as overall health and quality of

life. He also spoke on the lack of funding for prenatal care for pregnant black women and urged the Board to allocate more funding for health care in the community.

Comments/Discussion Items

County Attorney Thiele

- No issues.

County Administrator Long

- Spoke on the success of recent community events, i.e., Trailhacks Hackathon, Spring Concert Series, and EMS Safety Fair.
- Asked Shington Lamy, Assistant to the County Administrator, to provide an update on the upcoming Great Leon County Scavenger Hunt.
 - Mr. Lamy announced that the family friendly event would take place on Saturday, May 14. Citizens can begin their hunt anytime between 10 a.m. and 12 p.m. at any of the County branch libraries. He noted that venues chosen for the hunt include places that make Leon County unique, such as area parks, local cultural institutions, and restaurants. He also mentioned that participants would have an opportunity to meet their district commissioner upon their arrival at the park.

Discussion Items by Commissioners

Commissioner Sauls

- No items.

Commissioner Lindley

- Remarked on the success of the Operation Stand Down; which was held at the fairgrounds and hundreds of veterans were served.
- Brought up the issue of fracking and commented on efforts statewide to ban this practice. She asked if a County initiated ordinance banning fracking would apply to the jurisdiction within the City.
 - Patrick Kinni, Deputy County Attorney, stated that the Board's amendments to the Rural Zoning District Ordinance bans fracking and Charter amendments provide the County authority to establish minimum environmental standards countywide.
 - *Commissioner Lindley moved, duly seconded by Commissioner Dozier, to direct staff to bring back an informational agenda item reviewing the legal authority of the County to regulate fracking. The motion carried 7-0.*

Commissioner Dailey

- Noted the recent opening of the Orchard Pond Parkway and recognized Jeff Phipps for his efforts to make the thoroughfare a reality. He encouraged all to travel the Parkway and enjoy the beautiful drive.

Commissioner Desloge

- No Items.

Commissioner Maddox

- No items.

Commissioner Dozier

- Noted that Legal Services of North Florida Executive Director Kris Knab was honored at the recent Jazz for Justice Event; and while a Proclamation from the Board was presented to her at that event, it was not read. It was suggested that the Proclamation be read to Ms. Knab at a future Board meeting, dependent upon her availability.

- Complimented the County's Office of Sustainability on their efforts in hosting the Health Communities Festival.
- Thanked Shington Lamy and staff for their efforts in coordinating the Scavenger Hunt.
- Voiced appreciation for staff's work in preparation for the Board's Budget Workshop.

Chairman Proctor

- Echoed Commissioner Dailey's comments regarding Orchard Pond Parkway and submitted that it would complement the Northeast park.
- Congratulated the recent graduates of FAMU, FSU and TCC and wished for their future success.
- The following motion were offered on behalf of Chairman Proctor:
 - *Commissioner Dozier moved, duly seconded by Commissioner Maddox, a Proclamation recognizing local artists and recent Grammy Award winners Kendra Foster and George Clinton. The motion carried 7-0.*
 - *Commissioner Maddox moved, duly seconded by Commissioner Lindley, a Proclamation recognizing "National Public Works Week". To be presented at the May 10 Board meeting. The motion carried 7-0.*
- Complimented staff on a great and productive Budget Workshop.
- Thanked the community for its support of the recently held community discussion on mental health and substance abuse.
- Shared his intent to attend the National Association of Counties (NACo) Conference on July 22-26, 2016 in Long Beach California in support of Commissioner Desloge and urged other Commissioners to make plans to attend also.

There being no further business to come before the Board, Chairman Proctor adjourned the meeting at 4:05 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

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

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
May 10, 2016**

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

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

Invocation and Pledge of Allegiance

The Invocation was provided by Commissioner John Dailey; who then led the Pledge of Allegiance.

Awards and Presentations

- Chairman Bill Proctor presented a Proclamation recognizing the efforts of Robyn Seniors, Anthony Reaves and Jmani Florence, of Bethel Baptist Church, for their collection of over 40,000 bottles of water for the citizens of Flint, Michigan. Ms. Seniors, on behalf of the “Clean Water for Flint Committee” thanked the Board for the recognition.
- Chairman Bill Proctor presented a Proclamation declaring May 15-21, 2016 as “National Public Works Week”. County Administrator Long, Public Works Director, Tony Park and Public Works staff were on hand to accept the Proclamation.
- Courtney Atkins, Whole Child Leon provided an update on the South City Community Health Assessment. She elaborated on the relationship between Whole Child Leon (WCL) and the South City Revitalization Council (SCRC). She spoke on the collaboration between SCRC, FAMU, FSU and the Department of Health, which included the development of a survey to ascertain the health status, factors that influence their health, and views and concerns regarding the overall health and well-being of the neighborhood. The results of this survey were shared with the Board along with other initiatives brought about from the survey. A packet of information was provided to the Board detailing more information on the endeavor.
 - Chairman Proctor thanked Ms. Atkins for the thorough presentation and complimented the effort by everyone involved in this initiative.
 - Commissioner Lindley also conveyed her appreciation to Whole Child for coordinating this effort. She mentioned how the detailed information provided through the survey could be used to guide staff and the Board on a number of issues that would come before the Board in the future.
 - Commissioner Dozier relayed the importance of data when attempting to address difficult issues within the community. She also noted that the assessment process (survey) is being used as a pilot for the countywide community health assessment spearheaded by the County Health Department and United Way.

Consent:

Commissioner Sauls moved, duly seconded by Commissioner Desloge, to approve the Consent Agenda. The motion carried 7-0.

1. Approval of Minutes: March 8, 2016 Regular Meeting

The Board approved Option 1: Approve the minutes of the March 8, 2016 Regular Meeting.

2. Approval of Payment of Bills and Voucher Submitted for May 10, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of May 11 through May 23, 2016

The Board approved Option 1: Approve the payment of bills and vouchers submitted for May 10, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of May 11 through May 23, 2016.

3. Consideration of Full Board Appointment to the Affordable Housing Advisory Committee and to the CareerSource Capital Region Board

The Board approved Options 1 & 2: 1) The full Board appoints Dianne Williams-Cox to the Affordable Housing Advisory Committee (AHAC) for the remainder of the unexpired term, ending September 30, 2016, and 2) The Full Board appoints Dave Hager to the CareerSource Capital Region Board for the remainder of the unexpired term, ending June 30, 2017.

4. Ratification of the April 26, 2016 Fiscal Year 2017 Budget Workshop

The Board approved Option 1: Ratify the actions taken during the April 26, 2016 FY 2017 Budget Workshop, including the budget resolutions and associated amendments and modification to the Fiscal Planning Policy 93-44.

5. Request to Schedule a Workshop on the Adult Civil Citation Program for July 12, 2016 from 1:00 – 3:00 p.m.

The Board approved Option 1: Schedule a Workshop on the Adult Civil Citation Program for July 12, 2016 from 1:00 – 3:00 p.m. to include the proposed participants.

6. Approval of the Plat of Rhoden Hill Subdivision for Recording in the Public Records

The Board approved Option 1: Approve the plan of Rhoden Hill Subdivision for recording in the Public Records.

7. Approval of City of Tallahassee 2035 Master Sewer Plan Update

The Board approved Option 1: Approve the City of Tallahassee 2035 Master Sewer Plan Update

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

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

General Business

8. Approval of a Memorandum of Understanding to Expand CareerSource Capital Region Services through the LeRoy Collins Leon County Public Library System

County Administrator Long introduced the item. He stated that the Memorandum of Understanding would allow CareerSource Capital Region to provide their on-line services to job seekers at the County's main and branch libraries

Commissioner Lindley moved, duly seconded by Commissioner Dozier, approval of Option 1: Approve the Memorandum of Understanding for Affiliate Status Partnership with CareerSource Capital Region.

Commissioner Dozier expressed her support for expansion of CareerSource services to new locations and commented on the recent coverage of LeonWorks by WFSU's Local Routes television program. She added that she was excited about the County's partnerships to promote job readiness.

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

9. Acceptance of the Status Report on the County's Enforcement of Animal Cruelty and Inhumane Animal Care Violations

County Administrator Long introduced the item. He recalled that the Board had at its March 8, 2016 meeting, requested a status report on the County's efforts related to the enforcement of animal cruelty regulations. He invited EMS Chief Chad Abrams and Cara Aldridge, Animal Control Director, to provide an overview of the status report and staff's recommendations.

Chief Abrams and Ms. Aldridge discussed actions taken by the Board to protect the health and safety of citizens and domestic animals; explained animal cruelty versus inhumane care, and provided a comprehensive review of the civil penalties process.

Commissioner Lindley expressed her appreciation for the detailed information and efforts to improve the program. She noted that 75% of fines are not collected and recommended that an alternative of performing community service hours at the animal shelter or in some related area be offered as an alternative to monetary civil penalties.

Commissioner Lindley moved, duly seconded by Commissioner Desloge, approval of Options 1 & 2, as amended: 1) Accept the status report on the County's enforcement of animal cruelty and inhumane animal care violations; 2) Direct staff to bring back the necessary ordinance and policy modifications to strengthen the enforcement and collection of civil penalties by: A) Formalizing the parameters in which the County seeks an order to show cause through the County Court for all violators with unpaid civil fines of more than \$250, and B. Authorizing the use of a collections agency for all unpaid civil citation violations of the Animal Control Ordinance., and 3) offer the performance of community service as an additional option to monetary civil penalties.

Commissioner Dozier clarified with Commissioner Lindley that her amendment was not an "in lieu of" but as an added option to monetary fines. She also expressed some concern about individuals who have been cited to perform community service hours at the shelter; and suggested that this option be at the discretion of animal control staff.

Commissioner Desloge requested a future agenda item addressing the potential for consolidation of animal services between the City and County.

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

10. Approval of Agreement Awarding Bid to CSI Contracting in the Amount of \$445,824 for Phase I Window Replacements at the Leon County Jail

County Administrator Long introduced the item. He conveyed that CSI Contracting was the lowest responsive bidder for this project.

Commissioner Lindley moved, duly seconded by Commissioner Desloge, approval of Option 1: Approve the Agreement Awarding Bid to CSI Contracting in the amount of \$445,824 for Phase I Window Replacement at the Leon County Jail, and authorize the County Administrator to execute. The motion carried 5-0 (Commissioner Dozier out of Chambers and Commissioner Maddox absent).

11. Approval of Agreement Awarding Bid to M of Tallahassee, Inc. in the Amount of \$568,470 for the Construction of the Old Bainbridge Road at Pullen Road Intersection Improvement Project

County Administrator Long introduced the item. He mentioned that M of Tallahassee was the lowest responsive bidder for this project.

Chairman Proctor voiced support for the intersection improvements; however, asked that efforts be made to expedite the completion of the project before the start of the school year. County Administrator Long stated that completion of the project is planned for the summer.

Commissioner Dozier moved, duly seconded by Commissioner Lindley, approval of Options 1 & 2: 1) Approve the Agreement awarding bid to M of Tallahassee, Inc. in the amount of \$568,470 for the Construction of the Old Bainbridge Road at Pullen Road Intersection Improvement Project, and authorize the County Administrator to execute, and 2) Approve the Resolution and associated Budget Amendment Request realizing the \$103,533 from the City of Tallahassee into the County budget. The motion carried 6-0 (Commissioner Maddox absent).

12. Consideration of Full Board Appointment to the Tourism Development Council

County Administrator Long introduced the item.

Commissioner Dailey offered the nomination of Michelle Personette to the Tourist Development Council; but also noted the quality of all candidates.

Commissioner Dailey moved, duly seconded by Commissioner Dozier, the appointment of Michelle Personette to the Tourist Development Council (TDC) to complete the remainder of the resigning member's term, through October 31, 2016. The motion carried 6-0 (Commissioner Maddox absent).

Chairman Proctor stated that the Board had completed its General Business agenda and would now enter into Commissioner Discussion items.

SCHEDULED PUBLIC HEARINGS

Chairman Proctor reconvened the Board at 6:00 p.m. and the following public hearings were conducted.

Commissioner Maddox joined the meeting.

13. First and Only Public Hearing to Consider a Proposed Ordinance Amending Chapter 9 of the Leon County Code of Laws by Enacting a New Article VI, Entitled "Human Trafficking"

County Attorney Thiele announced the public hearing and confirmed there were no speakers on the item.

Commissioner Maddox moved, duly seconded by Commissioner Desloge, approval of Option 1: Conduct the first and only Public Hearing and adopt the proposed ordinance amending Chapter 9 of the Leon County Code of Laws by enacting a new Article VI, entitled "Human Trafficking". The motion carried 7-0.

~~**14. First and Only Public Hearing to Adopt an Ordinance Amending the Review Process for Accessory Dwelling Units**~~

County Administrator Long announced that the item had been removed from the agenda and would be rescheduled.

15. Second and Final Public Hearing to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards

County Administrator Long announced the Public Hearing and confirmed there were no speakers on the item. He asked that the Board's motion include an amendment to address various scrivener's errors identified by staff in Attachment 1.

Commissioner Maddox moved, duly seconded by Commissioner Lindley, approval of Option 1, as amended: Conduct the first and final Public Hearing and adopt the proposed revisions to the Leon County Land Development code to provide private and charter school siting standards and authorize staff to address the various scrivener's errors identified by staff in the proposed ordinance (Attachment 1). The motion carried 7-0.

16. First and Only Public Hearing to Consider a Proposed Ordinance Amending Section 13-58 of the Leon County Code of Laws

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

Commissioner Dozier moved, duly seconded by Commissioner Maddox, approval of Option 1: Conduct the first and only Public Hearing and adopt the proposed Ordinance amending Section 13-58 of the Leon County Code of Laws. The motion carried 7-0.

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

- Priscilla Stephens-Kruize, asked that the placard located in Smokey Hollow be modified to include her name along, as it currently only contains the name of her sister Patricia Stephens.

Comments/Discussion Items

County Attorney Thiele:

- No items.

County Administrator Long:

- No item.

Commissioner Discussion Items

Commissioner Sauls:

- No items.

Commissioner Desloge:

- *Commissioner Desloge moved, duly seconded by Commissioner Lindley, approval for a Proclamation recognizing May 21-27, 2016 as “National Safe Boating Week”. Approved without Objection.*
- Commented on the success of Village Square’s “Fast Forward” event and thanked Maggie Theriot and Tony Park for their representation of the County at the event.
- Reflected on his participation in this year’s Honor Flight and thanked both the coordinators and staff for their contributions.

Commissioner Lindley:

- Commented on the success of the recently held “Women Can Build” event and recognized Commissioner Dozier for her construction skills.
- Mentioned the number of events held in the community recently, including, but not limited to the Chamber of Commerce “Coffee with your Chairman” and Village Square’s “Fast Forward” event.

Commissioner Dozier:

- *Commissioner Dozier moved, duly seconded by Commissioner Lindley, to direct staff to examine the possibility of County participation in Second Harvest’s “Fill the Truck” competition. The motion carried 6-0 (Commissioner Maddox absent)*

Commissioner Dailey:

- *Commissioner Dailey moved, duly seconded by Commissioner Dozier, approval for a Proclamation honoring the 17th Anniversary Celebration of Mt. Zion Primitive Baptist Church’s Scholarship Program. To be presented at the event. The motion carried 6-0 (Commissioner Maddox absent).*

Chairman Proctor:

- Noted the success of the lecture by Dr. Katherine Mooney at the Dr. B.L. Perry Branch Library, an event held as part of the 2016 Festival of Freedom. He asked that the Festival schedule be advertised on the Leon County Government Access Channel.
- The following motions were offered on behalf of Chairman Proctor:
 - *Commissioner Dozier moved, duly seconded by Commissioner Desloge, to direct staff to bring back an agenda item on a possible Leon County lecture series. The motion carried 6-0 (Commissioner Maddox absent).*

- *Commissioner Dozier moved, duly seconded by Commissioner Desloge, approval for a Proclamation recognizing June 2016 as "Great Outdoors Month". The motion carried 6-0 (Commissioner Maddox absent).*

Chairman Proctor recessed the Board at 4:18 p.m. for its dinner break and announced it would reconvene at 6:00 p.m. to conduct the scheduled public hearings.

Receipt and File:

- None.

Adjourn:

There being no further business to come before the Board, the meeting was adjourned at 6:05 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____

Bill Proctor, Chairman
Board of County Commissioners

BY: _____

Bob Inzer, Clerk of the Court
And Comptroller
Leon County, Florida

**Leon County
Board of County Commissioners**

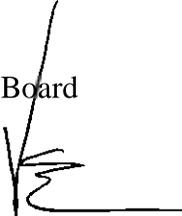
Notes for Agenda Item #3

**Leon County
Board of County Commissioners**

Cover Sheet for Agenda #3

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Ratification of Commissioner Appointment to the Contractors Licensing and Examination Board

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/Project Team:	Mary Smach, Agenda Coordinator

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Ratify Commissioner Lindley's appointment of Scott Flowers to the Contractors Licensing and Examination Board for the remainder of the unexpired term, ending March 31, 2018.

Report and Discussion

Background:

At its August 23, 2011 meeting, the Board approved the revised process for Advisory Committee appointments by having a consent item prepared for individual Commissioner appointments.

Analysis:

Contractors Licensing and Examination Board (CLEB)

Purpose: The responsibilities of CLEB are to; accept and approve or disapprove applications, administer examinations for contractor licenses, issue contractor certificates, conduct hearings and discipline contractors for violations of building codes or State Statutes.

Composition: Members serve three year terms, expiring March 31. Each Commissioner appoints one member. The CLEB should include, whenever possible; one architect or engineer, one business person, one general contractor or other contractor (building or residential) who is registered or certified, one pool/spa contractor or other contractor (sheet metal, roofing, air-conditioning, mechanical, pool/spa servicing, or plumbing) who is registered or certified, and three consumer representatives who may be any resident of Leon County that is not, and has never been, a member or practitioner of a profession regulated by the contractors licensing and examination board or a member of any closely related profession.

Vacancy: CLEB Member Jack Utermohle, a pool contractor, who was reappointed on March 10, 2015, has resigned (Attachment #1). Therefore, Commissioner Lindley appoints Scott Flowers, a business person, to the Contractors Licensing and Examination Board for the remainder of the unexpired term, ending March 31, 2018. Mr. Flowers' application is Attachment #2.

Options:

1. Ratify Commissioner Lindley's appointment of Scott Flowers to the Contractors Licensing and Examination Board for the remainder of the unexpired term, ending March 31, 2018.
2. Do not ratify Commissioner Lindley's appointment of Scott Flowers to the Contractors Licensing and Examination Board.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Jack Utermohle's Resignation
2. Scott Flowers' Application

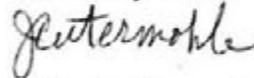
12/22/2015

TO: Jessica M. Icerman, Esq.
Assistant County Attorney

In response to your letter (12/21/2015) I will immediately resign from the Contractor's Licensing & Examination Board. I have served on the board since September 2009. I am happy to have been of service for the City and County.

My resignation will free me to give a fair and experienced call concerning this dispute between the Ponte's and Terry's Pool Service. Thank you for the opportunity to have served these 6 years. I wish you success in the New Year.

Sincerely Yours



John C. Utermohle

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

CONTRACTORS LICENSING AND EXAMINATION BOARD

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>	
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Name: Scott Flowers	Date: 5/12/2016 2:29:12PM
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Home Phone: (850) 567-2106	Work Phone: (850)245-4458X	Email: mavvyflyer@gmail.com
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Occupation: GOVERNMENT REGULATOR	Employer: FLORIDA DEPARTMENT OF HEALTH
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Preferred mailing location: Home Address
Work Address:

City/State/Zip: TALLAHASSEE, FL

Home Address 6650 APALACHEE PKWY

City/State/Zip: TALLAHASSEE, FL 32311

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

Do you own property in Leon County? Yes If yes, is it located within the City limits? No

For how many years have you lived in and/or owned property in Leon County? 15 years

Are you currently serving on a County Advisory Committee? No

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

Have you served on any previous Leon County committees? No

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

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

<input type="checkbox"/> General/Residential/Pool Contractor	<input checked="" type="checkbox"/> Business	<input type="checkbox"/> Architect	<input type="checkbox"/> Engineer
<input checked="" type="checkbox"/> Consumer Representative	<input type="checkbox"/> Other		

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

How many days permonth would you be willing to commit for Committee work? 4 or more

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

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

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

Race: Other Sex: Male Age: 42.00
Disabled? No District: District 5

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

I AM AN ADMINISTRATOR FOR THE FLORIDA DEPARTMENT OF HEALTH MEDICAL QUALITY ASSURANCE'S BUREAU OF ENFORCEMENT, OVERSEEING STATEWIDE PROGRAMS SUCH AS PHARMACY INSPECTIONS, AND INVESTIGATIONS INVOLVING UNLICENSED HEALTH CARE PROVIDERS. I ROUTINELY SPEAK ON BEHALF OF THE DEPARTMENT TO PROFESSIONAL ORGANIZATIONS, LAW ENFORCEMENT ORGANIZATIONS, AND COMMUNITY MEMBERS REGARDING THE DANGERS OF UNLICENSED HEALTH CARE PROVIDERS. I SERVE AS VICE PRESIDENT FOR THE NON-PROFIT ORGANIZATION ONE BILLION DROPS SEEKING TO UNITE AND FOSTER PARTNERSHIPS AMONG OTHER NON-PROFIT AND NGO'S OPERATING AROUND THE WORLD TO COMBAT ABJECT POVERTY. I ALSO HOLD A POSITION WITH LIFEBOUY CONSULTING SERVICES, LLC WHERE MY EXPERTISE HAS HELPED SMALL BUSINESS OWNERS AND NON-PROFIT ORGANIZATIONS STREAMLINE OPERATIONS AND RUN EFFICIENTLY. I SPEAK, CONSULT, AND COACH IN THE AREAS OF LEADERSHIP, TEAM-BUILDING, COMMUNICATION, AND LEAN OPERATIONS FOR BUSINESS. PRIOR TO TAKING ON THESE ROLES, I SERVED AS AN INVESTIGATION MANAGER FOR THE FLORIDA DEPARTMENT OF HEALTH, AND A REVENUE MANAGER FOR THE FLORIDA DEPARTMENT OF REVENUE, AND I HAD OVER 15 YEARS OF PROFESSIONAL AND MANAGEMENT EXPERIENCE IN THE PRIVATE INDUSTRY AS A DISTRICT MANAGER FOR TIRE KINGDOM AND TBA SHARED SERVICES, A STORE MANAGER FOR WALMART. I HAVE BEEN A SMALL BUSINESS OWNER WHO SUCCESSFULLY RAN AND SOLD STARTUP BUSINESSES. I HAVE A BACHELOR'S DEGREE IN PHYSICAL SCIENCE-CHEMISTRY FROM FLORIDA STATE UNIVERSITY. AS A FATHER OF TWO BOYS, AND AN OUTDOORSMAN, I HAVE A PASSION AND VESTED INTEREST IN IMPROVING OUR PUBLIC HEALTH, THE ENVIRONMENT, AND EDUCATION. I STRIVE TO BE A GOOD ROLE MODEL AND MENTOR FOR CURRENT AND FUTURE GENERATIONAL STEWARDS OF OUR SHARED WORLD, AND I OFFER MY SERVICES AS A CONSULTANT, MENTOR, SPEAKER, FRIEND, AND COMMUNITY MEMBER.

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

Name: ANTHONY JUSEVITCH Telephone: 850-322-7488
Address: 4052 BALD CYPRESS WAY, BIN C75, TALLAHASSEE, FL 32399

Name: DONNA HOWELL Telephone: 850-933-9125
Address: 4052 BALD CYPRESS WAY, BIN C75, TALLAHASSEE, FL 32399

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

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

Have you completed the Orientation? Yes

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

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

If yes, from whom?

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

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

If yes, please explain.

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

If yes, please explain.

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

If yes, please explain.

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

Signature: Scott Flowers

This application was electronically sent: 5/12/2016 2:29:12PM
Page 56 of 840

Posted at 1:30 p.m. June, 6, 2016

**Leon County
Board of County Commissioners**

Notes for Agenda Item #4

Leon County Board of County Commissioners

Cover Sheet for Agenda #4

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of Update on Canopy Roads Citizen Committee Composition

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Benjamin H. Pingree, Director, Planning, Land Management & Community Enhancement
Lead Staff/ Project Team:	Heather Peeples, Special Projects Coordinator

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option # 1: Accept staff's update on the Canopy Roads Citizen Committee composition and maintain the current composition.

Report and Discussion

Background:

During the March 8, 2016 meeting, staff presented a review of the Canopy Roads Citizen Committee and recommendations to improve development review efficiency and increase proactive canopy road management, education, and outreach. The Board voted to accept staff's report and directed staff to amend all necessary documents for purposes of modifying the composition of the Canopy Road Citizen Committee (CRCC) membership to the following: Twelve total members; five appointed by the County Commission and five appointed by the City Commission, of which one County and one City appointee shall live on a canopy road; the remaining two members shall be approved by the County and City appointees: a business leader nominated by the Greater Tallahassee Chamber of Commerce and a certified arborist (Attachment #1).

The proposed change to the composition of the CRCC, a joint Citizens Advisory Committee, required approval from the City of Tallahassee; however, the City has decided not to move forward with the proposed changes at this time (Attachment #2).

Analysis:

On May 14, 2016, Assistant City Manager, Wayne Tedder, notified the Deputy County Administrator of the City's decision to not move forward with the Board's proposed changes to the composition of the CRCC at this time (Attachment #2). The City plans to revisit the Board's recommendation once the impact of reassigning the County Urban Forester position as dedicated support staff to the expanded protection of the Canopy Road System can be assessed.

Staff recommends that the Board maintain the current CRCC composition of eight members, four members appointed by the City Commission and four members appointed by the County Commission, with a balance of persons who have expertise in the fields of forestry, local history, live along a canopy road, or have demonstrated a willingness to serve for enhancement of the community. Maintaining the current composition of the CRCC allows the Board to move forward with filling the three currently vacant seats on the CRCC that are appointed by the County Commission.

Options:

1. Accept staff's update on the Canopy Roads Citizen Committee composition and maintain the current composition.
2. Do not accept staff's update on the Canopy Roads Citizen Committee composition.
3. Board direction.

Recommendation:

Option # 1.

Attachments:

1. Follow-up to County Commission Meeting of March 8, 2016
2. May 14, 2016 Email from Assistant City Manager, Wayne Tedder

33. Approval of the Council on Culture & Arts Capital Improvement Grant Program and Guidelines and Acceptance of a Status Report on Efforts to Streamline Operational Efficiencies

(County Administrator/Office of Economic Vitality)

- In light of the Cultural Plan Committee sun setting in August 2016, **Commissioner Dozier requested an amendment directing staff to create an agenda examining the creation of an Arts and Culture committee.**

Commissioner Maddox moved, seconded by Commissioner Desloge to Approve Options #1 & 2 as amended:

1. **Approve the Council on Culture & Arts Capital Improvement Grant Program and Guidelines.**
2. **Accept status report on efforts to streamline operational efficiencies with the Council on Culture & Arts and direct staff to create an agenda examining the creation of an Arts and Culture committee to be housed within the Division of Tourism.**

The motion passed 7-0.

- Staff: Economic Vitality: Cristina Paredes

34. Acceptance of Staff Review of the Canopy Roads Citizen Committee and Recommendations to Improve Development Review Efficiency and Increase Proactive Canopy Road Management, Education, and Outreach

(County Administrator/PLACE/Planning)

- Cherie Bryant provided an overview presentation of the agenda.
- **Commissioner Lindley moved, seconded by Commissioner Dailey to approve Options #1, 2, 3, & 4 with an amendment of Option #2a that would retain all current regulatory review and provide orientation to new committee members.**
- **Commissioner Dailey provided suggested language to modify the proposed amendment of option #4b. The amendment was accepted by the maker of the motion.**
- Twenty-seven speakers addressed the topic.
- **Commissioner Dozier requested an additional amendment to add language providing for bi-monthly meetings of the CRCC and the ability for the CRCC to call additional meetings as needed. The amendment was accepted by the maker of the motion.**

Commissioner Lindley moved, seconded by Commissioner Dailey to Approve Options #1, 2, 3, & 4 as amended:

1. **Accept staff's report and direct staff to continue to support the Canopy Road Citizen Committee (CRCC) in updating and implementing the Canopy Roads Management Plan and public outreach and education efforts.**
2. **Direct staff to prepare ordinance amendments to further improve development review efficiency that:**
 - a. **Clarifies the CRCC will retain all current regulatory review and provide orientation to new committee members.**
 - b. **Adds a requirement for review of all proposed infrastructure projects, including utilities installation and sidewalks in the CRPZ, by formalizing a technical staff committee with membership from Public Works, Planning, and Development Support and Environmental Management (DSEM) to be called the Canopy Road Protection Interdepartmental Committee.**
 - c. **Includes the establishment of more objective criteria for the evaluation of projects impacting the CRPZ.**

3. **Direct staff to reassign the County Urban Forester position as dedicated support staff to the expanded protection of the Canopy Road System.**
4. **Direct staff to amend all necessary documents for purposes of:**
 - a. **Modifying the Composition of the Canopy Roads Committee membership to the following: Twelve total members; five appointed by the County and five appointed by the City of which one County and one City appointee shall live on a canopy road; the remaining two members shall be approved by the County and City appointees: a business leader nominated by the Greater Tallahassee Chamber of Commerce and a certified arborist.**
 - b. **Requiring the CRCC to meet at least once annually for the purpose of formalizing an annual report. Furthermore, the CRCC will schedule to meet bi-monthly and have the authority to meet on an as needed basis as determined by the Committee, for the purposes of updating and implementing the Canopy Roads Management Plan and for specific project review.**

The motion passed 7-0.

SCHEDULED PUBLIC HEARINGS, 6:00 P.M.

35. First and Only Public Hearing to Consider the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc.
(County Administrator/Public Works/Engineering)
 - Speaker: John White, president of Meadow Hills homeowner association, expressed concerns of the transfer regarding the internal working operations of both companies.
 - Commissioner Proctor requested clarification of the role of the Board in regards to the Franchise. The County Attorney stated the BCC does not have regulatory authority regarding the concerns raised by Mr. White.
 - **Commissioner Desloge offered an amendment requesting staff send a letter to Seminole Waterworks, Inc. encouraging the company to consider the questions raised by Mr. White.**

Commissioner Lindley moved, seconded by Commissioner Desloge to Approve Option #1 as amended:

1. **Conduct the first and only Public Hearing and approve the transfer of six small franchise areas from Rowe Utilities to Seminole Waterworks, Inc. and direct staff to send a letter to Seminole Water Works.**

The motion passed 7-0.

Staff: Public Works: Tony Parks

36. First and Only Public Hearing to Consider Amendments to the On-Site Sewage Disposal Systems Ordinance
(County Administrator/Development Support & Environmental Management/Environmental Health)
 - At the request of Commissioner Proctor, Alex Mahon provided clarification on the 24-inch separation requirement. He expressed the standard is consistent with current Wakulla County requirements and State requirements for all newly installed systems.
 - Speaker: Mike Sundin, a septic vendor, suggested the environmental benefits of the 24-inch requirement for replacement systems do not justify the cost to property owners.

>>> "Tedder, Wayne" <Wayne.Tedder@talgov.com> 5/14/2016 12:40 AM >>>

The city will be taking the below approach. I asked Cherie to write the fob description for the urban forester position and tailor it towards these responsibilities among other tasks. She can share when completed. Before we move forward on the hiring process. Let me know if you have any questions or concerns.

Thanks,

Wayne Tedder
City of Tallahassee
Assistant City Manager
Development Services and Economic Vitality
(850)891-8328

Begin forwarded message:

From: <Wayne.Tedder@talgov.com>
Date: May 11, 2016 at 10:42:30 AM EDT
To: <Rick.Fernandez@talgov.com>
Cc: <Reese.Goad@talgov.com>, <Raoul.Lavin@talgov.com>, "Cherie Bryant (Planning)" <Cherie.Bryant@talgov.com>, Ben Pingree <Ben.Pingree@blueprint2000.org>
Subject: CAC direction

Rick,

Based on meetings with the majority of commissioners and the facts presented by staff, I have formulated the following recommendations as a result of actions taken by the Leon County Commission regarding the Canopy Roads Citizens Advisory Committee. The County has recommended, among other things, shifting the County Urban Forester position to the Planning Department. Including the Urban Forester position within the Planning Department would be a good first approach for updating the required canopy roads management plan and providing technical expertise to ensure proper staffing of the Canopy Roads Committee. This approach alone may change the dynamics of the review process moving forward. The update to the Canopy Roads Management Plan may take up to two years to complete. This position description will be written to specifically state that the primary responsibilities will be to staff the CAC committee and assist all proposed private developments and public infrastructure projects proposing impacts within the canopy road protection zone. Hopefully, this position will complete the responsibilities in a manner that illustrates that staff is proactive in protecting and enhancing the canopy roads. Under this approach, the County can move forward with filling their vacant CAC member positions and a revisit of the County's recommendations can occur once we feel the impact of the new position within the Planning Department. Let me know if you have any questions or concerns.

Wayne Tedder
City of Tallahassee
Assistant City Manager
Development Services and Economic Vitality
(850)891-8328

**Leon County
Board of County Commissioners**

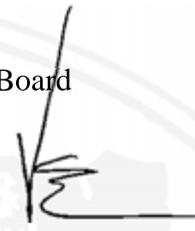
Notes for Agenda Item #5

Leon County Board of County Commissioners

Cover Sheet for Agenda #5

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of Payment of Bills and Vouchers Submitted for June 14, 2016 and Pre-Approval of Payment of Bills and Vouchers for the Period of June 15 through July 11, 2016

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

Fiscal Impact:

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

Staff Recommendation:

Option #1: Approve the payment of bills and vouchers submitted for June 14, 2016, and pre-approve the payment of bills and vouchers for the period of June 15 through July 11, 2016.

Report and Discussion

This agenda item requests Board approval of the payment of bills and vouchers submitted for approval June 14, 2016 and pre-approval of payment of bills and vouchers for the period of June 15 through July 11, 2016. The Office of Financial Stewardship/Management and Budget (OMB) reviews the bills and vouchers printout, submitted for approval during the June 14, 2016 meeting, the morning of Monday, June 13, 2016. If for any reason, any of these bills are not recommended for approval, OMB will notify the Board.

Due to the Board not holding a regular meeting until July 12, 2016, it is advisable for the Board to pre-approve payment of the County's bills for June 15 through July 11, 2016, so that vendors and service providers will not experience hardship because of delays in payment. The OMB office will continue to review the printouts prior to payment and if for any reason questions payment, then payment will be withheld until an inquiry is made and satisfied, or until the next scheduled Board meeting. Copies of the bills/vouchers printout will be available in OMB for review.

Options:

1. Approve the payment of bills and vouchers submitted for June 14, 2016, and pre-approve the payment of bills and vouchers for the period of June 15 through July 11, 2016.
2. Do not approve the payment of bills and vouchers submitted for June 14, 2016, and pre-approve the payment of bills and vouchers for the period of June 15 through July 11, 2016.
3. Board direction.

Recommendation:

Option #1.

**Leon County
Board of County Commissioners**

Notes for Agenda Item #6

Leon County Board of County Commissioners

Cover Sheet for Agenda #6

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Herbert W.A. Thiele, County Attorney



Title: Approval of a Proposed Lease Agreement and Associated Resolution with the Tallahassee Downtown Improvement Authority for Office Space in the Leon County Welcome Center in the Amount of \$10,200 Annually

County Administrator Review and Approval:	Vincent S. Long, County Administrator
County Attorney Review and Approval:	Herbert W.A. Thiele, County Attorney
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Scott Ross, Office of Financial Stewardship
Lead Staff/ Project Team:	Daniel Rigo, Assistant County Attorney Michael Battle, Real Estate Specialist

Fiscal Impact:

This item has a fiscal impact. Revenues from the proposed Lease Agreement will generate \$10,200 annually. Revenues are contemplated in the current Tourist Development FY 2016 adopted budget, and have been budgeted in the proposed FY2017 budget.

Staff Recommendation:

Option #1: Approve the proposed Lease Agreement with Tallahassee Downtown Improvement Authority for \$10,200 annually (Attachment #1), and authorize the County Administrator to execute.

Option #2: Adopt the associated Resolution (Attachment #2), and authorize the Chairman to execute.

Report and Discussion

Background:

Since July 1, 2010, the Tallahassee Downtown Improvement Authority (DIA) has been a tenant in the Leon County Welcome Center, located at 106 East Jefferson Street. The current lease expires on June 30, 2016. The DIA wishes to remain in the space and has proposed executing a new lease for the space it currently occupies (Attachment #1). Pursuant to Section 125.38, Florida Statutes:

- The County is not required to advertise space for lease to the United States government, any department or agency thereof, the state of Florida or any political subdivision or agency thereof, any municipality of the State of Florida, or corporation or other organization not for profit which may be organized for the purpose of “promoting community interest and welfare.”
- If the Board of County Commissioners is satisfied that the County-owned property that the entity seeks to lease is not needed for County purposes, the County may lease the property to the entity at such price the Board may fix.
- A resolution, duly adopted by the Board of County Commissioners, is required to identify the application being made, the purpose for which the property is to be used, the price or rent to be paid, and the term of such lease.

The Tallahassee DIA is a special assessment district enacted in 1971 by the Florida Legislature. Its mission is to promote downtown Tallahassee as a place for business and entertainment. District boundaries are Tennessee Street on the north, Gadsden Street on the east, Jefferson Street on the south, and Bronough Street on the west. A board of directors appointed by the Mayor, and approved by the City of Tallahassee Commission, governs the DIA. Board members must be property owners and taxpayers within the DIA district.

Analysis:

The proposed Lease Agreement provides for use of two offices totaling 325 square feet. Based on current downtown lease rates for executive office suites and the facility to be leased, staff recommends that the two offices should continue to be leased not on a square footage rate, but on a “cost per office” rate, which would be \$700 per month for the two offices. This rate would include utilities, custodial and maintenance services. In addition, the rate would include the use of a shared conference room and break room. The DIA would be responsible for paying for its internet and telephone services.

Additionally, the DIA has requested access to the building receptionist to screen visitors to the DIA offices at a negotiated rate of \$150 per month. The DIA would like to have this service continued; thus, the rate under the proposed Lease Agreement will be \$850 per month or \$10,200 annually. However, if at any time during this Agreement DIA decides to request additional receptionist services from the Tourism Development Department staff that includes telephone

Title: Approval of a Proposed Lease Agreement and Associated Resolution with the Tallahassee Downtown Improvement Authority for Office Space in the Leon County Welcome Center in the Amount of \$10,200 Annually

June 14, 2016

Page 3

answering and other clerical assignments, the monthly rental will increase by \$190 to \$1,040 per month or \$12,480 annually. The proposed rates are the same that the DIA is paying under its current lease agreement.

The term of the proposed Lease Agreement is for two years, commencing July 1, 2016 and expiring June 30, 2018. The proposed Lease Agreement provides for automatic renewals for two one-year terms, unless written notice of a desire not to renew is given, not less than 90 days prior to the expiration of the initial and current term.

Options:

1. Approve the proposed Lease Agreement with Tallahassee Downtown Improvement Authority for \$10,200 annually (Attachment #1), and authorize the County Administrator to execute.
2. Adopt the associated Resolution (Attachment #2), and authorize the Chairman to execute.
3. Do not approve the proposed Lease Agreement with Tallahassee Downtown Improvement Authority, and do not adopt the associated Resolution.
4. Board direction.

Recommendation:

Options #1 and #2.

Attachments:

1. Proposed Lease Agreement
2. Resolution

LEASE AGREEMENT

This lease agreement made this ____ day of _____, 2016, by and between LEON COUNTY, FLORIDA, a charter county and political subdivision of the State of Florida (LANDLORD), and the TALLAHASSEE DOWNTOWN IMPROVEMENT AUTHORITY, a public body corporate and politic of the State of Florida (TENANT).

WITNESSETH:

In consideration of the rent to be paid, the mutual covenants and agreements herein contained, and of other good and valuable consideration, the receipt and legal sufficiency all of which are hereby acknowledged by the parties hereto, LANDLORD hereby leases unto TENANT, and TENANT hereby leases from LANDLORD pursuant to Section 125.38 Florida Statutes, and other applicable laws of the State of Florida, the following:

Office and space consisting of 325 gross square feet, more or less, and including side and rear ingress and egress to the front and back entrances and fire exits to comply with local and state codes, at 106 East Jefferson Street, Tallahassee, Leon County, Florida.

The following stipulations, hereby declared to be condition of this LEASE, shall, unless otherwise expressly stated, be applicable at all times throughout the term of this LEASE and any extensions or renewals thereof, and are mutually agreed upon.

1. **TERM:** This LEASE shall commence **July 1, 2016** and terminate on **June 30, 2018**. This lease shall automatically renew for Two (2) additional one (1) year terms unless written notice of a desire not to renew is given not less than ninety (90) days prior to the expiration of the initial and current term. The initial term, or subsequent terms shall be renewed or extended in accordance with the same terms and conditions as the original lease.

LANDLORD and TENANT further acknowledge and agree that either party may terminate this LEASE at its sole discretion, with such termination to be effective no sooner than ninety (90) days after delivery of written notice of termination to the other party in accordance with this LEASE.

2. **RENTAL AMOUNT:** For the term hereof, TENANT shall pay LANDLORD for rental of occupied office and space, a total of TEN THOUSAND TWO HUNDRED and 00/100 DOLLARS (\$10,200.00) per annum, to be paid monthly in advance of the first of each month in an amount equal to 1/12 of the per annum amount, or EIGHT HUNDRED FIFTY and 00/100 DOLLARS (\$850.00), which shall be deposited as rental income in the Tourist Trust Fund. Tenant hereby represents that it is exempt from the payment of any sales tax on such rental amounts and agrees to provide, within 15 days after the effective date of this lease agreement, a certificate of exemption or other such documentation as evidence of such exemption.

TENANT further acknowledges and agrees that if, at any time during the LEASE term, TENANT requests additional receptionist services from the Leon County Division of Tourism Development (Visit Tallahassee), including telephone answering and other clerical assignments, the monthly payment amount will increase to \$1,040.00, or \$12,480.00 annually.

3. **PAYMENT OF RENT:** Unless otherwise specified in writing by LANDLORD to TENANT, TENANT shall pay all rentals required hereunder to agent, without set-off, abatement, or reduction at the following address:

Leon County Division of Tourism Development (Visit Tallahassee)
106 East Jefferson Street
Tallahassee, FL 32301

4. **TITLE AND OWNERSHIP:** LANDLORD covenants that LANDLORD has good title to the premises and has the right and authority to execute this LEASE for the terms and conditions herein contained.

5. **QUIET ENJOYMENT:** LANDLORD covenants that TENANT, on the performance of the terms and conditions of this LEASE, shall and may peaceably and quietly have, hold and enjoy the premises for the term aforesaid.

6. **ALTERATIONS TO PREMISES:** TENANT shall have no right to make any alterations to the leased premises without the consent of LANDLORD, which consent shall be in the LANDLORD's sole discretion.

7. **USE OF SPACE:** The leased office and space shall be used for lawful business activities of the TENANT. TENANT shall not use the space for any purpose contrary to any law or ordinance duly constituted, nor shall TENANT'S use of said space constitute nuisance. TENANT shall not use the space in any manner which would adversely affect the terms and conditions of a standard fire insurance policy increase the fire insurance premium. TENANT shall not use the outside premises for storage of equipment or materials of any kind.

8. **UTILITIES AND MAINTENANCE:** LANDLORD shall pay all utilities, janitorial services, interior maintenance, including but not limited to plumbing, electrical, mechanical and incidental repairs together with maintenance and repair of the heating and air conditioning equipment in the building. LANDLORD shall maintain the integrity of the exterior of the building in good condition and shall be responsible for any repairs to the roof and/or foundation and outside walls of the building.

9. **LIABILITY INSURANCE:** With respect to personal injury or property damage occurring in or about the demised premises, TENANT shall carry public liability insurance in at least the amounts of \$300,000.00/\$500,000.00 for personal injury, \$100,000.00 for property damage, and an umbrella coverage of at least \$1,000,000.00, and agrees to have LANDLORD named as an additional insured under said insurance policy. A certificate of insurance evidencing such insurance coverage shall be furnished LANDLORD. Furthermore, said policy shall provide that it shall not be canceled unless ten (10) days prior written notice be given LANDLORD.

10. **BANKRUPTCY:** In the event of bankruptcy, insolvency or assignment of assets for benefit of creditors by either party hereto, the other party shall have the right to terminate this LEASE.

11. **INDEMNITY**: TENANT will save harmless and indemnify LANDLORD from and against any and all claims, actions, damages, liability, and expense, including attorneys' fees, in connection with loss of life, personal injury and/or damage to the property arising from, out of, or in connection with in any manner, the occupancy of the use of the said premises by TENANT, TENANT's agents, employees or any sub-tenants.
12. **ASSIGNMENT**: TENANT may not assign this LEASE or sub-let all or any part of the premises, nor may the LEASE be assigned or the premises sub-let by operation of law.
13. **DEFAULT**: If TENANT shall fail to perform any of the agreements or covenants on TENANT's part required to be performed under this LEASE, or shall TENANT fail to pay the rent, or shall abandon the leased premises prior to the expiration of the term, and such failure shall continue for a period of ten (10) days after written notice, LANDLORD may, at LANDLORD's option, terminate this LEASE. In the event of such default on the part of TENANT, LANDLORD shall be entitled to recover from TENANT all damages suffered thereby, including a reasonable sum for attorneys' fees incurred by LANDLORD for enforcing LANDLORD's rights hereunder.
14. **PROPERTY OF TENANT**: TENANT agrees that all furnishes, trade fixtures, and other property of the TENANT located on the leased premises shall be so located at the sole risk of the TENANT and LANDLORD shall not, in any manner whatsoever, be liable for any damage to any such property of TENANT.
15. **RIGHT OF ENTRY**: LANDLORD shall have the right to enter the leased premises at reasonable hours during the day or night to examine the same as LANDLORD may deem necessary, or to exhibit the same to prospective purchasers, lenders, or contractors.
16. **CONDEMNATION**: If at any time during the term of this LEASE, the property or any such part is taken for any public or quasi-public use under statute or right of eminent domain by the COUNTY. TENANT HEREBY waives any and all claims against COUNTY as a condemning authority for any actual provable damages caused by such condemnation proceedings. If parking provided under the leases is taken by an action of COUNTY, COUNTY will provide similar parking arrangements on or adjacent to the leased property for use by TENANT. TENANT shall have the option of terminating this lease in the event of condemnation when possession shall have been taken by a condemning authority. Other than a condemnation proceeding by LEON COUNTY, TENANT and LANDLORD shall be free to make a claim against the condemning authority for the amount of the actual provable damage done to each of them in such proceedings.
17. **TAXES**: LANDLORD shall pay all real estate ad valorem taxes and assessments.
18. **SALE OR TRANSFER OF LANDLORD'S INTEREST**: In the event of the sale, assignment, or transfer by LANDLORD of LANDLORD's interest in the demised premises, LANDLORD shall thereupon be released or discharged from all covenants and obligations of the LANDLORD except such liabilities and obligations of the LANDLORD as shall have accrued prior to any such sale, assignment, or transfer, and TENANT agrees to look solely to such successor in interest of LANDLORD for performance of such obligations.

19. **HOLDING OVER**: In the event TENANT remains in possession of the demised leased premises after the expiration of this LEASE and without the execution of a new LEASE, it shall be deemed to be occupying said premises as a TENANT at will and obligated to pay a rental of \$500.00 which rental shall be payable daily, and otherwise subject to all the conditions, provisions and obligations of this LEASE insofar as the same are applicable to a month-to-month tenancy, and in no event shall thereby any renewal of this LEASE by operation of law.

20. **NOTICES**: Whenever notice shall or may be given to either of the parties by the other, each such notice shall be in writing and be by registered or certified mail addressed to the party at the following addresses, unless changed in the manner hereinafter provided:

LANDLORD:

Leon County Division of Tourism Development (Visit Tallahassee)
Attention: Executive Director
106 East Jefferson Street
Tallahassee, FL 32301

With copies to:

Herbert W. A. Thiele, Esq., County Attorney
Leon County Attorney's Office
301 South Monroe Street
Tallahassee, FL 32301

TENANT:

Tallahassee Downtown Improvement Authority
Attention: Executive Director
106 East Jefferson Street
Tallahassee, FL 32301

The foregoing addresses may be changed by notice given in like manner. Any such notice shall be deemed to have been given at the time it is placed in the mail with proper postage affixed.

21. **NON-WAIVER PROVISION**: The failure of either party hereto to insist upon a strict performance of any of the terms or conditions herein shall not be deemed to be a waiver of any rights or remedies that either party shall have and shall not be deemed to be a waiver of any subsequent breach or default under the terms hereof.

22. **SURRENDER OF PREMISES AND EQUIPMENT**: TENANT shall surrender to LANDLORD the premises at the expiration of the term hereof, or any extension thereof, or upon termination by virtue of TENANT's default.

23. **ABANDONMENT OF PREMISES:** If, for any reason, the TENANT abandons the premises, LANDLORD, at LANDLORD'S sole option, shall have the right to terminate this LEASE, in which event, neither party shall be obligated to the other for matters thereafter occurring, or, in the alternative, LANDLORD may elect to keep this LEASE in full force and effect, in which latter event, LANDLORD and TENANT shall continue to be bound and obligated to the other pursuant to the terms hereof.

25. **SUCCESSORS AND ASSIGNS AND INCLUSIVENESS OF TERMS:** The covenants, conditions, and agreements contained in this LEASE shall bind and inure to the benefit of LANDLORD and TENANT and their respective legal representatives, successors and, except as otherwise provided in this LEASE, their assigns. Whenever LANDLORD and TENANT are herein referred to, such reference shall be construed as applying to their respective successors in interest and assigns and, where the context requires or admits, to their agents, employees, invitees, and similar representatives.

26. **LIENS:** all persons are put upon notice of the fact that TENANT does not, and will in no event under any circumstances, have the power to subject the interest of LANDLORD in the premises to any mechanic's or materialmen's liens or lien of any kind. TENANT further agrees, upon request of LANDLORD to furnish LANDLORD with a list of all persons or entities furnishing labor or material to said premises so that LANDLORD may advise such persons or entities of the aforesaid provisions.

TENANT covenants and agrees with the LANDLORD that TENANT will not permit or suffer to be filed or claimed against the interest of the LANDLORD in the demised premises during the continuance of this LEASE any lien or claim of any kind, and if such lien be claimed or filed, it shall be the duty of TENANT with ten (10) days after written notice from LANDLORD to cause the premises to be released from such claim, either by payment or by the posting of bond or by the payment into the court of the amount necessary to relieve and release the premises from such claim. Any lien placed by TENANT on the demised premises shall be subject to and subordinate to LANDLORD's interest in the demised premises.

27. **CAPTIONS:** The captions in the LEASE are for convenience only, are not a part of this LEASE and do not in any way limit or amplify the terms and provisions of this LEASE.

28. **RADON GAS:** Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon testing may be obtained from the county public health unit.

29. **ENTIRE AGREEMENT:** This LEASE contains all the agreements between the parties hereto and may not be modified in any manner other than by agreement in writing signed by all the parties hereto, or their successors in interest.

30. **PUBLIC ENTITY CRIMES:** In accordance with Section 287.133, Florida Statutes, signatory for TENANT hereby certifies that to the best of his/her knowledge and belief neither

TENANT nor its affiliates has been convicted of a public entity crime. Violation of this section by TENANT shall be grounds for cancellation of this agreement by LEON COUNTY.

31. **SUBJECT TO BUDGET:** The performance of LANDLORD of any if its obligations under this LEASE shall be subject to and contingent upon the availability of funds budgeted by LANDLORD or otherwise lawfully expendable for the purposes of this agreement for the current and future periods.

32. **CHOICE OF LAW:** This LEASE shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.

IN WITNESS WHEREOF, LANDLORD and TENANT have fully executed this LEASE as of the day and year first written above.

LEON COUNTY, FLORIDA

**TALLAHASSEE DOWNTOWN
IMPROVEMENT AUTHORITY**

BY: _____

BY: _____

Vincent S. Long, County Administrator

Print Name: _____

DATE: _____

Title: _____

DATE: _____

ATTEST:

Witnesses as to Tenant:

Bob Inzer, Clerk of the Court

Leon County, Florida

Print Name: _____

BY: _____

Approved as to Form:
Leon County Attorney's Office

Print Name: _____

BY: _____

Herbert W. A. Thiele, Esquire
County Attorney

RESOLUTION: 16-_____

**RESOLUTION OF INTENT TO LEASE COUNTY PROPERTY,
PURSUANT TO FLA. STAT. §125.38, TO DOWNTOWN IMPROVEMENT
AUTHORITY, A PUBLIC BODY CORPORATE AND POLITIC**

WHEREAS, the Tallahassee Downtown Improvement Authority (the “TDIA”) is a dependent special district organized in accordance with Florida law as a public body corporate and politic of the State of Florida whose mission is to promote downtown Tallahassee as a place for business and entertainment; and

WHEREAS, the TDIA desires to lease office space in a building owned by Leon County, and occupied by the Leon County Division of Tourism Development (Visit Tallahassee), for the purposes of operating the TDIA’s administrative offices in furtherance of its mission, and has indicated such desire by applying to the Leon County Board of County Commissioners (the “Board”) in an Agenda Request at the regularly scheduled Board meeting on June 14, 2016; and

WHEREAS, the Board has determined that such office space is required for the use as indicated by TDIA and is not needed for County purposes.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, assembled in regular session this 14th day of June, 2016, that, pursuant to Section 125.38, Florida Statutes (2015), the office space comprising approximately 325 square feet located at 106 E. Jefferson Street, Tallahassee, Florida shall be leased to the TDIA at an annual rental rate of \$10,200.00, to be paid in monthly payments in the amount of \$850.00, for a term of one year with two one-year automatic renewals; provided, however, that if at any time during the lease term the TDIA requests additional receptionist services from the Leon County Division of Tourism

Development (Visit Tallahassee), including telephone answering and other clerical assignments, the monthly payment amount will increase to \$1,040.00, or \$12,480.00 annually.

Passed and adopted on this 14th day of June, 2016.

LEON COUNTY, FLORIDA

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

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

BY: _____

APPROVED AS TO FORM:
Leon County Attorney's Office

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

**Leon County
Board of County Commissioners**

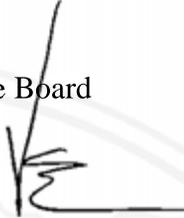
Notes for Agenda Item #7

Leon County Board of County Commissioners

Cover Sheet for Agenda #7

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of Conservation Easements from Homer Golden, Marie Boyette, and Charles Alton Golden

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator David McDevitt, Director, Development Support and Environmental Management
Lead Staff/ Project Team:	John Kraynak, P.E., Director, Environmental Services Jill Weisman, Sr. Environmental Review Biologist, Environmental Services Division

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Accept for recording the Conservation Easements from Homer Golden, Marie Boyette, and Charles Alton Golden (Attachment #1).

Report and Discussion

Background:

The grantors are dedicating these Conservation Easements to the County for the perpetual preservation of wetland and floodplain areas within their properties (Attachment #1). The properties are located on Robert Golden Road, west off of EW Reeves Road (Attachment #2). The preserved areas total 13.67 acres.

Analysis:

The Conservation Easements place the landowner and all other subsequent landowners on legal notice that development is prohibited in the protected areas. Acceptance of the Conservation Easements will require County approval. The Conservation Easements do not create any County maintenance responsibility or any other County responsibility for the Conservation Easements. The property owner will still own and protect the land as appropriate under conditions of the easements.

Options:

1. Accept for recording the Conservation Easements from Homer Golden, Marie Boyette, and Charles Alton Golden.
2. Do not accept for recording the Conservation Easements from Homer Golden, Marie Boyette, and Charles Alton Golden.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Conservation Easement
2. Specific Location Map

CONSERVATION EASEMENT

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby made and entered into on this 6 day of April, 2016, by Homer Golden whose mailing address is 6702 Tom Roberts Road, Tallahassee, Florida 32305 hereinafter referred to as the "Grantor," to LEON COUNTY, FLORIDA, a political subdivision of the State of Florida, whose mailing address is Board of County Commissioners, 301 South Monroe Street, Tallahassee, Florida 32301, hereinafter referred to as the "Grantee."

WITNESSETH:

For and in consideration of the mutual promises and other good and valuable consideration as set forth herein, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant to the Grantee, its successors and assigns, a perpetual Conservation Easement in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit "A", which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

The following activities are prohibited within this easement, pursuant to Section 704.06, Florida Statutes:

1. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures above or on the ground.
2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.
3. Removal or destruction of trees, shrubs, or other vegetation, except for invasive exotic vegetation.
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.
5. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife conservation habitat preservation.
7. Acts or uses detrimental to such retention of land or water areas.
8. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

Removal or pruning of hazardous, diseased or insect infested trees may be permitted upon prior approval from the Leon County Department of Development Support and Environmental Management.

It is understood that the granting of this easement entitles the Grantee to enter the above-described land in a reasonable manner and at reasonable times to assure compliance with the conditions of this easement.

Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whosoever claimed by, through or under it, that it has good rights and lawful authority to grant this easement and that the same is unencumbered. Where the context of this easement requires, allows or permits, the same shall include the successors or assigns of the parties.

The easement granted hereby shall run with the land and shall enure to the benefit of the Grantee and its successors and assigns.

IN WITNESS WHEREOF, Grantor has caused these covenants to be executed and its seal to be affixed hereto on the day and year first above written.

GRANTOR

Homer Golden
(Name of Owner Typewritten)

Homer Golden
(Signature of Owner)

WITNESSES:
Gabriel Lemmerman
(Sign)
Gabriel Lemmerman
(Print Name)

Sarah Bauserman
(Sign)
Sarah Bauserman
(Print Name)

STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me this 6th day of April, 2016, by Homer Golden,
(name of owner)

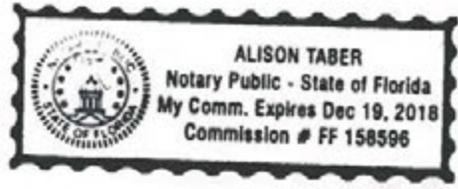
He/she is personally known to me or has produced _____
as identification.

(Signature of Notary) *Al Jul*

(Print, Type or Stamp Name of Notary)

(Title or Rank)

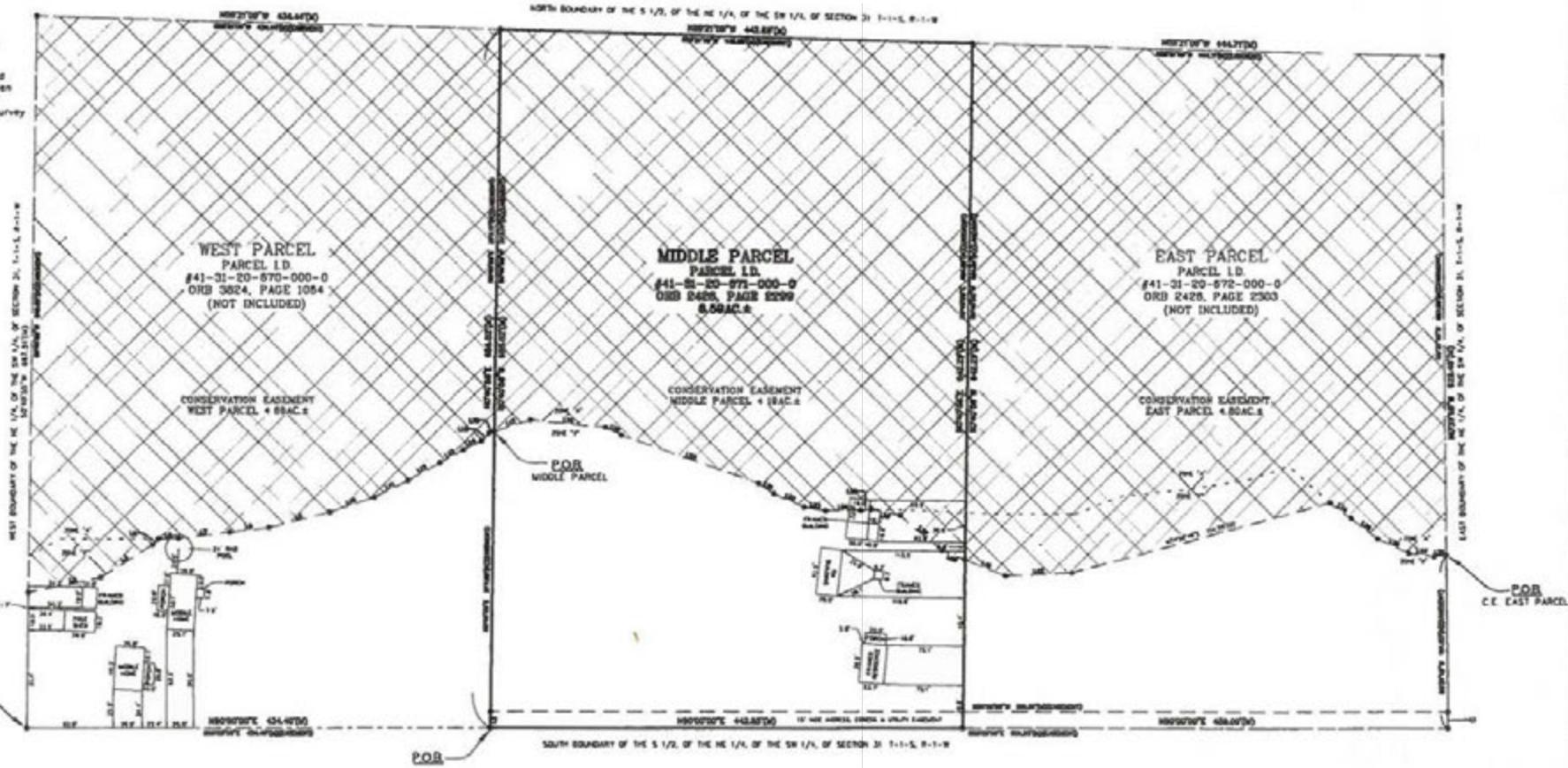
(Serial Number, If Any)



This Document Prepared by: Herbert W.A. Thiele, Esq., County Attorney
Leon County Attorney's Office
Suite 202, 301 South Monroe Street
Tallahassee, Florida 32301

- NOTES:
- No improvements were located in this survey other than those shown herein.
 - No underground encroachments, utilities or foundations were located in this survey.
 - All measurements shown herein are Standard U.S. Survey Feet, and decimals thereof.
 - As scaled from Flood Insurance Rate Map for Leon County, Florida, Community-Panel Number 12073C 0430 F; Date of Firm Index: August 18, 2009. This Property is located in Zone "A" & "X".
 - The use of this survey is limited to the specific transaction shown herein.
 - This survey is not complete without an attached legal description.
 - See attached sheet for legal description.
 - Subject to zoning setbacks, easements and restrictions of record.
 - Adjoining deeds of record were not provided to this firm.
 - The Conservation Easement shown herein was provided by Moore Bass Consulting, via an Auto Cad file.
 - Boundary & location of improvements shown herein are as they existed at the time of the survey date of June 5, 1995. No field work has been performed by this firm to verify any changes to the boundary, location of improvements, any encroachments and/or encroachment since the survey date of June 5, 1995.
 - THIS IS NOT A BOUNDARY SURVEY

Line #	Direction	Length	Line #	Direction	Length
L1	S89°15'00"W	18.80	L16	S70°42'30"E	136.40
L2	S89°15'00"W	15.00	L17	S89°15'00"W	13.80
L3	N07°28'15"E	88.70	L18	S89°15'00"E	31.48
L4	N07°28'15"E	87.41	L19	S89°15'00"E	35.33
L5	S89°15'00"E	7.30	L20	N89°12'30"E	33.00
L6	S89°15'00"E	18.41	L21	S89°15'00"E	8.30
L7	S89°15'00"E	47.80	L22	S89°15'00"E	37.88
L8	S89°15'00"E	38.58	L23	S89°15'00"E	34.41
L9	S89°15'00"E	88.27	L24	S89°15'00"E	21.43
L10	S89°15'00"E	44.12	L25	S89°15'00"E	33.73
L11	S89°15'00"E	30.81	L26	S89°15'00"E	54.83
L12	S89°15'00"E	34.35	L27	S89°15'00"E	11.80
L13	S89°15'00"E	35.87	Line Table		
L14	S89°15'00"E	18.86	Line #	Direction	Length
L15	S89°15'00"E	16.27	L28	S89°15'00"E	81.80
L16	S89°15'00"E	4.80	L29	S89°15'00"E	33.73
L17	S89°15'00"E	36.30	L30	S89°15'00"E	41.80
L18	S89°15'00"E	71.13	L31	S89°15'00"E	81.70
L19	S89°15'00"E	16.38			



P.O.B. WEST
P.O.C. MIDDLE, EAST,
15' WIDE EASEMENT &
CONSERVATION EASEMENTS
P.O.B./P.O.C.
BEGIN AT THE SW CORNER
OF THE NE 1/4, OF THE
SW 1/4, OF SECTION 31,
T-1-S, R-1-W, LEON
COUNTY, FLORIDA

EDWIN BROWN & ASSOCIATES
SURVEYORS * MAPPERS * ENGINEERS
(850) 926-3015 858-433-4436 FAX (850) 926-8180
P.O. Box 825 2813 Crawfordville Hwy Crawfordville, FL 32328

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper

MAY 03 2016

WACD G. BROWN
Surveyor & Mapper
Florida Certificate No. 5959
(LB# 8475)

LEGEND

- FND - FOUND
 - RB - RE-BAR
 - ORB - OFFICIAL RECORDS BOOK
 - CM - CONCRETE MONUMENT
 - POB - POINT OF BEGINNING
 - POC - POINT OF COMMENCEMENT
 - SRB - SET 3/8" RE-BAR #8475
 - SNC - SET NAIL & CAP #8475
 - FTE - FINISHED FLOOR ELEVATION
 - EL - ELEVATION
 - TBM - TEMPORARY BENCHMARK
 - B - DEED
 - M - MEASURED
 - P - RECORDED PLAT
 - R/W - RIGHT OF WAY
 - RAD - RADIUS
 - DEL - DELTA OR INCLUDED ANGLE
 - CH - CHORD LENGTH
 - CB - CHORD BEARING
 - L - ARC LENGTH
 - R/C - ROD AND CAP
 - IP - IRON PIPE
 - PC - POINT OF CURVATURE
 - CE - CONSERVATION EASEMENT
 - C - CALCULATED
- LINE NOT TO SCALE
 - FNC - FOUND NAIL AND CAP
 - INV - INVERT ELEVATION
 - T - CABLE TELEVISION BOX
 - SJPC - ST JOE PAPER COMPANY
 - OHE - OVERHEAD ELECTRIC LINE
 - CCCL - COASTAL CONSTRUCTION CONTROL LLINE
 - SCM - SET 4"x4" CONCRETE MONUMENT (#8475)
 - W - WEST
 - E - EAST
 - N - NORTH
 - S - SOUTH
 - CALCULATED POINT
 - RND - ROUND
 - PI - POINT OF INTERSECTION
 - POT - POINT OF TERMINUS
 - CP - POWER POLE
 - SMB 5/8" #8475
 - INDICATES FENCE & TIE TO PROXIMATE
- - FND CONCRETE MONUMENT
 - - SERVICE POLE
 - - FND MONUMENTATION
 - IP - EDGE OF PAVEMENT
 - 4 - LIGHT POLE
 - C1 - CURVE TAG (SEE CURVE TABLE)
 - L1 - LINE TAG (SEE LINE TABLE)
 - ID - IDENTIFICATION
 - T - TONGUE-UP
 - R - RANGE
 - N - NORTH
 - S - SOUTH
 - E - EAST
 - W - WEST
 - EL - ELECTRIC BOX
 - CB - CEMENT BOX
 - PH - PHONE BOX
 - WM - WATER METER
 - RCP - RIGID CONCRETE PIPE
 - PVC - POLYETHYLENE CHLORIDE PIPE
 - CMV - CORRUGATED METAL PIPE
 - MHWL - MEAN HIGH WATER LINE
 - FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION
 - FDPE - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

REVISION	BY	DATE
REVISED TITLE BLOCK & PAGE NUMBERS	AA	5/22/2016
REVISED CONSERVATION EASEMENTS ON MIDDLE & EAST PARCEL	AA	3/28/2016
REVISED SLIGHT NAME	AA	3/27/2016

SPECIFIC PURPOSE SURVEY TO SHOW SKETCH OF LEGAL DESCRIPTIONS & CONSERVATION EASEMENTS FOR PARCEL I.D. NUMBERS 41-31-20-870-000-0 PREPARED FOR

MIDDLE PARCEL

PREPARED BY
EDWIN G. BROWN AND ASSOCIATES, INC.
2813 CRAWFORDVILLE HWY. P.O. BOX 825 CRAWFORDVILLE, FL 32328 (850)926-3016

NOTBOOK/PAGE	COUNTY LEON	DRAWN BY AA	REVIEWED BY WGB
NOTBOOK/PAGE	SECTION 31		CHECKED BY WGB
NOTBOOK/PAGE	TOWNSHIP 1-SOUTH	SURVEY DATE	FEBRUARY 3, 2016
SHEET: 1 OF 3	RANGE 1-WEST	JOB NUMBER	36569

**Edwin G. Brown
& Associates, Inc.**
SURVEYORS * MAPPERS * ENGINEERS

FEBRUARY 3, 2016
(REVISED: MARCH 28, 2016)
(REVISED: MAY 2, 2016)

MIDDLE PARCEL ID#41-31-20-671-000-0

6.59 ACRES

Commence at the Southwest corner of the Northeast quarter, of the Southwest quarter, of Section 31, Township 1 South, Range 1 West, Leon County, Florida; thence run along the Southerly boundary line of the South half, of the Northeast quarter of the Southwest quarter of said Section 31, North 90 degrees 00 minutes 00 seconds East 434.40 feet to the POINT OF BEGINNING; thence leaving said POINT OF BEGINNING continue along said Southerly boundary line North 90 degrees 00 minutes 00 seconds East 442.85 feet; thence leaving said Southerly boundary line run North 00 degrees 40 minutes 58 seconds East 642.29 feet to a point lying on the Northerly boundary line of the South half of the Northeast quarter of the Southwest quarter of said Section 31; thence run along said Northerly boundary line North 88 degrees 21 minutes 09 seconds West 442.88 feet; thence leaving said Northerly boundary line run South 00 degrees 40 minutes 58 seconds West 655.02 feet to the POINT OF BEGINNING. Containing 6.59 acres more or less.

SUBJECT TO A CONSERVATION EASEMENT LYING OVER AND ACROSS A PORTION OF THE ABOVE DESCRIBED PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the Southwest corner of the Northeast quarter, of the Southwest quarter, of Section 31, Township 1 South, Range 1 West, Leon County, Florida; thence run along the Southerly boundary line of the South half, of the Northeast quarter of the Southwest quarter of said Section 31, North 90 degrees 00 minutes 00 seconds East 434.40 feet; thence leaving said Southerly boundary line run North 00 degrees 40 minutes 58 seconds East 277.85 feet to the POINT OF BEGINNING; thence leaving said POINT OF BEGINNING run North 72 degrees 03 minutes 21 seconds East 35.30 feet; thence run South 84 degrees 24 minutes 47 seconds East 71.13 feet; thence run South 63 degrees 26 minutes 05 seconds East 16.38 feet; thence run South 70 degrees

2 of 3

2813 Crawfordville Hwy * P.O. Box 625 * Crawfordville, Florida 32326
(850) 926-3016 * FAX (850) 926-8180

MIDDLE PARCEL ID#41-31-20-671-000-0

6.59 ACRES

42 minutes 36 seconds East 136.40 feet; thence run South 54 degrees 24 minutes 48 seconds East 17.08 feet; thence run South 66 degrees 24 minutes 49 seconds East 31.46 feet; thence run South 80 degrees 20 minutes 45 seconds East 20.22 feet; thence run North 89 degrees 24 minutes 23 seconds East 33.00 feet; thence run North 84 degrees 14 minutes 21 seconds East 9.72 feet; thence run South 78 degrees 06 minutes 41 seconds East 27.95 feet; thence run South 50 degrees 13 minutes 56 seconds East 51.89 feet; thence run South 68 degrees 04 minutes 49 East 22.73 feet; thence run North 00 degrees 40 minutes 58 seconds East 484.91 feet to a point lying on the Northerly boundary line of the South half of the Northeast quarter, of the Southwest quarter of said Section 31; thence run along said Northerly boundary line North 88 degrees 21 minutes 09 seconds West 442.88 feet; thence leaving said Northerly boundary line run South 00 degrees 40 minutes 58 seconds West 377.17 feet to the POINT OF BEGINNING. Containing 4.19 acres more or less.

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.



WADE G. BROWN
Surveyor & Mapper
Florida Certificate No. 5959
(LB 6475)

96-115PSC:36569(M)

MAY 03 2016

3 of 3

2813 Crawfordville Hwy * P.O. Box 625 * Crawfordville, Florida 32326
(850) 926-3016 * FAX (850) 926-8180

CONSERVATION EASEMENT

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby made and entered into on this 6 day of April, 2016, by Marie Boyett whose mailing address is 7624 Robert Golden Road, Tallahassee, Florida 32305 hereinafter referred to as the "Grantor," to LEON COUNTY, FLORIDA, a political subdivision of the State of Florida, whose mailing address is Board of County Commissioners, 301 South Monroe Street, Tallahassee, Florida 32301, hereinafter referred to as the "Grantee."

WITNESSETH:

For and in consideration of the mutual promises and other good and valuable consideration as set forth herein, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant to the Grantee, its successors and assigns, a perpetual Conservation Easement in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit "A", which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

The following activities are prohibited within this easement, pursuant to Section 704.06, Florida Statutes:

1. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures above or on the ground.
2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.
3. Removal or destruction of trees, shrubs, or other vegetation, except for invasive exotic vegetation.
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.
5. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife conservation habitat preservation.
7. Acts or uses detrimental to such retention of land or water areas.
8. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

Removal or pruning of hazardous, diseased or insect infested trees may be permitted upon prior approval from the Leon County Department of Development Support and Environmental Management.

It is understood that the granting of this easement entitles the Grantee to enter the above-described land in a reasonable manner and at reasonable times to assure compliance with the conditions of this easement.

Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whosoever claimed by, through or under it, that it has good rights and lawful authority to grant this easement and that the same is unencumbered. Where the context of this easement requires, allows or permits, the same shall include the successors or assigns of the parties.

The easement granted hereby shall run with the land and shall enure to the benefit of the Grantee and its successors and assigns.

IN WITNESS WHEREOF, Grantor has caused these covenants to be executed and its seal to be affixed hereto on the day and year first above written.

GRANTOR

Marie Boyett
(Name of Owner Typewritten)

Marie Boyett
(Signature of Owner)

WITNESSES:

Gabriel Lemmerman
(Sign)
Gabriel Lemmerman
(Print Name)

Sarah Bauserman
(Sign)
Sarah Bauserman
(Print Name)

STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me this 6th day of April, 2016, by Marie Boyett
(name of owner)

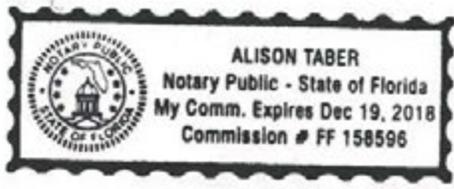
He/she is personally known to me or has produced _____
as identification.

(Signature of Notary) Al Jal

(Print, Type or Stamp Name of Notary)

(Title or Rank)

(Serial Number, If Any)

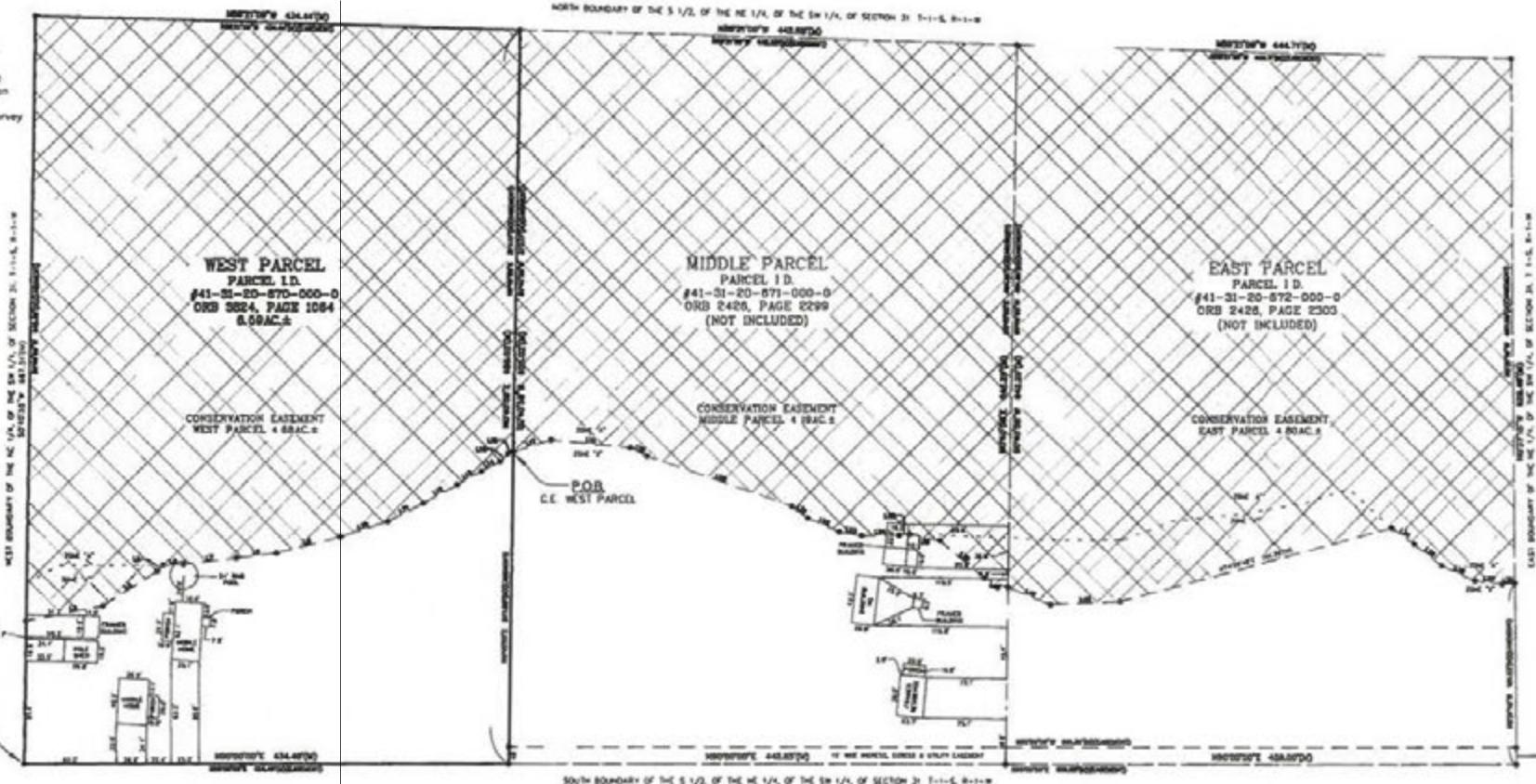


This Document Prepared by: Herbert W.A. Thiele, Esq., County Attorney
Leon County Attorney's Office
Suite 202, 301 South Monroe Street
Tallahassee, Florida 32301

NOTES:

- No improvements were located in this survey other than those shown hereon.
- No underground encroachments, utilities or foundations were located in this survey.
- All measurements shown hereon are Standard U.S. Survey Feet, and decimals thereof.
- As scaled from Flood Insurance Rate Map for Leon County, Florida, Community-Panel Number 12073C 0430 F; Date of FIRM Index: August 18, 2009. This Property is located in Zone "A" & "X".
- The use of this survey is limited to the specific transaction shown hereon.
- This survey is not complete without an attached legal description.
- See attached sheet for legal description.
- Subject to zoning setbacks, easements and restrictions of record.
- Adjoining deeds of record were not provided to this firm.
- The Conservation Easement shown hereon was provided by Moore Boss Consulting, via an Auto Cad file.
- Boundary & location of improvements shown hereon are as they existed at the time of the survey date of June 6, 1996. No field work has been performed by this firm to verify any changes to the boundary, location of improvements, any encroachments and/or encroachment since the survey date of June 6, 1996.
- THIS IS NOT A BOUNDARY SURVEY

Line Table			Line Table		
Line #	Direction	Length	Line #	Direction	Length
L1	S82°13'15"W	15.00	L30	S20°42'30"E	138.48
L2	S89°40'15"W	15.00	L31	S89°40'15"W	13.88
L3	N79°27'45"E	22.41	L32	S89°40'15"W	31.48
L4	N72°36'45"E	22.41	L33	S89°40'15"W	30.53
L5	S82°18'45"E	7.88	L34	S89°40'15"W	33.00
L6	S89°40'15"E	12.01	L35	N84°45'30"E	8.70
L7	N89°42'30"E	47.88	L36	S89°40'15"E	37.86
L8	N89°42'30"E	38.00	L37	S89°40'15"E	24.41
L9	N89°40'15"E	22.27	L38	S89°40'15"E	21.42
L10	S89°40'15"E	44.12	L39	S89°40'15"E	32.73
L11	S89°40'15"E	30.81	L40	S89°40'15"E	54.63
L12	N89°40'15"E	34.35	L41	S89°40'15"E	11.80
L13	S89°40'15"E	25.07	Line Table		
L14	S89°40'15"E	18.88	Line #	Direction	Length
L15	S89°40'15"E	15.27	L39	S89°40'15"E	31.88
L16	N89°40'15"E	4.00	L40	S89°40'15"E	22.73
L17	N72°36'45"E	35.30	L41	S89°40'15"E	41.88
L18	S89°40'15"E	71.13	L42	N87°13'45"E	21.73
L19	S89°40'15"E	14.38			



POB WEST PARCEL
P.O.C. CONSERVATION EASEMENT
POB/POC
BEGIN AT THE SW CORNER
OF THE NE 1/4, OF THE
SW 1/4, OF SECTION 31,
1-1-S, R-1-W, LEON
COUNTY, FLORIDA

EDWIN BROWN & ASSOCIATES
SURVEYORS • MAPPERS • ENGINEERS
(850) 936-3216 888-433-4436 FAX (850) 936-8180
P.O. Box 625 2813 Crawfordville Hwy Crawfordville, FL 32326

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.

Not valid without the signature and the original raised seal of a Florida Licensed surveyor and mapper.

(Signature)
Wade G. Brown
Surveyor & Mapper
Florida Certificate No. 5959
(LB# 6475)

MAY 03 2016

LEGEND

- FND - FOUND
- RS - RE-BAR
- ORB - OFFICIAL RECORDS BOOK
- CM - CONCRETE MONUMENT
- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- SRS - SET 5/8" RE-BAR (#475)
- SHC - SET NAIL & CAP #8475
- FTE - FINISHED FLOOR ELEVATION
- EL - ELEVATION
- TSW - TEMPORARY BENCHMARK
- D - DEED
- M - MEASURED
- P - RECORDED PLAT
- R/W - RIGHT OF WAY
- RAD - RADIUS
- GA - DELTA OR INCLUDED ANGLE
- CA - CHORD LENGTH
- CB - CHORD BEARING
- L - ARC LENGTH
- R/C - ROD AND CAP
- R - ROD PIPE
- PC - POINT OF CURVATURE
- C.E. - CONSERVATION EASEMENT
- C - CALCULATED
- LINE NOT TO SCALE
- FNC - FOUND NAIL AND CAP
- INV - INVERT ELEVATION
- TV - TELEVISION BOX
- SJPC - ST JOE PAPER COMPANY
- QRE - OVERHEAD ELECTRIC LINE
- CCOL - COASTAL CONSTRUCTION CONTROL LINE
- SCM - SET 4X4 CONCRETE MONUMENT (#8475)
- T - TOWNSHIP
- R - RANGE
- N - NORTH
- S - SOUTH
- E - EAST
- W - WEST
- CP - CALCULATED POINT
- RND - ROUND
- PI - POINT OF INTERSECTION
- POI - POINT OF TRIBUTUS
- POW - POWER POLE
- SRS 5/8" #475
- INDICATES FENCE & DE TO PROPERTY
- FND CONCRETE MONUMENT
- SERVICE POLE
- FND MONUMENTATION
- EDGE OF PAVEMENT
- LIGHT POLE
- CURVE TAG (SEE CURVE TABLE)
- LINE TAG (SEE LINE TABLE)
- IDENTIFICATION
- FIRE HYDRANT
- WATER VALVE
- ELECTRIC BOX
- PHONE BOX
- WATER METER
- RIGID CONCRETE PIPE
- POLYVINYL CHLORIDE PIPE
- CORRUGATED METAL PIPE
- MEAN HIGH WATER LINE
- FLORIDA DEPARTMENT OF TRANSPORTATION
- FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

REVISION	BY	DATE
REVISED TITLE BLOCK & PAGE NUMBERS	AA	5/2/2016
REVISED CONSERVATION EASEMENTS ON MIDDLE & EAST PARCEL	AA	3/25/2016
REVISED CLIENT NAME	AA	3/27/2016

SPECIFIC PURPOSE SURVEY TO SHOW SKETCH OF LEGAL DESCRIPTIONS & CONSERVATION EASEMENTS FOR PARCEL I.D. NUMBERS 41-31-20-870-000-0
PREPARED FOR
WEST PARCEL

PREPARED BY
EDWIN G. BROWN AND ASSOCIATES, INC.
2813 CRAWFORDVILLE HWY P.O. BOX 625 CRAWFORDVILLE, FL 32326 (850)926-3016

NOTED/PAGE	COUNTY	DRAWN BY	REVIEWED BY
NOTED/PAGE	LEON	AA	WGB
NOTED/PAGE	SECTION: 31		CHECKED BY: WGB
NOTED/PAGE	TOWNSHIP: 1-SOUTH	SURVEY DATE:	FEBRUARY 3, 2016
SHEET 1 OF 3	RANGE: 1-WEST	JOB NUMBER	PC#

FEBRUARY 3, 2016
(REVISED: MARCH 28, 2016)
(REVISED: MAY 2, 2016)

WEST PARCEL ID#41-31-20-670-000-0

6.59 ACRES

PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 3824, PAGE 1064, IN THE PUBLIC RECORDS OF LEON COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

Begin at the Southwest corner of the Northeast quarter, of the Southwest quarter, of Section 31, Township 1 South, Range 1 West, Leon County, Florida; thence leaving said POINT OF BEGINNING run along the Southerly boundary line of the South half, of the Northeast quarter of the Southwest quarter of said Section 31, North 90 degrees 00 minutes 00 seconds East 434.40 feet; thence leaving said Southerly boundary line run North 00 degrees 40 minutes 58 seconds East 655.02 feet to a point lying on the Northerly boundary line of the South half of the Northeast quarter of the Southwest quarter of said Section 31; thence run along said Northerly boundary line North 88 degrees 21 minutes 09 seconds West 434.44 feet to a point marking the intersection of said Northerly boundary line with the Westerly boundary line of the Northeast quarter, of the Southwest quarter of said Section 31; thence leaving said Northerly boundary line run along said Westerly boundary line South 00 degrees 40 minutes 55 seconds West 667.51 feet to the POINT OF BEGINNING. Containing 6.59 acres more or less.

SUBJECT TO A CONSERVATION EASEMENT LYING OVER AND ACROSS A PORTION OF THE ABOVE DESCRIBED PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the Southwest corner of the Northeast quarter, of the Southwest quarter, of Section 31, Township 1 South, Range 1 West, Leon County, Florida; thence run along the Southerly boundary line of the South half, of the Northeast quarter of the Southwest quarter of said Section 31, North 90 degrees 00 minutes 00 seconds East 434.40 feet; thence leaving said Southerly boundary line run North 00 degrees 40 minutes 58 seconds East 277.85 feet to the POINT OF BEGINNING; thence leaving said POINT OF BEGINNING run North 00 degrees 40 minutes 58 seconds East 377.17 feet to a point lying on the Northerly boundary line of the South half of the Northeast quarter of the Southwest quarter of said Section 31; thence run along said Northerly boundary line North 88 degrees 21 minutes 09 seconds West 434.44 to a point marking the

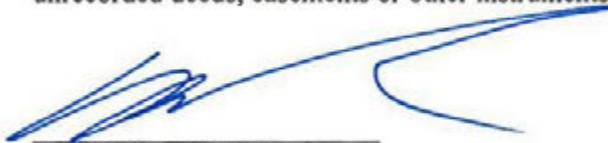
2 of 3

2813 Crawfordville Hwy * P.O. Box 625 * Crawfordville, Florida 32326
(850) 926-3016 * FAX (850) 926-8180

WEST PARCEL ID#41-31-20-670-000-0
6.59 ACRES

intersection of said Northerly boundary line with the Westerly boundary line of the Northeast quarter, of the Southwest quarter of said Section 31; thence leaving said Northerly boundary line run along said Westerly boundary line South 00 degrees 40 minutes 55 seconds West 540.86 feet; thence leaving said Westerly boundary line run North 78 degrees 41 minutes 24 seconds East 69.70 feet; thence run North 57 degrees 38 minutes 48 seconds East 57.41 feet; thence run North 43 degrees 21 minutes 49 seconds East 7.96 feet; thence run North 88 degrees 48 minutes 29 seconds East 18.41 feet; thence run North 82 degrees 59 minutes 22 seconds East 47.89 feet; thence run North 83 degrees 08 minutes 27 seconds East 36.58 feet; thence run North 75 degrees 51 minutes 01 seconds East 59.37 feet; thence run North 71 degrees 49 minutes 11 seconds East 44.12 feet; thence run North 63 degrees 30 minutes 06 seconds East 35.61 feet; thence run North 61 degrees 04 minutes 22 seconds East 34.35 feet; thence run North 60 degrees 30 minutes 55 seconds East 25.07 feet; thence run North 62 degrees 47 minutes 10 seconds East 18.65 feet; thence run North 44 degrees 49 minutes 29 seconds East 10.27 feet; thence run North 72 degrees 03 minutes 21 Seconds East 4.81 feet to the POINT OF BEGINNING. Containing 4.68 acres more or less.

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.



WADE G. BROWN
Surveyor & Mapper
Florida Certificate No. 5959
(LB 6475)

96-115PSC:36569(W)

MAY 03 2016

3 of 3

2813 Crawfordville Hwy * P.O. Box 625 * Crawfordville, Florida 32326
(850) 926-3016 * FAX (850) 926-8180

CONSERVATION EASEMENT

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby made and entered into on this 6th day of April, 2016, by Charles Alton Golden whose mailing address is 18 Talon Drive, Crawfordville, Florida 32327 hereinafter referred to as the "Grantor," to LEON COUNTY, FLORIDA, a political subdivision of the State of Florida, whose mailing address is Board of County Commissioners, 301 South Monroe Street, Tallahassee, Florida 32301, hereinafter referred to as the "Grantee."

WITNESSETH:

For and in consideration of the mutual promises and other good and valuable consideration as set forth herein, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant to the Grantee, its successors and assigns, a perpetual Conservation Easement in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit "A", which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

The following activities are prohibited within this easement, pursuant to Section 704.06, Florida Statutes:

1. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures above or on the ground.
2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.
3. Removal or destruction of trees, shrubs, or other vegetation, except for invasive exotic vegetation.
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.
5. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife conservation habitat preservation.
7. Acts or uses detrimental to such retention of land or water areas.
8. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

Removal or pruning of hazardous, diseased or insect infested trees may be permitted upon prior approval from the Leon County Department of Development Support and Environmental Management.

It is understood that the granting of this easement entitles the Grantee to enter the above-described land in a reasonable manner and at reasonable times to assure compliance with the conditions of this easement.

Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whosoever claimed by, through or under it, that it has good rights and lawful authority to grant this easement and that the same is unencumbered. Where the context of this easement requires, allows or permits, the same shall include the successors or assigns of the parties.

The easement granted hereby shall run with the land and shall enure to the benefit of the Grantee and its successors and assigns.

IN WITNESS WHEREOF, Grantor has caused these covenants to be executed and its seal to be affixed hereto on the day and year first above written.

GRANTOR

Charles Alton Golden
(Name of Owner Typewritten)


(Signature of Owner)

WITNESSES:


(Sign)
Gabriel Lemmerman
(Print Name)


(Sign)
Jane Johnston
(Print Name)

STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me this 6th day of April, 2016, by Charles Alton Golden,
(name of owner)

He/she is personally known to me or has produced _____
as identification.

(Signature of Notary) Jane S. Johnston

(Print, Type or Stamp Name of Notary)



(Title or Rank)

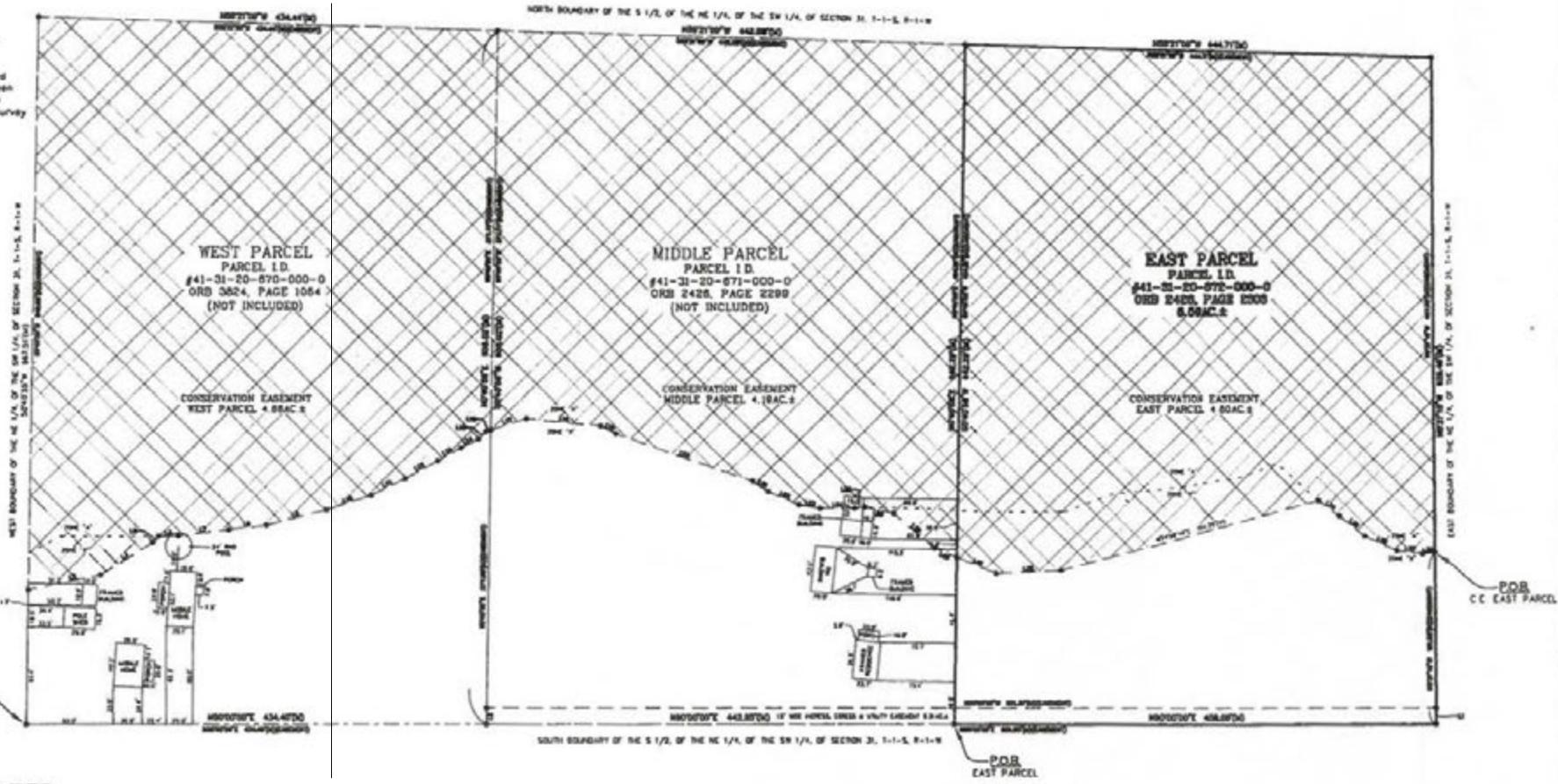
(Serial Number, If Any)

This Document Prepared by: Herbert W.A. Thiele, Esq., County Attorney
Leon County Attorney's Office
Suite 202, 301 South Monroe Street
Tallahassee, Florida 32301

NOTES:

- No improvements were located in this survey other than those shown hereon.
- No underground encroachments, utilities or foundations were located in this survey.
- All measurements shown hereon are Standard U.S. Survey Feet, and decimals thereof.
- As scaled from Flood Insurance Rate Map for Leon County, Florida, Community-Panel Number 12072C 0430 F, Date of Firm Index, August 18, 2009, This Property is located in Zone "A" & "X".
- The use of this survey is limited to the specific transaction shown hereon.
- This survey is not complete without an attached legal description.
- See attached sheet for legal description.
- Subject to zoning setbacks, easements and restrictions of record.
- Applying deeds of record were not provided to this firm.
- The Conservation Easement shown hereon was provided by Moore Bass Consulting, via an Auto Cad file.
- Boundary & location of improvements shown hereon are as they existed at the time of the survey date of June 6, 1999. No field work has been performed by this firm to verify any changes to the boundary, location of improvements, any encroachments and/or encroachment since the survey date of June 6, 1999.
- THIS IS NOT A BOUNDARY SURVEY.

Line #	Direction	Length	Line #	Direction	Length
L1	S02°31'07"W	18.00	L30	S70°42'28"E	136.46
L2	S20°23'27"W	15.00	L31	S82°34'42"E	17.08
L3	S71°28'24"E	88.76	L32	S89°39'48"E	21.48
L4	S07°28'48"E	92.41	L33	S89°39'48"E	26.89
L5	N47°21'48"E	7.80	L34	N89°24'32"E	33.00
L6	S89°39'48"E	18.41	L35	S89°39'48"E	8.70
L7	S89°39'48"E	42.88	L36	S20°23'27"E	32.86
L8	S89°39'48"E	26.58	L37	S20°23'27"E	24.41
L9	S71°28'24"E	88.37	L38	S89°39'48"E	25.43
L10	S71°28'24"E	44.13	L39	S89°39'48"E	33.75
L11	S89°39'48"E	35.81	L40	S89°39'48"E	24.83
L12	S89°39'48"E	34.36	L41	S89°39'48"E	11.60
L13	S89°39'48"E	25.67	Line Table		
L14	S89°39'48"E	18.86	Line #	Direction	Length
L15	S44°48'38"E	18.27	L38	S89°39'48"E	31.80
L16	S71°28'24"E	4.81	L39	S89°39'48"E	33.75
L17	S71°28'24"E	38.30	L40	S89°39'48"E	41.00
L18	S89°39'48"E	71.13	L41	S89°39'48"E	41.00
L19	S89°39'48"E	14.36	L42	S89°39'48"E	81.72



POC
BEGIN AT THE SW CORNER
OF THE NE 1/4, OF THE
SW 1/4, OF SECTION 31,
T-1-S, R-1-W, LEON
COUNTY, FLORIDA

EDWIN BROWN & ASSOCIATES
SURVEYORS • MAPPERS • ENGINEERS
(850) 926-3016 888-433-4436 FAX (850) 926-8180
P.O. Box 825 2813 Crawfordville Hwy. Crawfordville, FL 32326

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

Signature of Wade C. Brown

WADE C. BROWN
Surveyor & Mapper
Florida Certificate No. 5959
(LB# 6475)

LEGEND

- FND - FOUND
- RB - RE-BAR
- ORB - OFFICIAL RECORDS BOOK
- CM - CONCRETE MONUMENT
- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- SRB - SET 5/8" RE-BAR #6475
- SNC - SET NAIL & CAP #6475
- FTE - FINISHED FLOOR ELEVATION
- EL - ELEVATION
- TBM - TEMPORARY BENCHMARK
- D - DEED
- M - MEASURED
- R - RECORDED PLAT
- R/W - RIGHT OF WAY
- RAD - RADIUS
- DEL - DELTA OR INCLUDED ANGLE
- CH - CHORD LENGTH
- CB - CHORD BEARING
- L - ARC LENGTH
- R/C - ROD AND CAP
- P - IRON PIPE
- PC - POINT OF CURVATURE
- C.E. - CONSERVATION EASEMENT
- C - CALCULATED
- LINE NOT TO SCALE
- FNC - FOUND NAIL AND CAP
- WY - WYERT ELEVATION
- TE - CABLE TELEVISION BOX
- SPC - ST. JOE PAPER COMPANY
- OHE - OVERHEAD ELECTRIC LINE
- CCCL - COASTAL CONSTRUCTION CONTROL LINE
- SCM - SET 4X4 CONCRETE MONUMENT (#6475)
- W - WEST
- N - NORTH
- S - SOUTH
- E - EAST
- NE - NEST
- CP - CALCULATED POINT
- RND - SOUND
- INT - POINT OF INTERSECTION
- POT - POINT OF TERMINUS
- CP - POWER POLE
- SRB 5/8" #6475
- INDICATES FENCE & TIE TO PROPERTY
- FND CONCRETE MONUMENT
- SERVICE POLE
- FND MONUMENTATION
- EP - EDGE OF PAVEMENT
- LP - LIGHT POLE
- CT - CURVE TAG (SEE CURVE TABLE)
- LI - LINE TAG (SEE LINE TABLE)
- ID - IDENTIFICATION
- T - TOWER
- R - RANGE
- N - NORTH
- S - SOUTH
- E - EAST
- W - WEST
- WATER METER
- RIGID CONCRETE PIPE
- PVC - POLYVINYL CHLORIDE PIPE
- CM - CORRUGATED METAL PIPE
- MHW - MEAN HIGH WATER LINE
- FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION
- FDAP - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

REVISION	BY	DATE
REVISED TITLE BLOCK & PAGE NUMBERS	AA	5/2/2016
REVISED CONSERVATION EASEMENTS ON MIDDLE & EAST PARCEL	AA	3/28/2016
REVISED CLIENT NAME	AA	3/27/2016

SPECIFIC PURPOSE SURVEY TO SHOW SKETCH OF LEGAL DESCRIPTIONS & CONSERVATION EASEMENTS FOR PARCEL I.D. NUMBER 41-31-20-872-000-0
PREPARED FOR

EAST PARCEL

PREPARED BY
EDWIN G. BROWN AND ASSOCIATES, INC.
2813 CRAWFORDVILLE HWY. P.O. BOX 825 CRAWFORDVILLE, FL 32326 (850)926-3016

NOTBOOK/PAGE	COUNTY: LEON	DRAWN BY: AA	REVIEWED BY: WCB
NOTBOOK/PAGE	SECTION: 31		CHECKED BY: WCB
NOTBOOK/PAGE	TOWNSHIP: 1-SOUTH	SURVEY DATE: FEBRUARY 3, 2016	
SHEET: 1 OF 3	RANGE: 1-WEST	JOB NUMBER: 06-115	36569

MAY 03 2016

FEBRUARY 3, 2016
(REVISED: MARCH 28, 2016)
(REVISED: MAY 2, 2016)

EAST PARCEL ID#41-31-20-672-000-0

6.59 ACRES

Commence at the Southwest corner of the Northeast quarter, of the Southwest quarter, of Section 31, Township 1 South, Range 1 West, Leon County, Florida; thence run along the Southerly boundary line of the South half, of the Northeast quarter of the Southwest quarter of said Section 31, as follows: North 90 degrees 00 minutes 00 seconds East 434.40 feet; thence run North 90 degrees 00 minutes 00 seconds East 442.85 feet to the POINT OF BEGINNING; thence leaving said POINT OF BEGINNING continue along said Southerly boundary line North 90 degrees 00 minutes 00 seconds East 459.00 feet to a point marking the intersection of said Southerly boundary line with the Easterly boundary line of the Northeast quarter of the Southwest Quarter of said Section 31; thence leaving said Southerly boundary line run along said Easterly boundary line North 00 degrees 37 minutes 15 seconds West 629.49 feet to a point marking the intersection of said Easterly boundary line with the Northerly boundary line of the South half of the Northeast quarter, of the Southwest quarter of said Section 31; thence leaving said Easterly boundary line run along said Northerly boundary line North 88 degrees 21 minutes 09 seconds West 444.71 feet; thence leaving said Northerly boundary line run South 00 degrees 40 minutes 58 seconds West 642.29 feet to the POINT OF BEGINNING. Containing 6.59 acres more or less.

SUBJECT TO A CONSERVATION EASEMENT LYING OVER AND ACROSS A PORTION OF THE ABOVE DESCRIBED PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the Southwest corner of the Northeast quarter, of the Southwest quarter, of Section 31, Township 1 South, Range 1 West, Leon County, Florida; thence run along the Southerly boundary line of the South half, of the Northeast quarter of the Southwest quarter of said Section 31 as follows: North 90 degrees 00 minutes 00 seconds East 434.40 feet; thence run North 90 degrees 00 minutes 00 seconds East 442.85 feet; thence run North 90 degrees 00 minutes 00 seconds East 459.00 feet to a point marking the intersection of said Southerly boundary line with the Easterly boundary line of the Northeast quarter, of the Southwest quarter of said Section 31; thence leaving said Southerly boundary line along said Easterly boundary line North 00 degrees 37 minutes 15 seconds West 161.53 feet to the POINT OF BEGINNING; thence leaving said POINT OF BEGINNING continue along said Easterly boundary line North 00 degrees 37

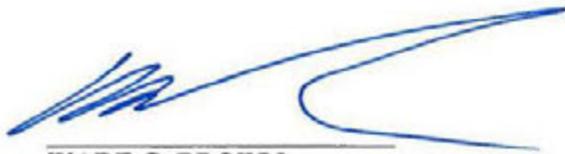
2 of 3

2813 Crawfordville Hwy * P.O. Box 625 * Crawfordville, Florida 32326
(850) 926-3016 * FAX (850) 926-8180

EAST PARCEL ID#41-31-20-672-000-0
6.59 ACRES

minutes 15 seconds West 467.96 feet to a point marking the intersection of said Easterly boundary line with the Northerly boundary line of the South half of the Northeast quarter of the Southwest quarter of said Section 31; thence leaving said Easterly boundary line run along said Northerly boundary line North 88 degrees 21 minutes 09 seconds West 444.71 feet; thence leaving said Northerly boundary line run South 00 degrees 40 minutes 58 seconds West 484.91 feet; thence run South 68 degrees 04 minutes 49 seconds East 41.02 feet; thence run North 87 degrees 11 minutes 53 seconds East 61.72 feet; thence run North 74 degrees 59 minutes 40 seconds East 254.29 feet; thence run South 53 degrees 57 minutes 11 seconds East 24.41 feet; thence run South 51 degrees 41 minutes 37 seconds East 31.43 feet; thence run South 65 degrees 31 minutes 08 seconds East 32.73 feet; thence run South 82 degrees 35 minutes 40 seconds East 24.63 feet; thence run North 83 degrees 59 minutes 42 seconds East 11.50 feet to the POINT OF BEGINNING. Containing 4.80 acres more or less.

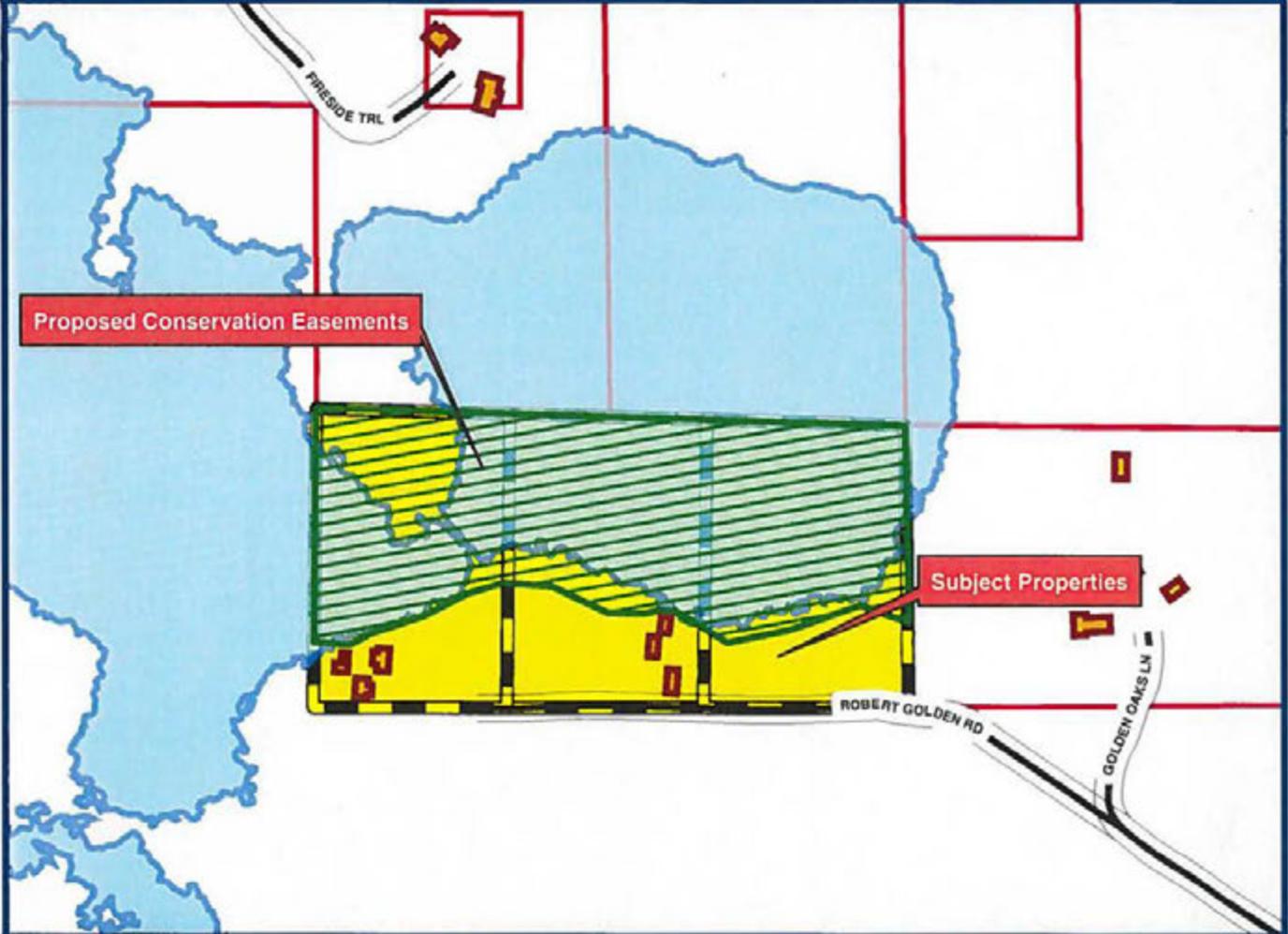
The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.



WADE G. BROWN
Surveyor & Mapper
Florida Certificate No. 5959 MAY 03 2016
(LB 6475)

96-115PSC:36569(EE)

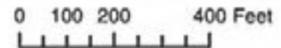
LEON COUNTY DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT



Proposed Conservation Easements
from Homer Golden, Marie Boyette,
and Charles Alton Golden



1 inch = 400 Feet



Legend

- Proposed Conservation Easement
- Buildings
- Waterbodies
- Subject Properties
- Parcels

Tallahassee-Leon County GIS
www.tlgeis.org

LEON

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

**Leon County
Board of County Commissioners**

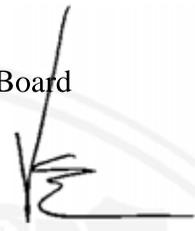
Notes for Agenda Item #8

Leon County Board of County Commissioners

Cover Sheet for Agenda #8

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of the Memorandum of Agreement with the Florida Department of Transportation for the Maintenance of a Section of Highway 27 (Apalachee Parkway) and US 90 (Mahan Drive) and Adopt the Associated Resolution

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Tony Park, P.E., Director of Public Works Robert Mills, Assistant Public Works Director
Lead Staff/ Project Team:	Dale Walker, Director of Operations Leigh Davis, Director of Parks & Recreation Roshaunda Bradley, Assistant to the Public Works Director

Fiscal Impact:

This item has a fiscal impact. Adequate funding is available in the proposed FY 2017 budget to cover all of the associated costs for maintenance. FDOT will reimburse the County \$43,863 annually for a period of three years, a \$4,941 increase from the previous agreements. This revenue will be included in future budgets to offset related maintenance expenditures.

Staff Recommendation:

- Option #1: Approve the Memorandum of Agreement with the Florida Department of Transportation for the maintenance of a section of Highway 27 (Apalachee Parkway) and Mahan Drive (Attachment #1) and authorize the County Administrator to execute.
- Option #2: Adopt the Resolution approving the Memorandum of Agreement (Attachment #2), and authorize the Chairman to execute.

Title: Approval of a Memorandum of Agreement with the Florida Department of Transportation for the Maintenance of a Section of Highway 27 (Apalachee Parkway) and US 90 (Mahan Drive) and Adopt the Associated Resolution

June 14, 2016

Page 2

Report and Discussion

Background:

This item seeks Board approval of the Memorandum of Agreement (MOA) between Leon County and the Florida Department of Transportation (FDOT) for maintenance along sections of Apalachee Parkway and Mahan Drive.

The section of the Parkway addressed in the Agreement is approximately 1½ miles of median and right-of-way on Highway 27 in front of the Solid Waste Management Facility and the Apalachee Regional Park. The landscaping improvements associated with the Agreement are part of the overall Master Plan for the site and were originally initiated at the request of neighboring communities. The County agreed to improve the landscaping of this area by adding landscape to the medians and right-of-way while increasing the mowing schedule of the remaining turf.

The section of Mahan Drive is from Brewster Drive to Apex Drive. On November 10, 2009, the Board approved a Local Funding Agreement with FDOT in which Leon County provided \$1.2 million in funding for supplemental landscaping associated with the improvement of Mahan Drive. The supplemental landscaping included 1,377 large trees and 1,683 shrubs planted in 3.498 acres of mulch beds throughout the length of the project. At the May 14, 2014 meeting, the Board entered into an agreement with FDOT to provide maintenance of the landscaping.

The current agreements expire on September 30, 2016. Previously, there were separate agreements for Apalachee Parkway and Mahan; the new agreement consolidates both roadway sections into a single MOA (Attachment #1). In addition, the FDOT requires a Resolution be adopted along with approval of the MOA (Attachment #2).

Analysis:

The Agreement is for a term of three years, commencing on October 1, 2016. Under the Agreement, the County will provide maintenance of the areas in accordance with the FDOT Landscape Care Guide, with an annual reimbursement from FDOT equal to the amount FDOT otherwise would have had to expend for normal routine maintenance. The County will be responsible for mowing, edging and sweeping, litter removal and landscape maintenance on the roadways.

FDOT will reimburse the County \$43,863 annually for the three year period, an increase of \$4,941 a year from the previous agreements. Adequate funding is included in the proposed FY 17 budget to cover all of the associated costs for maintenance. The reimbursement from FDOT will be included in future budgets to offset these expenditures.

Title: Approval of a Memorandum of Agreement with the Florida Department of Transportation for the Maintenance of a Section of Highway 27 (Apalachee Parkway) and US 90 (Mahan Drive) and Adopt the Associated Resolution

June 14, 2016

Page 3

Options:

1. Approve the Memorandum of Agreement with the Florida Department of Transportation for the maintenance of a section of Highway 27 (Apalachee Parkway) and Mahan Drive (Attachment #1), and authorize the County Administrator to execute.
2. Adopt the Resolution approving the Memorandum of Agreement (Attachment #2), and authorize the Chairman to execute.
3. Do not approve the Memorandum of Agreement with the Florida Department of Transportation for the maintenance of a section of Highway 27 (Apalachee Parkway) and Mahan Drive and associated Resolution.
4. Board direction.

Recommendation:

Options #1 & #2.

Attachments:

1. Proposed Memorandum of Agreement
2. Resolution

CONTRACT NO. _____
FINANCIAL PROJECT NO. 42378227802
F.E.I.D. NO. 596000708032

MAINTENANCE

MEMORANDUM OF AGREEMENT

THIS AGREEMENT is between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, a component agency of the State of Florida, "DEPARTMENT," and the County of Leon, a political subdivision of the State of Florida, existing under the Laws of Florida, "County".

WITNESSETH

WHEREAS, as a part of the continual updating of the State of Florida Highway System, the DEPARTMENT, for the purpose of safety, protection of the investment and other reasons, has constructed and does maintain 4 lane highway facilities outlined in Exhibit "A" (Scope of Services) attached hereto and incorporated by reference herein, within the corporate limits of the County; and

WHEREAS, the County is of the opinion that said highway facilities that contain roadside areas shall be attractively maintained by mowing, edging and sweeping, litter removal and landscape maintenance.

WHEREAS, the parties hereto mutually recognize the need for entering into an Agreement designating and setting forth the responsibilities of each party; and

WHEREAS, the DEPARTMENT is authorized to enter into this Agreement pursuant to Section 335.055, Florida Statutes "F.S.;" and

WHEREAS, the County by Resolution No. _____ dated _____, 2016, attached hereto and by this reference made a part hereof, desires to enter into this Agreement and authorized its officers to do so.

NOW THEREFORE, for and in consideration of the mutual benefits to flow each to the other, the parties covenant and agree as follows:

1. The County shall perform the following standards:
 - A. Provide Roadside care in accordance with the latest edition of the District 3 Landscape Care Guide.

The above named functions to be performed by the County shall be subject to periodic inspections by the DEPARTMENT. Such inspection findings will be shared with the County and shall be the basis of all decisions regarding payment reduction, reworking, agreement termination, or renewal.

2. If at any time after the County has assumed the maintenance responsibility above mentioned, it shall come to the attention of the DEPARTMENT's District Secretary that the limits of Exhibit "A" or a part thereof is not properly maintained pursuant to the terms of this Agreement, the District Secretary may at his option issue a written notice that a deficiency or deficiencies exist(s), by sending a certified letter in care of (Mr. Tony Park, Public Works Director, 301 South Monroe Street, Tallahassee, Florida 32301) to place said County, on notice thereof. Thereafter, the County shall have a period of thirty (30) calendar days within which to correct the cited deficiencies. If said deficiencies are not corrected within this time period, the DEPARTMENT may at its option, proceed as follows:
 - (a) Maintain the roadside areas or a part thereof, within the DEPARTMENT or Contractor's personnel and deduct the cost of such work from the County's payment said work or part thereof, or
 - (b) Terminate Agreement in accordance with Paragraph 5 of this Agreement and remove, by DEPARTMENT or private contractor's personnel, all of the items not desirable to maintain installed under this Agreement or any preceding agreement except as to items to remain and charge the County for the reasonable cost of such removal.

3. It is understood between the parties hereto that the maintenance items covered by this Agreement may be removed, relocated or adjusted at any time in the future as determined to be necessary by the DEPARTMENT in order that the adjacent state road be widened, altered or otherwise changed to meet with future criteria or planning of the DEPARTMENT. The County shall be given sixty (60) calendar days notice to remove said maintenance items after which time the DEPARTMENT may remove said maintenance items.

4. The DEPARTMENT agrees to pay to the County quarterly compensation for the cost of routine maintenance of maintenance items identified in Exhibit "A". The lump sum payment will be in the amount of \$10,965.84 per quarter for a total sum of \$43,863.36 per year.
 - (a) Payment shall be made only after receipt and approval of goods and services as provided in Section 215.42, F.S.
 - (b) Invoices shall be submitted by the County in detail sufficient for a proper pre-audit and post-audit thereof, based on quantifiable, measurable and verifiable deliverables as established in Exhibit A. Deliverables must be received and accepted in writing by the DEPARTMENT's Project Manager or designee prior to payment.
 - (c) Supporting documentation must establish that the deliverables were received and accepted in writing by the County and must also establish that the required minimum level of service to be performed as specified in Paragraph 1 was met, and that the criteria for evaluating successful completion as specified in Paragraph 1 was met.
 - (d) Records of costs incurred under terms of this Agreement shall be maintained and made available upon request to the DEPARTMENT at all times during the period of this Agreement and for five years after final payment is made. Copies of these documents and records shall be furnished to the DEPARTMENT upon request. Records of costs incurred includes the County's general accounting records, together with supporting documents and records, of the County and all subcontractors performing work, and all other records of the County and subcontractors considered necessary by the DEPARTMENT for a proper audit of costs.
5. This Agreement may be terminated under any one of the following conditions:
 - (a) By the DEPARTMENT if the County fails to perform its duties under Paragraph 2, following ten (10) days written notice.
 - (b) By the DEPARTMENT, for refusal by the County to allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, F.S., and made or received by the County in conjunction with this agreement.
 - (c) By either party following sixty (60) calendar days written notice.
 - (d) By both parties, thirty (30) calendar days following the complete execution by both parties, of an agreement to terminate this agreement.
6. The term of this Agreement commences on October 1, 2016 and continues thru September 30, 2019.
7. The Department's obligation to pay is contingent upon an annual appropriation by the Florida Legislature. In the event this Agreement is in excess of \$25,000 or has a term for a period of more than one year, the provisions of Section 339.135, (6)(a), F.S., are hereby incorporated:

The department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The department shall require a statement from the comptroller of the department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the department which are for an amount in excess of \$25,000 and which have a term for a period of more than 1 year.
8. This writing embodies the entire Agreement and understanding between the parties hereto and there are no other Agreements and understanding, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby.
9. The DEPARTMENT's District Secretary shall decide all questions, difficulties and disputes of any nature whatsoever that may arise under or by reason of this Agreement, the prosecution or fulfillment of the service hereunder and the character, quality, amount and value thereof; and his decision upon all claims, questions and disputes shall be final and conclusive upon the parties hereto.
10. Vendors providing goods and services to an agency should be aware of the following time frames. Upon receipt, an agency has five (5) working days to inspect and approve the goods and services unless the bid specifications, purchase order, or contract specifies otherwise. An agency has 20 days to deliver a request for payment (voucher) to the Department of Financial Services. The 20 days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved.

If a warrant in payment of an invoice is not available within 40 days after receipt of a properly completed invoice, a separate interest penalty in accordance with Section 55.03(1), F.S., will be due and payable, in addition to the invoice amount to the County. Interest penalties of less than one (1) dollar will not be enforced unless the vendor requests payment. Invoices which have to be returned to a vendor because of vendor preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the DEPARTMENT.

A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for vendors who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516.

11. This Agreement may not be assigned or transferred by the County in whole or in part without consent of the DEPARTMENT.
12. County:
 - (a) Shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the County during the term of the contract; and
 - (b) Shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.
13. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida, current Department of Transportation Specification and Department of Transportation Standard Indices. Venue of any judicial proceedings arising out of this Agreement shall be in Leon County, Florida.
14. Travel expenses are not authorized under this Agreement.
15. The County shall comply with all federal, state and local laws and ordinances applicable to the work or payment for work thereof. The County shall not discriminate on the grounds of race, color, religion, sex or national origin in the performance of work under this Agreement.
16. No funds received pursuant to this Agreement may be expended for lobbying the Legislature, the judicial branch, or a state agency.
17. The County and the DEPARTMENT agree that the County, its employees, and subcontractors are not agents of the DEPARTMENT as a result of this Agreement.
18. PUBLIC ENTITY CRIME INFORMATION AND ANTI-DISCRIMINATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list. An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity
19. The effective date of this Agreement shall be the latest date on which either party executes this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the dates set forth below.

COUNTY OF LEON

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: _____
NAME: _____
TITLE: _____
DATE: _____

BY: _____
District Secretary for District Three
DATE: _____

ATTEST: _____ (Seal)

ATTEST: _____ (Seal)
Executive Secretary

LEGAL REVIEW:

Office of the General Counsel

**EXHIBIT "A"
THE COUNTY OF LEON
BASIS OF ESTIMATE**

SITES:

1. From: Williams Road; To: Balmoral Drive: Section Site No. 55080000 (S.R. 20) (M.P.7.622) to (M.P.9.044)

2. From Brewster Road; To: Apex Drive: Section Site No. 55020000 (S.R. 10) (M.P. 3.846) To (M.P. 8.267)

COST ESTIMATE FOR ONE YEAR

PAY ITEM No.	ACTIVITY No.	DESCRIPTION	UNITS PER CYCLE	COST PER UNIT	CYCLES PER YEAR	TOTAL COST
E104-4-2	482	SLOPE MOWING	6.0 ACRE	\$80.89	7	\$3,397.38
E104-4-4	484	INTERMEDIATE MOWING	41.7 ACRE	\$53.44	7	\$15,599.14
E110-30	541	LITTER REMOVAL	99.2 ACRE	\$7.27	12	\$8,654.21
E110-32-1	545	EDGING AND SWEEPING	22.9 PM	\$137.36	3	\$9,436.63
E580-3-2	493	LANDSCAPED AREA MAINTENANCE	3.5 ACRE	\$484.00	4	\$6,776.00
GRAND TOTAL						\$43,863.36

(QUARTERLY - \$10,965.84)

(TOTAL COST FOR THREE YEARS - \$131,590.08)

RESOLUTION: 16-_____

**RESOLUTION APPROVING MAINTENANCE MEMORANDUM OF AGREEMENT
BETWEEN THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION,
AND LEON COUNTY, FLORIDA FOR MAINTENANCE ON
MAHAN DRIVE AND APALACHEE PARKWAY**

WHEREAS, The State of Florida, Department of Transportation (the "DEPARTMENT") and Leon County, Florida (the "COUNTY") wish to enter into a Memorandum of Agreement ("MOA") to allow the COUNTY to provide maintenance of landscaping along portions of Mahan Drive (S.R. 10) and Apalachee Parkway (U.S. Highway 27 and S.R. 20); and

WHEREAS, the details of the MOA are described in the agenda request as presented to the Board of County Commissioners of Leon County, Florida at its regular meeting on June 14, 2016 seeking approval of a Maintenance Memorandum of Agreement between the DEPARTMENT and the COUNTY.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, assembled in regular session this 14th day of June, 2016, that the Board hereby approves the MOA and hereby authorizes the County Administrator to execute the MOA in a form approved by the County Attorney.

Passed and adopted on this 14th day of June, 2016.

LEON COUNTY, FLORIDA

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

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

APPROVED AS TO FORM:
Leon County Attorney's Office

BY: _____

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

**Leon County
Board of County Commissioners**

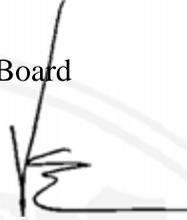
Notes for Agenda Item #9

Leon County Board of County Commissioners

Cover Sheet for Agenda #9

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of a Memorandum of Understanding with Leon County School Board for Use of Facilities for Staging during Emergency Events

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Tony Park, P.E., Director of Public Works Robert Mills, Assistant Public Works Director
Lead Staff/ Project Team:	Dale Walker, Director of Operations Roshanda Bradley, Assistant to the Public Works Director Andrew Riley, Transportation Superintendent

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Approve the Memorandum of Understanding with the Leon County School Board for use of facilities for staging during emergency events (Attachment #1), and authorize the County Administrator to execute.

Report and Discussion

Background:

This item seeks Board approval of a Memorandum of Understanding with the Leon County School Board for use of school facilities as short term staging locations during emergency events (Attachment #1). Establishing pre-event agreements is in the best interest of local governments and their citizens and is a critical part of disaster preparedness, response, and recovery.

In order to effectuate the fastest response possible during emergency events, Public Works intends to have crews and equipment deployed at various locations around the unincorporated County. In the past crews were deployed to the fire stations, with a plan to move to the schools when winds exceeded tropical force (39 mph), since the fire stations were not built to withstand tropical force winds. The new plan, to deploy to the schools instead of the fire stations, will lessen confusion and avoid relocations.

Analysis:

Staff, in coordination with Leon County Schools Department of Safety and Security, has identified six Leon County schools that will be utilized as short-term staging areas during emergency events, including: Canopy Oaks, Chaires, Woodville, Ft. Braden School, Montford Middle School, and Chiles High School. The proposed MOU identifies designated locations for parking of vehicles and equipment, and locations for staff to shelter until the storm passes at each facility.

Public Works emergency procedures calls for crews to respond to downed trees, power lines, and other issues prior to the arrival of sustained, tropical force winds to ensure roadways remain passable for as long as possible. Once winds reach tropical storm speeds, the crews will relocate to the hardened school facilities to wait until the storm passes. Once it has been deemed safe to return to the streets, crews will deploy from the sites to begin response operations.

The proposed MOU is scheduled to be presented to the Leon County School Board for approval at its June 21, 2016 meeting. Staff recommends approval.

Options:

1. Approve the Memorandum of Understanding with the Leon County School Board for use of facilities for staging during emergency events (Attachment #1), and authorize the County Administrator to execute.
2. Do not approve the Memorandum of Understanding with the Leon County School Board for use of facilities for staging during emergency events.
3. Board direction.

Recommendation:

Option #1.

Attachment:

1. Proposed Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

BETWEEN LEON COUNTY AND LEON COUNTY SCHOOL BOARD

RE: PUBLIC WORKS EMERGENCY EVENT DEPLOYMENT/STAGING LOCATIONS

Leon County, Florida, through the Department of Public Works, desires to establish safe staging locations to position personnel and equipment to effectively carry out response activities during emergency or disaster events. The intent is to have crews deployed at various locations around the unincorporated County to effectuate the fastest response possible during emergency events.

Leon County School Board, through the Leon County Schools Department of Safety and Security, and the Leon County Department of Public Works have identified six staging locations (set forth below) to meet operational needs during emergency events. The purpose of this memorandum of understanding is to formalize this arrangement.

Specific items of understanding include the following:

1. **Staging Locations**

Public Works and the Leon County Schools Department of Safety and Security have identified six Leon County School facilities that will be utilized as short-term staging areas during emergency events (Appendix A):

- Canopy Oaks Elementary
3250 Point View Drive
Tallahassee, FL 32303
- Chaires Elementary
4774 Chaires Cross Road
Tallahassee, FL 32317
- Woodville Elementary
9373 Woodville Highway
Tallahassee, FL 32305
- Ft. Braden School
15100 Blountstown Hwy
Tallahassee, FL 32310
- Montford Middle School
5789 Pimlico Drive
Tallahassee, FL 32309
- Chiles High School
7200 Lawton Chiles Lane
Tallahassee, FL 32312

2. Notification Procedures

- In the event of a threatening hurricane, inclement weather, or other emergency event, the Public Works Director, after consultation with other emergency response agencies, will make an assessment of the need for mobilization and deployment of Public Works personnel and equipment to the staging locations. Depending on the severity of the event, the Public Works Director will decide if a full or partial deployment is required. A full deployment indicates that all six staging locations will be utilized; during a partial deployment only certain locations may be utilized. In the case mobilization is required, the Public Works Director, or his designee, will notify the Leon County Schools Department of Safety & Security that activation is imminent.
- The Leon County Schools Department of Safety & Security is responsible for providing Public Works personnel access to each site, as deemed necessary.

3. Staffing and Equipment

- The crew structure for each deployed team typically consists of: (1) Crew Chief, (1) Heavy Equipment Operator, (1) Equipment Operator, and (2) Maintenance Technicians/Service Workers. Additionally, the following agencies may be stationed with each crew: Tallahassee Fire Department, Leon County Sheriff's Office, Leon County Emergency Medical Services, and a representative from Talquin Electric.
- Equipment for the deployed crews typically consists of: (1) Crew Truck, (1) Dump Truck, (1) Excavator, backhoe, or end loader.

4. Parking/Equipment Staging Area

Designated parking locations have been identified for each staging location to include:

- Chaires Elementary School: Parent Pickup/Drop Off Area behind School
- Woodville Elementary School: Bus Ramp Parking Area Behind School
- Montford Middle School: Front Parking Lot
- Canopy Oaks Elementary School: Bus Ramp Parking Area
- Ft. Braden Elementary School: Parking Loop in front of Gymnasium
- Chiles High School: Diagonal Parking Area between the school and US 319

5. Designated Areas Within the Staging Locations

Designated areas for crews to shelter until the storm passes have been identified for each staging location to include:

- Chaires Elementary School: Cafeteria
- Woodville Elementary School: Resource Room/Old Cafeteria
- Montford Middle School: Cafeteria
- Canopy Oaks Elementary School: Cafeteria
- Ft. Braden Elementary School: Gymnasium
- Chiles High School: Gymnasium

6. Special Circumstances

The Public Works Director, or his designee, will work with a representative from Leon County Schools to resolve any issues or special circumstances arising from the staging of County personnel at any of the designated school locations.

7. Property Damage

To the extent permitted by law and pursuant to Florida Statutes, Section 768.28, Leon County will be responsible for any and all damages that may result from County personnel or equipment being staged on Leon County School Board property. All other agencies shall be solely responsible for any damages caused by their personnel and/or equipment.

8. Term

- This MOU is effective upon signatures by all parties.
- This MOU shall renew automatically each year. Either party may terminate the agreement without cause upon the provision of thirty (30) days written notice to the other party.

For Leon County:

For Leon County School Board:

Vincent S. Long, County Administrator

Leon County Schools Superintendent

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

BY: _____

APPROVED AS TO FORM:
Leon County Attorney's Office

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

LEON COUNTY Hurricane Equipment And Personnel Staging And Talquin Electric Operation Areas Map

LEON COUNTY PUBLIC WORKS
Ph: (850) 606-1500
DATE: 05/18/2016
FILE: \\dwbwin\udata\mclenahan\hsep\2016.mxd

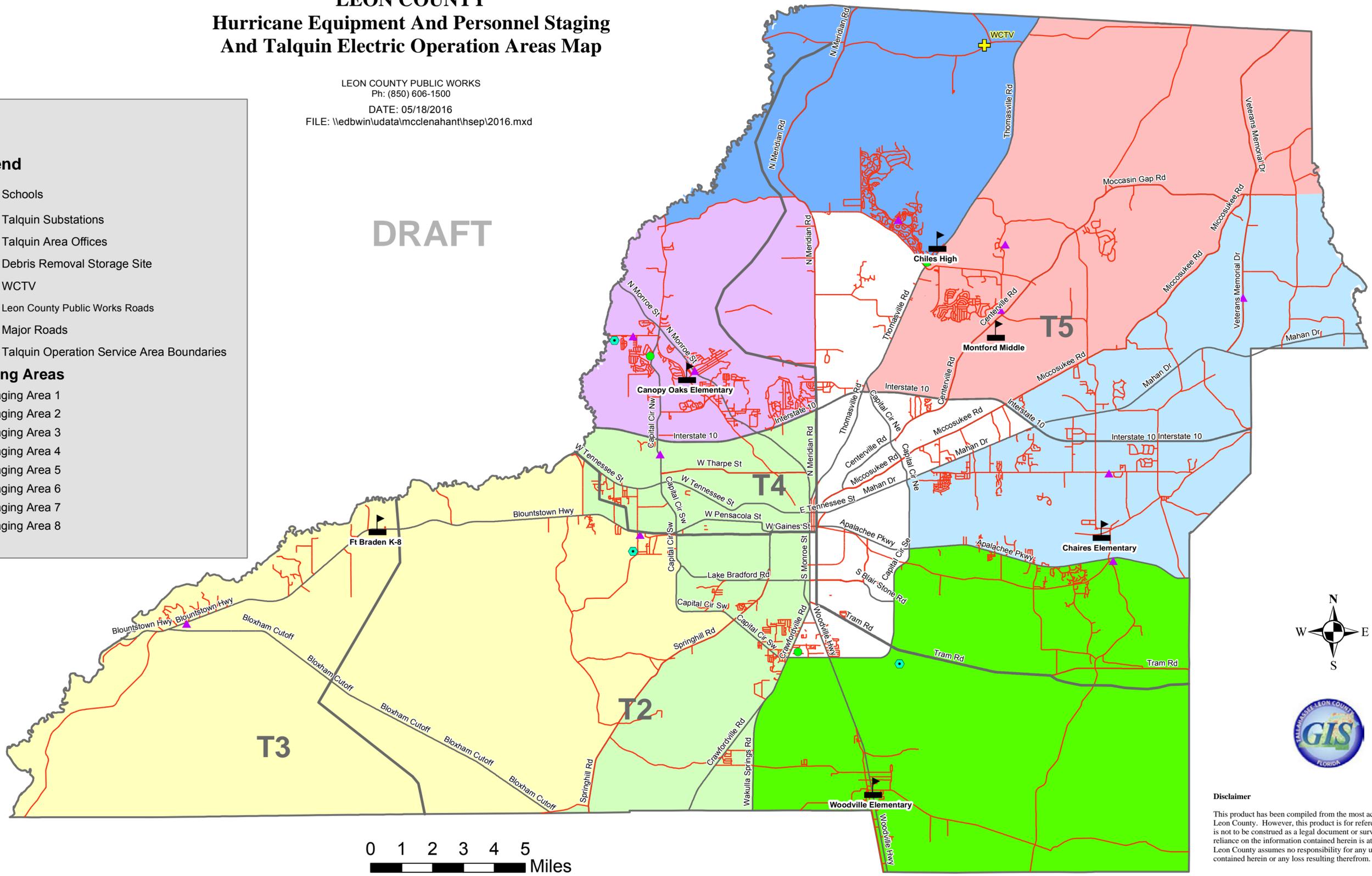
DRAFT

Legend

- Schools
- Talquin Substations
- Talquin Area Offices
- Debris Removal Storage Site
- WCTV
- Leon County Public Works Roads
- Major Roads
- Talquin Operation Service Area Boundaries

Staging Areas

- Staging Area 1
- Staging Area 2
- Staging Area 3
- Staging Area 4
- Staging Area 5
- Staging Area 6
- Staging Area 7
- Staging Area 8



Disclaimer
This product has been compiled from the most accurate source data from Leon County. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County assumes no responsibility for any use of the information contained herein or any loss resulting therefrom.



<p>Ft Braden School 15100 Blountstown Hwy Tallahassee, FL 32310</p> <p>Personnel: 1 - Team Leader 1 - Crew Chief 1 - Heavy Equipment Operator 2 - Maintenance Technicians 1 - Truck Driver</p> <p>Equipment: 1 - P/U 1 - Crew Truck 1 - Dump Truck 1 - Excavator, Backhoe, or Endloader 1 - Bow Blade Chain Saw 1 - Straight Blade Chain Saw</p> <p>Various Handtools - Wind Meter - Chain - Bushaxe - Pitch Fork - Flashlight</p>	<p>Canopy Oaks Elementary 3250 Point View Drive Tallahassee, FL 32303</p> <p>Personnel: 1 - Team Leader 1 - Crew Chief 1 - Heavy Equipment Operator 2 - Maintenance Technicians 1 - Truck Driver</p> <p>Equipment: 1 - P/U 1 - Crew Truck 1 - Dump Truck 1 - Excavator, Backhoe, or Endloader 1 - Bow Blade Chain Saw 1 - Straight Blade Chain Saw</p> <p>Various Handtools - Wind Meter - Chain - Bushaxe - Pitch Fork - Flashlight</p>	<p>Transfer Station 4858 Gum Rd Tallahassee, FL 32304</p> <p>Personnel: 1 - Team Leader 1 - Crew Chief 1 - Heavy Equipment Operator 2 - Maintenance Technicians 1 - Truck Driver</p> <p>Equipment: 1 - P/U 1 - Crew Truck 1 - Dump Truck 1 - Excavator, Backhoe, or Endloader 1 - Bow Blade Chain Saw 1 - Straight Blade Chain Saw</p> <p>Various Handtools - Wind Meter - Chain - Bushaxe - Pitch Fork - Flashlight</p>	<p>Woodville Elementary 9373 Woodville Hwy Tallahassee, FL 32305</p> <p>Personnel: 1 - Team Leader 1 - Crew Chief 1 - Heavy Equipment Operator 2 - Maintenance Technicians 1 - Truck Driver</p> <p>Equipment: 1 - P/U 1 - Crew Truck 1 - Dump Truck 1 - Excavator, Backhoe, or Endloader 1 - Bow Blade Chain Saw 1 - Straight Blade Chain Saw</p> <p>Various Handtools - Wind Meter - Chain - Bushaxe - Pitch Fork - Flashlight</p>	<p>OPERATIONS CENTER 2280 Micosukee Rd</p> <p>Personnel: 1 - Team Leader 1 - Crew Chief 1 - Heavy Equipment Operator 2 - Maintenance Technicians 1 - Truck Driver</p> <p>Equipment: 1 - P/U 1 - Crew Truck 1 - Dump Truck 1 - Excavator, Backhoe, or Endloader 1 - Bow Blade Chain Saw 1 - Straight Blade Chain Saw</p> <p>Various Handtools - Wind Meter - Chain - Bushaxe - Pitch Fork - Flashlight</p>	<p>Chiles High School 7200 Lawton Chiles Lane Tallahassee, FL 32312</p> <p>Personnel: 1 - Team Leader 1 - Crew Chief 1 - Heavy Equipment Operator 2 - Maintenance Technicians 1 - Truck Driver</p> <p>Equipment: 1 - P/U 1 - Crew Truck 1 - Dump Truck 1 - Excavator, Backhoe, or Endloader 1 - Bow Blade Chain Saw 1 - Straight Blade Chain Saw</p> <p>Various Handtools - Wind Meter - Chain - Bushaxe - Pitch Fork - Flashlight</p>	<p>Montord Middle School 5789 Pimlico Dr Tallahassee, FL 32309</p> <p>Personnel: 1 - Team Leader 1 - Crew Chief 1 - Heavy Equipment Operator 2 - Maintenance Technicians 1 - Truck Driver</p> <p>Equipment: 1 - P/U 1 - Crew Truck 1 - Dump Truck 1 - Excavator, Backhoe, or Endloader 1 - Bow Blade Chain Saw 1 - Straight Blade Chain Saw</p> <p>Various Handtools - Wind Meter - Chain - Bushaxe - Pitch Fork - Flashlight</p>	<p>Chaires Elementary 4774 Chaires Cross Rd Tallahassee, FL 32317</p> <p>Personnel: 1 - Team Leader 1 - Crew Chief 1 - Heavy Equipment Operator 2 - Maintenance Technicians 1 - Truck Driver</p> <p>Equipment: 1 - P/U 1 - Crew Truck 1 - Dump Truck 1 - Excavator, Backhoe, or Endloader 1 - Bow Blade Chain Saw 1 - Straight Blade Chain Saw</p> <p>Various Handtools - Wind Meter - Chain - Bushaxe - Pitch Fork - Flashlight</p>
<p>Total County Road Miles: 57.50 mi.</p>	<p>Total County Road Miles: 97.72 mi.</p>	<p>Total County Road Miles: 60.60 mi.</p>	<p>Total County Road Miles: 85.91 mi.</p>	<p>Total County Road Miles: 62.16 mi.</p>	<p>Total County Road Miles: 67.21 mi.</p>	<p>Total County Road Miles: 95.83 mi.</p>	<p>Total County Road Miles: 100.07 mi.</p>

**Leon County
Board of County Commissioners**

Notes for Agenda Item #10

Leon County Board of County Commissioners

Cover Sheet for Agenda #10

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Herbert W.A. Thiele, County Attorney 

Title: Acceptance of Status Report on the County's Legal Authority to Regulate Fracking

County Attorney Review and Approval:	Herbert W.A. Thiele, County Attorney
Lead Staff/ Project Team:	Jessica M. Icerman, Assistant County Attorney

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

- Option #1: Accept the Status Report on the County's Legal Authority to Regulate Fracking.
- Option #2: Board Direction.

Report and Discussion

Background:

At the Board's April 26, 2016 meeting, after discussion relating to fracking, the County Attorney's Office was directed to prepare an informational agenda item for the Board's consideration on the County's legal authority to regulate fracking.

Analysis:

On March 10, 2015, the Leon County Board of County Commissioners adopted Resolution No. 15-14, which supported state legislation banning the use of hydraulic fracturing, acid fracturing, and well stimulation treatments used in the exploration and production of oil or natural gas in Florida. The bills at issue at that time were filed during the 2015 Legislative Session; those bills "died" in committee. This included House Bill 169, which would have prohibited well stimulation treatments (including, but not be limited to, hydraulic fracturing, acid fracturing, and acid matrix stimulation) for the exploration or production of oil or natural gas in the state, and Senate Bill 166, which would have prohibited hydraulic fracturing in the state.

More recently, House Bill 191 and the related Senate Bill 318 were introduced in the 2016 legislative session. As introduced, these bills would preempt local governments from regulating all matters relating to the exploration, development, production, processing, storage, and transportation of oil and gas. The County opposed these bills and worked with the Florida Association of Counties to lobby against the preemption language. Both bills ultimately died. Unless and until the State preempts local governments from regulating fracking, the County can regulate fracking within the County.

Pursuant to Article I, Section 1.6 of the Home Rule Charter of Leon County, "County ordinances shall establish the minimum standards, procedures, requirements and regulations for the protection of the environment and shall be effective within the unincorporated and incorporated areas of the County." This includes regulations relating to fracking. The County may, therefore, pass an ordinance regulating fracking within the unincorporated and incorporated areas of the County.

Currently, fracking is explicitly prohibited in the County's rural zoning district. Fracking is also not a permitted, conditional or restricted use in any other County zoning district.

Options:

1. Accept the Status Report on the County's Legal Authority to Regulate Fracking.
2. Board direction.

Recommendation:

Option #1 and #2.

Attachment:

1. Resolution No. 15-14

RESOLUTION NO. 15-14

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, SUPPORTING PROPOSED LEGISLATION PROVIDING A STATEWIDE PROHIBITION ON HYDRAULIC FRACTURING, ACID FRACTURING, AND WELL STIMULATION PERFORMED FOR THE PURPOSE OF EXPLORATION OR PRODUCTION OF OIL OR NATURAL GAS IN THE STATE OF FLORIDA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Leon County Board of County Commissioners takes great pride in supporting the highest quality of life among Leon County residents; and

WHEREAS, the Leon County Board of County Commissioners is dedicated to protecting and improving our most precious natural resources; and

WHEREAS, hydraulic fracturing, also known as well stimulation, may involve the use of hundreds of chemicals, some of which are known to be carcinogenic or could otherwise be harmful to human beings; and

WHEREAS, exposure to the chemicals used in well stimulation treatments may pose a widespread and significant risk to public health and the State of Florida's most precious natural resources; and

WHEREAS, hydraulic fracturing may involve the use of substantial amount of freshwater at a time when many Florida local governments are struggling with the impacts that water scarcity may have in the state in the near future; and

WHEREAS, hydraulic fracturing may result in emission of greenhouse gases, such as carbon dioxide and methane, all of which would further exacerbate climate change and its impact to Florida's economic and environment; and

WHEREAS, hydraulic fracturing may harm wildlife, including species that are protected under federal and state endangered species laws, and

WHEREAS, the prohibition of such practices will help protect the public health, safety and welfare of the state.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Leon County, Florida, that:

1. The Leon County Board of County Commissioners supports proposed legislation on a statewide ban on the use of hydraulic fracturing, acid fracturing and well stimulation treatments performed for the purposes of exploration and production of oil or natural gas in the State of Florida due to the potential harmful impacts on the public health, environment and natural resources of Leon County.
2. The Leon County Board of County Commissioners will send a copy of the approved resolution to the Governor, the Speaker of the House, the Senate President, and the Leon County State Legislative Delegation.
3. This resolution shall take effect immediately upon its adoption.

DONE, ADOPTED, AND PASSED by the Board of County Commissioners of Leon County, Florida, this 10th day of March, 2015.

LEON COUNTY, FLORIDA



BY: Mary Ann Lindley
Mary Ann Lindley, Chairman
BOARD OF COUNTY COMMISSIONERS

ATTEST:

BOB INZER, CLERK OF THE CIRCUIT COURT AND COMPTROLLER
LEON COUNTY, FLORIDA

BY: John Stott, Deputy Clerk

APPROVED AS TO FORM:

OFFICE OF THE COUNTY ATTORNEY
LEON COUNTY, FLORIDA

BY: Herbert W. A. Thiele
Herbert W. A. Thiele, County Attorney

**Leon County
Board of County Commissioners**

Notes for Agenda Item #11

Leon County Board of County Commissioners

Cover Sheet for Agenda #11

June 14, 2016

To: Honorable Chairman and Members of the Board

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

Title: Adoption of Proposed New Policy, "Real Estate Policy", and Proposed Revised Policy No. 06-03, Homestead Loss Prevention Program, and Associated Resolution



County Administrator Review and Approval	Vincent S. Long, County Administrator
County Attorney Review and Approval:	Herbert W.A. Thiele, County Attorney
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Scott Ross, Director, Office of Financial Stewardship
Lead Staff/ Project Team:	Dan Rigo, Assistant County Attorney

Fiscal Impact:

This item has no current fiscal impact; however the County is in ownership of two occupied homestead parcels acquired through tax deed escheatments that, if the proposed policies are adopted, would qualify for financial assistance. Such financial assistance would be in the form of a promissory note from the owners and would not require the expenditure of any County funds. Staff is keeping track of any other occupied homestead parcels placed on the Clerk’s list of lands available for taxes that, if the proposed policies are adopted, would qualify for financial relief and report that currently there are none. Pursuant to the Homestead Loss Prevention Program, any financial relief provided to such owners would be due for repayment upon a sale of the homestead parcel or upon settlement of the owner’s estate.

Staff Recommendation:

- Option #1: Adopt the proposed new Real Estate Policy (Attachment #1).
- Option #2: Adopt proposed revised Policy No. 06-03, “Homestead Loss Prevention Program” (Attachment #2) and associated Resolution (Attachment #3).

Report and Discussion

Background:

This agenda item requests the Board to adopt a comprehensive new Real Estate Policy (Attachment #1) which will expand and replace the Board's current Policy No. 03-01, Approval Authority for the Acquisition, Disposition, and Leasing of Real Estate. In addition, this agenda item requests the adoption of a revised Policy No. 06-03, Homestead Loss Prevention Program ("HLPP") (Attachment #2), to add a new provision addressed in the proposed Real Estate Policy and to expand the scope of the program's financial relief. In support of the revised HLPP Policy, the Board is also requested to adopt a proposed Resolution (Attachment #3) which establishes the public purpose of providing such financial relief.

Real Estate Policy

The Board's current policy governing the County's real estate activities was originally adopted in January 2003 as Policy No. 03-01, Approval Authority for the Acquisition, Disposition, and Leasing of Real Estate (Attachment #4). The original Policy has since been amended several times to address various changes in the scope of the County's real estate activities and to provide clear Board direction and authority to the County Administrator in handling the County's real estate activities. The Policy was most recently amended in February 2010, two years before the County Administrator realigned existing staff to be dedicated to handling the needs required for any and all of the County's day-to-day real estate activities (the "Real Estate Program").

Since the addition of staff and the establishment of the Real Estate Program in January 2012, it has become apparent that many of the County's real estate activities are either not addressed in the current Policy or could be streamlined with revisions to the Policy that would enable the Real Estate Program to function more efficiently. Such examples include: (i) the acceptance of donated parcels and subsequent use and disposition of such parcels for affordable housing purposes; (ii) the increasing number of parcels either available for purchase by tax deed or, if not purchased, eventually escheating to the County and available for affordable housing and other uses; (iii) the increasing number of code enforcement lien foreclosures recommended by the Code Enforcement Board; (iv) the designation of County-owned real estate as surplus and how to manage or dispose of those properties; (v) clarification on the need for Board action in accepting the various conveyance documents involved in the County's acquisitions; and (vi) the granting of easements, license agreements, and other such agreements which allow utility providers and vendors to enter County-owned property to complete work requested by the County.

The proposed new Real Estate Policy is a comprehensive revision of the current Policy that reorganizes the Policy for clarification and adds several new sections to address those activities that are missing from the current Policy. It is intended to cover every aspect of the County's Real Estate Program and to streamline the process by which the Real Estate Program will work more efficiently in handling the County's real estate matters. Because of its nature as a comprehensive revision, it was not feasible to provide a version showing the changes to the Policy in legislative format as strikethrough and underline. Instead, a summary of the changes and additions to the new Policy is provided below.

Homestead Loss Prevention Program ("HLPP") Policy

In addition to the changes to the Real Estate Policy, staff is also recommending changes to the HLPP Policy. The HLPP policy currently offers financial assistance to homestead property owners who are facing the imminent loss of their property by a tax deed sale resulting from the nonpayment of a Special Assessment. The policy also offers the same assistance for those individuals that are totally and permanently disabled and are under the threat of a tax deed sale. The proposed changes to the policy allow for the HLPP to be offered to property owners for properties that have been acquired by the County through escheatment tax deed – meaning the County now owns the property. The County currently has two owner occupied homestead properties that fall into this category.

The proposed changes to the HLPP Policy are recommended to be adopted concurrently with the new Real Estate Policy in order to work in conjunction with the new Article 10 of the Real Estate Policy addressing the handling of occupied homestead properties that have been acquired by escheatment tax deed. Article 10 of the Real Estate Policy proposes in such instances that the owner of the homestead property be provided the opportunity to utilize the statutory provision allowing the County to convey the property back to the owner. Such conveyance, however, would require the owner to pay all back taxes due and owing at the time of escheatment to the County. The proposed HLPP Policy revisions will allow for the owner to apply for financial assistance, if needed, to pay the required back taxes. In addition, the proposed revisions expand the scope of the HLPP Policy by allowing for homestead owners to apply for financial assistance to pay the amounts necessary to pay the back taxes due and owing during the three-year period that the property is placed on the Clerk's list of lands available for taxes pending the escheatment to the County.

In addition, many of the changes are minor, non-substantive changes proposed to provide clarification in the process and procedures to be used by staff in implementing the program. Because of the number of such changes, it was not feasible to provide a version showing the changes to the HLPP Policy in legislative format as strikethrough and underline. Instead, a summary of the substantive changes and additions to the new HLPP Policy is provided below. The proposed Resolution is recommended for adoption as an integral part of the Board's lawful adoption of the revised HLPP Policy in order to establish the paramount public purpose for providing financial assistance under such circumstances.

Analysis:

The proposed changes and additions included in the new Real Estate Policy and the HLPP Policy are summarized below.

Real Estate Policy

The new Real Estate Policy has been reorganized in effort to provide more clarity by grouping together the various like-kind real estate activities. Section 1.4 of the Policy provides the scope of the Policy by Article number:

- Article 1 - Intent, Authority, Purpose, and Scope
- Article 2 - Definitions
- Article 3 - Responsibilities
- Article 4 - Appraisals and Other County Estimates
- Article 5 - Acquisition by Eminent Domain
- Article 6 - Acquisition by Foreclosure of County Liens
- Article 7 - Acquisition of Tax Deed Parcels
- Article 8 - All Other Acquisitions by Purchase, Lease, or Donation
- Article 9 - Designations for Purposes of Disposition and Management
- Article 10 - Disposition of Escheatment Tax Deed Parcels
- Article 11 - Disposition of Affordable Housing Parcels
- Article 12 - All Other Dispositions by Sale, Lease, or Donation
- Article 13 - Management and Grants of Licenses and County Easements

The first three Articles set forth the Policy intent, definitions, responsibilities, followed by Article 4 establishing the guidelines for appraisals and other estimates. Articles 5 through 8 then provide guidance and direction for all of the County's various property acquisitions, followed by Article 9 which addresses the designation of those properties for County use and management or for disposition as appropriate. Articles 10 through 12 provide guidance and direction for the various ways in which County-owned property may be disposed as appropriate by sale, lease, or other means. Finally, Article 13 addresses the management and care of County-owned property and the granting of licenses and County easements as part of the County Administrator's duty to supervise the care and custody of all County property. Each of the Articles are summarized below.

Article 1 - Intent, Authority, Purpose, and Scope:

This Article expands on the intent, authority, purpose, and scope of the current Policy by recognizing the Board's fundamental intended purpose of making policy and placing into the hands of the County Administrator the multitude of details which necessarily arise from the need to transact the comprehensive nature of the County's real estate affairs. It further expands the current Policy by adding several new references to statutes and County Code sections applicable to the various new Policy provisions.

Article 2 - Definitions:

For clarity, some existing definitions have been modified and several new terms have been given definitions. Those of most importance are summarized as follows:

- *Acquisition* has been added as a defined term to clarify it as a conveyance to the County from others. In addition, the definition clarifies that upon the valid recordation of a deed, easement, certificate of title, order of taking,

or other such conveyance document that knowingly conveys a real estate interest to the County in accordance with this Policy, the acquisition is deemed accepted by the County. This clarification will be especially helpful in streamlining the County's acceptance of conservation easements and other donations made pursuant to the County's Land Development Code.

- *Acquisition Under the Threat of Eminent Domain* and *Acquisition by Exercise of Eminent Domain* have been modified as separate definitions to distinguish between those made before a condemnation lawsuit is commenced, and those made after such commencement.
- *Affordable Housing* has been added as a defined term to make it consistent with the statutory definition.
- *Code Enforcement Lien* and *Public Nuisance Abatement Lien* have been added as defined terms for use and clarity in implementing the new Article 6 addressing the foreclosure of County liens.
- *County Easement* has been added as a defined term to clarify it as an easement conveyed by the County to a utility provider for the sole purpose of providing utility service to a County-owned property and, as distinguished from other easements in County-owned property, is considered a function of the County Administrator's specific duty to supervise the care and custody of all County property.
- *Disposition* has been added as a defined term to clarify it as a conveyance from the County to others, and that it does not include the grant of a License or County Easement.
- *Donation* has been added as a defined term to clarify it as a conveyance involving no monetary consideration including any such conveyance to the County required or otherwise authorized pursuant to any Board action, any Leon County Code provision, or any other federal, state, or local law, regulation, or rule.
- *Escheatment* and *List of Lands Available* have been added as defined terms to make them consistent with their use in the Florida Statutes addressing tax deeds.
- *License* has been added as a defined term to clarify it as a grant of permission authorizing the licensee to do a particular act on a parcel of County-owned property and, as distinguished from a Lease, merely grants permission to use such property, does not convey to the licensee any property interest in, or exclusive possession to, the property, cannot be assigned by the licensee, and is revocable by the County at will.
- *Purchase* has been added as a defined term to clarify it as a purchase that will proceed to closing only if acceptable terms and price and can be negotiated with the owner, and will not proceed as an Eminent Domain Acquisition, and that it may be by Donation.
- *Sale* has been added as a defined term to clarify that a sale may be by Donation.

Article 3 - Responsibilities:

This Article has been modified and expanded to change the responsibility for implementing this Policy from the Public Works Department to the County Administrator's designated group of individuals, defined as the RE Program, and headed up by the County Administrator's designated RE Manager. It also clarifies who can sign in the absence of the County Administrator and authorizes the County Administrator to appoint a member, or members, of management staff as authorized designee(s) for approval, execution, and acceptance of any documents necessary to complete a real estate transaction or, as applicable, to reject any real estate offers or counteroffers. However, such authorized designation is subject to the limits of the County Administrator's authority as provided in this Policy.

Article 4 - Appraisals and Other County Estimates

This Article has been modified and expanded to streamline the County's real estate transactional process by allowing, in lieu of an appraisal report, for an estimate of value to be provided by RE Program staff for any purchase or sale in which the value of the real estate is anticipated to not exceed \$50,000. This change will be especially beneficial in purchasing and selling properties for use as affordable housing.

In addition, the current \$500,000 threshold for requiring two appraisals in any purchase or sale has been raised to \$750,000, and the two-appraisal requirement has been made inapplicable to any eminent domain acquisition unless, at the discretion of RE Program staff, a second appraisal is warranted.

Article 5 - Acquisition by Eminent Domain

This Article has been modified to distinguish an acquisition *under the threat of eminent domain*, by staff proceeding without a lawsuit pursuant to Section 73.015, Florida Statutes, from an acquisition *by exercise of eminent domain*, by the County Attorney commencing a lawsuit pursuant to the Board's statutory eminent domain power when necessary to timely accommodate the project construction schedule. Modifications have also been made to clarify the County Administrator's discretion to reject offers and counteroffers, and to present an offer or counteroffer to the Board on either its consent or general business agenda. Language has also been added to clarify that upon the valid recordation of the deed or easement that knowingly conveys such property to the County, the property shall be deemed accepted.

Article 6 - Acquisition by Foreclosure of County Liens

This is a new Article to clarify the circumstances under which the County Attorney has the discretion to commence a lawsuit seeking the foreclosure of any valid County lien including, but not limited to, code enforcement liens, public nuisance abatement liens, and homestead loss prevention program liens. The County Attorney would be prohibited from commencing such foreclosure lawsuit if the property is either (i) occupied as a homestead, or (ii) subject to any lien,

other than another County lien, deemed to be superior to the County lien, including, but not limited to, mortgages, judgments, and federal or state liens unless it is determined that the payoff amount of such superior liens could be satisfied with the proceeds of a sale of such property.

In lieu of a foreclosure lawsuit, the County Attorney would also be authorized to coordinate with the RE Program to purchase the property from the Clerk's list of lands available when it is deemed to be in the County's best interest to proceed with such purchase rather than commence, or continue with, a foreclosure lawsuit. Language has also been added to clarify that upon the successful completion of the foreclosure lawsuit and the Clerk's recordation of the certificate of title, the property shall be deemed accepted.

Article 7 - Acquisition of Tax Deed Parcels

This is a new Article to streamline the RE Program's handling of the increasing number of properties being added to the County's inventory through escheatment by tax deed. It clarifies that upon the Clerk's notification of such an escheatment the property is deemed accepted by the County and shall thereafter be designated by the RE Program for purposes of disposition and management.

This new Article also gives the County Administrator the discretion to purchase a property from the Clerk's list of lands available if it is (i) suitable for use in an affordable housing program, (ii) suitable for use in a planned County project, (iii) encumbered with a code enforcement lien, public nuisance abatement lien, or a defaulted County lien that is inferior to a mortgage, judgment, or other such lien, and there are no superior federal or state liens that also encumber the property, or (iv) in lieu of a foreclosure lawsuit. Language has also been added to clarify that upon the Clerk's recordation of the tax deed that conveys such property from the list of lands available to the County, the property shall be deemed accepted.

Article 8 - All Other Acquisitions by Purchase, Lease, or Donation

This Article addresses all other acquisitions not otherwise covered in Articles 5, 6, and 7 and clarifies the circumstances under which the County Administrator has the discretion to proceed, without further Board action, with a donation of property to the County. It also clarifies the scope of conveyances to the County involving no monetary consideration which are deemed to be donations including, but not limited to, conveyances to the County of (i) conservation easements and flood prone property required as a condition to a development permit pursuant to Chapter 10 of the Leon County Code, (ii) properties associated with requests for road improvements or water and sewer improvements pursuant to the County's 2/3 programs in Chapters 16 and 18 of the Leon County Code, and (iii) properties associated with escheatments by tax deed. In addition, the County Administrator's approval thresholds in Sections 8.3.1 through 8.3.4 have been slightly increased to be consistent with the thresholds for eminent domain acquisitions in Article 5. Language has also been added to clarify that upon the valid recordation of the deed or easement that knowingly conveys such property to the County, the property shall be deemed accepted.

Article 9 - Designations for Purposes of Disposition and Management

This is a new Article to address the RE Manager's responsibility to maintain an inventory of all real estate owned by the County and, as required by statute, to specifically include a list of all County-owned property designated for use as affordable housing as approved by the Board at a public hearing. It further requires that in determining an affordable housing designation, County staff will take into consideration the goals, objectives, and policies contained within the Housing Element of the Comprehensive Plan.

This new Article also clarifies that, upon determining that no intended or proposed County use exists for a County-owned property, the RE Manager is authorized to designate it as a surplus parcel. The County Administrator, or his or her authorized designee, may thereafter proceed with its disposition in accordance with this Policy.

Article 10 - Disposition of Escheatment Tax Deed Parcels

This is a new Article that streamlines the RE Program's handling of a County-owned property acquired by escheatment tax deed in one of three ways:

- If determined by RE Program staff that the property is occupied as the homestead of the previous record fee simple owner, it will be offered for sale to such previous owner, pursuant to Section 197.592(1), Florida Statutes, subject to the satisfaction of the statutory conditions including the offer to pay an amount equal to all taxes, including any County and municipal taxes and liens which had become delinquent, together with interest and costs. If the required amount is unable to be paid, the RE Program is authorized to offer to the previous owner the opportunity to apply for financial assistance to the extent provided in the County's HLPP Policy.
- If determined by RE Program staff that the property is not the homestead of the previous record fee simple owner, the RE Program will proceed with designating the property for purposes of disposition and management and may thereafter proceed with its disposition in accordance with this Policy; provided, however, that if it has been designated as a surplus parcel it may be offered for sale to the previous record fee simple owner subject to the satisfaction of the statutory conditions including the offer to pay an amount equal to all taxes, including any County and municipal taxes and liens which had become delinquent, together with interest and costs. However, the required amount of taxes must be paid in its entirety by, or on behalf of, the previous record owner without any financial assistance provided by the County.
- If the property is not disposed of by sale to the previous record fee simple owner, and is not designated for disposition as an affordable housing parcel, it will, if located within the City limits, be conveyed to the City of Tallahassee without further Board action pursuant to Section 197.592(3), Florida Statutes.

This new Article also authorizes the County Attorney, upon an owner's rejection of an offer of sale from the County and refusal to turn over possession of the property, to seek a writ of assistance from the Court pursuant to Section 197.562, Florida Statutes, or to seek any other remedy available by law to obtain possession.

Article 11 - Disposition of Affordable Housing Parcels

This is a new Article that streamlines the disposition of County-owned property designated for use as affordable housing by authorizing the County Administrator to proceed, without further Board action, with the sale or lease of such property subject to the procedures as set forth in the Policy. It also encourages the success of the Housing Finance Authority ("HFA") and its affordable housing programs by offering the HFA the right of first refusal to cooperate with the County and contribute to the County's costs associated with preparing the affordable housing property for sale or lease. Any HFA funds would be used solely for the County's costs associated with preparing the property for sale or lease such as obtaining insurable title and surveys, obtaining Court assistance in quieting title or putting the County in possession, ongoing property maintenance, rehabilitation of existing improvements, or construction of new improvements. However, such costs would not include the County's indirect costs incurred for the salaries or other compensation of the County employees involved in the sale. Upon the sale or lease, all proceeds remaining after deducting the County's direct costs would be paid to the HFA for use in its affordable housing programs.

In addition, this Article sets forth the guidelines for the County Administrator to proceed, without further Board action, with the RE Program's private sale or lease, without requiring a published notice calling for bid, of any County-owned affordable housing property included in the Board's inventory list of Affordable Housing Parcels adopted pursuant to Section 125.379(1), Florida Statutes.

Article 12 - All Other Dispositions by Sale, Lease, or Donation

This Article addresses all other dispositions not otherwise covered in Articles 10 and 11 and clarifies the circumstances under which the County Administrator has the discretion to proceed, without further Board action, with the sale, lease, or donation of a County-owned property. It also clarifies the types such dispositions that may proceed without a published notice calling for bid. In addition, the County Administrator's approval thresholds in Sections 12.3.1 through 12.3.4 have been added to allow for certain dispositions of County-owned property to occur without the need for further Board action. Other than reorganizing various components of the current Policy into one Article, the provisions contained in this Article remain essentially unchanged from the current Policy.

Article 13 - Management and Grants of Licenses and County Easements

This Article has been modified to clarify the County Administrator's authority and responsibility to manage all County-owned property pursuant to that specific duty to supervise the care and custody of all County property as set forth in

Administrative Code in Chapter 2, Article X of the Leon County Code. It acknowledges the County Administrator's authority and discretion to assign the management responsibility for the various designations of County-owned property. It also clarifies that the County Administrator's scope of authority includes the approval and execution of any and all documents necessary to grant a license or County easement to allow utility providers and vendors to enter County-owned property to complete work requested by the County.

Homestead Loss Prevention Program (HLPP") Policy

The primary reason for the proposed changes to the HLPP Policy is to work in conjunction with the new Article 10 of the Real Estate Policy addressing the handling of occupied homestead properties that have conveyed to the County by escheatment tax deed. There are also minor and non-substantive changes that are proposed for clarification purposes. The substantive changes to the HLPP Policy are summarized below.

- Article 6 - Loss of Homestead Property by Escheatment Tax Deed; County's Conveyance to Prior Record Owner

The addition of this new Article is the primary reason for the revision to the HLPP Policy. It provides for the opportunity to assist property owners who have actually lost a homestead property with the Clerk's issuance to the County of an escheatment tax deed, and such loss was solely, or in part, caused by the owner's inability to pay a 2/3 special assessment. This addition is recommended as being consistent with the goals, objectives, and policies set forth in the Housing Element of the Comprehensive Plan by, among other ways, coordinating available resources to the greatest extent possible to maximize the preservation of affordable housing and the quality of life for the residents of Tallahassee and Leon County.

The Florida Statutes, in section 197.592(1), provides a mechanism for the County's conveyance of an escheated tax deed property back to the prior record owner upon the payment of an amount equal to all taxes, including County and municipal taxes and liens, if any, which had become delinquent, together with interest and costs provided by law. This new Article proposes that this mechanism be utilized to provide the opportunity for a prior record owner of a homestead property to regain ownership and stay in their home when the loss of ownership by escheatment was solely, or in part, caused by the inability to pay a 2/3 special assessment. The conveyance, however, would require the owner to pay all back taxes due and owing at the time of escheatment to the County. The proposed HLPP Policy revision will allow for the owner to apply for financial assistance, if needed, to pay the required back taxes. The financial assistance would be provided upon approval of the owner's application in the same manner as with the current HLPP Policy in Article 4, which provides for such financial assistance to avoid a tax deed sale.

- Article 4 - Tax Deed Sale Due to Special Assessment

This Article has been modified to expand the opportunity for an owner of a homestead property to avoid the loss of their home by tax deed prior to escheatment to the County. The addition allows for an owner, whose homestead property has been placed on the Clerk's list of lands available for taxes after a tax deed sale, to apply for financial

assistance in the same manner as allowed for in the current Article 2 for such owners prior to a tax deed sale. As with the current HLPP Policy, the tax deed sale must be solely, or in part, caused by the owner's inability to pay a 2/3 special assessment.

An additional proposed change is the removal of the requirement for the applicant to provide evidence that they previously applied with the Tax Collector for relief under the statutory Homestead Property Tax Deferral Act. It has been staff's experience since the inception of the HLPP Policy that no applicant had previously applied for such relief, nor had they even been aware of the existence of the Homestead Property Tax Deferral Act. As such, it has been a hindrance to the success of the HLPP Policy and it is recommended that it be removed as a requirement.

The proposed Resolution is recommended for adoption as an integral part of the Board's lawful adoption of the revised HLPP Policy in order to establish the paramount public purpose for providing financial assistance under such circumstances. It supplements the Resolutions adopted previously in support of the initial adoption of the HLPP Policy and the subsequent revisions.

Options:

1. Adopt the proposed new Real Estate Policy (Attachment #1).
2. Adopt proposed revised Policy No. 06-03, "Homestead Loss Prevention Program" (Attachment #2) and associated Resolution (Attachment #3).
3. Do not adopt the proposed new Real Estate Policy.
4. Do not adopt proposed revised Policy No. 06-03, "Homestead Loss Prevention Program" and associated Resolution.
5. Board direction.

Recommendation:

Options #1 and #2.

Attachments:

1. Proposed new Real Estate Policy.
2. Proposed revised Policy No. 06-03, "Homestead Loss Prevention Program."
3. Proposed Resolution establishing public purpose of providing financial relief.
4. Current Policy No. 03-01, "Approval Authority for the Acquisition, Disposition, and Leasing of Real Estate."

2.01

Board of County Commissioners Leon County, Florida

Policy No. 16-__

Title: Real Estate Policy

Date Adopted: June 14, 2016

Effective Date: June 14, 2016

Reference: Chapters 73, 74, 125, 127, 162, 197, and 420, Florida Statutes; Leon County Administrative Code at Chapter 2, Article X, Leon County Code of Laws; Chapters 6, 10, 14, 16, and 18 Leon County Code of Laws; Tallahassee-Leon County 2030 Comprehensive Plan, Part VI Joint Housing Element

Policy Superseded: Policy No. 03-01, Approval Authority for the Acquisition, Disposition, and Leasing of Real estate, adopted January 14, 2003; amended November 18, 2003; amended February 24, 2004; amended August 25, 2009; amended October 13, 2009; amended February 23, 2010

It shall be the policy of the Board of County Commissioners of Leon County, Florida (the Board), that Policy No. 03-01, "Approval Authority for the Acquisition, Disposition, and Leasing of Real Estate", originally adopted by the Leon County Board of County Commissioners on January 14, 2003, amended on November 18, 2003, amended on February 24, 2004, amended August 25, 2009, amended October 13, 2009, and amended February 23, 2010 be superseded and a new Policy be adopted in its place, to wit:

Article 1.

Intent, Authority, Purpose, and Scope

1.1. The intent of this Policy is to provide for the coordinated administration of County departments to better address the comprehensive nature of the County's real estate affairs, and to place into the hands of the County Administrator the multitude of details which necessarily arise from the County's need to transact a wide-ranging variety of purchases, sales, leases, and licenses of real estate and, thus, enabling the Board to perform freely, without unnecessary interruption, its fundamental intended purpose of making policy. It is the further intent of this Policy to provide a formula and structure for the economic and efficient conduct of the County's real estate affairs by making the County Administrator responsible for the handling of all things necessary to accomplish and bring to fruition this Policy established by the Board. Further, it is the intent that this Policy shall be followed, along with all applicable laws and professional ethics, in order to insure fair and equitable treatment to the County, the general public, and all affected real estate owners.

1.2. The authority set forth herein shall be deemed to be as follows:

1.2.1. the Board's pre-approval of the contracts and agreements negotiated by the County Administrator, or his or her authorized designee, for the Acquisition, Disposition, and License of Real Estate pursuant to those specific duties set forth in Section 2-501(b)(8) of the Leon County Administrative Code in LC Code Chapter 2, Article X, as may be amended from time to time;

1.2.2. the County Administrator's specific duty to supervise the care and custody of all County-owned Real Estate pursuant to those specific duties set forth in Section 2-501(b)(4) of the Leon County Administrative Code in LC Code Chapter 2, Article X, as may be amended from time to time;

1.2.3. the County Administrator's specific duty to carry out any other power or duty as may be assigned by the Board pursuant to those specific duties set forth in Section 2-501(b)(13) of the Leon County Administrative Code in LC Code Chapter 2, Article X, as may be amended from time to time;

1.2.4. the County Administrator's specific power and duty to supervise, direct, and control all County departments and offices the responsibility for the operation of County government and the implementation of all Board policies pursuant to Section 2-501(f) of the Leon County Administrative Code in LC Code Chapter 2, Article X, as may be amended from time to time;

1.2.5. the Board's authority to assign to the County Administrator additional administrative and ministerial powers and duties to be carried out subject to, and in accordance with, the limitations and directives set forth in this Policy; and

1.2.6. the Board's authorization for the County Attorney to commence lawsuits and other Court proceedings in accordance with this Policy including, but not limited to, those seeking to acquire Real Estate under the Board's exercise of eminent domain, those seeking possession and/or damages from occupants of County-owned Real Estate and those seeking to quiet title to County-owned Real Estate.

1.3. The purpose of this Policy is to establish a policy and procedure for the following:

1.3.1. the Board's pre-approval of any and all contracts or agreements negotiated by the County Administrator, or his or her authorized designee, for the Acquisition, Disposition, and License of Real Estate; and

1.3.2. the Board's authorization for the County Attorney to commence lawsuits and other Court proceedings in accordance with this Policy including, but not limited to, those seeking to acquire Real Estate under the Board's exercise of eminent domain, those seeking possession and/or damages from occupants of County-owned Real Estate and those seeking to quiet title to County-owned Real Estate.

1.4. The scope of this Policy is as set forth in the following Articles:

- Article 1 - Intent, Authority, Purpose, and Scope
- Article 2 - Definitions
- Article 3 - Responsibilities
- Article 4 - Appraisals and Other County Estimates
- Article 5 - Acquisition by Eminent Domain
- Article 6 - Acquisition by Foreclosure of County Liens
- Article 7 - Acquisition of Tax Deed Parcels
- Article 8 - All Other Acquisitions by Purchase, Lease, or Donation
- Article 9 - Designations for Purposes of Disposition and Management
- Article 10 - Disposition of Escheatment Tax Deed Parcels
- Article 11 - Disposition of Affordable Housing Parcels
- Article 12 - All Other Dispositions by Sale, Lease, or Donation
- Article 13 - Management and Grants of Licenses and County Easements

Article 2.
Definitions

2.1. *Acquisition* means the conveyance of Real Estate to the County from others, as addressed in following Articles: Article 5, Acquisition by Eminent Domain; Article 6, Acquisition by Foreclosure of County Liens; Article 7, Acquisition of Tax Deed Parcels; and Article 8, All Other Acquisitions by Purchase, Lease, or Donation. Upon the valid recordation of the deed, easement, certificate of title, order of taking, or other such document that knowingly conveys such Real Estate to the County in accordance with this Policy, the Acquisition shall be deemed accepted by the County.

2.2. *Acquisition Under Threat of Eminent Domain* means an acquisition of Real Estate that has been identified on a Right-of-Way Map as being necessary to implement a Capital Improvements Project, regardless of an owner's unwillingness to sell, and that proceeds to completion in accordance with the pre-suit negotiation process as provided in Section 73.015, Florida Statutes, as may be amended from time to time, without the need for the Board to exercise its power of eminent domain with the commencement of a lawsuit.

2.3. *Acquisition By Exercise of Eminent Domain* means an acquisition of Real Estate under the Board's exercise of its eminent domain power with the commencement of a lawsuit in those instances when the pre-suit negotiations for an Acquisition Under Threat of Eminent Domain are unsuccessful; provided, however, that in accordance with Section 127.02, Florida Statutes, as may be amended from time to time, such exercise of eminent domain shall not proceed unless the Board adopts a resolution authorizing such acquisition.

2.4. *Affordable Housing* means housing for which the monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for any households with persons qualifying as “extremely-low-income persons,” “very-low-income persons,” “low-income persons,” or “moderate-income persons,” as those terms are defined in Section 420.0004, Florida Statutes, as may be amended from time to time.

2.5. *Affordable Housing Parcel* means a parcel of County-owned Real Estate deemed to be appropriate for use as Affordable Housing as determined by the County Administrator or his or her authorized designee.

2.6. *Capital Improvements Project* means any project which has been approved by the Board in a capital improvements project budget, or which has otherwise been approved by the Board pursuant to an agenda request presented at a meeting of the Board.

2.7. *Code Enforcement Board* means the Leon County Code Enforcement Board created and operated pursuant to Chapter 162, Florida Statutes, as may be amended from time to time, and Chapter 6, LC Code, as may be amended from time to time.

2.8. *Code Enforcement Lien* means a certified copy of a Code Enforcement Board order imposing a fine that, upon being recorded in the official records of Leon County, constitutes a lien against the Real Estate on which the code violation exists and upon any other Real Estate or personal property owned by the code violator.

2.9. *Comprehensive Plan* means the Tallahassee-Leon County 2030 Comprehensive Plan, as may be amended from time to time.

2.10. *County* means, as indicated by the context used, either Leon County, Florida, as a geographic location, or Leon County, Florida, a charter county and political subdivision of the state of Florida, as a legal entity.

2.11. *County Easement* means an easement conveyed by the County, as grantor, to a utility provider, as grantee, which grants a permanent or temporary easement interest in a parcel of County-owned Real Estate for the sole purpose of providing utility service to the County. As distinguished from other easements in County-owned Real Estate, the conveyance of a County Easement is considered a function of the County Administrator’s specific duty to supervise the care and custody of all County Real Estate and, as such, shall be exempt from the Article 12 requirements below.

2.12. *Disposition* means the conveyance of Real Estate from the County to others, as addressed in following Articles: Article 10, Disposition of Escheatment Tax Deed Parcels; Article 11, Disposition of Affordable Housing Parcels; and Article 12, All Other Dispositions by Sale, Lease, or Donation. A Disposition shall not include the grant of a License or a County Easement interest in County-owned Real Estate.

2.13. *Donation* means a conveyance of Real Estate by Purchase or Sale involving no monetary consideration including, but not limited to, any such conveyance of Real Estate to the County required

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or otherwise authorized pursuant to any Board action, any LC Code provision, or any other federal, state, or local law, regulation, or rule as further specified in Section 8.7 below.

2.14. *Eminent Domain Acquisition* means either or both an Acquisition Under Threat of Eminent Domain or an Acquisition By Exercise of Eminent Domain.

2.15. *Escheatment* means the reversion of Real Estate to the County, pursuant to Section 197.502(8), Florida Statutes, as may be amended from time to time, resulting from the passage of three years during which such Real Estate remained on the Clerk's List of Lands Available.

2.16. *Fair Market Rent* means the reasonable rental rate and other related terms applicable to the Lease of any Real Estate.

2.17. *Full Compensation* means monetary compensation paid to an owner, pursuant to Chapter 73, Florida Statutes, as may be amended from time to time, and as otherwise provided by law, in consideration for an Eminent Domain Acquisition. Full compensation shall include, but not be limited to, the following:

2.17.1. compensation for the Real Estate acquired;

2.17.2. damages to any remaining Real Estate not acquired;

2.17.3. any legal entitlement to damages to an owner's business caused by the denial of the use of the Real Estate acquired; and

2.17.4. any legal entitlement to an owner's reasonable attorneys' fees, experts' fees, and costs incurred in the defense of the proceedings.

2.18. *HLPP* means the Homestead Loss Prevention Program as adopted by the Board and as may be amended from time to time.

2.19. *HLPP Lien* means the lien imposed on a parcel of Real Estate through a HLPP participant's execution and delivery to the County of Secured Promise to Pay Back Redemption Amount Advanced to Owner.

2.20. *Housing Element* means Part VI of Volume I of the Comprehensive Plan consisting of the Joint Housing Element, the Housing Element of the City of Tallahassee, and the Housing Element of Leon County.

2.21. *Lake Jackson Town Center* means The Lake Jackson Town Center at Huntington retail plaza, located at 3840 N. Monroe Street, Tallahassee, Florida, and any part thereof.

2.22. *LC Code* means the Leon County Code of Laws, as may be amended from time to time.

2.23. *LC Government Annex* means the Leon County Government Annex building located at 311 and 315 S. Calhoun Street, Tallahassee, Florida, and any part thereof including but not limited to office and parking spaces.

2.24. *Lease* means the conveyance of a leasehold interest in Real Estate. A Lease may be either a conveyance from the County to others or a conveyance from others to the County. A Lease may be by Donation. The term Lease, however, does not include a License or grant of right-of-entry providing for the right of temporary occupancy or use of real or personal property.

2.25. *License* means a grant of permission authorizing the licensee to do a particular act on a parcel of County-owned Real Estate. As distinguished from a Lease, a License merely grants permission to use such Real Estate, does not convey to the licensee any property interest in, or exclusive possession to, the Real Estate, cannot be assigned by the licensee, and is revocable by the County at will. As such, the grant of a License shall be exempt from the Article 12 requirements below.

2.26. *List of Lands Available* or *LOLA* means Clerk's list of lands available for taxes containing, in accordance with Section 197.502(7), Florida Statutes, as may be amended from time to time, those properties for which there were no bidders at the Clerk's public sale by tax deed.

2.27. *Public Nuisance Abatement Lien* means a lien filed by the County, pursuant to LC Code Section 14-5, as may be amended from time to time, against a real property in an amount consisting of the County's cost of abating a public nuisance upon such real property together with the County's costs of inspection and administration, interest, and reasonable attorney's fees and other costs of collecting such amount.

2.28. *Policy* means this Real Estate Policy as adopted by the Board and as may be amended from time to time.

2.29. *Purchase* means a purchase of Real Estate by the County that will proceed to closing only if acceptable terms and price and can be negotiated with the owner, and will not proceed as an Eminent Domain Acquisition. A Purchase may be by Donation.

2.30. *Real Estate* means any and all real property interests or rights in land and the improvements attached thereto. Such real property interests and rights may include, but are not limited to, fee simple interests, temporary or permanent easement interests, or leasehold interests. The term Real Estate, however, does not include the right of temporary occupancy or use of real property pursuant to a License or grant of right-of-entry.

2.31. *RE Program* means the collective group of individuals designated by the County Administrator to be responsible for the day-to-day activities involved in the County's Acquisition and Disposition of Real Estate, and to otherwise implement the provisions of this Policy including, but not limited to, any individuals retained by contract to provide such services in lieu of County employees.

2.32. *RE Manager* means the County employee that heads the RE Program.

2.33. *Right-of-Way Map* means any boundary survey, sketch of description, or other such map of survey prepared by or on behalf of the County that identifies the Real Estate necessary to implement a Capital Improvements Project.

2.34. *Sale* means the sale of County-owned Real Estate by the County. A Sale may be by Donation.

2.35. *Surplus Parcel* means a parcel of County-owned Real Estate for which the RE Manager, with input from appropriate County staff, has determined that there is no intended or proposed County use. Upon designating such Real Estate as a Surplus Parcel, the RE Program may proceed with its Disposition in accordance with this Policy.

2.36. *Tax Deed Parcel* means a parcel of Real Estate owned by the County as a result of either the County's Purchase of such parcel from the Clerk's List of Lands Available or the Escheatment of such parcel to the County.

Article 3. Responsibilities

3.1. County Administrator. The County Administrator shall be charged with the following responsibilities:

3.1.1. Designating the RE Manager and the individuals to comprise the RE Program;

3.1.2. Developing uniform and clear procedures for all Real Estate transactions consistent with this Policy;

3.1.3. Approving, executing, and accepting any documents necessary to complete a Real Estate transaction subject to the limits as provided herein; provided, however, that in a Sale or Donation the Board Chairman shall execute any deed, easement, or other such instrument of conveyance. In the County Administrator's absence, the Deputy County Administrator, the Assistant County Administrator, or other member of the County Administrator's management staff may execute and accept such documents on his or her behalf in accordance with Section 3.1.5 below;

3.1.4. Rejecting any initial offer or counteroffer regarding the County's Acquisition, Disposition, or License of Real Estate, subject to the limits as provided herein; and

3.1.5. Appointing a member, or members, of the County's Administrator's management staff as authorized designee(s) for approval, execution, and acceptance on his or her behalf of any documents necessary to complete a Real Estate transaction or, as applicable, to reject any Real Estate offers or counteroffers; provided, however, such authorized designation shall be subject to the limits of the County Administrator's authority as provided herein.

3.2. County Attorney's Office. The County Attorney, or his or her authorized designee, shall be charged with the following responsibilities:

3.2.1. Commencing an eminent domain lawsuit for an Acquisition By Exercise of Eminent Domain in those instances when the pre-suit negotiations for an Acquisition Under Threat of Eminent Domain are unsuccessful;

3.2.2. Commencing lawsuits and other Court proceedings in accordance with this Policy including, but not limited to, those seeking possession and/or damages from occupants of

County-owned Real Estate, those seeking to quiet title to County-owned Real Estate, and those seeking to foreclose County liens; and

3.2.3. Determining the scope of the appraisal assignment and the form of the appraisal report to be prepared for use in the County's Real Estate transactions in accordance with Article 4 below, unless such scope is otherwise established by the Board.

3.2.4. Providing input in the preparation of an estimate of the reasonable attorneys' fees, experts' fees, and costs incurred by the owner in the defense of an Eminent Domain Acquisition in accordance with Article 4 below.

3.2.5. Approving any and all documents related to any transaction pursuant to this Policy.

Article 4.

Appraisals and Other County Estimates

4.1. For any Purchase or Sale of Real Estate, with the exception of Donations or except as otherwise provided herein, the RE Program staff shall obtain an appraisal report which will provide an estimate of the fair market value of the Real Estate interest involved in the transaction in accordance with the following procedures:

4.1.1. For Purchases or Sales in which the value of the Real Estate is anticipated by the RE Program staff to not exceed \$50,000, one independent state-certified appraiser shall be retained to prepare an appraisal report with an estimate of the fair market value of the Real Estate at its highest and best use. However, in lieu of obtaining an appraisal report, the RE Program staff, at the discretion of the RE Manager, may rely upon an estimate of value provided by the RE Program staff within the scope of their employment with the County.

4.1.2. For Purchases or Sales in which the value of the Real Estate is anticipated by the RE Program staff to be greater than \$50,000 but not exceed \$750,000, one independent state-certified appraiser shall be retained to prepare an appraisal report with an estimate of the fair market value of the Real Estate at its highest and best use.

4.1.3. For Purchases or Sales in which the value of the Real Estate is anticipated by the RE Program staff to exceed \$750,000, two independent state-certified appraisers shall be retained to each prepare an appraisal report with an estimate of the fair market value of the Real Estate at its highest and best use.

4.2. For any Eminent Domain Acquisition, regardless of the estimated value of such Real Estate, the RE Program staff shall obtain one appraisal report to be utilized in determining the County's estimate of Full Compensation for such Acquisition. Nothing herein shall prohibit the RE Program staff, at its discretion, from obtaining a second appraisal report for such Acquisition.

4.3. For any Leases of Real Estate including, but not limited to, any part of the LC Government Annex or the Lake Jackson Town Center, the RE Program staff, at the discretion of the RE Manager, may rely upon an estimate of the Fair Market Rent for the Lease of the Real Estate provided by RE Program staff within the scope of their employment with the County or may obtain such estimate from individuals retained by contract to provide such services.

4.4. For any Purchase that proceeds pursuant to Board Policy 03-10, Flooded Property Acquisition Program, or as that policy may be renamed or amended, the Real Estate shall be appraised in accordance with the scope of appraisal as provided therein.

4.5. For any Eminent Domain Acquisition in which an owner is legally entitled to damages to a business caused by the denial of the use of the Real Estate acquired, the County shall obtain from a certified public accountant an estimate of such business damages. For purposes of this Policy, the estimate of business damages shall be considered a part of the County's estimate of Full Compensation.

4.6. For any Eminent Domain Acquisition in which an owner is legally entitled to Full Compensation for reasonable attorneys' fees, experts' fees, and costs, a County estimate shall be prepared of such fees and costs for which the owner is legally entitled to compensation. The County's estimate shall be based on input from the County Attorney or his or her authorized designee, provided, however, that in contested cases involving a court determination of the reasonable fees and costs the County may retain a qualified expert to prepare the estimate. For purposes of this Policy, the estimate of reasonable attorneys' fees, experts' fees, and costs shall be considered a part of the County's estimate of Full Compensation.

Article 5.
Acquisition by Eminent Domain

5.1. Eminent Domain Acquisitions; Authority to Proceed.

5.1.1. Acquisition Under Threat of Eminent Domain. The acquisition of any Real Estate that has been identified on a Right-of-Way Map as being necessary to implement a Capital Improvements Project may, without further Board action, proceed as an Acquisition Under Threat of Eminent Domain; provided, however, that such Acquisition shall comply with the pre-suit negotiation requirements set forth in Section 73.015, Florida Statutes, as may be amended from time to time, and with any other federal, state, and local laws, regulations, and rules as may be applicable.

5.1.2. Acquisition By Exercise of Eminent Domain. In order to timely accommodate the construction schedule for a Capital Improvements Project, the County Attorney may, in accordance with Section 127.02, Florida Statutes, as may be amended from time to time, request the Board to adopt a resolution authorizing the exercise of its eminent domain power for the acquisition of Real Estate as necessary to implement such Capital Improvements Project. Upon the Board's adoption of such resolution, the County Attorney may proceed with the commencement of a lawsuit, if necessary, seeking the Acquisition By Exercise of Eminent Domain in accordance with Chapter 73 and 74, Florida Statutes, as may be amended from time to time, as applicable, and with any other applicable federal, state, and local laws, regulations, and rules.

5.2. County Administrator's Scope of Authority. The County Administrator, or his or her authorized designee, may, without further Board action, approve, execute, and accept any and all documents necessary to complete an Eminent Domain Acquisition for which the Full Compensation

amount does not exceed the limitations as set forth hereinbelow. Any offers or counteroffers for Eminent Domain Acquisitions in which the Full Compensation amount exceeds such limitations may, at the discretion of the County Administrator, or his or her authorized designee, be rejected or be presented to the Board for consideration. Nothing herein shall be deemed to prohibit the County Administrator, or his or her authorized designee, from also rejecting an offer or counteroffer for a Full Compensation amount that falls within his or her authority. The County Administrator's scope of authority granted herein shall be limited to such Acquisitions for which the Full Compensation amount is either:

5.2.1. An amount no greater than the County's estimate of Full Compensation, inclusive of any attorneys' fees, experts' fees, and costs associated with the Acquisition of that parcel;

5.2.2. An amount no greater than \$25,000, inclusive of any attorneys' fees, experts' fees, and costs, regardless of the amount of the County's estimate of Full Compensation associated with the Acquisition of that parcel; or

5.2.3. An amount no greater than \$250,000 inclusive of any attorneys' fees, experts' fees, and costs; provided, however, that such amount of Full Compensation does not exceed the County's estimate of Full Compensation associated with the Acquisition of that parcel by more than 25 percent.

5.3. Extended Possession by Owner After Acquisition. In any Eminent Domain Acquisition in which the Full Compensation to the owner includes an agreement by the County for the owner to remain in possession of the Real Estate for a time certain after the closing date, such agreement for possession shall be deemed not to be a Lease or other Disposition of County-owned Real Estate and shall be exempt from the requirements and other provisions contained in Article 12. In such Acquisitions, the agreement for possession shall be included as part of Full Compensation and transacted in accordance with the terms and provisions contained therein.

5.4. Acceptance of Eminent Domain Acquisitions. Upon the valid recordation of the deed, easement, other such document that knowingly conveys such Real Estate to the County by Eminent Domain Acquisition in accordance with this Policy, the Acquisition shall be deemed accepted by the County and the Real Estate shall thereafter be held and managed in accordance with Article 13 below.

Article 6.

Acquisition by Foreclosure of County Liens

6.1. Commencement of Foreclosure Lawsuits; Authority to Proceed. The County Attorney, at his or her discretion, shall be authorized to commence a lawsuit seeking the Acquisition of Real Estate through foreclosure of any valid County lien, subject to the limitations set forth herein. Examples of such County liens include, but are not limited to Code Enforcement Liens, Public Nuisance Abatement Liens, and HLPP Liens.

6.2. Prohibition of Foreclosure Lawsuits. The County Attorney shall, without further Board action, be prohibited from commencing such foreclosure lawsuit if any of the following conditions exist with regard to the Real Estate to be acquired:

6.2.1. The Real Estate is occupied as a homestead as provided in Article X, Section 4, Constitution of the State of Florida;

6.2.2. The Real Estate is subject to any lien, other than another County lien, deemed to be superior to the County lien, including, but not limited to, mortgages, judgments, and federal or state liens; provided, however, that the foreclosure lawsuit may be commenced if it is determined that the payoff amount of such superior liens could be satisfied with the proceeds of a Sale of such Real Estate.

6.3. Dismissal of Foreclosure Lawsuits. If, after the commencement of such foreclosure lawsuit and the discovery of additional information, it is revealed that one of the conditions in Section 6.2 above exists, the County Attorney shall proceed to dismiss such lawsuit without prejudice.

6.4. Purchase from LOLA in Lieu of Foreclosure. In lieu of a foreclosure lawsuit, the County Attorney, at his or her discretion, shall be authorized to coordinate with the RE Program to Purchase any Real Estate from the List of Lands Available, in accordance with Section 7.2 below, when the County Attorney deems that it is in the County's best interest to proceed with such Purchase rather than commence, or continue with, a foreclosure lawsuit.

6.5. Acceptance of Acquisition by Foreclosure. Upon the successful completion of the foreclosure lawsuit and the Clerk's recordation of the certificate of title, the Acquisition shall be deemed accepted by the County and the RE Program shall thereafter proceed with designating such Real Estate for purposes of Disposition and management in accordance with Article 9 below.

Article 7.

Acquisition of Tax Deed Parcels

7.1. Escheatment of Tax Deed Parcels. Upon the Clerk's recordation of an Escheatment Tax Deed and subsequent notification to the County of such Acquisition by Escheatment, the Acquisition shall be deemed accepted by the County and the RE Program shall thereafter proceed with designating such Tax Deed Parcel for purposes of Disposition and management in accordance with Article 9 below.

7.2. Purchase of Tax Deed Parcels from LOLA; Authority to Proceed. The County Administrator, or his or her authorized designee, may, without further Board action, direct the RE Program to proceed with a Purchase of any Real Estate from the List of Lands Available (LOLA) if such Purchase will satisfy one or more of the following conditions:

7.2.1. the Real Estate is suitable for use in an Affordable Housing program in accordance with Article 11 below;

7.2.2. the Real Estate is suitable for use in a planned County project;

7.2.3. the Real Estate is encumbered with a Code Enforcement Lien, Public Nuisance Abatement Lien, or a defaulted County lien that is inferior to a mortgage, judgment, or other such lien, and there are no superior federal or state liens that also encumber the Real Estate; or

7.2.4. the Purchase is in lieu of a foreclosure lawsuit pursuant to Section 6.4 above.

7.3. Acceptance of Acquisitions of Tax Deed Parcels Purchased from LOLA. Upon the Clerk's recordation of the Tax Deed that conveys such Tax Deed Parcel Purchase from the LOLA to the County, the Acquisition shall be deemed accepted by the County and the RE Program shall thereafter proceed with designating such Real Estate for purposes of Disposition and management in accordance with Article 9 below.

Article 8.

All Other Acquisitions by Purchase, Lease, or Donation

8.1. Purchases and Leases From Others; Authority to Proceed. If the County Administrator, or his or her authorized designee, deems that the County's Purchase or Lease of any Real Estate owned by others may be in the County's best interest, the matter shall be presented to the Board for consideration unless as otherwise provided in Sections 8.2, 8.6, and 8.7 below, or elsewhere in this Policy. Upon the Board's approval, as applicable, the RE Program staff may proceed with such Purchase or Lease in accordance with Section 8.3 below, or as otherwise applicable elsewhere in this Policy.

8.2. Donations From Others; Authority to Proceed. If the County Administrator, or his or her authorized designee, deems that a Donation to the County of any Real Estate owned by others is in the County's best interest, the County Administrator may, without further Board action, direct the RE Program to proceed with such Donation and may approve, execute, and accept any and all documents necessary to complete such Donation.

8.3. County Administrator's Scope of Authority for Purchases and Leases. Upon the Board's approval, as applicable, to proceed with a Purchase or Lease, the County Administrator, or his or her authorized designee, may, without further Board action, approve, execute, and accept any and all documents necessary to complete such Purchase or Lease for which the consideration amount to be paid by the County does not exceed the limitations as set forth hereinbelow. Any offers or counteroffers for such Purchase or Lease in which the consideration amount to be paid by the County exceeds such limitations may, at the discretion of the County Administrator, or his or her authorized designee, be rejected or be presented to the Board for consideration. Nothing herein shall be deemed to prohibit the County Administrator, or his or her authorized designee, from also rejecting an offer or counteroffer for a consideration amount that falls within his or her scope of authority. The County Administrator's scope of authority granted herein shall be limited to such Purchases or Leases for which the consideration amount to be paid by the County is either:

8.3.1. A Purchase amount no greater than \$25,000, regardless of the County's appraisal of the fair market value for the Real Estate;

8.3.2. A Purchase amount no greater than \$250,000, provided, however, that such amount does not exceed the County's appraisal of the fair market value for the Real Estate by more than 25 percent;

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8.3.3. An annual Lease payment amount no greater than \$2,500 regardless of the estimate of the Fair Market Rent for the Real Estate provided or otherwise obtained by RE Program staff; or

8.3.4. An annual Lease payment amount no greater than \$25,000 provided, however, that such annual Lease payment amount does not exceed the estimate of the Fair Market Rent for the Real Estate provided or otherwise obtained by RE Program staff by more than 25 percent.

8.4. Leases From Others to County; Statutory Requirements. Pursuant to Section 125.031, Florida Statutes, as may be amended from time to time, any Lease agreement entered into by the County relating to Real Estate owned by others and needed for County purposes shall be for a period not to exceed 30 years at a stipulated rental amount to be paid from current or other legally available funds; provided, however, that when the term of such Lease agreement is for longer than 60 months, the rental shall be payable only from funds arising from sources other than ad valorem taxes.

8.5. Receipt of Inquiries to Purchase, Lease, or Donate From Others.

8.5.1. Any owner desiring to convey Real Estate to the County by Purchase, Lease, or Donation should deliver a written offer to the RE Program staff. In the event another County department is directly contacted with such an offer, the offer shall be forwarded to RE Program staff for handling.

8.5.2. Upon receipt of such offers, the RE Program staff shall circulate the offer to the appropriate departments for their review and comment as to any interest in the Real Estate for planned or future County projects.

8.5.3. If a County need for the Real Estate is identified, the RE Program staff shall prepare a written report to the County Administrator, or his or her authorized designee, with the following information included:

8.5.3.1. The estimated costs to the County if the offer is accepted;

8.5.3.2. Comments received from County departments identifying the existing and future need for the Real Estate;

8.5.3.3. Recommendations on whether or not to pursue the offer, and on the potential funding source(s).

8.5.4. If the County Administrator, or his or her authorized designee, concurs with the RE Program staff recommendation to pursue the offer, the conveyance of the Real Estate to the County by Purchase, Lease, or Donation shall proceed in accordance with this Article 8.

8.6. Purchases Pursuant to Policy 03-10, Flooded Property Acquisition Program. This Article 8 shall not be applicable to any Purchase that proceeds pursuant to Board Policy 03-10, Flooded Property Acquisition Program, or as that policy may be renamed or amended. In the event of any conflict between such policy and this Policy, the terms of Policy 03-10 shall prevail.

8.7. Other Donations Pursuant to Board Action, LC Code Provision, or Other Law. Except as otherwise provided hereinbelow, a conveyance of Real Estate to the County involving no monetary

consideration and required or otherwise authorized pursuant to any Board action, any LC Code provision, or any other federal, state, or local law, regulation, or rule, as may be applicable, shall, for purposes of this Policy, be considered a Donation and shall proceed as authorized without further Board action; provided, however, that a conveyance of roads, stormwater management areas and other such common areas by plat dedication shall not be considered a Donation. Examples of such Donations include, but are not limited to:

8.7.1. Conveyances to the County of conservation easements and floodprone property required as a condition to a development permit pursuant to Chapter 10, LC Code, as may be amended from time to time;

8.7.2. Conveyances of Real Estate associated with requests for road improvements, pursuant to Chapter 16, Article II, LC Code, as may be amended from time to time, or water and sewer improvements, pursuant to Chapter 18, Article II, Division 2, LC Code, as may be amended from time to time; and

8.7.3. Conveyances to the County of Tax Deed Parcels by Escheatment.

8.8. Acceptance of Real Estate Purchases and Donations. Upon the valid recordation of the deed, easement, other such document that knowingly conveys such Real Estate to the County by Purchase or Donation in accordance with this Policy, the Acquisition shall be deemed accepted by the County and the RE Program shall thereafter proceed with designating such Real Estate for purposes of Disposition and management in accordance with Article 9 below.

Article 9.

Designations for Purposes of Disposition and Management

9.1. Real Estate Inventory. The RE Manager shall be responsible for maintaining an inventory of all Real Estate owned and leased by the County. The inventory shall be organized in a manner which categorizes the Real Estate by such designations for purposes of Disposition and management. The designations shall be based upon the County's intended use, if any, for the Real Estate at the time of its Acquisition, and shall specify whether the Real Estate will be held and managed by the County or will be designated for Disposition in accordance with this Policy.

9.1.1. Inventory List of Affordable Housing Parcels. In accordance with Section 125.379, Florida Statutes, as may be amended from time to time, the inventory shall include a list of all County-owned Real Estate designated, pursuant to Section 9.2 below, for use as Affordable Housing Parcels.

9.1.1.1. In determining whether any County-owned Real Estate should be designated for use as an Affordable Housing Parcel, County staff shall take into consideration the goals, objectives, and policies contained within the Housing Element of the Comprehensive Plan.

9.1.1.2. The inventory list of Affordable Housing Parcels shall be presented to the Board for review at a public hearing, to be held no less frequently than every three years, at which the inventory list shall be included in a resolution of approval adopted by the

Board. The Disposition of the Affordable Housing Parcels contained on the approved inventory list shall proceed in accordance with Article 11 below.

9.2. Designation for Disposition. Upon the Acquisition of any County-owned Real Estate, the RE Manager, with input from appropriate County staff, shall determine if there is an intended or proposed County use for such Real Estate. If it is determined that no such intended or proposed County use exists, the RE Manager shall designate such Real Estate as a Surplus Parcel and the County Administrator, or his or her authorized designee, may thereafter proceed with its Disposition in accordance with this Policy. The responsibility for management of any County-owned Real Estate during the process of Disposition, shall be as set forth in Article 13 below.

9.3. Management of County-owned Real Estate. The responsibility for management of any Real Estate to be held for use by the County and not designated for Disposition shall be as set forth in Article 13 below.

Article 10.

Disposition of Escheatment Tax Deed Parcels

10.1. Sale to Prior Owner Pursuant to Statute; Authority to Proceed. The County Administrator, or his or her authorized designee, may, without further Board action, proceed as authorized pursuant to Section 197.592, Florida Statutes, as may be amended from time to time, with the Sale to the prior record fee simple owner of any Tax Deed Parcel acquired by Escheatment. Any such Sale shall proceed in accordance with this Section 10.1.

10.1.1. Homestead Tax Deed Parcels; Sale with HLPP Assistance. Upon the determination by RE Program staff that an Escheatment Tax Deed Parcel is occupied as the homestead of the previous record fee simple owner, it shall be offered for Sale to such previous owner subject to the satisfaction of the conditions as set forth hereinbelow. If such offer of Sale is accepted, it shall be completed subject to the satisfaction of the following conditions:

10.1.1.1. The previous record fee simple owner shall deliver to the RE Program a signed application, in a form prepared by the RE Program in accordance with Section 197.592(1)(a)-(g), Florida Statutes, as may be amended from time to time;

10.1.1.2. The application shall include the offer to pay an amount equal to all taxes, including County and municipal taxes and liens, if any, which had become delinquent, together with interest and costs provided by law, including, if applicable, any taxes for the current year and omitted years that have not yet been assessed, the latter amount to be determined by applicable millage for the omitted years and based on the last assessment of the Real Estate;

10.1.1.3. If the previous owner is unable to pay the required amount of taxes, the RE Program shall be authorized to offer to the previous owner the opportunity to apply for financial assistance to the extent provided in the County's Homestead Loss Prevention Policy (HLPP); and

10.1.1.4. The County Administrator, or his or her authorized designee, shall approve, execute, and accept any and all documents necessary to complete the Sale; provided, however, that the Board Chairman shall execute the County Deed.

10.1.2. Non-Homestead Tax Deed Parcels; Sale without HLPP Assistance. Upon the determination by RE Program staff that an Escheatment Tax Deed Parcel is not the homestead of the previous record fee simple owner, the RE Program shall thereafter proceed with designating such Real Estate for purposes of Disposition and management in accordance with Article 9 above. The RE Program may thereafter proceed with its Disposition in accordance with this Policy; provided, however, that if it has been designated as a Surplus Parcel it may be offered for Sale to the previous record fee simple owner subject to the satisfaction of the following conditions:

10.1.2.1. The previous record fee simple owner shall deliver to the RE Program a signed application, in a form prepared by the RE Program in accordance with Section 197.592(1)(a)-(g), Florida Statutes, as may be amended from time to time;

10.1.2.2. The application shall include the offer to pay an amount equal to all taxes, including County and municipal taxes and liens, if any, which had become delinquent, together with interest and costs provided by law, including, if applicable, any taxes for the current year and omitted years that have not yet been assessed, the latter amount to be determined by applicable millage for the omitted years and based on the last assessment of the Real Estate.

10.1.2.3. The required amount of taxes shall be paid in its entirety by, or on behalf of, the previous record owner without any financial assistance provided by the County.

10.1.2.4. The County Administrator, or his or her authorized designee, shall approve, execute, and accept any and all documents necessary to complete the Sale; provided, however, that the Board Chairman shall execute the County Deed.

10.2. Writs of Assistance to Obtain Possession. If, upon rejection of an offer of Sale from the County, the previous owner refuses to turn over possession of the Real Estate to the County, the County Attorney shall be authorized to seek a writ of assistance from the Court pursuant to Section 197.562, Florida Statutes, as may be amended from time to time, and to seek any other remedy available by law to obtain possession. Upon obtaining possession, the RE Program shall thereafter proceed with designating such Real Estate for purposes of Disposition and management in accordance with Article 9 above.

10.3. Conveyance to City per Statute. If the Escheatment Tax Deed Parcel is not disposed of by Sale to the previous record fee simple owner, and is not designated for Disposition as an Affordable Housing Parcel, it shall, if located within the City limits, be conveyed by County Deed to the City of Tallahassee without further Board action pursuant to Section 197.592(3), Florida Statutes, as may be amended from time to time. Such County Deed shall be executed by the Board Chairman.

Article 11.

Disposition of Affordable Housing Parcels

11.1. Sale or Lease of Affordable Housing Parcels; Authority to Proceed. The County Administrator, or his or her authorized designee, may, without further Board action, proceed with the Sale or Lease of any County-owned Real Estate designated as an Affordable Housing Parcel. Any such Sale or Lease shall proceed in accordance with this Article 11, and shall be further subject to the appraisal report requirements in Section 4.1 above and the County Administrator's scope of authority for Sales, Leases, and Donations in Section 12.3 below.

11.2. HFA Right of First Refusal. In order to encourage the success of the Housing Finance Authority ("HFA") and its programs, the HFA shall have the right of first refusal to cooperate with the County in the Sale or Lease of Affordable Housing Parcels in accordance with this Section 11.2.

11.2.1. Before proceeding, pursuant to Sections 11.3 or 11.4 below, with any Sale or Lease of an Affordable Housing Parcel, the County Administrator, or his or her authorized designee, shall offer the opportunity to the HFA to contribute to the County's costs associated with preparing such Affordable Housing Parcel for Sale or Lease.

11.2.2. Upon acceptance of such offer by the HFA, the Sale or Lease shall proceed as applicable in accordance with Sections 11.3 or 11.4 below and any HFA funds shall be used solely for the County's costs associated with preparing the Affordable Housing Parcel for such Sale or Lease including, but not limited to, obtaining insurable title and surveys, obtaining Court assistance in quieting title or putting the County in possession, ongoing property maintenance, rehabilitation of existing improvements, or construction of new improvements. Such costs shall specifically not include the County's indirect costs incurred for the salaries or other compensation of the County employees involved in the Sale.

11.2.3. Upon the Sale or Lease of any such Affordable Housing Parcel, all proceeds remaining after deducting any direct costs incurred by the County, shall be paid to the HFA for use in its Affordable Housing Programs.

11.3. Sale or Lease Pursuant to Affordable Housing Statute; No Published Notice Calling for Bid. The County Administrator, or his or her authorized designee, may, without further Board action, direct the RE Program to proceed with the private Sale or Lease of any Affordable Housing Parcel, requiring no published notice calling for bid, if such parcel is included in the Board's inventory list of Affordable Housing Parcels adopted pursuant to Section 125.379(1), Florida Statutes, as may be amended from time to time. The Sale of such Affordable Housing Parcel shall be subject to the appraisal report requirements in Section 4.1 above and the County Administrator's scope of authority in Section 12.3 below, and shall, in accordance with Section 125.379(2), Florida Statutes, as may be amended from time to time, be subject to the following limitations:

11.3.1. The proceeds of such Sale shall be used to Purchase Real Estate for the development of Affordable Housing or to increase the County's fund earmarked for Affordable Housing;

11.3.2. The Sale may proceed with a restriction that requires the development of such Affordable Housing Parcel as permanent Affordable Housing;

11.3.3. The Sale may proceed as a Donation of such Affordable Housing Parcel to a nonprofit housing organization for the construction of permanent Affordable Housing; or

11.3.4. Alternatively, the Affordable Housing Parcel may be made available by the County for use in the production and preservation of permanent Affordable Housing, including, but not limited to, the Lease of such Affordable Housing Parcel pursuant to any of the County's Affordable Housing programs.

11.4. Sale or Lease of Affordable Housing Parcels; Published Notice Calling for Bids. If an Affordable Housing Parcel has not yet been included in the Board's inventory list of Affordable Housing Parcels adopted pursuant to Section 125.379(1), Florida Statutes, as may be amended from time to time, County Administrator, or his or her authorized designee, may, without further Board action, direct the RE Program to proceed with the Sale or Lease of any such Affordable Housing Parcel in accordance with Article 12 below.

Article 12.

All Other Dispositions by Sale, Lease, or Donation

12.1. Sales and Leases To Others; Authority to Proceed. If the County Administrator, or his or her authorized designee, deems that a Sale or Lease of County-owned Real Estate may be in the best interest of the County, the matter shall be presented to the Board for consideration unless as otherwise provided in Section 11.4 above, Sections 12.2 and 12.5 below, or elsewhere in this Policy. Upon the Board's approval, as applicable, the RE Program staff shall proceed with such Sale or Lease by published notice calling for bid in accordance with Section 12.4 below; provided, however, that such bid process shall not be required if the Sale or Lease is exempted therefrom pursuant to any federal, state, or local law including, but not limited to, the following Sections of the Florida Statutes:

12.1.1. Section 125.35(2), Private Sale or Lease, as addressed in Section 12.5 below;

12.1.2. Section 125.37, Exchange of County Property, as addressed in Section 12.6 below;

12.1.3. Section 125.379, Disposition of County Property for Affordable Housing, as addressed in Article 11 above;

12.1.4. Section 125.38, Sale or Lease of County Property to United States, or State, as addressed in Section 12.5 below;

12.1.5. Section 125.39, Nonapplicability to County Lands Acquired for a Specific Purpose, applicable to any County-owned Real Estate for which a reversionary clause was contained in the deed requiring conveyance back to the Grantor upon the County's failure to use the Real Estate for such specific purpose; or

12.1.6. Section 197.592, County Delinquent Tax Lands; Method and Procedure for Sale by County; Certain Lands Conveyed to Municipalities, as addressed in Article 10 above.

12.2. Leases for LC Government Annex or Lake Jackson Town Center; Authority to Proceed. With regard to the conveyance, modification, or termination of a Lease for any part of the LC Government Annex or Lake Jackson Town Center, the County Administrator, or his or her authorized designee, may, without further Board action, direct the RE Program staff to proceed in accordance with Section 12.8 below, subject to the scope of the County Administrator's authority and responsibilities as set forth therein.

12.3. County Administrator's Scope of Authority for Sales, Leases, and Donations. Upon the Board's approval, as applicable, to proceed with a Sale or Lease, the County Administrator, or his or her authorized designee, may, without further Board action, approve, execute, and accept any and all documents necessary to complete a Sale or Lease, including Donations, for which the consideration amount to be received by the County is not less than the limitations as set forth hereinbelow; provided, however, that in a Sale or Donation the Board Chairman shall execute any deed, easement, or other such instrument of conveyance. Any offers or counteroffers for such Real Estate transactions in which the consideration amount to be received by the County is less than such limitations may, at the discretion of the County Administrator, or his or her authorized designee, be rejected or be presented to the Board for consideration. Nothing herein shall be deemed to prohibit the County Administrator, or his or her authorized designee, from also rejecting an offer or counteroffer for a consideration amount that falls within his or her scope of authority. The County Administrator's scope of authority granted herein shall be limited to such Sales or Leases, including Donations, for which the consideration amount to be paid by the County is either:

12.3.1. A Sale amount no greater than \$5,000, regardless of the County's appraisal of the fair market value for the Real Estate;

12.3.2. A Sale amount no greater than \$50,000, provided, however, that such amount is no less than 75 percent of the County's appraisal of the fair market value for the Real Estate;

12.3.3. An annual Lease payment amount no greater than \$500 regardless of the estimate of the Fair Market Rent for the Real Estate provided or otherwise obtained by RE Program staff; or

12.3.4. An annual Lease payment amount no greater than \$5,000 provided, however, that such annual Lease payment amount is no less than 75 percent of the estimate of the Fair Market Rent for the Real Estate provided or otherwise obtained by RE Program staff.

12.4. Sale or Lease; Published Notice Calling for Bids. In accordance with Section 12.1 above, as applicable, any Sale or Lease by published bid shall, pursuant to Section 125.35(1)(c), Florida Statutes, as may be amended from time to time, proceed as follows:

12.4.1. The RE Program staff shall prepare a notice (the Notice) calling for bids for the Purchase or Lease of the Real Estate so advertised to be conveyed by Sale or Lease to the highest and best bidder satisfying the terms and conditions of such Notice. At the discretion of the County Administrator, or his or her authorized designee, the bids may be received as sealed bids to be opened on the date and time provided in the Notice or may be received at a public auction held on the date and time provided in the Notice. The Notice shall be published once a week for at least 2 weeks in a newspaper of general circulation published in the County.

12.4.2. Upon receipt of any bids responsive thereto, the RE Program staff shall compile and summarize the bid information and shall, subject to the County Administrator's scope of authority in Section 12.3 above, convey such Real Estate by Sale or Lease to the highest bidder complying with the terms and conditions set forth in the notice; provided, however, if the highest bid amount is less than the Property Appraiser's market value for the Real Estate, the RE Manager shall reject all offers and bids. A deposit or surety bond may be required to be made or given with each bid submitted.

12.5. Private Sale or Lease of Surplus Parcel; No Published Notice for Bids. The County Administrator, or his or her authorized designee, may, without further Board action, direct the RE Program staff, pursuant to Section 125.35(2), Florida Statutes, as may be amended from time to time, to proceed with a private Sale or Lease of a Surplus Parcel, with no published notice calling for a bid, if it is first determined by the RE Program staff that such Surplus Parcel is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the Surplus Parcel or that the County's estimated fair market value of the Surplus Parcel is \$15,000 or less, and that, due to the size, shape, location, and value of the Surplus Parcel, it is of use only to one or more adjacent property owners. Under such circumstances, the Sale or Lease may proceed as follows:

12.5.1. After sending notice of the intended action to owners of adjacent property by certified mail, the RE Program staff may proceed with a Sale or Lease of the Surplus Parcel without receiving bids or publishing notice.

12.5.2. If, however, within ten working days after receiving such mailed notice, two or more owners of adjacent property notify the RE Program staff of their desire to Purchase or Lease the Surplus Parcel, the RE Program staff shall accept sealed bids for the Surplus Parcel from such property owners and shall, subject to the County Administrator's scope of authority in Section 12.3 above, convey it by Sale or Lease to the highest bidder complying with the terms and conditions set forth in the notice; provided, however, if the highest bid amount is less than the Property Appraiser's market value for the Surplus Parcel, the RE Manager shall reject all offers and bids.

12.6. Exchange of Real Estate. Pursuant to Section 125.37, Florida Statutes, as may be amended from time to time, upon the Board's adoption of a Resolution authorizing the exchange of any Real Estate owned by the County for other Real Estate owned by others, the RE Program staff may proceed with such Real Estate exchange, with no published notice calling for bid, in accordance with the requirements as set forth in Section 125.37, Florida Statutes, as may be amended from time to time. Before such Resolution is adopted by the Board, the RE Program staff shall prepare a notice setting forth the terms and conditions of the Real Estate exchange and arrange for the notice to be published once a week for at least two weeks in a newspaper of general circulation published in the County.

12.7. Sale or Lease to Government or Non-Profit. Pursuant to Section 125.38, Florida Statutes, as may be amended from time to time, upon the Board's adoption of a Resolution approving the request to the Board by the United States, or any department or agency thereof, the State or any political subdivision or agency thereof, or any municipality of this State, or by a corporation or other

organization not for profit which may be organized for the purposes of promoting community interest and welfare, of its desire to use County-owned Real Estate, the RE Program staff may proceed with a private Sale or Lease of such Real Estate, with no published notice calling for bid. Such private Sale or Lease of County-owned Real Estate shall be in accordance with the requirements as set forth in Section 125.38, Florida Statutes, as may be amended from time to time.

12.8. Lease of LC Government Annex and Lake Jackson Town Center.

12.8.1. The County Administrator, or his or her authorized designee, may, without further Board action, approve, execute, and accept any and all documents necessary to complete a conveyance, modification, or termination of a Lease for any part of the LC Government Annex or Lake Jackson Town Center for which the consideration amount to be received by the County is not less than the limitations as set forth hereinbelow; provided, however, that such transactions shall be in compliance, as determined by the County Attorney, with the statutory bid requirements as set forth in Section 125.35(1)(c), Florida Statutes, as may be amended from time to time. Any offers or counteroffers for such Lease transactions in which the consideration amount to be received by the County is less than such limitations may, at the discretion of the County Administrator, or his or her authorized designee, be rejected or be presented to the Board for consideration. Nothing herein shall be deemed to prohibit the County Administrator, or his or her authorized designee, from also rejecting an offer or counteroffer for a consideration amount that falls within his or her scope of authority. The County Administrator's authority shall be subject to the following limitations:

12.8.1.1. The agreement for any such Lease conveyance or modification shall include a rental rate of no less than 90 percent of the Fair Market Rent; and

12.8.1.2. Any such Lease modification or termination shall be limited to the following:

12.8.1.2.1. increases or decreases in the size of the space;

12.8.1.2.2. month-to-month extensions;

12.8.1.2.3. decreases in the length of the term; or

12.8.1.2.4. any other modifications that result in a financial impact to the County of no more than 25 percent of the lease amount.

12.8.2. The RE Program staff shall develop and maintain written procedures which shall govern the conveyance, modification, or termination of a Lease for any part of the LC Government Annex or Lake Jackson Town Center.

12.8.3. The County Administrator, or his or her authorized designee, shall, without further Board action, have the authority to reject any offer to lease LC Government Annex Real Estate or Lake Jackson Town Center Real Estate for an intended use or term of use deemed incompatible, by the County Administrator or his or her authorized designee, with the County's use or intended use of the LC Government Annex or the Lake Jackson Town Center.

12.9. Receipt of Inquiries to Sell, Lease, or Donate To Others. If the County is in receipt of an inquiry from an individual or entity interested in buying or leasing from the County any County-owned Real Estate, such individual or entity shall express such interest in the form of a written offer to be delivered to the RE Manager. Upon receipt of such written offer, the RE Program staff shall proceed as follows:

12.9.1. A written summary shall be prepared containing the following information about the Real Estate:

12.9.1.1. When the Real Estate was obtained by the County and the cost, if any, to the County for obtaining it;

12.9.1.2. The original reason, if any, for the County obtaining such Real Estate;

12.9.1.3. The site location and description including any improvements and zoning classification;

12.9.1.4. The size of the Real Estate; and

12.9.1.5. The current estimate of fair market value.

12.9.2. The RE Program staff shall circulate the written summary seeking comments from the County department(s) maintaining the Real Estate or from all County departments if the Real Estate is designated as a Surplus Parcel.

12.9.3. Upon the RE Program staff's receipt of any responses to the written summary, the RE Program staff shall prepare a written report to the County Administrator, or his or her authorized designee, which summarizes the responses and recommends whether or not the Real Estate should be conveyed by Sale or Leased as requested.

12.9.4. Upon the concurrence of the County Administrator, or his or her authorized designee, of a recommendation that the Real Estate should be conveyed by Sale or Lease, the Sale or Lease shall proceed in accordance with Section 12.1 above.

12.10. Extended Possession in Eminent Domain Acquisitions. In any Eminent Domain Acquisition in which the Full Compensation to the owner includes an agreement by the County for the owner to remain in possession of the Real Estate for a time certain after the closing date, such agreement for possession shall be exempt from this Article 12. In such Acquisitions, the agreement for possession shall be included as part of Full Compensation and transacted in accordance with Section 5.3 above.

Article 13.

Management and Grants of Licenses and County Easements

13.1. County Administrator's Scope of Authority for Management. The County Administrator, or his or her authorized designee, shall have the authority and responsibility to manage all County-owned Real Estate pursuant to that specific duty to supervise the care and custody of all County property as set forth in Section 2-501(b)(4) of the Leon County Administrative Code in LC Code Chapter 2, Article X, as may be amended from time to time. The assignment of management responsibility for the various designations of County-owned Real Estate shall be as proscribed by the

County Administrator at his or her discretion. The scope of authority provided herein shall include the approval and execution of any and all documents necessary to grant a License or County Easement permitting the use of County-owned Real Estate, subject to the limitations as set forth hereinbelow.

13.2. License of County-owned Real Estate; Authority to Proceed. Unless otherwise provided in any Board action, any LC Code provision, or any other federal, state, or local law, regulation, or rule, the County Administrator, or his or her authorized designee, may approve, execute, and accept any and all documents necessary to complete the grant of a License of County-owned Real Estate; provided, however, such License shall be subject to the satisfaction of the following conditions:

13.2.1. The licensee's permitted use shall not unreasonably interfere with the County use of the Real Estate;

13.2.2. The licensee shall pay a license fee in consideration for such License in amount considered by the RE Manager, based on input from RE Program staff, to be reasonable for the use permitted; provided, however, that if the licensee is the United States, or any department or agency thereof, the State or any political subdivision or agency thereof, or any municipality of this State, or by a corporation or other organization not for profit which may be organized for the purposes of promoting community interest and welfare, the license fee may be waived upon the approval of the County Administrator, or his or her authorized designee.

13.3. Conveyance of County Easements; Authority to Proceed. Unless otherwise provided in any Board action, any LC Code provision, or any other federal, state, or local law, regulation, or rule, the County Administrator, or his or her authorized designee, may approve, execute, and accept any and all documents necessary to complete the grant of a County Easement; provided, however, that the Board Chairman shall execute the easement or other such instrument of conveyance.

Board of County Commissioners Leon County, Florida

Policy No. 06-3

Title: Homestead Loss Prevention Program

Date Adopted: June 14, 2016

Effective Date: June 14, 2016

Reference: Chapter 16, Article II, Improvements to Roads, Leon County Code;
Chapter 18, Article II, Division 2, Improvements to Water and Sewer
Disposal Systems, Leon County Code;
Chapter 18, Article IV, Division 2, Improvements to Stormwater Control
and Drainage Systems, Leon County Code;
Fla. Stat. §196.031, Exemption of Homesteads;
Fla. Stat. §196.101, Exemption for Totally and Permanently Disabled
Persons
Fla. Stat. §197.592, County Delinquent Tax Lands; Method and Procedure
for Sale by County

Policy Superseded: Policy No. 06-3, "Homestead Loss Prevention Program," adopted
April 25, 2006; amended February 22, 2011; amended September 23,
2014

It shall be policy of the Board of County Commissioners of Leon County, Florida that Policy No. 06-3, "Homestead Loss Prevention Program," adopted April 25, 2006 and amended on February 22, 2011 and September 23, 2014, is superseded, and an amended policy is hereby adopted, to wit:

Article 1

Authority, Intent, Purpose, and Scope

- A. The authority set forth herein is delegated to the County Administrator, or designee.
- B. The intent of this Policy, in accordance with the Board's findings and declarations set forth in Resolutions 06-14, 11-09, 14-48, and 16-___, the contents of which are incorporated herein by this reference, is to establish the Homestead Loss Prevention Program to provide financial assistance Owners who are facing the imminent loss of their Homestead Property by tax deed resulting from the nonpayment of a Special Assessment or the financial impact of being totally and permanently disabled, or who have already lost their Homestead Property to the County with the Clerk's issuance of an Escheatment Tax Deed, and to prevent, with as little fiscal impact to the County as possible, any anticipated recurrence of such loss, or potential loss, in the future.

- C. The purpose of this Policy is to establish a uniform and clear policy and procedure to insure proper accountability and legal consistency in administering and managing the Program. These policies and procedures shall be followed, along with all applicable laws and professional ethics, in order to insure fair and equitable treatment to the County, the general public, and all affected participants.
- D. This Policy shall govern any and all provision by the County of financial assistance to Owners for the redemption of tax certificates on their Homestead Property resulting from nonpayment of a Special Assessment or the financial impact of being totally and permanently disabled, and for the County's conveyance of a Homestead Property, acquired by Escheatment Tax Deed, to the prior record Owner. Furthermore, this Policy shall provide the exclusive policy and procedure for providing any such financial assistance, and shall supersede any and all provisions of other Board policies to the extent that such other provisions may be inconsistent with this Policy.

Article 2 Definitions

- A. *2/3 Program* means the program established by ordinance and codified in the Leon County Code as Chapter 16, Article II and Chapter 18, Article II, Division 2, which collectively provides for the improvement of roads, water, and sewage disposal systems within the unincorporated area of the County.
- B. *Agreement* means the Agreement for Financial Assistance and Repayment, in such form as shall be approved by the County Attorney, executed by an Owner and recorded as a lien on the Homestead Property of the Owner, and which provides the terms of repayment by the Owner of any financial assistance advanced by the County in accordance with the Policy.
- C. *Applicant* means an Owner, or his or her authorized representative, who applies for financial assistance pursuant to the Program.
- D. *Application* means the Applicant's written request for financial assistance pursuant to the Program, in such written form as shall be approved by the County Attorney.
- E. *Assessed Value* means the assessed value of a Homestead Property, as determined by the Leon County Property Appraiser, upon which the Tax Collector relies in establishing the amount of real property taxes due and payable by an Owner.
- F. *Board* means the Leon County Board of County Commissioners.
- G. *CARDS Program* means the programs established by ordinance and codified in the Leon County Code which result in the "County Acceptance of Roads and Drainage Systems" which, in addition to the 2/3 Program, includes the program codified in the Leon County Code as Chapter 18, Article IV, Division 2, which provides for improvements to stormwater control and drainage systems within the unincorporated area of the County.
- H. *Clerk* means the Leon County Comptroller and Clerk of the Circuit Court.

- I. *County* means Leon County, Florida, a charter county and political subdivision of the State of Florida, and its employees, departments, and divisions.
- J. *Escheatment Tax Deed* means the reversion to the County by tax deed of a parcel of real property, pursuant to Section 197.502(8), Florida Statutes, as may be amended from time to time, resulting from the passage of three years during which such parcel remained on the Clerk's List of Lands Available.
- K. *Homestead Property* means the Owner's parcel of real property that is scheduled to be sold, or has been sold, pursuant to a Notice of Application for Tax Deed.
- L. *List of Lands Available* means the Clerk's list of lands available for taxes containing, in accordance with Section 197.502(7), Florida Statutes, as may be amended from time to time, those parcels of real property for which there were no bidders at the Clerk's public sale by tax deed.
- M. *Notice of Application for Tax Deed* means the statutory notice prescribed by Fla. Stat. §197.522, or as that section may be amended from time to time, informing the Owner that an application for a tax deed has been made and that the Owner's Homestead Property will be sold at public auction unless back taxes are paid.
- N. *Owner* means a person who has, or previously had, legal or equitable title to a parcel of real property for which an exemption from taxation has been granted by the Property Appraiser pursuant to either Fla. Stat. §196.031, regarding exemption of homesteads, or Fla. Stat. §196.101, regarding exemption for totally and permanently disabled persons, or as those sections may be amended from time to time; such legal or equitable title may be held by the entireties, jointly, or in common with others.
- O. *Policy* means this Homestead Loss Prevention Program as adopted by the Board and as may be amended from time to time.
- P. *Program* means the Homestead Loss Prevention Program.
- Q. *Property Appraiser* means the Leon County Property Appraiser.
- R. *Qualifying Tax Year* means the tax year in which the sale occurred of the oldest tax certificate included in the opening bid at the tax deed sale of the Applicant's Homestead Property.
- S. *Real Estate Policy* means the Real Estate Policy as adopted by the Board on June 14, 2016 and as may be amended from time to time.
- T. *Special Assessment* means a special assessment levied by the Board pursuant to its CARDS Program, which includes the 2/3 Program.
- U. *Tax Collector* means the Leon County Tax Collector.
- V. *Written Procedures* means the uniform and clear written procedures developed and maintained for implementation of the Board's directives in this Policy.

**Article 3
Responsibilities**

- A. The County Administrator, or designee, shall be charged with the responsibility of developing and maintaining uniform and clear written procedures for managing and administering the Board's directives in this Policy.
- B. The departmental responsibility for managing and implementing the provision of the financial assistance in accordance with the directives in this Policy and the Written Procedures shall be as designated by the County Administrator;
- C. The County Attorney, or designee, shall be charged with the following responsibilities:
 - 1. Preparing, reviewing, and approving the form of any and all legal documents necessary for the implementation of the directives in this Policy and the Written Procedures;
 - 2. Providing legal advice, as necessary, in the development of the Written Procedures; and
 - 3. Providing legal support, as necessary, in the enforcement of the Owner's obligations pursuant to the terms of the Agreement for financial assistance.

**Article 4
Tax Deed Sale Due to Special Assessment**

- A. Any Owner facing the imminent loss of his or her Homestead Property by tax deed sale, or whose Homestead Property has been placed on the List of Lands Available and is facing loss by escheatment to the County, resulting from the nonpayment of a Special Assessment, may themselves, or through an authorized representative, submit to the applicable County department a duly executed Application seeking financial assistance to prevent such loss.
- B. Upon receipt of the duly executed Application, the County shall determine whether the Owner qualifies for such financial assistance by satisfying the following criteria:
 - 1. The Owner's Homestead Property must be subject to a tax certificate resulting solely, or in part, from the nonpayment of a delinquent Special Assessment;
 - 2. The loss of the Owner's Homestead Property must be imminent as evidenced by either (i) the Owner's receipt of the Notice of Application for Tax Deed, or (ii) the Clerk's placement of the Owner's Homestead Property on the List of Lands Available;
 - 3. The Assessed Value of the Owner's Homestead Property for the Qualifying Tax Year must be no greater than Seventy-Five Thousand and 00/100 Dollars (\$75,000); and
 - 4. The Owner's Homestead Property must not be subject to an existing or imminent legal action to foreclose a mortgage or other such secured claim, as evidenced by the absence of a recorded lis pendens against the Homestead Property and the written confirmation of the property owner that there are no pending delinquencies of mortgage payments greater than 90 days.
- C. The Applicant must provide written acknowledgment that the payment of any and all amounts not associated with the Special Assessments which may be necessary to redeem the tax certificates to prevent the loss of the Homestead Property by tax deed including, but not

limited to, solid waste assessments, stormwater assessments, and ad valorem property taxes shall be the responsibility of the Owner and shall be delivered to the County at the time of signing the Agreement in the form of a cashier's check made payable to the Tax Collector.

- D. Upon confirmation that the Owner qualifies for such financial relief under this Article 4, the County shall provide the Owner with documentation and guidance as necessary for the Owner to obtain the financial assistance and redeem the tax certificate in a manner sufficient to prevent the loss of the Owner's Homestead Property by tax deed.

Article 5

Tax Deed Sale Due to Total and Permanent Disability

- A. Any Owner facing the imminent loss of his or her Homestead Property by tax deed sale, or whose Homestead Property has been placed on the List of Lands Available and is facing loss by escheatment to the County, resulting from the financial impact of being totally and permanently disabled, may themselves, or through an authorized representative, submit to the applicable County department a duly executed Application seeking financial assistance to prevent such loss.
- B. Upon receipt of the duly executed Application, the County shall determine whether the Owner qualifies for such financial assistance by satisfying the following criteria:
1. The Owner, as of the date of the Application, must have been granted an exemption from taxation for the Homestead Property pursuant to Fla. Stat. §196.101, or as that section may be amended from time to time, based on one of the following conditions:
 - a. The Owner is a quadriplegic; or
 - b. The Owner is a paraplegic, hemiplegic, or any other totally and permanently disabled person who must use a wheelchair for mobility or who is legally blind; provided, however, that such Owner must also satisfy the income limitations pursuant to Fla. Stat. §196.101(4)(a), or as that section may be amended from time to time;
 2. The loss of the Owner's Homestead Property must be imminent as evidenced by either (i) the Owner's receipt of the Notice of Application for Tax Deed, or (ii) the Clerk's placement of the Owner's Homestead Property on the List of Lands Available; and
 3. The Owner's Homestead Property must not be subject to an existing or imminent legal action to foreclose a mortgage or other such secured claim, as evidenced by the absence of a recorded lis pendens against the Homestead Property and the written confirmation of the property owner that there are no pending delinquencies of mortgage payments greater than 90 days.
- C. Upon confirmation that the Owner qualifies for such financial relief under this Article 5, the County shall be responsible for providing the Owner with documentation and guidance as necessary for the Owner to obtain the financial assistance and redeem the tax certificate in a manner sufficient to prevent the loss of the Owner's Homestead Property by tax deed.

Article 6**Loss of Homestead Property by Escheatment Tax Deed;
County's Conveyance to Prior Record Owner**

- A. Any Owner determined by the County to be the prior record Owner and occupant of a Homestead Property as of the date the County acquired such Homestead Property by Escheatment Tax Deed, may, upon acceptance of the County's offer to convey such Homestead Property back to such prior record Owner pursuant to Fla. Stat. §197.592(1), submit to the applicable County department a duly executed Application seeking financial assistance to accomplish such conveyance.
- B. Upon receipt of the duly executed Application, the County shall determine whether the Owner qualifies for such financial assistance by satisfying the following criteria:
1. The loss of the Owner's Homestead Property to the County by Escheatment Tax Deed must have been caused solely, or in part, by the nonpayment of a delinquent Special Assessment;
 2. The Assessed Value of the Owner's Homestead Property for the Qualifying Tax Year must be no greater than Seventy-Five Thousand and 00/100 Dollars (\$75,000); and
 3. In accordance with Fla. Stat. §197.592(1), the Applicant shall provide the Owner's acknowledgement of the following:
 - a. a description of the Homestead Property for which the conveyance is sought;
 - b. the name and address of the Owner;
 - c. the date the County acquired title of the Homestead Property by Escheatment Tax Deed;
 - d. that the Homestead Property, at the date the County acquired title, was used as the Owner's permanent residence or as the permanent residence of another or others legally or naturally dependent upon him or her;
 - e. a brief statement of the facts and circumstances upon which the Owner bases the request for the County to convey the Homestead Property to the Owner;
 - f. the agreement to execute and deliver to the County an Agreement for Financial Assistance and Repayment, in accordance with Article 7 below, promising to repay to the County an amount no less than those amounts set forth in Fla. Stat. §§197.592(1) and (2) including, but not limited to, an amount equal to all taxes, including Special Assessments and any other County and municipal taxes and liens, which had become delinquent and, if the Homestead Property had not been assessed for taxes for the current year, the taxes for the current and omitted years, together with interest and costs provided by law.
- C. Upon confirmation that the Owner qualifies for such financial relief under this Article 6, the County shall be responsible coordinating with the Owner to complete the conveyance of the Homestead Property to the Owner in accordance with the Real Estate Policy.

Article 7
Agreement for Financial Assistance and Repayment

- A. Before proceeding with the provision of financial assistance to the Owner, each Owner shall execute and deliver to the County an Agreement for Financial Assistance and Repayment, in a form to be developed at the discretion of the County Attorney in the best interests of the County to include, but not be limited to, the following:
1. an acknowledgment, as applicable, that the Owner has either (i) received the Notice of Application for Tax Deed, (ii) had his or her Homestead Property placed on the List of Lands Available, or (iii) has lost his or her Homestead Property to the County with the Clerk's issuance of an Escheatment Tax Deed;
 2. an acknowledgment that the Agreement shall be recorded as a lien against their Homestead Property, and that they will remain personally liable for the repayment of any and all amounts of financial assistance provided in the Agreement;
 3. an acknowledgement that, with regard to financial assistance provided pursuant to Article 4 above, the amount of financial assistance provided in the Agreement shall be limited to the amount necessary to redeem only those portions of the tax certificates associated with the delinquent Special Assessment together with the amount necessary to pay off and satisfy any remaining unpaid balance of the Special Assessment not included in the redemption of the current tax certificates;
 4. an acknowledgement that, with regard to financial assistance provided pursuant to Article 6 above, the amount of financial assistance provided in the Agreement shall be limited to the amount set forth in paragraph B.f. of Article 6 above together with the amount necessary to pay off and satisfy any remaining unpaid balance of the Special Assessment not included in such amount;
 5. the Owner's obligation to pay an annual finance charge, at the going rate in an amount not to exceed the maximum amount allowed by law, on any outstanding amounts of financial assistance remaining to be paid;
 6. the Owner's obligation to repay any and all outstanding amounts of financial assistance remaining to be paid in the Agreement, plus any accrued interest, upon the occurrence of either of the following events: (i) a change in the use of the Owner's Homestead Property such that the Owner is no longer entitled to claim a homestead exemption for such property pursuant to Fla. Stat. Chapter 196, or as that Chapter may be amended from time to time, or (ii) any change in the ownership of the Owner's Homestead Property, except for a change in ownership to a surviving spouse when such spouse is eligible to claim the homestead exemption on such property pursuant to Fla. Stat. §196.031(1), or as that section may be amended from time to time; and
 7. the Owner's obligation to pay any and all attorney's fees and costs incurred by the County in any action to enforce repayment of any delinquent amounts of financial assistance provided in the Agreement
- B. Upon the County's receipt of an Agreement duly executed by an Owner, the County, as applicable, shall be responsible for timely delivering to the Tax Collector the amounts of financial assistance as provided in the Agreement, and for assuring that the payment of such

Homestead Loss Prevention Program
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amounts to the Tax Collector are adequate to prevent the loss of the Owner's Homestead Property by tax deed.

- C. In the event any amount of financial assistance provided in the Agreement, plus accrued interest, remains unpaid for more than ninety (90) days after becoming due and payable, such amount shall be deemed delinquent and the County Attorney shall thereafter be authorized to commence, if in the best interest of the County, any legal action available by law for the recovery of the delinquent amount.

RESOLUTION: 16-_____

FINANCIAL ASSISTANCE FOR THE COUNTY'S CONVEYANCE OF ESCHEATED TAX DEED PARCELS BACK TO PRIOR RECORD OWNER IF OCCUPIED AS A HOMESTEAD PROPERTY AND LOSS RESULTED SOLELY, OR IN PART, FROM NONPAYMENT OF SPECIAL ASSESSMENTS LEVIED BY THE COUNTY IN ITS CARDS AND 2/3 PROGRAMS FOR IMPROVEMENTS TO STREET, WATER, SEWER, STORMWATER, AND DRAINAGE SYSTEMS

WHEREAS, on April 25, 2006, the Leon County Board of County Commissioners (the "Board") adopted Resolution 06-14 in support of the Board's adoption of Policy 06-3, Homestead Loss Prevention Program (the "HLPP Policy"), which provides financial assistance as a last resort to property owners who face the potential loss of a homestead property resulting solely from the levy and nonpayment of a special assessment in the Board's two programs for improvements to roads and water and sewage disposal systems (collectively the "2/3 Program"); and

WHEREAS, on February 22, 2011, the Board adopted Resolution 11-09 in support of the Board's adoption of a revised HLPP Policy which expanded the scope of the HLPP Policy to (i) reflect the increased homestead exemption amount and make it applicable to the increased number of property owners that would most likely to be in need of the financial assistance, (ii) provide for the prevention of a future reoccurrence of the issuance of tax certificates on the same homestead property for nonpayment of a special assessment, and (iii) include a third special assessment program for improvements to stormwater control and drainage systems which, along with the 2/3 Program, was collectively renamed the County Acceptance of Roads and Drainage Systems Program ("CARDS Program"); and

WHEREAS, on September 23, 2014, the Board adopted Resolution 14-48 in support of the Board's adoption of further revisions to the HLPP Policy to expand the scope of the HLPP Policy to provide financial assistance to property owners who face the potential loss of a homestead property because of the financial hardship from being totally and permanently disabled; and

WHEREAS, the Board, in Resolution 06-14, established that the prevention of the loss of an individual's homestead property is a paramount public purpose, especially when such loss results solely from the individual's inability to pay a special assessment levied by the County in

its 2/3 Program and collected by the Tax Collector through the Uniform Method of Collection; and

WHEREAS, the Board, in Resolution 11-09, further established that the prevention of a future reoccurrence of the issuance of tax certificates on the same homestead property for nonpayment of a special assessment which, in turn, reduces the potential financial impact to the County associated with any future financial assistance that might have been provided to such property owner, also represents a paramount public purpose; and

WHEREAS, the Board, in Resolution 14-48, further established it is of paramount public importance to expand the HLPP Policy to provide financial assistance to totally and permanently disabled property owners who have been granted an exemption from taxation pursuant to Section 196.101, Florida Statutes, as a means of last resort to avoid the loss of a homestead property; and

WHEREAS, the Board recognizes that a further need exists to assist property owners who have actually lost a homestead property with the Clerk's issuance to the County of an escheatment tax deed, and such loss was solely, or in part, caused by such individual's inability to pay a special assessment; and

WHEREAS, the Board further recognizes that providing such financial assistance is consistent with the goals, objectives, and policies set forth in the Housing Element of the Tallahassee-Leon County 2030 Comprehensive Plan by, among other ways, coordinating available resources to the greatest extent possible to maximize the preservation of affordable housing and the quality of life for the residents of Tallahassee and Leon County; and

WHEREAS, the Florida Statutes, in section 197.592(1), provides a mechanism for the County's conveyance of an escheated tax deed property back to the prior record owner upon the payment of an amount equal to all taxes, including County and municipal taxes and liens, if any, which had become delinquent, together with interest and costs provided by law; and

WHEREAS, it is the desire of the Board to expand the scope HLPP Policy to include a provision to provide financial assistance to such property owners who have actually lost a homestead property by escheatment tax deed and such loss was solely, or in part, caused by the inability to pay a special assessment.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

1. The opportunity for an individual to recover a homestead property lost to an escheatment tax deed is a paramount public purpose, especially when the loss resulted solely, or in part, from the individual's inability to pay a special assessment levied by the County in its

CARDS and 2/3 Programs (the “Special Assessment”) and collected by the Tax Collector through the Uniform Method of Collection.

2. While the use of the Uniform Method of Collection is in the County’s best interest, it has the unintended consequence of jeopardizing an assessed owner’s homestead property in cases of financial hardship.

3. In order to continue the use the Uniform Method of Collection, while at the same time safeguarding against the loss of homestead properties in cases of financial hardship, the Board finds that it is of paramount public importance to establish a program to provide financial assistance to property owners as a means to recover a homestead property lost to the County by escheatment tax deed in instances when the loss resulted solely, or in part, from the individual’s inability to pay a Special Assessment, with such financial assistance being used solely for the County’s conveyance of the homestead property back to the prior owner, pursuant to section 197.592(1), Florida Statutes.

4. A property owner may qualify for such financial assistance upon meeting the following criteria:

- a. The assessed value of the property must be no greater than \$75,000; and
- b. In accordance with section 197.592(1), Florida Statutes, the following information shall be provided: (i) a description of the homestead property for which the conveyance is sought; (ii) the property owner’s name and address; (iii) the date the County acquired title of the homestead property by escheatment tax deed; (iv) that the homestead property, at the date the County acquired title, was used as the property owner’s permanent residence or as the permanent residence of another or others legally or naturally dependent upon him or her; (v) a brief statement of the facts and circumstances upon which the property owner bases the request for the County to convey the homestead property to the property owner; and (vi) the agreement to execute and deliver to the County an agreement for financial assistance, promising to repay to the County an amount no less than those amounts set forth in Fla. Stat. §§197.592(1) and (2) including, but not limited to, an amount equal to all taxes, including Special Assessments and any other County and municipal taxes and liens, which had become delinquent and, if the homestead property had not been assessed for taxes for the current year, the taxes for the current and omitted years, together with interest and costs provided by law.

5. The financial assistance provided through the Program shall be in the form of a loan to the qualifying property owner in an amount no greater than (i) the amount set forth in paragraph 4b(vi) above and (ii) the amount necessary to pay off and satisfy any remaining unpaid balance of the Special Assessment not included in such amount, and the loan amount, together with accrued interest, shall be secured with a lien on the homestead property payable upon the occurrence of either of the following events:

a. a change in the use of the property such that the owner is no longer entitled to claim a homestead exemption for such property pursuant to Section 196.101, Florida Statutes, or;

b. a transfer of ownership of the property by sale, probate, or other such conveyance except for a change in ownership to a surviving spouse when such spouse is eligible to claim the homestead exemption on such property..

6. This Resolution shall supplement the provisions in the Board’s Resolutions 06-14, 11-09, and 14-48; provided, however, that to the extent of any conflict between the provisions herein and Resolutions 06-14, 11-09, and 14-48, the provisions herein shall control.

DONE AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this the 14th day of June, 2016.

LEON COUNTY, FLORIDA

By: _____
Bill Proctor, Chairman
Board of County Commissioners

ATTEST:

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

APPROVED AS TO FORM:

Office of the County Attorney
Leon County, Florida

By: _____

By: _____
County Attorney

2.01.1

Board of County Commissioners Leon County, Florida

Policy No. 03-01

Title: Approval Authority for the Acquisition, Disposition, and Leasing of Real Property

Date Adopted: February 23, 2010

Effective Date: February 23, 2010

Reference: Chapters 73, 74, 125, and 127, *Florida Statutes*

Policy Superseded: Policy No. 03-01, "Approval Authority for the Acquisition, Disposition, and Leasing of Real Property", adopted January 14, 2003; amended November 18, 2003; amended February 24, 2004; amended August 25, 2009; amended October 13, 2009

It shall be the policy of the Board of County Commissioners of Leon County, Florida (the Board), that Policy No. 03-01, "Approval Authority for the Acquisition, Disposition, and Leasing of Real Property", originally adopted by the Leon County Board of County Commissioners on January 14, 2003, amended on November 18, 2003, amended on February 24, 2004, amended August 25, 2009, and amended October 13, 2009 is hereby superseded and amended to wit:

Approval Authority for the Acquisition, Disposition, and Leasing of Real Property
2.01.1

Policy No. 03-01

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POLICY

I. Authority, Purpose, Intent, and Scope

A. The authority set forth herein shall be deemed to be the Board's pre-approval of the contracts and agreements negotiated by the County Administrator for the acquisition, disposition, and leasing of real property in accordance with those specific duties set forth in Section 2-501(b)(8) of the Leon County Administrative Code, as may be amended from time to time.

B. The purpose of this Policy is to establish a policy and procedure for the Board's approval of any and all contracts or agreements for the conveyances of any interest in real property involving Leon County (the County), including, but not limited to, acquisitions, sales and dispositions, leases to others of real property owned by the County and leases to the County of real property owned by others, and all property management activities.

C. The intent of this Policy is to provide operating procedures and a set of rules to insure proper accountability in any real estate transaction involving the County and to insure proper management of any real property owned or leased by the County. Further, these policies and procedures shall be followed, along with all applicable laws and professional ethics, in order to insure fair and equitable treatment to the County, the general public, and all affected property owners.

D. The policies and procedures contained herein shall govern all County real estate functions.

II. Definitions

A. Acquisition Not Under the Threat of Condemnation: an acquisition of real property that may be needed for County purposes but that will be completed only if an acceptable price can be negotiated with the owner.

B. Acquisition Under the Threat of Condemnation: an acquisition of real property that has been identified on a Right-of-Way Map as being necessary to implement a Capital Improvements Project and that must be completed notwithstanding an owner's unwillingness to sell at a price that is acceptable to the County.

C. BOA: the Bank of America Plaza located at 311 and 315 S. Calhoun Street, Tallahassee, Florida, and any part thereof including but not limited to office and parking spaces.

D. Capital Improvements Projects: all projects which have been approved by the Board in a Capital Improvements Project Budget and have been included on the list of approved projects in the 2020 Transportation Plan, Comprehensive Plan, or other such Board declaration of intent.

Approval Authority for the Acquisition, Disposition, and Leasing of Real Property
Policy No. 03-01

2.01.1

E. Fair Market Rent: the reasonable rental rate and other related terms applicable to the conveyance of any leasehold interest or right of possession of BOA real property, as estimated by the Property Manager subject to the approval of the County Administrator or his designee.

F. Full Compensation: monetary or nonmonetary compensation paid to an owner, pursuant to Chapter 73, *Florida Statutes*, and as otherwise provided by law, in consideration for the acquisition of real property under the threat of condemnation. Full compensation shall include, but not be limited to, the following:

1. compensation for the real property acquired;
2. damages to any remaining real property not acquired;
3. any legal entitlement to damages to an owner's business caused by the denial of the use of the real property acquired; and
4. any legal entitlement to an owner's reasonable attorneys' fees and costs incurred in the defense of the proceedings.

G. Nonmonetary Terms: full compensation or consideration paid, in terms other than money, by the County for the acquisition of real property including, but not limited to, agreements for access to the owner's property, agreements for owner's extended possession of the property acquired by the County, agreements for management of stormwater on the owner's property, and other such agreements between the County and the property owner.

H. Huntington Oaks: The Huntington Oaks center, located at 3840 N. Monroe Street, Tallahassee, Florida, and any part thereof.

I. Property Manager: the individual or entity retained by the County or assigned by the County Administrator to lease and manage the BOA and/or Huntington Oaks.

J. Real Property: any interest in the land or the improvements located thereon, including, but not limited to, fee simple, leasehold and other rights of possession, temporary and perpetual easements, and grants of right-of-entry.

K. Right-of-Way Map: any map of survey prepared by or on behalf of the County that identifies the real property necessary to implement a Capital Improvements Project.

III. Responsible Departments

A. Unless specifically directed otherwise by the County Administrator, the Public Works Department (the Department) shall implement and comply with these policies and procedures and shall be charged with the following responsibilities:

1. Developing uniform and clear procedures for all real property transactions;

2. Assuring uniform and clear documentation of all real property transactions;
3. Assuring that all real property transactions are negotiated equitably and in good faith and in accordance with all applicable state and federal laws;
4. Assuring cost effective management of all real property not currently in use by a County department; and
5. Assuring that, in those instances when negotiations for the acquisition of real property under the threat of condemnation are unsuccessful, all information necessary for the filing of an eminent domain lawsuit is provided to the County Attorney.

B. The County Attorney or his designee shall be charged with the following responsibilities:

1. acquiring real property through the use of eminent domain in those instances when negotiations for the acquisition of real property under the threat of condemnation are unsuccessful.
2. determining the scope of the appraisal assignment and the form of the appraisal report to be prepared for use in the County's real property transactions, unless such scope is otherwise established by the Board
3. approving any and all documents related to any transaction pursuant to this Policy.

C. With regard to the leasing and management of the BOA and Huntington Oaks, the County Administrator or his/her designee(s) shall implement and comply with these policies and shall be charged with the responsibilities set forth in Section VI(E), "BOA Real Property and Huntington Oaks Real Property."

IV. Appraisals and Other County Estimates

A. For all real property transactions, the County shall obtain an appraisal report which estimates the fair market value of the real property interest involved in the transaction in accordance with the following procedures:

1. For acquisitions, sales, or dispositions in which the estimated value of the real property does not exceed \$500,000, or for leases of real property in which the estimated annual expenditure or receipt of funds does not exceed \$50,000, an independent state-certified appraiser shall be retained to prepare an appraisal report with an estimate of the fair market value of the real property at its highest and best use.

2. For acquisitions, sales, or dispositions in which the estimated value of the real property exceeds \$500,000, or for leases of real property in which the estimated annual expenditure or receipt of funds exceeds \$50,000, two independent state-certified appraisers shall be retained to each prepare an appraisal report with an estimate of the fair market value of the real property at its highest and best use.

3. For any conveyance of any leasehold interest or other right of possession of any part of the BOA or Huntington Oaks, the procedures set forth in Sections 4(A)(1) and 4(A)(2) shall not apply. In any such conveyances, the Property Manager shall estimate the Fair Market Rent.

B. The County Attorney or his designee shall determine the scope of the appraisal assignment and the form of the appraisal report to be prepared, unless otherwise established by the Board as follows:

1. For any acquisition of real property authorized under Board Policy 03-10, Flooded Property Acquisition Program, as may be amended from time to time, the real property shall be appraised retrospectively with the effective date of value being the day immediately before the most recent flood event affecting the real property being appraised. For purposes of the retrospective appraisal, the fair market value shall reflect any facts about the physical, legal, or economic characteristics of the real property known as of the effective date of value.

C. For all real property acquisitions under the threat of condemnation in which an owner is legally entitled to damages to a business caused by the denial of the use of the real property acquired, the County shall obtain from a certified public accountant an estimate of such business damages. For purposes of this Policy, the estimate of business damages shall be considered a part of the County's estimate of full compensation.

D. For all real property acquisitions under the threat of condemnation in which an owner is legally entitled to full compensation for reasonable attorney's fees and costs, the Department shall prepare an estimate of the reasonable attorney's fees and costs incurred by the owner in the defense of the proceedings for which the owner is legally entitled to compensation. The County's estimate may be based on input from the County Attorney or his designee provided, however, that in contested cases involving a court determination of the reasonable fees and costs the County shall retain a qualified expert to prepare the estimate. For purposes of this Policy, the estimate of reasonable attorney's fees and costs shall be considered a part of the County's estimate of full compensation.

V. Real Property Owned By Others; Acquisition or Lease by County

A. Acquisition of Real Property Under the Threat of Condemnation

1. Any real property that has been identified on a Right-of-Way Map as being necessary to implement a Capital Improvements Project shall be acquired under the threat of condemnation pursuant to the guidelines provided in Section 73.015, *Florida Statutes*, and pursuant to the following authority and procedure:

2. The County Administrator shall have the authority to approve and to execute any and all documents necessary to complete the acquisition of any parcel of real property necessary to implement a Capital Improvements Project for which the full compensation to a property owner is either:

a. An amount no greater than the County's estimate of full compensation, inclusive of attorney's fees and costs, for that parcel;

b. An amount no greater than \$25,000, inclusive of attorney's fees and costs, regardless of the amount of the County's estimate of full compensation for that parcel; or

c. An amount no greater than \$250,000, inclusive of attorney's fees and costs, provided, however, that such amount of full compensation does not exceed the County's estimate of full compensation for that parcel by more than 25 percent.

3. In the absence of the County Administrator, the Assistant County Administrator may execute any and all documents necessary to complete such acquisitions, which have been approved by the County Administrator.

4. Any offers of full compensation for which the amount exceeds the County Administrator's authority, or which include any nonmonetary terms, shall be presented to the Board pursuant to the following procedure:

a. The Department shall review and evaluate the terms and conditions of the offer and present to the Board for consideration an agenda item summarizing the offer.

b. An offer may be placed on the Board's consent agenda if all of the following conditions are met. If any such condition is not met, such offers shall be presented to the Board on its general business agenda for discussion:

- (1) If the amount of the offer does not exceed \$250,000; and
- (2) The amount of the offer does not exceed the County's estimate of full compensation for that parcel by more than 50 percent; and
- (3) The offer does not include any nonmonetary terms.

B. Acquisition of Real Property Not Under the Threat of Condemnation

1. Unless otherwise provided herein, the County Administrator shall have the authority to approve and to execute any and all documents necessary to complete the acquisition of any real property not under the threat of condemnation but which is needed for County purposes and for which the acquisition price is either:

- a. An amount no greater than \$10,000 regardless of the County's appraisal of the fair market value for the real property; or
- b. An amount no greater than \$250,000 provided, however, that such acquisition price does not exceed the County's appraisal of the fair market value for the real property by more than 10 percent.

2. In the absence of the County Administrator, the Assistant County Administrator may execute any and all documents necessary to complete such acquisitions, which have been approved by the County Administrator.

3. Any acquisition offers for which the amount exceeds the County Administrator's authority, or which include any nonmonetary terms, shall be presented to the Board pursuant to the following procedure:

- a. The Department shall review and evaluate the terms and conditions of the offer and present to the Board for consideration an agenda item summarizing the offer.
- b. Any such offer amount which exceeds \$250,000 shall be considered by the Board at a public hearing no earlier than 30 days after notice of such public hearing is advertised in a newspaper of general circulation published in the County. All other offers shall be placed on the Board's general business agenda for consideration.

C. Acquisitions Pursuant to Policy 03-10, Flooded Property Acquisition Program

1. Definitions: As used in this Section, the following terms shall be defined as follows:

a. Duplication of Benefits: the total amount of any disaster-related repair assistance paid to the property owner reduced by any amounts documented by receipts showing that the repair assistance funds were used for their intended purposes. The types of disaster-related repair assistance which would be considered in determining whether there is a Duplication of Benefits include, but are not limited to, private flood insurance proceeds, federally assisted grants and loans, and any state assisted grants and loans.

b. Flooded Property Acquisitions: any reference to an acquisition of flooded property refers to an acquisition of real property authorized under Board Policy 03-10, "Flooded Property Acquisition Program", as may be amended from time to time.

2. The County Administrator shall have the authority to approve and to execute any and all documents necessary to complete a Flooded Property Acquisition for which the acquisition price is an amount no greater than:

a. The County's appraisal of the fair market value for the real property, estimated in accordance with the scope of appraisal set forth in Section 4(B)(1), less;

b. the amount of any Duplication of Benefits.

3. In the absence of the County Administrator, the Assistant County Administrator may execute any and all documents necessary to complete such Flooded Property Acquisitions that have been approved by the County Administrator.

4. Any Flooded Property Acquisition offers for which the amount exceeds the County Administrator's authority shall be presented to the Board for consideration on the Board's general business agenda.

D. Receipt by County of Offers to Sell or Donate Real Property

1. Any owner desiring to sell or donate real property to the County should deliver a written offer to the Department. In the event another County department is directly contacted with an offer to sell or donate real property, the Department shall be so notified by such other County department.

2. Upon receipt of such offers, the Department shall circulate the offer to the appropriate departments for their review and comment as to any interest in the property for planned or future County projects.

3. If a County need for the real property is identified, the Department shall prepare a written report to the County Administrator with the following information included:

- a. The estimated costs to the County if the offer is accepted;
- b. Comments received from County departments identifying the existing and future need for the real property;
- c. Recommendations on whether or not to pursue the offer, and on the potential funding source(s).

4. If the County Administrator concurs with the Department's recommendation to pursue the offer, the Department shall then proceed with the acquisition in accordance with the procedure in Section 5(B), "Acquisition of Real Property Not Under the Threat of Condemnation."

E. Lease to County of Real Property

1. Any lease or lease-purchase agreement entered into by the County relating to real property owned by others and needed for County purposes shall be for a period not to exceed 30 years at a stipulated rental amount to be paid from current or other legally available funds.

2. The County Administrator shall have the authority to approve and to execute any and all documents necessary to complete a lease to the County of any real property owned by others and needed for County purposes and for which the annual rental amount is either:

- a. No greater than \$1,000 regardless of the County's appraisal of the fair market value for leasehold of the real property; or
- b. No greater than \$5,000 provided, however, that such annual rental amount does not exceed the County's appraisal of the fair market value for the real property by more than 10 percent.

3. In the absence of the County Administrator, the Assistant County Administrator may execute any and all documents necessary to complete such leases, which have been approved by the County Administrator.

4. Any such lease for which the amount exceeds the County Administrator's authority shall be presented to the Board pursuant to the following procedure:

a. The Department shall review and evaluate the terms and conditions of the lease agreement and present to the Board for consideration an agenda item summarizing the lease agreement.

b. Any such lease agreement with an annual rental amount which exceeds \$25,000 shall be considered by the Board at a public hearing no earlier than 30 days after notice of such public hearing is advertised in a newspaper of general circulation published in the County. All other lease agreements shall be placed on the Board's general business agenda for consideration.

VI. Real Property Owned by County; Sale, Disposition, Exchange, or Lease to Others

A. Sale or Disposition of Any Real Property

1. The sale or disposition of any real property owned by the County shall be transacted in accordance with Section 125.35, *Florida Statutes*, as may be amended from time to time, unless the sale or disposition is exempted therefrom pursuant to either Section 125.38 or Section 125.39, *Florida Statutes*, or unless the sale or disposition is part of an exchange of real property.

2. In the event that the County Administrator deems that it may be in the best interest of the County to sell or dispose of any real property owned by the County, the County Administrator or his designee shall present the matter to the Board for consideration. Upon the Board's approval, the County Administrator shall be authorized to sale or dispose of the real property in accordance with the following procedure:

a. Published Notice Calling for Bids

(1) The County Administrator or his designee shall prepare a notice (the Notice) calling for bids for the acquisition of the real property so advertised to be sold to the highest and best bidder for the particular use of the real property that the Board deems to be the highest and best, and under such conditions that the Board may in its discretion determine. The Notice shall be published once a week for at least 2 weeks in a newspaper of general circulation published in the County.

(2) Upon receipt of any bids responsive thereto, the County Administrator or his designee shall compile and summarize the bid information and present it to the Board with a recommendation of which of the bids should be considered the highest and best. The bid of the highest bidder complying with the terms and conditions set forth in the Notice shall be accepted unless the Board rejects all bids because they are too low. The Board may require a deposit to be made or a surety bond to be given, in such form and under such terms as the Board determines, with each bid submitted.

b. Private Sale; No Published Notice for Bids

(1) The County Administrator shall be authorized to proceed with a private sale of real property if:

(a) the Board determines that a parcel of real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the real property, or the Board finds that the County's estimated fair market value of the real property is \$15,000 or less; and

(b) it is determined by the Board that, due to the size, shape, location, and value of the real property, the real property is of use only to one or more adjacent property owners.

(2) In such instance that the above conditions are met, the County Administrator or his designee may, after sending notice of the intended action to owners of adjacent property by certified mail, may proceed with a sale and conveyance of the real property at private sale without receiving bids or publishing notice.

(3) If, however, within ten working days after receiving such mailed notice, two or more owners of adjacent property notify the County of their desire to acquire the real property, the County Administrator or his designee shall accept sealed bids for the real property from such property owners and, upon presentation of the bids to the Board, the Board may convey such real property to the highest bidder complying with the terms and conditions set forth in the notice, or the Board may reject all offers and bids.

B. Sale or Disposition of Real Property Deemed Surplus

1. If an individual or entity is interested in purchasing or acquiring any real property owned by the County, such individual or entity shall express such interest in the form of a written offer to the County.
2. The written offer shall be delivered to the Department and, upon receipt, the Department shall prepare a written summary containing the following information about the real property:
 - a. When the property was acquired by the County and the cost of acquisition;
 - b. The original reason for acquisition by the County;
 - c. The site location and description including any improvements and zoning classification;
 - d. The size of the property; and
 - e. Current estimate of fair market value.
3. The Department shall circulate the written summary for comments from the County department(s) maintaining the real property or to all County departments if the real property is not actively used by the County.
4. Upon the Department's receipt of any responses to the written summary, the Department shall prepare a written report to the County Administrator which summarizes the responses and recommends whether or not the real property should be declared surplus. Real property may be considered surplus only if there is no potential future County use of the real property.
5. Upon the County Administrator's concurrence of a recommendation that the real property should be declared surplus, the real property shall be sold or disposed of in accordance with Section 6(A), "Sale or Disposition of Any Real Property."
6. In addition to the above procedures, the Department shall annually review all County owned real property that is not currently being used by any County department and which may be considered surplus property.

C. Exchange of Real Property

1. The exchange of any real property owned by the County for other real property shall be transacted in accordance with Section 125.37, *Florida Statutes*, as may be amended from time to time, unless the exchange is exempted therefrom pursuant to either Section 125.38 or Section 125.39, *Florida Statutes*.

2. In the event the County Administrator deems that the County holds and possesses any real property not needed for County purposes and such property may be, in the best interest of the County, exchanged for other real property which the County may desire to acquire for County purposes, the County Administrator or his designee shall present the matter to the Board for its consideration in accordance with the following procedure:

a. The County Administrator or his designee shall present to the Board on its general business agenda a request for the adoption of a resolution authorizing the exchange of real property;

b. Before such resolution is adopted, however, the County Administrator or his designee shall prepare a notice setting forth the terms and conditions of the exchange of real property and arrange for the notice to be published once a week for at least two weeks in a newspaper of general circulation published in the County.

3. Upon the Board's adoption of the resolution authorizing the exchange of real property, the County Administrator or, in his absence, the Assistant County Administrator shall be authorized to execute any and all documents necessary to complete the exchange.

D. Lease from County of Real Property

1. The conveyance of any leasehold interest or other right of possession of any real property owned by the County shall be transacted in accordance with Section 125.35, *Florida Statutes*, as may be amended from time to time, unless the conveyance is exempted therefrom pursuant to either Section 125.38 or Section 125.39, *Florida Statutes*.

2. The conveyance of any leasehold interest or other right of possession of any part of the BOA or Huntington Oaks shall be completed in accordance with and subject to the limitations of Section 6(E), "BOA Real Property and Huntington Oaks Real Property."

3. In the event that the County Administrator deems that it may be in the best interest of the County to convey a leasehold interest or other right of possession of any real property owned by the County, the County Administrator or his designee shall present the matter to the Board for consideration. Upon the Board's approval, the County Administrator shall be authorized to convey the leasehold interest or other right of possession in accordance with Section 6(A), "Sale or Disposition of Any Real Property."

4. In any acquisition under the threat of condemnation in which the full compensation to the owner includes an agreement by the County for the owner to remain in possession of the real property for a time certain after the closing date, such agreement for possession shall be exempt from Section 6(D), "Lease from County of Real Property." In such acquisitions, the agreement for possession shall be included as part of full compensation and transacted in accordance with Section 5(A), "Acquisition of Real Property Under the Threat of Condemnation."

E. BOA Real Property

1. The County Administrator or designee shall have the authority to approve and execute any and all documents necessary to complete the conveyance, modification, or termination of any leasehold interest or other right of possession of any part of the BOA and Huntington Oaks subject to the following limitations:

a. The agreement for any such conveyance shall include a rental rate of no less than 90 percent of the Fair Market Rent; and

b. Any such modification or termination shall be limited to the following:

(1) increases or decreases in the size of the space;

(2) month-to-month extensions;

(3) decreases in the length of the term; or

(4) any other modifications that result in a financial impact to the County of no more than 25 percent of the lease amount.

c. The County Administrator shall develop written procedures, which shall govern the conveyance of any leasehold or other right of possession of any BOA or Huntington Oaks real property.

2. The County Administrator or designee shall have the authority to reject any offer to lease BOA real property or Huntington Oaks real property at a rental rate that is less than 90 percent of the Fair Market Rent.

3. The County Administrator or designee shall have the authority to reject any offer to lease BOA real property or Huntington Oaks real property for an intended use or term of use deemed incompatible, by the County Administrator or designee, with the County's use or intended use of the BOA or Huntington Oaks.

VII. Management of Real Property Owned by County

A. All County departments charged with the responsibility of operating a program or activity involving real property owned by the County shall have primary responsibility to maintain and manage that real estate.

B. The County Administrator or his designee shall be responsible for the management of all real property owned by the County that is not assigned to other County departments. This management responsibility shall include, but not be limited to, annual inventory, arrangement for insurance, security, maintenance, interim use, demolition of unsafe structures and the administration of contracts with outside property management entities.

**Leon County
Board of County Commissioners**

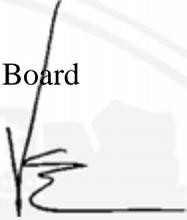
Notes for Agenda Item #12

Leon County Board of County Commissioners

Cover Sheet for Agenda #12

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Consideration of Full Board Appointments to the Planning Commission and Architectural Review Board

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/Project Team:	Mary Smach, Agenda Coordinator

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: The full Board appoints one member to the Planning Commission for a term of three years, ending June 30, 2019. The eligible applicants are: Stewart Proctor, Paul Bobo, William Howell, Bryan Cherry, Tom Lewis, Jeff Blair, Casey Grisgby, Beth Lewis and Marie Cowart.

Option #2: The full Board reappoints Fred Gaske to the Architectural Review Board for a term of three years, ending June 30, 2019.

Report and Discussion

Background:

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

Analysis:

Planning Commission

Purpose: The Planning Commission acts as an advisory committee to the County and City Commissions, other governmental agencies within the metropolitan area, individuals, and private agencies seeking its advice and assistance in comprehensive planning and development of the Tallahassee area.

Composition: There are seven members; three appointed by the County Commission, three appointed by the City Commission, and one member nominated by the School Board, who is confirmed by the City and the County. Members serve three-year terms, expiring on June 30.

Vacancy: There is one vacancy; Table #1 lists the eligible applicants.

Table #1: Planning Commission

Vacancy	Application Attachment #	Applicant	Recommended Action
Stewart Proctor ¹	1.	Stewart Proctor	Full Board to make one appointment.
	2.	Paul Bobo	
	3.	William Howell	
	4.	Bryan Cherry	
	5.	Tom E. Lewis	
	6.	Jeff Blair	
	7.	Casey Grisby	
	8.	Beth Lewis	
	9.	Marie Cowart (also applied for Canopy Road Committee)	

¹ Term expires June 30, 2016- interested in re-appointment

Architectural Review Board (ARB)

Purpose: The responsibility of ARB is to review and make recommendations on the listing of properties on the Local Register Historic Places; protect the character of property in the Historic Preservation Overlay (HPO) designation; and, on behalf of County and City, administers federal Certified Local Government program for historic preservation.

Composition: The Board has four citizen appointments - two owners of property zoned HPO, one member of American Institute of Architects (AIA), and one member representing Tallahassee Trust for Historic Preservation (TTHP). Members serve three-year terms, expiring on June 30. According to ARB Bylaws, members may not serve more than two consecutive terms.

Vacancy: The County-appointed position of "Owner of Property zoned HPO" held by Fred Gaske expires June 30, 2016. Mr. Gaske is seeking reappointment (see Table #2).

Table #2: Architectural Review Board (ARB)

Vacancy	Application Attachment #	Eligible Applicants	Recommended Action
Fred Gaske ²	10.	Fred Gaske	Full Board to make reappointment

² Term expires June 30, 2016- interested in reappointment

Options:

1. The full Board appoints one member to the Planning Commission for a term of three years, ending June 30, 2019. The eligible applicants are: Stewart Proctor, Paul Bobo, William Howell, Bryan Cherry, Tom Lewis, Jeff Blair, Casey Grigsby, Beth Lewis and Marie Cowart.
2. The full Board reappoints Fred Gaske to the Architectural Review Board for a term of three years, ending June 30, 2019.
3. Board direction.

Recommendation:

Options #1 & #2.

Attachments:

1. Proctor Application
2. Bobo Application
3. Howell Application
4. Cherry Application
5. Lewis, Tom Application
6. Blair Application
7. Grigsby Application
8. Lewis, Beth Application
9. Cowart Application
10. Gaske Application

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

<p>It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov</p> <p>Applications will be discarded if no appointment is made after two years.</p>		
Name: Stewart Proctor		Date: 13-Mar-2012
Home Phone: (850) 294-9060	Work Phone: (850)656-6555X	Email: stewart@structureiq.net
Occupation: REAL ESTATE BROKER	Employer: STRUCTURE COMMERCIAL REAL ESTATE	
Preferred mailing location: Work Address		
Work Address: 2075 CENTRE POINTE BLVD SUITE 100		
City/State/Zip: TALLAHASSEE	FL	32308
Home Address 1106 SHALIMAR DRIVE		
City/State/Zip: TALLAHASSEE	FL	32312
Do you live in Leon County? Yes	If yes, do you live within the City limits? Yes	
Do you own property in Leon County? Yes	If yes, is it located within the City limits? Yes	
For how many years have you lived in and/or owned property in Leon County? 40.00years		
Are you currently serving on a County Advisory Committee? No		
If yes, on what Committee(s) are you a member?		
Have you served on any previous Leon County committees? Yes		
If yes, on what Committee(s) are you a member?		
Are you interested in serving on any specific Committee(s)? If yes, please indicate your preference		
1st Choice: Planning Commission		2nd Choice:
If not interested in any specific Committee(s), are you interested in a specific subject matter? If yes, please note those areas in which you are interested:		
<u>If you are appointed to a Committee, you are expected to attend regular meetings.</u>		
How many days permonth would you be willing to commit for Committee work? 2 to 3		
And for how many months would you be willing to commit that amount of time? 6 or more		
What time of day would be best for you to attend Committee meetings? Day		
(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.		
Race: Caucasian	Sex: Male	Age: 40
Disabled? No	District:	

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

PREVIOUS EXPERIENCE: I SERVED ON THE VISIONING COMMITTEE LEAD BY COMMISSIONER AKINYEMI FOR THE COUNTY OWNED PARCEL ADJACENT TO THE RILEY HOUSE. I WILL BE THE EDC REPRESENTATIVE TO THE NEWLY FORMED AD-HOC COMMITTEE FOR CHAIRMAN AKINYEMI'S ECONOMIC DEVELOPMENT EFFORTS.

EDUCATION: LEON HIGH SCHOOL 1989 AND AUBURN UNIVERSITY 1995

SKILLS AND EXPERIENCE: I AM A FOUNDING PARTNER OF STRUCTURE COMMERCIAL REAL ESTATE. I HAVE BEEN IN THE COMMERCIAL REAL ESTATE INDUSTRY SINCE 1996. DURING THIS TIME, I HAVE HAD THE PLEASURE TO WORK WITH A WIDE RANGE OF CLIENTS WHICH NECESSITATE WORKING WITH MEMBERS OF GROWTH MANAGEMENT, PLANNING, PERMITTING, AND CITY AND COUNTY COMMISSIONS. AND ALTHOUGH THE PROCESSES CHANGE FROM TIME TO TIME, THE RELATIONSHIPS FORMED ARE THE KEY COMPONENT TO ACHIEVING SUCCESS. MY UNDERSTANDING AND ABILITY TO WORK ALONG SIDE DIFFERENT STAKEHOLDER GROUPS WOULD BE AN ASSET TO THE PLANNING COMMISSION. ADDITIONALLY, I AM COMMITTED TO PARTICIPATING IN ANY ECONOMIC DEVELOPMENT OPPORTUNITIES THAT MAY PRESENT THEMSELVES TO OUR COMMUNITY AND RESULT IN JOB GROWTH. I AM AN ACTIVE MEMBER OF THE CHAMBER OF COMMERCE, ECONOMIC DEVELOPMENT COUNCIL, AND A GRADUATE OF

LEADERSHIP TALLAHASSEE CLASS 21.

PROFESSIONAL LICENSES AND DESIGNATIONS: I HAVE HELD AN ACTIVE FLORIDA REAL ESTATE BROKERS LICENSE SINCE 1997. ADDITIONALLY, I ATTAINED THE CCIM (COMMERCIAL COUNCIL INVESTMENT MEMBER) DESIGNATION IN 2005. THE CCIM DESIGNATION IS THE HIGHEST LEVEL OF PROFESSIONAL EDUCATION THAT ONE CAN ACHIEVE IN COMMERCIAL REAL ESTATE. IT REQUIRES MORE THAN 160 HOURS OF GRADUATE LEVEL CLASSROOM TRAINING, DEMONSTRATION OF REAL WORK SUCCESS BY REACHING BENCHMARKED PRODUCTION LEVELS, AND PASSING OF A COMPREHENSIVE FINAL EXAM. I AM CURRENTLY IN MY SECOND YEAR SERVING AS PRESIDENT OF THE PANHANDLE DISTRICT OF THE FLORIDA CCIM CHAPTER. LAST, I AM A MEMBER OF LOCAL, STATE AND NATIONAL ASSOCIATION OF REALTORS.

CHARITABLE / COMMUNITY ACTIVITIES: I HAVE PARTICIPATED IN THE LOCAL MDA LOCKUP FUNDRAISER FOR THE PAST 4 YEARS. LAST YEAR, MY COMPANY DONATED UPWARDS OF \$9400 TO LOCAL ORGANIZATIONS, AND OUR BUDGET THIS YEAR IS SIMILAR.

REASONS: MY REASONS FOR CHOOSING THE PLANNING COMMISSION IS THAT I FEEL THAT IN THESE ECONOMIC TIMES, THERE IS ALWAYS ROOM TO BE A VOICE OF REASON AND RESPONSIBILITY WHEN IT COMES TO CHANGE, OR OPPORTUNITY FOR CHANGE AND GROWTH. I TAKE PRIDE IN MY ABILITY TO WORK WITH OPPOSING VIEWS AND OPINIONS AND ULTIMATELY ACHIEVE A LEGAL, ETHICAL, MORAL AND COMPREHENSIVE WIN-WIN SOLUTION. THESE ATTRIBUTES ARE USEFUL IN MANY ARENAS, AND MY PROFESSIONAL SKILL SET DIRECTS ME TO THE PLANNING COMMISSION.

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

Name: KRISTIN DOZIER Telephone: 606-5365
Address: 301 S. MONROE ST., 5TH FLOOR TALLAHASSEE, FLL

Name: JORDAN MATHESON Telephone: 850-222-8294
Address: 825 LIVE OAK PLANTATION RD., TALLAHASSEE, FL

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

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

Have you completed the Orientation? Yes

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

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

If yes, from whom?

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

Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? Yes DURING THE COURSE OF OUR EVERYDAY BUSINESS, MY COMPANY MAY FROM
If yes, please explain. TIME TO TIME HAVE A CLIENT WITH A PROJECT THAT COMES BEFORE THE PLANNING COMMISSISON.

Do you or your employer, or your spouse or child or their employers, do business with Leon County? Yes
If yes, please explain. WIFE IS AN ATTORNEY WITH BRYANT MILLER OLIVE

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

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

Signature: Stewart Proctor

This application was electronically sent: 3/13/2012 2:46:34PM

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT PLANNING COMMISSION

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>	
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Name: Paul Bobo	Date: 5/13/2016 12:37:50PM
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Home Phone: (850) 559-0830	Work Phone: (850)559-0830X	Email: paul@boboscleaning.com
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Occupation: OWNER OF JANITORIAL SERVICES	Employer: BOBO'S CLEANING SERVICE
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Preferred mailing location: Work Address
Work Address: 2909 BYINGTON CIRCLE

City/State/Zip: TALLAHASSEE, FL 32303

Home Address 2909 BYINGTON CIRCLE

City/State/Zip: TALLAHASSEE, FL 32303

Do you live in Leon County? Yes If yes, do you live within the City limits? Yes

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

For how many years have you lived in and/or owned property in Leon County? 18 years

Are you currently serving on a County Advisory Committee? No

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

Have you served on any previous Leon County committees? No

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

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

How many days permonth would you be willing to commit for Committee work? 4 or more

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

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

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

Race: Caucasian Sex: Male Age: 52.00

Disabled? No District:

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

BEING A BUSINESS OWNER FOR 13 YEARS IN TALLAHASSEE OF A COMMERCIAL CLEANING COMPANY YOU WORK WITH A LOT OF PEOPLE WITH DIFFERENT OCCUPATIONS. FROM REALTORS TO OTHER BUSINESS OWNERS. I SEE NEEDS THAT WOULD HELP PEOPLE AND THINGS THAT KEEP PEOPLE FROM ACHIEVING THERE FULL POTENTIAL. I HAVE BEEN ON DIFFERENT CHURCH COMMITTEES AND AT PRESENT I AM ON THE DIRECTIONAL LEADERSHIP COMMITTEE AT MY CHURCH. I ALSO RUN THE MEN'S GROUP AT MY CHURCH.

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

Name: LYNDA BREEN

Telephone: 850-877-6555

Address: 2548 BLAIRSTONE PINES

Name: MARK FROST

Telephone: 850-274-0876

Address: 1018 THOMASVILLE ROAD

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

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

Have you completed the Orientation? No

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

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

If yes, from whom?

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

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

If yes, please explain.

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

If yes, please explain. BUSINESS OWNER

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

If yes, please explain.

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

Signature: Paul A. Bobo

This application was electronically sent: 5/13/2016 12:37:50PM

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

Name: DON AXELRAD

Telephone: 8508784960

Address: BALM ROAD

Name: ED CONKLIN

Telephone: 8508775486

Address: LUCY CT

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

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

Have you completed the Orientation? Yes

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

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

If yes, from whom?

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

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

If yes, please explain.

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

If yes, please explain.

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

If yes, please explain.

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

Signature: william howell

This application was electronically sent: 2/5/2016 12:06:15PM

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>		
Name: Bryan Cherry		Date: 6/25/15
Home Phone (850) 544-5673	Work Phone:	Email: bbrc84@gmail.com
Occupation: Consultant-Lobbyist	Employer: Adams St. Advocates	
<p>Please check box for preferred mailing address. Work Address: 205 South Adams St. City/State/Zip: Tallahassee, FL 32301</p>		
<p><input checked="" type="checkbox"/> Home Address <i>(Required to determine County residency)</i> City/State/Zip: 2388 Wintergreen Rd. Tallahassee, FL 32308</p>		
<p>Do you live in Leon County? <input checked="" type="radio"/> Yes <input type="radio"/> No If yes, do you live within the City limits? <input checked="" type="radio"/> Yes <input type="radio"/> No Do you own property in Leon County? <input checked="" type="radio"/> Yes <input type="radio"/> No If yes, is it located within the City limits? <input checked="" type="radio"/> Yes <input type="radio"/> No For how many years have you lived in and/or owned property in Leon County? <u>31</u> years</p>		
<p>Are you currently serving on a County Advisory Committee? Yes <input type="radio"/> No <input checked="" type="radio"/> If Yes, on what Committee(s) are you a member? _____</p>		
<p>Have you served on any previous Leon County committees? Yes <input type="radio"/> No <input checked="" type="radio"/> If Yes, on what Committee(s) have you served? _____</p>		
<p>Are you interested in serving on any specific Committee(s)? If yes, please indicate your preference 1st Choice: <u>Planning Commission</u> 2nd Choice: <u>Capital Region Transportation Planning Agency Advisory Committee (CRTPA)</u></p>		
<p>If not interested in any specific Committee(s), are you interested in a specific subject matter? If yes, please note those areas in which you are interested: _____</p>		
<p><i><u>If you are appointed to a Committee, you are expected to attend regular meetings.</u></i> How many days per month would you be willing to commit for Committee work? 1 2 to 3 <input checked="" type="radio"/> 4 or more And for how many months would you be willing to commit that amount of time? 2 3 to 5 <input checked="" type="radio"/> 6 or more What time of day would be best for you to attend Committee meetings? <input checked="" type="radio"/> Day <input checked="" type="radio"/> Night</p>		
<p>(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.</p> <p>Race: Caucasian African American Hispanic Asian Other Sex: Male Female Age: _____ Disabled? Yes No District 1 District 2 District 3 District 4 District 5</p>		

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

For 31 years I have called Tallahassee/Leon County home. I'm married with a child due July 27 2015 and my entire family still lives in our great community. I'm a graduate of Maclay High School and Florida State University. Since graduating from Florida State with a degree in Political Science, I've spent the last nine years in Florida State Government serving in numerous positions in both the public and private sectors effectively providing extensive management and government relations experience successfully developing and executing comprehensive advocacy strategies.

During my time working in the public sector, I worked in various capacities in the Florida Senate and Florida House of Representatives focusing on policy and appropriation issues as well as serving as the Chief of Staff for a Florida House State Representative. Since departing the Florida House of Representatives in 2010, I have been working in the private sector as a governmental consultant-lobbyist representing and consulting various clients across a wide array of industries including, Health Care, Transportation, Education, Not-For-Profit and Technology. I have had the privilege to represent my clients on behalf of their policy, regulatory, procurement and appropriation issues and interests before the Florida Legislature, Florida Executive Branches and local Florida governments.

I'm active in our community as a volunteer or Member of the following organizations:

- Member, Exchange Club of Tallahassee
- Member, Wildwood Presbyterian Church of Tallahassee
- Volunteer, Cards For A Cure of Tallahassee
- Volunteer, American Lung Association – Tallahassee Chapter
- Volunteer, Muscular Dystrophy Association of Tallahassee
- Volunteer, Be The Solution, Inc. of Tallahassee

I'm passionate about my community and eager to use my skill sets here. I have selected the Planning Commission and the CRPTA Committees as I have a passion for our County's sustainable growth and transportation and where both are headed for the future.

I look forward to becoming involved with Leon County's Citizen Committees.

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

Name: Commissioner Bryan Desloge Telephone: (850) 606-5302

Address: 301 South Monroe Street Tallahassee, FL 32301, 5th Floor

Name: _____ Telephone: _____

Address: _____

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

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

Have you completed the Orientation? Yes No
Are you willing to complete a financial disclosure form and/or a background check, if applicable? Yes No
Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee? Yes No If yes, from whom? _____
Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? Yes No
Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? Yes No If yes, please explain. _____
Do you or your employer, or your spouse or child or their employers, do business with Leon County? Yes No
If yes, please explain. Have clients that could participate in competitive bids.
Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? Yes No
If yes, please explain. _____

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

Signature: Bryan Chung

Please return Application

by mail: Christine Coble, Agenda Coordinator
301 South Monroe Street
Tallahassee, FL 32301

by email: coblec@leoncountyfl.gov

by fax: 850-606-5301

Online: <http://cms.leoncountyfl.gov/servicerequest/committeeapplication.aspx>

Bryan R. Cherry

2388 Wintergreen Rd. • Tallahassee, FL 32308 • (850) 544-5673 • bbrc84@gmail.com

Professional Experience

Adams St. Advocates, Tallahassee, FL

Government Consultant / Lobbyist

October 2012– Present

- Represent clients before the Florida Legislative and Executive Branches and the City of Tallahassee.
- Industry area of concentration: education, health care, human services, not-for-profit, technology and transportation.
- Sub-category area of concentration: appropriations, policy, regulatory, management consulting (coalition building/Management) and strategic planning, business development and procurement.
- Assist clients in identifying, passing, amending and/or defeating legislative and regulatory proposals.
- Develop clients business and advocacy strategy in government.
- Lead fundraising operations for the firm; identify candidates for firms/clients support at the state and local campaign levels.

Metz, Husband, Daughton PA, Tallahassee, FL

Government Consultant / Lobbyist

October 2011– October 2012

- Represented clients before the Florida Legislative and Executive Branches.
- Represented major clients across many different industries, including American Express, Amscot Financial, Inc., American Lung Association, Bristol-Myers Squibb, eBay Inc., Florida Restaurant and Lodging Association, Gilead Sciences, Inc., Health Management Associates, Inc., Microsoft and Siemens Corporation's.
- Assisted in identifying, passing, amending and/or defeating legislative and regulatory proposals affecting clients' business interests.
- Developed clients business and advocacy strategy.
- Coordinated fundraising operations and assisted by identify candidates for firms/clients support for state and local campaigns.

State Representative Marti Coley (Florida House of Representatives)

Chief of Staff

Campaign Manager

September 2008 – October 2011

June 2010 – November 2010

- Presented bills on behalf of the Representative during Legislative Committee Meetings.
- Wrote legislative proposals and reports including bills, amendments and press releases.
- Researched, prepared memorandums and advised the Representative on policy and fiscal issues.
- Managed office operations including office financial accounts, staff and interns, constituent service and community outreach.
- Conducted policy research; attended legislative committee meetings.
- Managed intergovernmental relations with local, state and federal officials.
- Represented the Representative at governmental, neighborhood, community, social and business functions and meetings.
- Developed and implemented a successful campaign strategy; secured 75% of the vote.
- Coordinated and oversaw fundraising related activities for the campaign.

Bryan R. Cherry

2388 Wintergreen Rd. • Tallahassee, FL 32308 • (850) 544-5673 • bbrc84@gmail.com

Education Council, Florida House of Representatives

Administrative Assistant

September 2007 – September 2008

- Prepared notices, detailed agendas, bill analyses, budget notes, and other meeting materials.
- Drafted amendments and substantively edited committee bills, bill analyses, and other committee documents.
- Planned committee meetings and workshops.

Senate Bill Drafting, Florida Senate

Administrative Assistant

March 2007 – May 2007 (Session)

- Proofed legislation and amendments.
- Attended Senate Committee meetings and Senate Session.

Education

Florida State University, Tallahassee, FL

Bachelor of Science Degree, December 2006

Major: Political Science

Minor: Sociology

Affiliations

- Member, Exchange Club of Tallahassee
- Member, Wildwood Presbyterian Church of Tallahassee
- Volunteer, Cards For A Cure of Tallahassee
- Volunteer, American Lung Association – Tallahassee Chapter
- Volunteer, Muscular Dystrophy Association of Tallahassee
- Volunteer, Be The Solution, Inc. of Tallahassee

References

Available upon request.

<p>It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>			
Name: Tom E Lewis		Date: May 17, 2015	
Home Phone:850-491-5983	Work Phone:850-491-5983	Email:meyers32311@aol.com	
Occupation: Architect-Attorney-Mediator-Arbitrator		Employer: Self	
<p>Please check box for preferred mailing address. Work Address: 1039 Baum Rod City/State/Zip: Tallahassee, FL 32317</p>			
<p>Home Address (Required to determine County residency) 1039 Baum Road City/State/Zip: Tallahassee, FL 32317</p>			
<p>Do you live in Leon County? Yes If yes, do you live within the City limits? No Do you own property in Leon County? Yes If yes, is it located within the City limits? No</p>			
<p>Are you currently serving on a County Advisory Committee? No If Yes, on what Committee(s) are you a member?</p>			
<p>Have you served on any previous Leon County committees? No If Yes, on what Committee(s) have you served?</p>			
<p>Are you interested in serving on any specific Committee(s)? If yes, please indicate your preference 1st Choice: Planning Commission 2nd Choice:</p>			
<p>If not interested in any specific Committee(s), are you interested in a specific subject matter? If yes, please note those areas in which you are interested: _____</p>			
<p><i>If you are appointed to a Committee, you are expected to attend regular meetings.</i> How many days per month would you be willing to commit for Committee work? 4 or more And for how many months would you be willing to commit that amount of time? 6 or more What time of day would be best for you to attend Committee meetings? Day or Night works</p>			
<p>(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.</p> <p>Race: Caucasian Sex: Male Age: 76 Disabled? No District 5 Yes I have spent some 45 years of my life involved in Planning and Zoning. I chaired the Orlando Zoning Commission and the Orlando Municipal Planning Board in the 1970. I served in the administration of Bob Graham as his Special Assistant on development and planning matters, the single Assistant Secretary of the</p>			

Department of Transportation (FDOT), and was Secretary of the Department of Community Affairs (DCA) when we passed Florida's historic Growth Management legislation and released Rule 9J-5, which still today guides local government planning. The Sector Plan legislation was passed while I was at DCA

I then spent over 18 years with The Walt Disney Co. as Vice President of Development. I was responsible for the local government, regional, state and federal approvals of Disney's Town of Celebration and oversaw its planning, design and early years of construction. Disney was a leader in one of th state's major Sector Plan initiatives – Horizon West (HW). I represented Disney in that endeavor and played a major role in forming the public-private group that had led the development of HW.

I have been an Architect for over 45 years and am a Fellow in the American Institute of Architects. I went to law school in my late 60s and am also an Attorney. I also served two terms on the Florida Commission on Ethics, including being Vive Chairman.

In 2014 I obtained Certification from the Florida Supreme Court to be a Circuit Civil Mediator and Qualified Arbitrator.

I want to give something back to my community here. I have lived here twice – 8 years in the late 70s-early 80s – and now again since 2005 when I returned to be Secretary on the Department of Management Services (DMS). I believe my experience as a Professional, a private businessman and a senior leader in a major private company enable me to make a significant contribution to Planning issues as thy affect Tallahassee and Leon County.

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

See Attached Resume'

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

Name: City Commissioner Scott Maddox
Telephone: 850-222-6020
Address 208 West Carolina – Tallahassee, FL 32301

Name Frederick R. Dudley
Telephone: 850-294-3471
Address: 3522 Thomasville Rd Ste 301 Tallahassee, Florida

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

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

Have you completed the Orientation?	Yes
Are you willing to complete a financial disclosure form and/or a background check, if applicable?	Yes
Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee?	No
Do you anticipate that you would be a stakeholder with regard to your participation on a Committee?	No
Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts?	No
Do you or your employer, or your spouse or child or their employers, do business with Leon County If yes, please explain. _____	No
Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? If yes, please explain. _____	No

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

Signature: __<signed> Tom E. Lewis__

Please return Application

by mail: Christine Coble, Agenda Coordinator
301 South Monroe Street
Tallahassee, FL 32301

by email: coblec@leoncountyfl.gov

by fax: 850-606-5301

Online: <http://cms.leoncountyfl.gov/servicerequest/committeeapplication.aspx>



Tom E. Lewis

1039 Baum Road Tallahassee, Florida 32317 850-491-5983 atty32301@aol.com

Attorney at Law

Architect - FAIA

Certified Florida Supreme Court Circuit Civil Mediator

Qualified Florida Supreme Court Arbitrator

Objective: Build upon my professional background in design, construction, real estate development, procurement and experience in public and private senior executive positions to provide legal, mediation, arbitration and expert witness services to public and private sector clients

Profile:

- Over 50 years of experience as a Professional Manager in public and private settings
- Goal-oriented individual with strong leadership capabilities
- Organized, highly motivated, and detailed problem solver
- Proven ability to facilitate successful solutions with staff, stakeholders and public officials at all levels

Education:

Bachelor of Science	Georgia Institute of Technology
Bachelor of Architecture	Georgia Institute of Technology
Master of Architecture	Georgia Institute of Technology
Juris Doctor, <i>Cum Laude</i>	College of Law, Florida State University

Employment:

Special Consultant to Chief Information Officer Florida Department of Children and Families Tallahassee, Florida	/	2014 - 2015
Special Consultant to Assistant Secretary of Administration Florida Department of Children and Families Tallahassee, Florida		2013 – 2014
<ul style="list-style-type: none">• Review of Section 508 Requirements – develop DCF Program		
Professionalizing Procurement & Contract Management Executive Leader Florida Department of Children and Families Tallahassee, Florida		2013 - 2014
<ul style="list-style-type: none">• thorough evaluation of DCF Procurement Program and Contract Tracking System• development of DCF Services Procurement Playbook		
Governor Scott's Procurement Savings Program Executive Leader Office of the Chief Operating Officer State of Florida – Tallahassee, Florida		2012-2013

Assistant Secretary of Administration
Florida Department of Children and Families
Tallahassee, Florida

Director of Performance Services 2011-2012
Substance Abuse and Mental Health
Florida Department of Children and Families
Tallahassee, Florida

Attorney at Law – Maddox-Horne Law Firm – 2009-2011
Tallahassee, Florida

- law practice in the areas of real estate, land use, growth management, transportation, construction and procurement
- represented local governments in development and approval of Comprehensive Land Use Plans

Attorney at Law - Pennington Law Firm – Tallahassee, Florida 2007-2009

- law practice in the areas of real estate, land use, growth management, transportation, construction and procurement

Secretary, Florida Department of Management Services (DMS) 2005-2007
Tallahassee, Florida

- responsible for total operation of agency providing administrative support to state agencies and employees including human resource, retirement, insurance, procurement, real estate, fleet and information technology services.
- Provided senior management and leadership for 950 employees and a budget of \$658 million, delivering services totaling some \$7 billion.

Vice President, The Walt Disney Co. 1987-2005
(Disney Development Co., The Celebration Co., Walt Disney Imagineering, Walt Disney World Co.) - Lake Buena Vista, Florida

- Senior executive team developing strategy and managing real estate development at Walt Disney World – for The Town of Celebration, Little Lake Bryan and other non-theme park development
- assisted Reedy Creek Improvement District (RCID) in preparing and submitting its Chapter 163 Comprehensive Plan and subsequent Land Development Regulations, Comp Plan Amendments and Evaluation and Appraisal Reports
- managed government and community affairs for Disney Development Co. and Walt Disney Imagineering
- represented Disney in all matters involving growth management and transportation in Florida with local, regional state, federal governments
- strategy, federal/state / local approvals, and implementation of \$750M in major Transportation projects at Walt Disney World
- Executive Sponsor – Disney’s Town of Celebration (Business Planning, Planning and Design, Public Approvals, Development)

Secretary, Florida Department of Community Affairs (DCA) 1985-1987
Tallahassee, Florida

- responsible for total operation and senior leadership of state's

Growth Management, Housing and Community
Development and Emergency Management agency

- key leader in passage of Florida Growth Management Legislation and adoption of Rule 9J-5 governing all Local Government Comprehensive Land Use Plans

Assistant Secretary, Florida Department of Transportation (FDOT) 1982-1985
Tallahassee, Florida

- responsible for day to day operation of state transportation agency including some 10,000 employees statewide and an annual budget & Work Program of over \$5 billion
- successfully established the department's first Quality Assurance Program
- Lead Liaison with Florida Legislature

Special Assistant to Governor Bob Graham

Executive Office of the Governor

Tallahassee, Florida

Governor's Cabinet Aide – 1979 - 1981

President & CEO, Lewis and Burke Associates, Inc.

Architects-Planners

Winter Park, Florida

- Founded and managed professional Architectural Firm
- Design and CM for Residential, Commercial and Institutional projects for Public and Private Clients

1974-1979

1

Military Officer, United States Air Force, Worldwide

1961-1990

- 11 years active duty - 18 years Active Reserve
- Retired Colonel, USAF
- Command Architect-Project Manager - Aerospace Defense Command
- Member, Air Force Design Advisory Council
- Juror, Air Force Design Awards Program

Honors, Awards, Community Service:

College of Fellows, American Institute of Architect

President's Award – Florida Association-American Institute of Architects

Outstanding Professional of the Year - Engineering News Record

Florida Commission on Ethics – Vice Chairman

Kissimmee-Osceola Chamber of Commerce – Chairman

Chairman, Governor Chiles's Commission on Statewide Building Code

Board of Directors, Orlando Area Chamber of Commerce

Board of Directors, Loch Haven Art Center

Board of Directors, Central Florida Boys and Girls Club

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>	
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Name: Jeff Blair	Date: 08-May-2015	
Home Phone: (850) 694-1209	Work Phone:	Email: jblair@fsu.edu
Occupation: Dispute Resolution Professional	Employer: Florida State University	
Preferred mailing location: Home Address		
Work Address:		
City/State/Zip: TALLAHASSEE FL		
Home Address 9143 STATGATE WAY		
City/State/Zip: TALLAHASSEE FL 32309		
Do you live in Leon County? Yes If yes, do you live within the City limits? No		
Do you own property in Leon County? Yes If yes, is it located within the City limits? No		
For how many years have you lived in and/or owned property in Leon County? 38.00years		
Are you currently serving on a County Advisory Committee? No		
If yes, on what Committee(s) are you a member?		
Have you served on any previous Leon County committees? Yes		
If yes, on what Committee(s) are you a member? Leon County Code Enforcement Board		
Are you interested in serving on any specific Committee(s)? If yes, please indicate your preference		
1st Choice: Planning Commission 2nd Choice: Adjustment and Appeals Board		
What cultural arts organization do you represent, if any?		
If not interested in any specific Committee(s), are you interested in a specific subject matter? If yes, please note those areas in which you are interested:		
<u>If you are appointed to a Committee, you are expected to attend regular meetings.</u>		
How many days permonth would you be willing to commit for Committee work? 4 or more		
And for how many months would you be willing to commit that amount of time? 6 or more		
What time of day would be best for you to attend Committee meetings? Day, Night		
(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.		
Race: Caucasian Sex: Age: 60		
Disabled? No District: District 4		

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

Examples of Committee Experience:

Leon County Code Enforcement Board (served as chair twice)
 Leon County Food Coop (New Leaf Market) Board of Directors
 Neighborhood Justice Center Mediator
 Leon County Mediation Program co-developor
 Facilitated over 150 committees and over 2000 meetings professionally.

Educational Background:

Conflict Resolution Graduate Program: Florida State University
 Bachelors of Science in Social Policy—Advanced Standing Program: Florida State University (Honors)
 Associate of Arts: University of Florida
 Mediation and Conflict Resolution. 40 Hours. William F. Lincoln. TCC. November 1982.
 Certification from National Center for Collaborative Planning and Community Services. July 1983.
 Advanced Dispute Resolution. 20 Hours. William F. Lincoln. TCC. March, 1984.

Dispute Resolution Center, Florida Supreme Court. Mediator Training. 20 Hours. October 1998.
Planning Dispute Resolution. Florida State University. Urban and Regional Planning Graduate Program. 1999.
Neighborhood Justice Center. FSU. 1999.
U.S. Institute for Environmental Conflict Resolution, National Roster of Environmental Dispute Resolution and
Consensus Building Professionals qualified/approved practitioner
Qualified/approved practitioner on EPA's Environmental ADR Neutrals Roster

Certifications Effective in Leon County:
Florida Supreme Court Certified Mediator 1999
Certified General Contractor 1982

Examples of Community Volunteer Activities:
Leon County Mediation Program. 1999. Designed program (process) and related brochure for a Leon County
Florida mediation program for development review disputes.

Leon County Code Enforcement Board. 1989 – 1997. Chaired quasi-judicial review board hearing cases of
alleged violations of county ordinances (including environmental, zoning, housing and junk).

Community Interests, Inc.—New Leaf Market (Leon County Food Coop). 1977 – 1998. Served on Board of
Directors: served as BPD Chair, Secretary and President of member-owned natural foods market. Served as
Board of Directors' facilitator for over ten years.

Americorps. Served as project leader, and coordinated services of workers in renovating and providing
renovations and repairs to the homes of low-income families

Habitat for Humanity. Served as project leader, and coordinated services of workers in renovating and
providing homes to low-income families.

Rainbow-Rehab. Served as project leader, and coordinated services of workers in renovating a

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

Name: ROBERT JONES Telephone: 850-597-1197
Address: 183 ROSEHILL WEST, TALLAHASSEE, FL

Name: PAM HALL Telephone: 850-445-6007
Address: TALLAHASSEE, FL

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

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Have you completed the Orientation? Yes

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

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

If yes, from whom?

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

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

If yes, please explain.

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

If yes, please explain.

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

If yes, please explain.

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

Signature: Jeff Blair

This application was electronically sent: 5/8/2015 1:25:59PM

BIO

JEFF A. BLAIR is faculty at Florida State University, and serves as Associate Director for the FCRC Consensus Center. He is principle and owner of *Facilitated Solutions* a consulting company specializing in stakeholder advisory groups, visioning, workplan (strategic action plan) development and strategic planning initiatives. His work for the Center and *Facilitated Solutions* includes facilitation, process design, strategic planning, and consensus-building on complex public policy initiatives. He has worked with federal, state, local government, and private sector representatives to design and implement collaborative approaches to planning, rule making, and dispute resolution with an emphasis on public participation in the design and implementation of policy in over 150 projects and over 2000 meetings. In addition, he teaches classes and conducts trainings in various dispute resolution topics. Ongoing projects include serving as lead facilitator and conflict resolution consultant for agency stakeholder advisory councils and commissions such as the Florida Department of Agriculture and Consumer Services (FDACS) Pest Control Enforcement Advisory Council, Pesticide Review Council, FDACS Agricultural Feed, Seed and Fertilizer Advisory Council, and the Florida Coordinating Council on Mosquito Control, and DBPR's Florida Building Commission including facilitating over 58 special issue stakeholder workgroup projects for the Commission and a total of over 900 individual meetings for the Commission since 1999. He facilitated the Florida Division of Emergency Management's Flood Resistant Standards Workgroup and the Florida Emergency Notification System Vision Workshop. He has done work for the National Oceanic and Atmospheric Administration (NOAA) including the National Saltwater Recreational Fishing Summit, Deepwater BP Oil Spill Programmatic Environmental Impact Statement scoping workshops, NOAA Fisheries Chesapeake Modeling Symposium and the Gulf of Mexico Grouper Forum. Work for United States Environmental Protections Agency (USEPA) includes the National Bedbug Summit and the International Public Health Pesticides Workshop in London, England. Work for the private sector includes designing and facilitating the Recreational Boating Stakeholders Growth Summit, and working with National Pest Management Association (NPMA), National Marine Manufactures Association (NMMA), Association for Structural Pest Control Regulatory Officials (ASPCRO), Association of American Plant Food Control Officials (AAPFCO), Florida Green Building Coalition (FGBC), and National Association of Home Builders (NAHB). Mr. Blair has provided facilitation, planning, and process design for numerous agencies, entities, non-profit organizations and associations since 1977. He is a Florida Certified General Contractor and operated a successful design-build firm in Tallahassee Florida from 1980 – 1998 winning the parade of homes three times. He is a graduate of the University of Florida (Philosophy and Anthropology) and the Florida State University (Social Policy and Dispute Resolution).

RELATED SKILLS

- U.S. Institute for Environmental Conflict Resolution, National Roster of Environmental Dispute Resolution and Consensus Building Professionals qualified/approved practitioner <http://www.ecr.gov/Resources/Roster/Roster.aspx>
- Qualified/approved practitioner on EPA's Environmental ADR Neutrals Roster
- Florida Supreme Court Certified Mediator http://www.flcourts.org/gen_public/adr/certify.shtml
- Association for Conflict Resolution (ACR) member <http://www.acrnet.org/>
- LinkedIn Profile: <http://www.linkedin.com/pub/jeff-blair/17/523/b19>
- Leon County Florida, Code Enforcement Board. 1999 – 1996. Served as chair.

CURRENT PROFESSION

FSU Faculty (Associate in Research) and Associate Director, FCRC Consensus Center at Florida State University (FSU), January 2004 – Present. (Previously *Regional Director and Coordinator of Research Projects*, Tallahassee and South Florida Office, FCRC Consensus Center at FSU 1998 – December 2003).

Responsible for developing and overseeing FCRC Consensus Center projects. Duties include:

- Direct provision of collaborative process services (facilitation, mediation, negotiation, process design, strategic and action planning, consensus-building and process assessment and consultation) in public-policy cases;
- Provision of negotiation, facilitation, communication and effective meetings training to local government and state agency staff, as well as to private sector interests involved in public policy discussions;
- Provision of facilitation and process design training to public and private sector neutrals;
- Consultation with public and private sector interests in public policy and regulatory issues regarding their consensus-building and conflict resolution needs;
- Assistance to public and private sector entities regarding strategic planning and visioning;
- Activities to increase public awareness and use of alternative conflict resolution procedures;
- Administrative activities related to the continued operation of the FCRC Consensus Center; at Florida State University; and,
- Conflict resolution, process design, communication and effective meetings trainings for private and public sector groups including Florida Atlantic University, Florida International University, Florida State University, Miami-Dade College, Miami-Dade County, various state agencies, and various public and private sector industry and regulatory agency associations.

DISPUTE RESOLUTION TRAINING

- Mediation and Conflict Resolution. 40 Hours. William F. Lincoln. TCC. November 1982.
- Certification from National Center for Collaborative Planning and Community Services. July 1983.
- Advanced Dispute Resolution. 20 Hours. William F. Lincoln. TCC. March, 1984.
- Interviewing and Recording. Florida State University. College of Social Work. Fall Semester 1998.
- Dispute Resolution Center, Florida Supreme Court. Mediator Training. 20 Hours. October 1998.
- Planning Dispute Resolution. Florida State University. Urban and Regional Planning Graduate Program. Spring Semester 1999.
- Neighborhood Justice Center. FSU. 12 Credit Hours. 12 Credit Hours. Spring Semester 1999.
- Certification from Supreme Court of Florida, Certified County Mediator. July 1999.

OTHER SKILLS

- Florida Certified General Contractor License
- Owner Blair Homes and Design, 1980 – 1999.
- Three times winner Tallahassee Parade of Homes
- Realtors' Choice award Tallahassee Parade of Homes
- Medaled in over 100 triathlons, duathlons and road-running races

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov</p> <p style="text-align: center;">Applications will be discarded if no appointment is made after two years.</p>	
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Name: Casey Grigsby Date: 05-May-2015

Home Phone: (352) 210-0121 | Work Phone: | Email: grigsbyce@cdsmith.com

Occupation: Transportation Planner | Employer: CDM Smith

Preferred mailing location: Home Address
Work Address: 3522 THOMASVILLE ROAD SUITE 300
City/State/Zip: TALLAHASSEE FL 32309

Home Address 9158 RAVENA RD
City/State/Zip: TALLAHASSEE FL 32309

Do you live in Leon County? Yes If yes, do you live within the City limits? No
Do you own property in Leon County? Yes If yes, is it located within the City limits? No
For how many years have you lived in and/or owned property in Leon County? 10.00years

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

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

Are you interested in serving on any specific Committee(s)? If yes, please indicate your preference
1st Choice: Development Support & Environmental Manag2nd Choice: Planning Commission

What cultural arts organization do you represent, if any?

If not interested in any specific Committee(s), are you interested in a specific subject matter? If yes, please note those areas in which you are interested:

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

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

Race: Caucasian Sex: Female Age: 28
Disabled? No District: District 4

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

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

Name: ZACHARY TEDERS Telephone: 3522194127
Address: 3522 THOMASVILLE ROAD TALLAHASSEE, FL

Name: Telephone:
Address:

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Have you completed the Orientation? No

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

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

If yes, from whom?

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

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

If yes, please explain.

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

If yes, please explain. CDM Smith is an international engineering firm. I do not work on Leon County contracts; however, it is possible that my company has a contract with the county for planning services.

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

If yes, please explain.

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

Signature: Casey Grigsby

This application was electronically sent: 5/5/2015 2:34:31PM

352-210-0121
Tallahassee, FL
caseyerinmckinney@yahoo.com

Professional Experience

CDM Smith

Transportation Planner

September 2012-Present

- Embedded transportation consultant in the Florida Department of Transportation within the Systems Planning, Office of Policy Planning, and the Office of Freight and Logistics Planning.
- Manage the mapping, graphics and production of 160 personalized legislative briefing brochures for the Florida House of Representatives, Florida Senate, as well as 29 Florida Congressional briefings.
- Fiscal assessment and allocation of \$9 million for the Florida Small County Outreach Program. Present on SIS facilities, freight & logistics, LBD documents and programming tools to technical audience of engineers, planners, FDOT staff, and elected officials.
- Lead contact for: new contracts/ scope of works between FDOT and the FSU Department of Urban and Regional Planning; public affairs; government relations documents; international trade brochures; client relations.
- Manage all policy and legislative tracking for the FDOT Policy Planning and Systems Planning department. Provide daily and weekly briefings of active legislation to staff.
- Prepare, organize and execute all logistics for the Strategic Intermodal Systems meetings/conferences throughout the state. Responsibilities included statewide coordination, event planning, facility management, hotel accommodations, IT support, solidifying speakers, presentations, tours and public-private partnerships.

The Florida State University Foundation

Executive Assistant-Office of the Vice President

August 2010- September 2012

- Promoted from the Office Administrator of Accounting to establish the Office of the Vice President after one year of service. Manage front desk staff of seven and registration for charitable solicitation in all 50 states.
- Established the FSU Real Estate Foundation a separate 501 (c) 3 to house the University's Real Estate gifts and donations. Directed and managed the sale of two foreign real estate holdings and one gift-in-kind resale.
- Day-to-day and long range assistance in all aspects of governmental relations, policy interpretation, regulatory laws, compliance and Board of Trustees organization. Track and manage all legislative reporting related to non-profits, gift matching, UPMIFA, and the State University System (SUS).
- Serve as liaison to five FSU Direct Support Organizations, Foundation personnel, Board of Trustees, donors and constituents. Assist in the preparation and execution of Board of Trustee meetings and events.

Capital Region Transportation Planning Agency

Contract Planner

May 2010-August 2010

- Collaborate with a team of eight to develop a comprehensive action plan for the North Monroe Street Corridor in Tallahassee, FL to increase pedestrian activity, economic growth for small business, and improve aesthetic brand of the area.
- Organize and executed two public input sessions to assess concerns and suggestions of stakeholders. Developed Fiscal Impact Assessment to provide an economic base analysis for the project.
- Identify and assess existing conditions for landscaping, pedestrian amenities, ADA compliance, and transportation disparities along the corridor. Ensure state, local, and federal regulatory compliance.
- Develop and edit visualization components of the corridor study - including GIS maps, photos, charts, graphs, and renderings of proposed implementations.

Florida House of Representatives

District Secretary for Representative Hugh Gibson

January 2008- May 2010

- Public policy liaison for constituents on available governmental services and acquiring needed aid (i.e. Medicare, Medicaid, V.A. Benefits, etc.) Serve as a liaison between citizens and state agencies.
- Maintain and balance intra-district accounts and financial records, file quarterly financial report with the Florida State Legislature, and execute the final closure of the district office upon retirement of Representative Gibson.

OPS Executive Secretary in House Administration

- Record and process all appearances records in council and committee meetings to The Florida Channel.
- Establish setup, breakdown, and organizational procedure in legislative committee & council meetings. Plan and execute daily legislative luncheons for 120 people.

Dept. of Community Affairs. SFL Ecosystem Restoration Taskforce

Environmental Analyst Intern

August 2009-February 2010

- Analyzed local government's regulations located within the Comprehensive Everglades Restoration Plan
- Review technical reports, interpret Federal, State, and County Future Land Uses and policies surrounding four identified CERP projects to identify potential environmental impacts and conflicts.
- Design and construct updated GIS data and graphics related to environmental hazards, project footprints, and associated project data. Develop a recommendation for corrective action; supply South Florida Ecosystem Restoration Task Force and Department of Community Affairs with accompanying comprehensive report, presentation, and graphics.

Additional Accomplishments

- Published Works:
 - McKinney, C. (2013). Florida Institute of Transportation Engineers; Volume 54, No 1. *Telling the Florida Freight Story*.
http://www.floridasectionite.org/FLITE/FLITE_SPRING2013_WEB.pdf
 - Cruz, A., Diagne, S., Fernandez, E., McKinney, C., Monroe, A, et.al. (2010). *North Monroe Street Design & Safety Study*. Retrieved from Capital Region Transportation Planning Agency. <http://www.crtpa.org/files/40606751.pdf>
- Awards
 - CDM Smith-Standing Ovation September 2014
 - FDOT Team of the Year 2014: Florida Automated Vehicles 2014
 - CDM Smith- Values in Action for exemplary work on the Florida Automated Vehicles Initiative 2013-2014
 - CDM Smith- Values in Action to the Systems Planning Team May 2013
 - FDOT Systems Planning Team of the Quarter- County and Freight Logistics Overview Project February 2013
 - FDOT Systems Planning- Excellence in Teamwork 2013
- Leadership Tallahassee- Class 31; Chair of LT 2.0 Personal Safety Day
- Big Brothers Big Sisters Mentor- Godby High School
- Urban Land Institute- chosen for the state of Florida Mentor/Mentee Program
- Knight Creative Communities Institute Catalyst Member Lake ELLAvate
- Tallahassee Phi Mu Alumnae Chapter 2007- Present; Former President (2008-2010); Secretary

Skills

- Adept at managing multiple responsibilities simultaneously with an eye for detail. Excellent interpersonal, communication and managerial skills, cooperative, patient, supportive, and loyal team player; enthusiastic attitude motivates increased productivity in others.
- Ability to achieve immediate and long-term goals to meet operational deadlines; strong on follow-up; able to plan ahead with an eye for potential challenges. Excels at conversing with high level donors, constituents, clients, and elected officials.
- People sensitive, while excelling at dealing with difficult personalities, situation, and providing confidentiality.
- Proficient in Windows, Adobe Pro, OMNI, Financial Edge, Raisers Edge, Arc GIS, SPSS, Internet, Lobbytools, Leagis, and Microsoft Suite

Education

MSP, Urban & Regional Planning Concentration in Environmental & Natural Resource Management

Florida State University, Tallahassee, FL: December 2010

B.A. International Affairs with Concentration in Urban Planning and Development

Florida State University, Tallahassee, FL: December 2007

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>		
Name: Elizabeth R. Lewis "Beth"		Date: 05/15/2015
Home Phone: (850) 597-3015	Work Phone: (850) 907-3313	Email: bethlewis74@hotmail.com
Occupation: Lawyer	Employer: Rayboun Mulligan, PLLC	
<p>Please check box for preferred mailing address.</p> <p><input checked="" type="checkbox"/> Work Address: 105 W. 5th Avenue City/State/Zip: Tallahassee, Florida 32303</p>		
<p><input checked="" type="checkbox"/> Home Address (<i>Required to determine County residency</i>) 1507 Argonne Road City/State/Zip: Tallahassee, Florida 32308</p>		
<p>Do you live in Leon County? <u>Yes</u> If yes, do you live within the City limits? <u>Yes</u> Do you own property in Leon County? <u>Yes</u> If yes, is it located within the City limits? <u>Yes</u> For how many years have you lived in and/or owned property in Leon County? 4 years* *Childhood/schooling in Tallahassee, resided as an adult since 2011.</p>		
<p>Are you currently serving on a County Advisory Committee? <u>No</u> If Yes, on what Committee(s) are you a member? _____</p>		
<p>Have you served on any previous Leon County committees? <u>No</u> If Yes, on what Committee(s) have you served? _____</p>		
<p>Are you interested in serving on any specific Committee(s)? If yes, please indicate your preference 1st Choice: <u>Planning Commission</u> 2nd Choice: _____</p>		
<p>If not interested in any specific Committee(s), are you interested in a specific subject matter? If yes, please note those areas in which you are interested: _____</p>		
<p><i>If you are appointed to a Committee, you are expected to attend regular meetings.</i> How many days per month would you be willing to commit for Committee work? <u>2 to 3</u> And for how many months would you be willing to commit that amount of time? <u>6 or more</u> What time of day would be best for you to attend Committee meetings? <u>Day</u> <u>OR</u> <u>Night</u></p>		
<p>(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.</p> <p>Race: <u>Caucasian</u> Age: <u>40</u> Disabled? <u>No</u> Sex: <u>Female</u> <u>District 3</u></p>		

"People Focused, Performance Driven."

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

The benefits of the comprehensive planning process are of great importance in that it provides for the preparation of a balanced economic and community development strategy touching on the physical, environmental and social conditions of a community. I believe both my personal and professional experiences qualify me to serve as a thoughtful and engaged member of the Planning Commission. Professionally, I have been involved in land-use planning pertaining to both commercial development as well as development of affordable housing. I have navigated before planning and zoning boards and understand the cooperation and teamwork that must be involved between private development and municipalities to ensure smart planning for the present and future. I have been involved with communities similar to Tallahassee with a solid focus on smart growth and responsible use of its natural resources as well as been involved with communities that are at a disadvantage from poor and/or lack of comprehensive planning in the past. Witnessing the struggles of a community with little comprehensive planning reinforces the importance of active citizen engagement in the community planning process. As a Tallahassee native who has had the benefit of growing up in this unique community, moving away and then returning to raise my family, I am invested in continuing to see Leon County develop and capitalize on its own set of distinctive assets.

Please see attached resume.

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

Name: Rick Barnett Telephone: (850) 224-6301

Address: 225 South Adams Street, Tallahassee, Florida 32301

Name: Michael C. Rayboun Telephone: (850) 907-3313

Address: 105 W. 5th Avenue, Tallahassee, Florida 32303

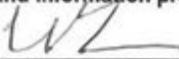
“People Focused, Performance Driven.”

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

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

Have you completed the Orientation? Yes
Are you willing to complete a financial disclosure form and/or a background check, if applicable? Yes
Will you be receiving any compensation that is expected to influence your vote, action, or participation On a Committee? No If yes, from whom? _____
Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? No
Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? Yes If yes, please explain. *At present, none. However, I would need to abstain from any action pertaining to a client I represent with respect to real property matters.*
Do you or your employer, or your spouse or child or their employers, do business with Leon County? No
If yes, please explain. _____
Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? No
If yes, please explain. _____

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

Signature: 

Please return Application

by mail: Christine Coble, Agenda Coordinator
301 South Monroe Street
Tallahassee, FL 32301

by email: coblec@leoncountyfl.gov

by fax: 850-606-5301

Online: <http://cms.leoncountyfl.gov/servicerequest/committeeapplication.aspx>

“People Focused, Performance Driven.”

ELIZABETH ROWE LEWIS "Beth"

1507 Argonne Road

Tallahassee, Florida 32308

E-mail: bethlewis74@hotmail.com

(850) 597-3015

EDUCATION

Juris Doctor (cum laude). December 2000, Stetson University College of Law, St. Petersburg, Florida.

Member, *Stetson Law Review*

Teaching Fellow, Stetson Research and Writing Program

Recipient, Judge Alexander L. Paskay Award for excellence in bankruptcy

Bachelor of Arts. May 1997, The University of the South, Sewanee, Tennessee.

Major: American Studies

Order of the Gownsmen, Honor Society

Recipient, Tonya Fellowship

President, Intersorority Council

EMPLOYMENT

Rayboun Mulligan, PLLC, Tallahassee, Florida.

Of Counsel (January 2015-Present)

Advise clients as to corporate and real estate legal matters, perform real estate closings, and assist with title research and litigation.

Goodwood Museum and Gardens, Inc., Tallahassee, Florida.

Executive Director (January 2013-December 2014)

Membership & Development Associate (March 2012-December 2012)

As Executive Director, assisted the Board of Directors with the policy making and funding of the museum as well as oversee the planning, organization, and staffing of the museum. In the role of Membership & Development Associate, assisted with the implementation of membership, development, and volunteer programs and activities.

Partridge, Snow & Hahn, LLP, Providence, Rhode Island.

Real Estate Associate (September 2004-August 2009)

Sustainability Officer (January 2008-August 2009)

Pro Bono Collaborative Committee (October 2006-August 2009)

Advised real estate owners and developers with regards to site acquisition, due diligence, title, land use, subdivision and zoning. Oversaw team of paralegals handling REO residential sales. Developed the *Green Matters* program focusing in part on strategies for energy-and-materials

reduction as well as responsible for keeping regular communication with all stakeholders on the business and environmental benefits of supporting sustainability at the firm. Provided legal aid to parents of at-risk children with special education needs through the Meeting Street School, Providence.

United States Bankruptcy Court, District of Massachusetts, Boston, Massachusetts.

Law Clerk to the Honorable Joan N. Feeney, Chief Judge (December 2002-August 2004)
Assisted with the disposition of Chapter 7 and Chapter 13 cases. Performed research and assisted with drafting court opinions for Chapter 7 and Chapter 13 cases.

Trenam, Kemker, Scharf, Barkin, Frye, O'Neill & Mullis, Tampa, Florida.

Litigation Associate (April 2001-November 2002)
Summer Associate (July 1999-August 1999; May 2000-August 2000)
Advised clients with respect to creditors' rights in bankruptcy proceedings. Assisted with general commercial litigation matters, including drafting court documents and attending hearings.

The Florida Supreme Court, Tallahassee, Florida.

Legal Extern for the Honorable Fred. R. Lewis (May 1999-June 1999)
Researched and prepared analysis on jurisdictional briefs submitted to the Florida Supreme Court.

AmeriCorps/VISTA, St. Petersburg, Florida.

Volunteer Coordinator, Florida Department of Juvenile Justice (August 1997-May 1998)
Recruited and enlisted volunteers from Pinellas and Pasco counties to mentor and tutor troubled juveniles; trained volunteers.

RECOGNITION

Recognized as "Associate to Watch" in Real Estate for Rhode Island in *Chambers USA, America's Leading Lawyers for Business* (2007-2009)

Recognized by *Providence Business News* as one of Rhode Island's "Top 40 Under Forty" (2008)

COMMUNITY AFFILIATIONS

Leadership Tallahassee, Tallahassee, Florida.

Graduate, Class 31, 2013-2014

Maclay School Alumni Association, Tallahassee, Florida.

Board Member, 2013-present

The Pawtucket Foundation, Pawtucket, Rhode Island.

Board Member, 2005-2009

The Junior League of Rhode Island, Inc., Providence, Rhode Island.

Member, 2003-2011

- Secretary, 2005-2006
- Fundraising Chair, 2004-2005; 2010-2011

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov</p> <p style="text-align: center;">Applications will be discarded if no appointment is made after two years.</p>	
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Name: Marie Cowart Date: 07-May-2015

Home Phone: (850) 893-2966 Work Phone: Email: mcowart@fsu.edu

Occupation:retired Employer: FSU

Preferred mailing location: Home Address
Work Address:

City/State/Zip: TALLAHASSEE FL

Home Address 4190 DIPLOMACY CR

City/State/Zip: TALLAHASSEE FL 32308

Do you live in Leon County? Yes If yes, do you live within the City limits? No
 Do you own property in Leon County? No If yes, is it located within the City limits? No
 For how many years have you lived in and/or owned property in Leon County? 47.00years

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

Have you served on any previous Leon County committees? Yes
 If yes, on what Committee(s) are you a member? Human Services Grant Committee; previously Senior Services Outrea

Are you interested in serving on any specific Committee(s)? If yes, please indicate your preference
 1st Choice: Canopy Roads Citizens Committee 2nd Choice:Planning Commission

What cultural arts organization do you represent, if any?
 TMH Foundation, Governor's Panel on Excellence on Nursing Home Care, Woman's Club of Tallahassee, Florida Trust for Historic Preservation

If not interested in any specific Committee(s), are you interested in a specific subject matter? If yes, please note those areas in which you are interested:
 planning, environment, preservation, human dignity

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

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

Race:Caucasian Sex:Female Age: 78
 Disabled? No District:

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

Human Services Grant Committee, Neighborhood Health Clinic, TMH Foundation, Woman's Club of Tallahassee, Florida Trust for Historic Preservation, others

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

Name: DON WILSON
Address: 4999 MEANDERING WY

Telephone: 850 8789993

Name: JACK GOODIN
Address: 4150 DIPLOMACY CR

Telephone: 850 668 9060

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

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

Have you completed the Orientation? Yes

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

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

If yes, from whom?

Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? Yes

Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? Yes

If yes, please explain.

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

If yes, please explain.

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

If yes, please explain.

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

Signature: Marie E Cowart

This application was electronically sent: 5/7/2015 2:42:24PM

February 25, 2008

CURRICULUM VITAE

Marie E. Cowart

Office Address:

Institute on Aging & Public Policy or
Florida State University
Tallahassee, FL 32306-3055
(904) 644-8830
FAX (904) 644-2304
E-Mail: mcowart@fsu.edu

Department of Urban
and Regional Planning
Florida State University
Tallahassee, FL 32306

EDUCATION:

Columbia University, 1982, Dr.P.H., School of Public Health
Specialty: Health Care Administration
Tulane University, 1966, M.S. Hyg., School of Public Health
University of Florida, 1961, B.S.N.

POSITIONS HELD:

Dean Emerita, College of Social Sciences, 2003-present
Dean, College of Social Sciences, 2000-2003
Interim Dean, College of Social Sciences, 1999-2000.

Senior Scientist, Office of Research, 1999 (parttime)

Professor Emerita, Department of Urban and Regional Planning, 2003-present
Professor of Urban and Regional Planning, Florida State University (1990 to 2003).

Pepper Institute on Aging and Public Policy, Florida State University. Director, 1985-1992. Research Associate, 1992-2003; Affiliate, 2003 - present.

Affiliate, Center for the Study of Population, Florida State University, August 1990 to present.

Professor of Nursing (1986 to 1990), Associate Professor, Community Health Nursing (1977-1986). Assistant Professor, Community Health Nursing (1973-1977). Instructor, School of Nursing (1970-1973). Instructor, Nursing Television Project (USPHS Grant NPG 203-3,3), (1968-1970).

Affiliate Faculty, Interdivisional Marriage and the Family Program, Florida State University, 1988 to 1994.

Staff, staff development and supervisory positions in a number of hospitals, September 1959 to December 1968.

GRANTS and CONTRACTS:

“Comprehensive Cancer Control Project” Contract with the Florida Department of Health, Family Health. Project Director, 2002-2003. \$341,998.

“Obesity Prevention Program.” Contract with the Florida Department of Health, Project Director, 2002-2003.

“Arthritis and Cardiovascular Prevention Program.” Contract with the Florida Department of Health. Project Director, 2002-2003.

“Chronic Disease Epidemiology Support System.” Contract with Florida Department of Health, Co-Principal Investigator with W. J. Serow, 2000-2002. \$2,378,253.

“Cardiovascular Risk Factor Surveillance in Five Rural Counties.” Contract with Union County Health Department. Project Director, 1999-2000, \$25,183.

“Community Intervention Project Cardiovascular Health Program” Contract with Orange County Health Department. Project Director, 1999-2000, \$68,085.

“Parental Role Model in Tobacco Use.” Contract with the Florida Department of Health, Epidemiology Section. Project Director. 1998-2000,\$400,668.

"Chronic Disease Program, Behavioral Risk Surveillance System" Contract with DHRS Health Program Office, Project Director, 1987-1997. (\$74,000, 1987-1988; \$86,000, 1988-1989; \$88,000, 1989-1990; \$70,000, 1990-1991; \$77,687, 1991-1992; \$77,687, 1992-1993; \$129,940, 1993-1994; \$140,000, 1994-1995; \$145,940, 1995-1996; \$136,451, 1996-1997; \$208,000 1997-1998; \$219,000, 1998-1999; \$353,149, 1999-2000).

"Health Education and Policy for the Florida Clean Indoor Air Act," Contract with DHRS Health Program Office, Project Director, 1990-1997 (\$30,000, 1990-1991; \$42,286, 1991-1992; \$42,272, 1992-1993; \$44,096, 1993-1994; \$45,000, 1994-1995; \$44,811, 1995-1996; \$44,811, 1996-1997; \$44,000, 1997-1998; \$45,000, 1998-1999; \$44,811, 1999-2000; \$53,000, 2000-2001; \$53,000, 2001-2002).

“Evaluation of the Tallahassee Memory Disorder Clinic.” Project Evaluator. Contract from the Florida Department of Elder Affairs through Tallahassee Memorial HealthCare. 1998-1999. (\$5,400); second year, 1999-2000 (\$5,400).

"Cancer Control and Research Project," Contract with DHRS Health Program Office, Project Director, 1987-1998. (\$411,505).

"Development of State-wide Training for Public Health Employees Using Electronic Media." Contract with Florida DHRS Health Program Office, (\$55,795, 1991-1992; \$76,000, 1992-1993; \$198,4527.48, 1993-1995). Principal Investigator.

"Long Term Care -- A Synopsis." Mildred and Claude Pepper Foundation (\$5,000) Co-Principal Investigator with Jill Quadagno, 1994-1995.

"Long Term Care in America: Whats Wrong? How Should It Be?" Intramural grant from the Pepper Institute on Aging and Public Policy (\$23,740) Co-Principal Investigator with Jill Quadagno, 1994-1995.

"Community Care for the Elderly Training." Contract with the Department of Health and Rehabilitative Services Aging and Adult Services Program Office, (\$287,243, 1992-1994), Principal Investigator.

"Disaster Preparedness for the Elderly." Contract with Florida Department of Elder Affairs (\$50,042, 1992) Principal Investigator.

"External Review of Project Aids Care Medicaid Waiver," Contract with Florida Medicaid Office, (\$40,000, 1992-1993), Co-principal Investigator with Jean Mitchell, Department of Economics.

"Hospitals, Nursing Homes and the Right to Die: The Impact of the 1990 Patient Self Determination Act." Intramural Planning Grant from FSU Contracts and Grants Office, (\$6,000, 1992-1993), Co-Principal Investigator with Henry Glick, Department of Political Sciences.

"Study on Employment: Older Workers and the Impact of Labor and Personnel Shortages on the Social Services Industry." Florida Pepper Commission, Co-Principal Investigator with M. Hardy, 1990-1991, \$28,286.

"Intergenerational Family Project," Contract with Florida DHRS Health Program Office, (\$242,000, 1989-1990; \$385,467, 1990-1991; \$411,573, 1991-1992). Principal Investigator.

"Medicaid and Ethics," Contract with Florida DHRS Aging and Adult Services Program Office, \$62,000, 1989-1990. Co-Principal Investigator with J. Quadagno.

"Ethics in Aging Policy Seminars, III" Contract with Florida DHRS Aging and Adult Services Program Office, \$22,000, 1989-1990. Principal Investigator.

"Cardiovascular Risk and Social Support," FSU Planning Grant, \$6,000, 1989-1990. Co-Principal Investigator with Fred Seamon.

"Health and Longterm Care Personnel Study," Contract with Florida Health Care Cost Containment Board, \$158,000, Co-Principal Investigator with William J. Serow, 1988-1990.

"Ethical Decisions in Alzheimer's Disease," Contract with DHRS Aging and Adult Services Program Office, Principal Investigator. \$10,600, 1988-1989.

"Educational Training in Aging," Contract with DHRS Aging and Adult Services Program Office, Principal Investigator. \$60,000, 1988-1989.

"Florida Disabled Adults Study," Contract with DHRS Aging and Adult Services Program Office, \$50,000, Principal Investigator, 1988.

"Annual Aging Network Training," Contract with DHRS Aging and Adult Services Program Office, \$26,000, Principal Investigator, 1988.

"Successful Aging: Psychophysiological Influences on Health Behaviors of the Elderly." Intramural Planning Grant, competitive. FSU Contracts and Grants Office, \$6,000. Principal Investigator with N. Green, E. Haymes, R. Moffatt, R. Rider, D. Pargman, M. Sutherland, and T. Toole. 1988-1989.

"Personnel in Acute and Long Term Care," Contract with the Florida Hospital Cost Containment Board, \$5,000.00, Principal Investigator, 1988.

"Ethics Intensive II," Contract with DHRS Aging and Adult Services Program Office, \$13,634.70. Co-Project Director with Leo Sandon, 1987.

"Caregiving: Maintaining Support for Independence in the Elderly," Contract with DHRS Aging and Adult Services Program Office, \$9,000. Project Director, 1986-1987.

"Ethics and Aging Policy," Contract with DHRS Aging and Adult Services Program Office, \$10,859.40. Co-Principal Investigator with Leo Sandon, 1986.

"Evaluation of a Unified Administrative System," Contract with DHRS Aging and Adult Services, Program Office, \$31,000 (G. Grizzle, G. Peterson, M. Cowart, B. Bellingham, J. Altholz), 1985-1986.

"Program in Family and Community Health Nursing Masters Education Program," Program grant funded by HSS, Division of Nursing for \$600,000. (D. Frank, M. Cowart, M. Shannahan, J. Cook, E. T. Singer), 1985-1988.

"Creating Living Environments for Elderly Life Styles," Endowment for the Humanities, Mini-Grant \$1,300, Project Director, 1985-1986.

"Creating Living Environments for Elderly Life Styles," Contract with DHRS Aging and Adult Services Program Office, \$3,450, Project Director, 1985-1986.

"Health Promotion/Health Education for Senior Citizens in Three Rural Florida Counties," funded by the Department of Health and Rehabilitative Services Program Office to District II Health Program Office, \$5,000, grant writer and consultant, 1983.

"Chronic Disease Prevention Program: Risk Appraisal: Employees in an Industrial Setting," DHRS, Tallahassee, Florida, Project Director (\$46,700), 1979-81.

"New Public Issues in Health Care: A Conference on Ethics and Policy," by the Florida State University Department of Philosophy and School of Nursing. Funded by the Florida Endowment for the Humanities, Fiscal Officer and Program Coordinator (\$4,915), 1978.

"Changing Concepts of Health: A Conference on the Ethics of Health Care," sponsored by The Florida Nurses Association, funded by The Florida Endowment for the Humanities. Project Director and Program Coordinator (\$7,300), 1976.

PUBLICATIONS AND RESEARCH:

Books and Monographs:

Cowart, M.E. & Quadagno, J., eds. (1996). From Nursing Homes to Home Care. Binghamton, NY: The Haworth Press, Inc. (Special Issue, Volumes 3/4, Journal of Aging and Social Policy and book volume). 197 pp. (refereed)

Cowart, M.E. & Quadagno, J. (1995). Crucial Decisions in Long Term Care. Tallahassee: Mildred and Claude Pepper Foundation. 24 pp.

Cowart, M.E. & Serow, W.J. (1992) Nurses in the Workplace. Newberry, CA: Sage Publishers. 304 pp.

Cowart, M.E., and R. Allen, eds. (1981) Changing Conceptions of Health Care: Public Policy and Ethical Issues for Nurses. Thorofore, NJ: Charles B. Slack. 115 pp.

Cowart, M.E., et al. (1981) Comprehensive Health Improvement Program: Risk Assessment, Risk Appraisal, Risk Reversal. Tallahassee, Florida: Florida State University. 80 pp. (Mimeo Manual). (Cited in Kansas, Iowa, North Carolina, and West Virginia Manuals).

Cowart, M. E. (1981) Implementing Health Policy in Baccalaureate Nursing Curricula. New York: National League for Nursing. Pub. No. 15-1844. 11 pp.

Chapters in Books:

Cowart, M.E. (2004) "Dementia in Older Adults." Encyclopedia of Applied Psychology, Vol. X

Cowart, M.E. (1996). "Long Term Care Policy and the American Family." In From Nursing Homes to Home, Cowart, M.E. & Quadagno, J., eds. Binghamton, NY: The Haworth Press. pp. 169-184. (refereed)

Chow, N.W.S. and Cowart, M.E. (1994) "Home Based Services: Hong Kong and the United States." Harry Stoop, ed., International Perspectives on Health Care and the Elderly (Proceedings Hong Kong Conference). New York: Peter Lang Publishing, Inc. pp. 97-109.

Serow, W.J. and Cowart, M.E. (1993). "Prospective Population Aging in the Industrialized Societies of the Pacific Rim." Recent Advances in Aging Science. Betegi, E., Gergely, I.A., and Rajczi, K., eds. Bologna: Monduzzi Editore S.P.A. pp. 1757-1761.

Cowart, M.E. (1993) "The Corporate Response to Caregiving." In Florida Caregivers Handbook. Tallahassee: Health Track Books. pp. 197-206. (Second Edition)

In Cowart, M.E. & Serow, W.J. (1992) Nurses in the Workplace. Newberry, CA: Sage Publishing. (Author or co-author of eight chapters.)

Cowart, M.E. (1989) "Health Manpower Needs for Elderly in Florida," in Proceedings of the Second Asian-American Conference on Social Services for the Elderly, International Exchange Center on Gerontology.

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Cowart, M., Seamon, F. and Schmeling, W. (1989) The Disabled Adult in Florida. Final Report for the Florida Department of Health and Rehabilitative Services Aging and Adult Services Program Office, Tallahassee, Fl.

Carlson, S. and Cowart, M. (1988) Shifts in the Supply and Demand of Nursing and Other Health Care Personnel. Final Report for the Florida Hospital Cost Containment Board, Tallahassee, Fl. 104 pp.

Cowart, M. E. and Pellett K., eds. (1987) Topics on Aging: Publications and Research of the Faculty and Graduate Students, 1982-1987. Tallahassee, Florida State University, Institute on Aging.

Frank, D.I., Cowart, M.E., Shannahan, M. and Cook, J. 1984 Proposal for Masters Program in Family and Community Health Nursing to State University System Board of Regents. Tallahassee, Florida.

Florida State University School of Nursing Self-Study Report, Chapter 5, pp. 225-53. 1978. Tallahassee, Florida.

Cowart, M.E. 1981 Comprehensive Health Improvement Program. Final Project Report, HRS Contract.

Cowart, M.E., et al. 1980 "Health Care Costs and Access." Florida Governor's Conference on Aging, Proceedings,

pp. 27-44. Tallahassee, Florida: Florida Council on Aging. (Issue paper and recommendations).

Cowart, M.E. with others. 1972 "Human Resources Development Needs Study Committee Report." Tallahassee, Florida: Chamber of Commerce.

Dissertation and Thesis:

Cowart, M.E. (1982) A Comparison of Attitudes, Working Conditions, and Nursing Practice of Foreign Nurse Graduates and U.S. Nurse Graduates in Florida, 1981. Columbia University, New York. Ann Arbor, Michigan, University Microfilms International, (dissertation).

Cowart, M.E. (1966) Extra Hospital Nursing Needs of the Aged, Tulane University, New Orleans, Louisiana, (unpublished masters thesis).

PROFESSIONAL AFFILIATIONS:

National:

American Academy of Nursing, Fellow
American Gerontological Society
Association on Gerontology in Higher Education, Fellow
American Public Health Association
American Nurses Association
Danforth Associate - 1978/1984
National League for Nursing - 1972/1990

State and Regional:

Florida Public Health Association, 1970-1990.
Southern Gerontological Society
Florida Council on Aging
American Lung Association of Florida, 1970-1990
Florida Nurses Association

OTHER SCHOLARLY ACTIVITIES:

Journal of Cross-Cultural Gerontology, reviewer. 1995-6.

American Journal of Nursing, Reviewer for Book of the Year Award in Community Health Nursing, December 1987, 87(12).

Professional Education and Research Committee (grant review), American Lung Association of Florida, 1984 - present. (Distributed \$500,000 each year from 1991 - 1996).

Reviewer, Journal of the American Planning Association, 1993-1996.

Reviewer, Journal of Planning Literature. 1994

Reviewer, Nursing Outlook, 1992 -present.

Reviewer, The Gerontologist, 1991 - 2004.

Reviewer, Journal of Applied Gerontology, 1991 - present.

Reviewer, Journal of Religion and Aging, 1989 - 1992

Reviewer Grants and Abstracts, Sigma Theta Tau (Nursing Honorary), 2003-present

Editorial Advisory Board, Journal of Community Health Nursing, 1982 - present.

Editorial Review Board, Journal of Family and Health Care, 1984 - present.

Planning Committee and Chair, Abstracts Review Subcommittee, National High Blood Pressure: Southeastern U.S. 3rd Annual Conference, 1985.

Editorial Board, Florida Journal of Public Health, 1981 - 1985.

Review of Manuscripts for Textbooks for Mosby Publishing, Springer Publishing, Reston Publishing, Brady Publishers, Addison-Wesley, and Lawrence Erlbaum Associates, Publishers.

AWARDS:

Marie E. Cowart Professorship, est. 2004 (held by Jay Turner, Professor of Sociology)

Dean Emerita, College of Social Sciences, 2003 .

Professor Emerita, Department of Urban and Regional Planning, 2003.

The Marie E. Cowart Scholarship Fund, endowed, 2003.

Fellow, Association for Gerontology in Higher Education, 1999-present.

FSU Sabbatical Program Award, 1998

FSU Professor of Excellence Program Award, 1997

Fellow, American Academy of Nursing, 1990-present.

Fellow, Royal Society of Health, 1980-1990.

Honorary Member Award, American Nurses Association, 1983.

Special Award, Advanced Registered Nurse Practitioner Section, Florida Nurses Association, 1983.

Certification of Excellence as a Community Nurse Practitioner, American Nurses Association, 1976-1980.

Outstanding Board Member, Florida Lung Association, Big Bend Branch, 1976.

Recipient, NEH Traineeship Medical Ethics, with Renee Fox, Department of Sociology, University of Pennsylvania, 1975.

Sigma Theta Tau, Beta Pi Chapter, Charter Member, 1974 to present (University Nurses Honorary).

Award for Radio and Television, Ohio State University, "Traction," Television Script, 1970.

INVITED PRESENTATIONS:

Professional and Community Meetings and Testimony:

"Home and Community Based Care." Task Force on Affordable Housing, Department of Community Affairs, Tallahassee, September, 1994.

"Florida Health Reform: Implications for Seniors." Department of Elder Affairs Statewide Advisory Council. Tallahassee, February 1994.

"Assessment of Quality of Care in Project AIDS Care." 11th Annual National Home and Community-Based Services Conference. St. Petersburg, September 1993.

"The Way We Care: Long Term Care for Special Needs Populations." Plenary presentation at the Florida Public Health Association Annual Meeting, Tallahassee, September 1993.

"Aging and Public Health." Plenary presentation at the Florida Public Health Association Annual Meeting, Winter Haven, September, 1992.

"Family and Support Systems Among Black Elderly." Presentation at Health and Aging Among Black Americans Conference, sponsored by Florida A and M University and UF Geriatric Education Center., Tallahassee, July 1992.

"Florida Study of Personnel Needs in Senior Services Agencies." Testimony at the Public Workshop by the U.S. Senate Select Committee on Aging, Atlanta, March 15, 1991.

"A Report on the Study of Personnel Shortages in Social Services Agencies." Florida Pepper Commission on Aging, Tallahassee, April 12, 1991.

"Nursing Personnel Shortage." Florida Medical Association, Orlando, December 1990.

"Personnel in Long Term Care." Florida Association of Homes for the Aged, Miami, May 1990.

"Preliminary Report on the Nursing Shortage Study" Presentation to Florida House of Representatives Health Care Committee, November 1989.

"Priorities for Health Policy, : 1989 Legislative Session" Presentation at Task Force for Senate Health Care Committee, eight member panel appointed by Senator Jeanne Malchon, 1989 Session.

"Preparing and Coping with the Challenges of Aging for Ourselves and Our Loved Ones," Florida Women's Network, March 18, 1988, Tallahassee.

Testimony. "Current Research Initiatives in Aging," Ad Hoc Committee on Aging, House of Representatives, January 5, 1987.

"Legal and Ethical Dilemmas of Health Care," FSU Law School and Center for Human Services and Policy, September 18, 1986, round table discussant.

"Beyond DRG's," Florida Hospital Association, Orlando, January 9, 1987, planning committee and session chair.

"Ethics and Autonomy for the Older Adult," Florida International University and DHRS, Miami, April 4-6, 1987, panelist and moderator.

"Negotiating the Political System for Nursing Input: Staff, Elected Officials, Appointees," Florida Association of Nursing Service Administrators Annual Meeting, Orlando, November 7, 1985.

"Impact of Hospital Cost Containment on the Elderly," Florida Council on Aging, Orlando, September 10, 1985.

"Containing Costs at the Cost Center Level," Memorial Medical Center Nurse Managers, Jacksonville, Florida, August 21, 1985.

"Current Legislation and Its Effect on Specialty Practice," American College of Nurse-Midwives, Region 3, 4th Annual Conference, Delray Beach, Florida, June 23, 1985.

Cowart, M. "Teaching About Aging in Society," Florida Social Studies Teachers Annual Conference, with D. Speake, P. Whiteside, and M. L. Duggar, Tallahassee, Florida. October 18, 1985.

Cowart, M. "Policy Involvement in Lowering Hospital Costs in Florida," Graduate Class in Nursing Administration, Texas Woman's University, Houston Campus, Houston, Texas, March 11, 1985.

Cowart, M. "Primary Health Care Nurse Practitioner: One State's Perspective." Council on Primary Health Care Nursing Strategy Conference, American Nurses Association. Kansas City, Missouri, March 11, 1984.

Duggar, M.L. and Cowart, M. "Self-Management: Deterrent to Institutionalization." Third National Leadership Conference on Long Term Care Issues. Sponsored by Hillhaven Foundation, Washington, DC, March 9, 1984. (Refereed, proceedings published).

Cowart, M. E. "Creating a Safe Working Environment," American Nurses Association Bi-annual Convention, Washington, DC, July 1, 1982. (Program Chair)

Cowart, M. E. "Difference in Attitudes, Practice, and Work Setting for U.S. and Foreign Prepared Nurses in Florida, 1981," presented at Florida Nurses Association District Two Research forum, Jacksonville, Florida, June 7, 1982.

Cowart, M. E. "Teaching Public Policy," Public Policy Conference, National League for Nursing, Philadelphia, April, 1980. (published)

Cowart, M. E. "Nursing Leadership: A Future Perspective," Second Annual Management Workshop, Sigma Theta Tau, Gamma Epsilon and Theta Chapters (Boston University and Northeastern University), Boston, Massachusetts, February, 1980.

"Health Care Access and Cost," Florida Governor's Conference on Aging, Orlando, Florida, August, 1980. (Section Chairperson).

"Community Care for the Elderly," Moderator, Public Health Nursing and Gerontological Nursing Section, Florida

Nurses Association Convention, Miami, Florida, September, 1979.

"County Allocation of Funds for Health and Social Services Agencies," Leon County Association of Community Services, Tallahassee, Florida, March, 1979.

"Legal Testimony," Florida Nurses Association Convention Program, Community Health Nursing Section, Orlando, Florida, October, 1978.

"Ethical Issues in Health Care and Medical Research," Moderator and Conference Co-Chair, Tallahassee, Florida, October, 1978. (Funded by Florida Endowment for the Humanities).

"Florida Health Systems Agencies," Florida Nurses Association Convention Program, Miami, Florida, October, 1976.

PARTICIPATION IN COMMUNITY AND PUBLIC SERVICE:

National and Regional:

White House Conference on Aging, Delegate, December 2005. (appointed by the National Policy Committee)

Association for Gerontology in Higher Education, Membership Committee, 1994-1996.

National Council on Aging, Annual Meeting Local Arrangements Committee, Miami, May 1991.

American Nurses Association Credentialing Committee, 1988-1990. (five member committee that establishes policy for all nursing advanced certification programs).

American Public Health Association Governing Council, 1988-1990 (elected).

Southern Gerontological Society Board of Directors, 1988-1990, 2001-2003 (elected)
Public Policy Committee, 1990-1994.

American Nurses Association, Nominating Committee, 1986-1987, (elected).

Association for Gerontology in Higher Education, Publications Committee, 1986-1988. Program Committee, 1988-1990. Program and Local Arrangements Committee, 1989 Annual Meeting, Tampa.

Faculty Research Grant Support Program, Howard University, grant reviewer, 1987.

National League for Nursing Accreditation Site Visitor for Baccalaureate and Higher Degree Programs, 1985-1990.

American Nurses Association Council on Primary Care Nurse Practitioner's Task Force to Develop Strategies on Nurse Practitioner Issues, 1983-1984.

Southern Gerontological Society, Policy Committee Member, 1982-1983, 1989-1991, 2003-2005 (elected)..

American Nurses Association, Advisory Council Member, 1981-1983. (Council of 110 nurses nationwide to advise the Executive Director and Board of Directors).

U.S. Department of Food and Drug Administration, Panel on G.U. Implants, Rockville, Maryland, Consumer Representative, 1977-1978.

State:

Governor's Task Force on Excellence in Nursing Home Care, 2007- present.

Florida Osteoporosis Council, 2002-2003.

Commission on End of Life Care, Commissioner and Deputy Chair. Legislatively established Commission to report to the 1999 and 2000 Florida Legislatures. 1998-1999.

Florida Department of Elder Affairs, Geriatric Model of Care Task Force, 1996.

Florida Department of Health and Rehabilitative Services Health Program Office, Strategic Planning Task Force, 1966.

Florida Public Health Association, Gerontology Section Chair and Board Member, 1993-1994.

Agency for Health Care Administration. CHPA Data Advisory Committee, 1993.

Florida Health Care Cost Containment Board, Technical Assistance for state survey to 160,000 nurses, 1990-1991.

Task Force to Establish a Department of Elderly Affairs, 1990-1991. (Governor appointed).

Florida Council on Aging Board of Directors, 1988-1990 (elected).

Florida Hospital Cost Containment Board, 1985-1988. Nine-member board appointed by Governor Bob Graham to control costs in Florida's 270 hospitals, a 15 Billion Dollar a year industry. Vice Chair, 1986-1988. Indigent Care Work Group, Chair, 1987.

Nurses' Round Table, 1982-1983 (Statewide group convened to plan a coordinated data collection for the 110,000 licensed nurses in the state. Florida Department of Health and Rehabilitative Services, Comprehensive Health Planning. Consultant to statewide nurse manpower survey, 1983-85.

Florida Task Force on Competition and Consumer Cost in Health Care, 1982-1984 (Appointed to 17 member Task Force by Governor Bob Graham, proposed recommendations for Health Care Access Act passed in 1984 by the Florida Legislature).

Florida Hospital Cost Containment Board, Ad Hoc Advisory Panel 1981-1982.

Florida Governor's Conference on Aging, Committee on Health Care Access and Costs, Chairman, 1980 (published working paper).

Florida Nurses Association (6000 members)

Nominating Committee, Chair, 1991-1992

Ad Hoc Committee on Nurse Practice Act Sunset 1982-1986

Legislative Committee, 1983-1985

President (elected), 1981-1983

President Elect, (elected), 1981-1983

Board of Directors, (elected), 1977-1983
Division on Community Nursing Practice, Chairman (elected), 1977-1979; Vice Chairman (elected),
1976-1977

American Lung Association of Florida
Occupational Health Committee, 1985-1988.
Research and Education Committee, 1984-1996 (Grant Review)
Program Coordinating Committee, 1983-1985, Chair 1984-1985
Pulmonary Rehabilitation Task Force, 1982-1984
Board Member, 1975 to 1985.

"Nursing Interventions for the Patient with a Problem with Alcohol," Inservice education offered to statewide participants, sponsored by Florida Department of Health and Rehabilitative Services, 1977.

Public Health Training Task Force, Division of Health, Department of Health and Rehabilitative Services, 1974-1976. (Developed year-long course for public health nurses).

Local:

Tallahassee Memorial Healthcare Foundation, Board of Trustees, 2007-present.
Alzheimer's Resource Council of Tallahassee, 2005 to 2007.
Leon County Senior Outreach Committee, 2005 to present.
Leon County Indigent Care Council, 1998-1999.
AARP Community Council, 1995 to 1999.
Lake Ella Manor Advisory Board, 1989 to 1997.
Tri-County Home Health Care, Inc. (now, AmeriCare, Inc., Advisory Board, 1976-2001.
Tallahassee Senior Center Board of Directors, 1991-1993.
Advent Christian Village Technical Advisory Board, 1988-1990.
School Health Advisory Committee, Leon County School System, 1985-1989.
Big Bend Science Fair, Judge, Tallahassee, Florida, (1985-1990)
Panhandle Science Fair Judge, Tallahassee, Florida, 1984.
Leon County Science Fair Judge, Tallahassee, Florida, March 5, 1983.
Sigma Theta Tau Beta Pi Chapter, President, 1984-1985.
Long Range Planning Advisory Council: Health Services for the Elderly, Tallahassee Community Hospital, 1983.
Leon County Commission, Advisory Committee for Human Service Grant Review, 1977-1979, Chairman, 1978-1979.
Neighborhood Health Clinic, Board of Directors, 1974-1976.
Florida Nurses Association, District 23 (member, 1968 - present)
Board Member, 1972-1976, President, 1973-1974
American Lung Association of Florida, Big Bend Branch
Board Member, 1973 to 1987, Secretary, 1973-1974
Vice President, 1975-1978, 1982-1983
President, 1983-1985 (proposed city smoking ordinance)
Florida Panhandle Health Systems Agency
Council Board Member, 1976-1979
Nominating Committee Chairman, 1978-1979
Health Plan Development Committee Chairman, 1978-1979
Capital Sub-Council Board Member, 1976-1979
Department of Health and Human Services Self-Assessment
Process, 1981

Health Services Sub-Committee, 1972-1975 (became Florida Panhandle Health Systems Agency).
Comprehensive Health Planning of Big Bend, Inc.
Team Planning Committee, Primary Care, Big Bend Comprehensive Planning Clinic, 1969-1971 (became Neighborhood Health Clinic).

Service to the College of Social Sciences:

Coordinator, Health Policy Research Masters Degree, 1999-2003
Ad Hoc Committee to establish the Interdisciplinary Masters program in Health Policy Research, Chair. 1997-1999.
Askew School of Public Administration, Collins Chair search, outside member, 1996.
Academic Policy Committee, 1993-1997.
Teaching Incentive Program review committee, 1995, 1996.
Department of Geography Chair Search, outside member 1993-1994.
Administrative Committee, 1985-1992
Committee on Sexual Harassment and Discrimination, 1992.
Department of Sociology Chair Search, outside member, 1992.
Promotion and Tenure Committee, 1991-1993
Ad Hoc Space Committee, 1991-2.
College Information and Data Processing Committee, 1990-1992
Mildred and Claude Pepper Building Committee, Chair, 1990- present.
Search Committee, Mildred and Claude Pepper Professorship in Sociology, 1991.

Service to the Department of Urban and Regional Planning:

Director, Masters of Science in Planning program, 1994-1996.
Admission Committee, 1990-1991, 1994-1996.
Budget Committee, 1994-1996.
Administrative and Personnel Committee, 1990-1991; Chair, 1992-1994.
Curriculum Committee, Chair, 1992-1994, 1996-8 member, 1992-1998
Ad Hoc Committee on Minority Recruitment and Retention, Chair, 1994.
Minority Recruitment, 1996-1997.
Synoptikos (Planning student organization), faculty advisor, 1996-1997.

SERVICE TO THE SCHOOL OF NURSING:

Standing Committees:

Merit Ad Hoc committee, 1989-1990
Executive Committee, 1984-1988
Semester 5 Coordinator, 1984-1987
Coordinator NUR 3065 and NUR 3065L, 1984-1986
Graduate Education Committee, Member, 1980-1990
By-laws Committee, Member, 1988-1989
Promotion and Tenure, Member, 1976-1990, Chairman, 1977-1978, and 1986-1988
Community Health Nursing Faculty, Chairman, 1977-1978
Studies and Projects, Member, 1977-1978
Handbook Committee, Member, 1977-1978
Terminal Jury for RN students, Mentor, 1976-1979
Learning Resource Committee, Member, 1976-1977, and 1982-1985; Chair, 1983-1985

Student Affairs Committee, Member, 1976-1977
Curriculum Committee, Member, 1976-1979, 1980-1982, and 1987-1989

Ad Hoc Committees:

Ad Hoc Honors Committee, member, 1987-1988
Governor's Health Fair Coordinator, 1981-1983
Homecoming Conference Committee, 1981-1983
Student Appeals Chairman, 1981-1983
RN Advisory Committee, 1980-1981
Graduating Class Advisor, 1979
Role and Scope, School of Nursing, Participant, 1976
Development Community Health Nursing Specialty in the Masters Program Proposal, Participant, 1976, 1980, 1984-86
Ad Hoc Accreditation Report Committee, Member, 1977-1978
Self Study for Accreditation, Member, 1976-1977

SERVICE TO THE UNIVERSITY:

Westcott Lakes Retirement Community Board Member, 2005 to present.
Advisory Committee on University Senior Housing Community, 2003 to 2005.
SACS Sub Committee on _____, 2002-present.
Ad Hoc Strategic Planning Committee for the Office of Research, co-chair, 2001-2003.
Council for Research and Creativity, 2001-present.
Deans Sub Committee on Private Fund Raising, 2001-present.
Search Committee for the Associate Vice President for Research, chair, 2001.
Search Committee for the Dean of the School of Social Work, chair, 2000.
Search Committee for the Vice President for Research, chair, 2000.
Council of Deans, 1999-2003
Ad Hoc Committee on Faculty Support for Scholarly Activities, Co-chair, 1999-2003.
President's Committee to Implement Recommendations of the Futures Commission, 1998-1999.
Appointments Committee, Chair. 1998-1999.
Presidents Commission on the Future, Chair. 1997-1998.
Faculty Senate President, 1996-1998 (see separate committee listing)
Senate Steering Committee, 1986-1990, 1993-1999(vice-chair, 1994-1996)
Faculty Senator, 1977-1979, 1982-1984, 1985-1990, 1991-1999.
FSU Foundation Board, 1996-1998. Executive Committee, 1997-1998.
FSU National Alumni Association Board, 1996-1998.
Athletic Advisory Board, 1996-1998.
Ad Hoc Committee to Review the Panama Canal Zone Program, 1994- 1998.
Salary Equity Committee, 1993
Campus Development and Space Committee, 1991-1998, Chair Space Sub-committee, 1993-98.
Committee to Prepare SACS Report on Research, 1992-1993
Committee to Prepare for the Top 25 Public Universities, 1992-1993
Committee on Faculty Research Support (COFERS), 1993, 1999.
Senate Computing and Information Resources Committee, 1991-1994
Search Committee for Provost, 1994.
Search Committee for University President, 1990-1991; 1993-1994.
Search Committee for Director of Budget and Fiscal Analysis, 1990
Ad Hoc Committee on Public Health, 1988-1989

Senate Library Committee, 1988-1991, (Chair 1988-1989)
Promotion and Tenure Committee, 1986-1987
Calendar Committee, 1986-1989
Student Health Fees, 1987
FSU Alumni Task Force on Planning for the Future, 1987-88
Allied Health Council, 1984-1989 (Regional Committee established by the Board of Regents)
Ad Hoc Committee on Health Care Financing, 1983-85
Ad Hoc Committee on Gerontology, 1983-85
Faculty Senate Budget Committee, 1983-1985
Graduate Policy Council Subcommittee to Review Doctoral Program in Biological Sciences, 1983-1984,
 Subcommittee to Review Doctoral Program in Counseling and Human Systems, 1985-1986,
 Subcommittee to Review Doctoral Program in Spanish, 1986-1987
Graduate Policy Council, 1982-1987
League of Mentors, 1982-1988
Admissions Committee, Program in Medical Sciences, 1977-1979
Council for Instruction, 1981-1983
Disability Task Force, 1978-1979
Public Service Coordinating Council, 1978-1979
Honorary Degree Committee, 1978-1979
Curriculum Committee, 1978-1979
Insurance and Benefits Committee, 1977-1979

SERVICE TO THE STATE UNIVERSITY SYSTEM:

Chancellor's Task Force on Service to K-12, 1999-2000.
Faculty Senate Presidents Advisory Council, 1994-1998.
International Exchange Center on Gerontology
 Search Committee for Director, 1990-1992
 Advisory Board, 1985-1992
 Task Force to Define Mission, 1991
SUS University Centers on Gerontology, consortia, 1985-1992.

DOCTORAL COMMITTEES:

Pam Finnerty, College of Education, Counseling and Human Systems. "A Model for Chronically, Mentally Ill Aged Clients," completed in 1982. Patricia Johnson, Major Professor.

Sandra Schoenfisch, College of Education, Higher Education. "Attrition in Schools of Nursing," completed in 1983. Lou Bender, Major Professor.

Nancy Smith, Home and Family Life. "The Interaction of Family Environment and Metabolic Control in Type II Non-Insulin Dependent Diabetes Mellitus," completed in 1985. Kal Zonker, Major Professor.

Chris Mansfield, Public Administration. "An Analysis of Emergency Medical Services System Policy in Florida." Completed 1988, Pete Page, Major Professor.

Janice Weber, Home and Family Life. "The Impact of Family Attitudes on the Quality of Life of the Member Who is Terminally Ill Due to Breast Cancer." Completed 1987. Mary Hicks, Major Professor.

Ann Kravitz, Adult Education. "Volunteerism and Organizational Structure of Voluntary Agency." Completed

1987. Irwin Jahns, Major Professor.

Fran Martin, Adult Education. "Client's and Nurses' Perceptions of the Nurse's Teaching Role and Its Effect on Learning." Completed, 1988. Roy Ingham, Major Professor.

Carrie Heck, Counseling and Human Systems. "Occupational Stress in Working Women." Completed 1986. Ann Hingst, Major Professor.

Rieko Darling, Communication Disorders. "The Effect of Loudness on Auditory Brain Response." Completed, 1987. Lloyd Price, Major Professor.

Louise Kahn, Home and Family Life. "Sibling Relations in Caregiving of Older Parents." Completed, 1987. Craig Everett, Major Professor.

Terri Gesse, Educational Leadership. "Involvement of Nurse Midwives in Policy." Completed, 1989. Sandi Melton, Major Professor, Educational Leadership.

Ken Ackerman, Home and Family Life. "Early Parental Death as a Psychogenic Correlate in Neoplastic Disease," completed, 1988. Mary Hicks, Major Professor, Home and Family Life.

Larry Solberg, Communication Disorders. "A Study of the Conversational Discourse Among Right Hemisphere Brain-damaged Patients." Completed 1990. Amy Weatherby, Major Professor.

Mary Mathis, Sociology. "Historical Analysis of the Lay Midwife in Florida." Completed 1990. Bruce Bellingham, Major Professor.

Mark Paugh, Educational Leadership. "Continuing Education Requirements in Respiratory Therapy." Completed 1990. Clyde Maurice, Major Professor, Educational Leadership.

Harry Cartright, Educational Leadership. "Job Satisfaction Among Respiratory Care Program Chairpersons." Completed, 1990. Allan Tucker, Major Professor, Educational Leadership.

Kate Bemis, Religion. "Four Ethical Issues in Aging." Completed 1990. Leo Sandon, Major Professor, Religion.

Janet Colson, Food and Nutrition. "The Effectiveness of a Nutrition Education Program Designed for Sodium Reduction in an Elderly Population." Completed, 1990. Nancy Green, Major Professor, Nutrition and Food Science.

Edna Johnson, Marketing. "Satisfaction of Older Consumers." Completed 1991. Mel Stith, Major Professor, Marketing.

Lynn McCorkel, Library Science. "Treatment Information Channels and Treatment Information Seeking Behavior of HIV Positive Persons in Dade County." Completed 1991. Ron Blazek, Library Science, Major Professor.

David LeGardre, Home and Family Life. "The Impact of Death on Family Member Quality of Life." Completed 1992. Carol Darling, Home and Family Life, Major Professor.

Sherry Shuian Su, Library Science. "An Investigation of Perceived Information Needs and Information Seeking Behavior of the Elderly Chinese Immigrants in the Los Angeles Area." Completed, September 1993. Charles Conoway, Major Professor.

Jessie D. Redding-Barkley, Education. "The Different Perceptions of Job Satisfaction Among Laboratory Directors and Medical Technologists of Various Personality Types." Completed 1994. Holly Thomas, Major Professor.

Cornelius Tiggelman, Home and Family Life. "Coping with Stress and Quality of Life for Persons with AIDS and their Families." Completed 1994. Carol Darling, Home and Family Life, Major Professor.

Lein Fang Han, Sociology. "Race, Gender and Access to Care for Persons with AIDS: The Case of Florida Medicaid." Completed 1994. Ike Eberstein, Major Professor.

Edward Schumacher, Economics. "The Labor Market for Registered Nurses: Hospitals, Training and Turnover." Completed 1994. Barry Hirsch, Major Professor.

John Tichenor, Sociology. "New Federalism and Social Policy: A Case Study of Board and Care Home Regulations." Completed Fall 1994. Jill Quadagno, Major Professor.

Susan Phillips, Political Science. "State Certificate of Need: An Event History" Completed Spring 1995. Charles Barrilleaux, Major Professor.

Penny Pearson, Education. "The Relationship Between Rehabilitation Professionals' Attitudes Towards Older Adults and their Perceptions of Family Involvement in the Rehabilitation Process." Defended Summer 1995. Debra Ebner, Major Professor.

Monica Hingorani Nandan, Social Work. "An Exploration of Social Service Staff Members' Commitment to Interdisciplinary Care Plan Teams." Defended, Summer 1996. Shimon Gottschalk, Major Professor.

Elizabeth Jane Riegner, Home and Family Life. "The Relationship of Role Strain, Percieved Social Support, and Humor to Quality of Life Among Couples Experiencing the Life-Limiting Illness of Chronic Obstructive Pulmonary Disease." Defended, Summer 1996. Tom Cornille, Major Professor.

Sandra Prater, Social Work. "The Effects of a Perinatal Intervention Program on Pregnancy Outcomes for Urban Native American Mothers and Infants." Defended Summer 1996. Patricia Martin, Major Professor.

Yvonne Kay Smith, Home and Family Life. "An Examination of Marital Stress, Sexual Satisfaction, Marital Satisfaction, and Quality of Life of Myocardial Infarction Patients." Defended, Summer, 1996. Mary Hicks, Home and Family Life, Major professor.

Walter Prather, Human Sciences. "Family Stress and Learned Helplessness: Risk Factors Influencing Marital Satisfaction and Quality of Life." Dissertation defended, 1997. Carol Darling, Major Professor.

Sheila LittleJohn Blake, Human Sciences. "Family Patterns in African-American Families Who Are Coping with Childhood Asthma. Dissertation defended, 1997. Tom Cornille, Major Professor.

Christopher Linsin, History. "More than Amenity Alone: A Social History of Retirement in the Century Villages, 1968-1992. Completed, 1997. Neil Betton, Major Professor.

Brian Celso, "The Relationship between Health Status, Humor as a Coping Strategy, and Life Satisfaction among Institutionalized Older Adults." Dissertation defended, 1998. Debra Ebner, Major Professor.

Ellen L. Crawford, Psychology. "A Study of the Relationship between Coping Strategies, Perceived Control and Successful Aging." Dissertation defended, 1998. Mark Licht, Major Professor.

Betty Presnell, Education. How Small Business managers Acquire the Knowledge Necessary for Success. Dissertation Defense March 1999. Irwin Jahns, Major Professor.

Ute Krappen, Urban and Regional Planning. _____ Defended, 1999. Peter Doan, Major Professor.

Patricia Ann Rivera, Psychology. "Effectiveness of a Psychoeducational Intervention for the Reduction of Distress in Mexican-American Caregivers of Demented Patients" Defended, 1999. Edwin I. Magargee, Major Professor.

Janet Nambi, Marriage and the Family. "Resiliency and Vulnerability among Bereaved Adolescents: A study of the Susceptibility of Bereaved Adolescents to Delinquency, Social, Psychological and School Problems. Charles Figley, Major Professor.

Vickie Lund, Human Sciences. "Perceived Quality of Life for Persons with BiPolar Disorder: The Role of Medical Compliance, Family and Health Stress, Level of Coping, and Health Locus of Control. Defended, 1999. Carol Darling, Major Professor.

Jennifer Troiler, Economics, "An Empirical Investigation of Economic Regulation in the Nursing Home Industry." Defended, 1999. Tim Sass, Major Professor

Steve Presnell, Education. Defended, 2001. Irwin Jahns, Major Professor

Don Workman, Education. Defended, 2001. Irwin Jahns, Major Professor.

Alicia Lobos Maki, Education. Defended, 2005. Jane Burkhead, Major Professor.

Josephine Kershaw, Education. Defended, 2000. Sande Milton, Major Professor

Linda Johnson, Human Sciences. Defended 2000. Bonnie Greenwood, Major Professor.

Bea Mitzar, Adult Education, Defended, 2001. Irwin Jahns, Major Professor.

Elsie Crowell, Urban and Regional Planning. Dissertation Phase. Mary Ellen Guy, Major Professor.

Annie Jackson, Social Work. Defended. Linda Vinton, Major Professor.

George Luke, Sociology, Defended 2004, Patricia Martin, Major Professor

Terry Reese, Rehabilitation Counseling, Defended 2003. William English, Major Professor.

Tina DesHotels, Sociology, Defended 2004. Jill Quadagno, Major Professor.

Rachel LaCroiz, Sociology. Defended 2006. Patricia Martin, Major Professor.

Rhonda Waddell, Social Work. Defended 2006. Neil Abell, Major Professor.

Susan Kallaher, Rehabilitation Counseling. Prospectus phase. Debra Ebner, Major Professor.

MASTERS COMMITTEES:

Donna Darity, Nursing. "The Effect of Shared Decisionmaking on Client Health Behavior." Completed, 1988. Marie Cowart, Major Professor.

Betty Sanford, Nursing. "Intensity of Care Needs Within to Diagnostic Related Groups." Completed, 1988. Dianne Speake, Major Professor.

David Teitelman, Urban and Regional Planning. "Planning for the Elderly: A Long Term Coordinated Approach to Meeting the Health and Housing Needs of the 65 Year Old Population in Tallahassee." Research paper completed 1992. Marie Cowart, Major Professor. (Presidential Management Intern finalist)

Susan Shewmake, Urban and Regional Planning. "The Impact of the Health Care System on the City of Tallahassee." Research paper completed 1992. Marie Cowart, Major Professor.

Leslie Resnick, Urban and Regional Planning. "Perceptions of Do Not Resuscitate Orders." Research paper completed 1993. Marie Cowart, Major Professor. (paper published in the Journal of Social Work and Health,26(4):1-21.

Althea Plair, Urban and Regional Planning. "Relationship of Population Growth and Increasing Health Costs to the State." Research paper completed 1993. Marie Cowart, Major Professor.

Rea Ann Weichman, Urban and Regional Planning. "Feasibility Study of a Community Hospital Maternity Service." Research paper completed 1993. Marie Cowart, Major Professor.

Tom Hamby, Urban and Regional Planning. "Policy Response to Pre-School Children's Immunization Levels." Completed 1993. Marie Cowart, Major Professor.

Tanya Wojner, Urban and Regional Planning. "Nursing Home Access for Persons with AIDS." Completed 1994. Alan Kubrin, Major Professor.

Frances Henry, Nursing. "Life Course of Widows Who Are Black." Completed Fall 1994. Mary Shannahan, Major Professor.

Gavin Kennedy, Urban and Regional Planning. "Ryan White Funding for Persons with AIDS." Completed Spring 1995. Marie E. Cowart, Major Professor. (Presidential Management Intern)

Jill Hunley, Urban and Regional Planning. "Sub-Acute Care in Florida Nursing Homes." Completed Spring 1995. Rebecca Miles Doan, Major Professor.

Lisa Wallace, Urban and Regional Planning. "Service Needs of the Elderly." Completed 1996. Marie E. Cowart, Major Professor. (Presidential Management Intern)

Mary Holton, Urban and Regional Planning. "Equity and Other Ethical Issues in Explicit Health Care Rationing: Utilitarianism and the Oregon Health Plan." Completed, 1996. Marie E. Cowart, Major Professor.

Susan Hammersten, Urban and Regional Planning. "Hospital Accessibility for Rural Residents of Florida, 1993." Completed 1996. Marie E. Cowart, Major Professor. (Presidential Management Intern)

Alissa Barber, Urban and Regional Planning. "Technology Industry Expansion in the Orlando Area." Completed,

1998. Rebecca Miles-Doan, Major Professor.

Greg Jones, Urban and Regional Planning. Health and Retirement: A National Cohort Study, Completed 1997..
Marie E. Cowart, major professor.

Farnita Saunders, Urban and Regional Planning. "Success in Linking Supportive Services and Housing Assistance."
Completed 1997. Charles Connerly, Major Professor.

Kim Allen, Nursing. "Attitudes of BS and AS Nursing Students about Alcoholism." Completed, 1997. Patricia Dean,
Major Professor.

Lisa Gray, Urban and Regional Planning. "Influence of Socioeconomic and Behavioral Factors on Health Conditions in
the Elderly: A Case Study Involving Central Florida." Completed 1998. Marie E. Cowart, major professor.

Jacqueline McNeil, Urban and Regional Planning. "Risk Factors for Nursing Home Admission." Completed 1998.
Marie E. Cowart, major professor.

Jimmy Pastrano, Geography. "Health Care Resource Allocation: Spatial Access to Clinics for Florida's Migrant
and Seasonal Farm Workers." In process. Jan Kodras, Major Professor.

Debbie Wager, Urban and Regional Planning. Defended, Summer 1999. Marie E. Cowart, major professor.

Julie Helter, Urban and Regional Planning, Defended Spring 2001, Marie E. Cowart, major professor.

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov</p> <p style="text-align: center;">Applications will be discarded if no appointment is made after two years.</p>	
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Name: Frederick Gaske	Date: 01-May-2013	
Home Phone: (850) 514-1391	Work Phone:	Email: fgaske@hotmail.com
Occupation: HISTORIC PRESERVATIONIST	Employer: RETIRED STATE EMPLOYEE	
Preferred mailing location: Home Address		
Work Address:		
City/State/Zip: TALLAHASSEE FL		
Home Address 1129 WINIFRED DRIVE		
City/State/Zip: TALLAHASSEE FL 32308		
Do you live in Leon County? Yes If yes, do you live within the City limits? Yes		
Do you own property in Leon County? Yes If yes, is it located within the City limits? Yes		
For how many years have you lived in and/or owned property in Leon County? 38.00years		
Are you currently serving on a County Advisory Committee? No		
If yes, on what Committee(s) are you a member?		
Have you served on any previous Leon County committees? No		
If yes, on what Committee(s) are you a member?		
Are you interested in serving on any specific Committee(s)? If yes, please indicate your preference		
1st Choice: Architectural Review Board 2nd Choice:		
What cultural arts organization do you represent, if any?		
GOODWOOD MUSEUM & GARDENS, INC.		
If not interested in any specific Committee(s), are you interested in a specific subject matter? If yes, please note those areas in which you are interested:		
<u>If you are appointed to a Committee, you are expected to attend regular meetings.</u>		
How many days permonth would you be willing to commit for Committee work? 2 to 3		
And for how many months would you be willing to commit that amount of time? 6 or more		
What time of day would be best for you to attend Committee meetings? Day		
<p>(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.</p>		
Race: Caucasian Sex: Male Age: 63		
Disabled? No District: District 5		

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

DEGREES IN HISTORY (BA) AND HISTORICAL ARCHAEOLOGY (MA - FSU). EMPLOYED BY FLORIDA DIVISION OF HISTORICAL RESOURCES FOR 28 YEARS (1981-2009), LAST 5 YEARS AS DIVISION DIRECTOR AND FLORIDA STATE HISTORIC PRESERVATION OFFICER AS APPOINTED BY THE GOVERNOR. SERVED ON CASCADES PARK HISTORY FENCE WORKING GROUP (2010-2011). SERVED ON TALLAHASSEE HISTORIC PRESERVATION DISTRICT WORKING GROUP (2011-2012). SERVED AS INTERIM EXECUTIVE DIRECTOR OF GOODWOOD MUSEUM & GARDENS (2011). CURRENTLY SERVE AS TREASURER AND BOARD OF DIRECTORS MEMBER FOR GOODWOOD MUSEUM & GARDENS.

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

Name: RICHARD BARNETT
Address: 225 SOUTH ADAMS STREET

Telephone: 850-510-5507

Name: BETH LEWIS
Address: 1600 MICCOSUKEE ROAD

Telephone: 850-877-4202

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

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

Have you completed the Orientation? Yes

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

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

If yes, from whom?

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

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

If yes, please explain.

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

If yes, please explain.

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

If yes, please explain.

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

Signature: Frederick Gaske

This application was electronically sent: 5/1/2013 4:07:00PM

Frederick P. Gaske
1129 Winifred Drive
Tallahassee, Florida 32308
Home Phone: (850) 514-1391
Cell Phone: (850) 556-9835
Email: fgaske@hotmail.com

Education

Bachelor of Arts, 1971
Syracuse University
Syracuse, New York
Major: History

Master of Arts, 1982
Florida State University
Tallahassee, Florida
Major: Anthropology
(Specialization in Historical Archaeology)

Employment

Historic Preservation Consulting Services
June 2009 – Present

Projects include production (editor and co-author) of the *Florida Civil War Heritage Trail* publication, development of the Tallahassee History Timeline Fence at Cascades Park, documentation of historic tourist lodging facilities on Captiva Island for listing on the National Register of Historic Places, and development of a West Florida Historic Preservation Workshop Series.

Goodwood Museum & Gardens, Tallahassee
Interim Executive Director
May 2011 – November 2011

Administered a 21-acre historic site with a 1830s main plantation house, historic outbuildings, and historic gardens. Responsible for managing 4 paid staff and 50 plus volunteers, and directing all activities relating to restoration, maintenance, educational programming, public visitation, fiscal administration, and fundraising. Currently serve as Treasurer on the Goodwood Board of Directors.

Florida Department of State
Director, Division of Historical Resources
and State Historic Preservation Officer
January 2004 – June 2009

Administered the primary state agency statutorily responsible for promoting the historical, archaeological, museum, and folk culture resources of Florida. Oversaw and coordinated the activities of three Bureaus - Historic Preservation, Archaeological Research, and (until 2008) Historical Museums. Responsible for an agency with 102 employees (61 Career Service and Selected Exempt and 41 OPS) with a budget of \$19 million in 2009. Served as Acting Director for 5 month period until appointed full-time Director in May 2004 by Secretary of State Glenda E. Hood.

Appointed State Historic Preservation Officer in September 2004 by Governor Jeb Bush.

Florida Department of State
Chief, Bureau of Historic Preservation
August 1999 - January 2004

Administered the state agency responsible for identifying, evaluating, preserving, and interpreting Florida's historical and archaeological sites and properties. Oversaw and coordinated the activities of five Sections - Architectural Preservation Services, Compliance Review, Florida Master Site File, Grants and Education, and Survey and Registration. Responsible for all statutorily defined state and federal historic preservation programs administered by 25 Career Service and Selected Exempt and 16 OPS employees. Served as Acting Chief for 5 month period until appointed full-time Chief in December 1999. Designated Deputy State Historic Preservation Officer by Secretary of State Katherine Harris in October 1999.

Florida Department of State
Historic Preservationist Supervisor
Grants and Education Section
Bureau of Historic Preservation
October 1988 - August 1999

Supervised 6 Career Service employees, various number of OPS employees, and several volunteer interns. Oversaw and coordinated the nation's largest Historic Preservation Grants-In-Aid program of over \$10 million annually. Also responsible for State Historic Markers program and Heritage Preservation Publications including a quarterly magazine, bimonthly newsletter and several Heritage Trail publications. Until reorganization in 1992, also responsible for Certified Local Government program and Local Historic Preservation Ordinances reviews.

Florida Department of State
Historic Preservation Planner
Compliance Review Section
Bureau of Historic Preservation
January 1988 - October 1988

Served as Department representative on Florida Land Management Advisory Committee and as Department liaison staff member for Conservation and Recreation Lands Acquisition Program Committee. Reviewed and commented on development and construction activities on State-owned and State sovereignty lands for impacts on historical and archaeological sites. Reviewed and commented on Historic Preservation Components of State Land Management Plans.

Florida Department of State
Historic Preservation Planner
Architectural Preservation Services Section
Bureau of Historic Preservation
February 1987 - January 1988

Administered Historic Preservation Acquisition and Development Grants-In-Aid (restoration, rehabilitation and archaeological excavation) including legislative Special Category grants. Administered Certified Local Government program and Local Historic Preservation Ordinances reviews. Assisted in administration of Florida Main Street Program. Assisted in development of Statewide Comprehensive Historic Preservation Plan.

Florida Department of State
Historic Preservation Planner
Survey and Registration Section
Bureau of Historic Preservation
September 1984 - February 1987

Administered Historic Preservation Survey and Planning Grants-In-Aid program and Historic Preservation Community Education Grants-In-Aid program. Prepared and reviewed archaeological site nominations to the National Register of Historic Places. Assisted in development of Statewide Comprehensive Historic Preservation Plan.

Florida Department of State
Historic Sites Specialist
Compliance Review Section
Bureau of Historic Preservation
October 1981 - September 1984

Reviewed and commented on development and construction projects in accordance with federal, state and local Historic Preservation Laws, Rules and Regulations. Reviewed and commented on Historic Preservation Components in State Land Management Plans. Reviewed and commented on Archaeological Research Permit requests for State-owned lands.

Florida Department of State
Special Project Assistant
Florida Master Site File
Bureau of Historic Sites and Properties
April 1981 - October 1981

Evaluated and reviewed historical and archaeological site and survey reports for incorporation into Site File. Conducted research on historical and archaeological sites and prepared Florida Master Site File forms.

Florida State University
Research Assistant/Teaching Assistant/Excavation Field Supervisor/Field Excavator
Department of Anthropology
March 1979 - February 1981

Analyzed and curated artifacts from University sponsored archaeological excavations. Taught entry-level Introduction to Anthropology courses. Conducted and supervised archaeological excavations.

National Park Service
Research Assistant
Southeast Archaeological Center
September 1978 - March 1979

Analyzed and curated artifacts excavated from archaeological sites on National Park Service lands in the Southeast Region.

Recent Honors

May 2010 – Received the *Carl Weinhardt Award*, the highest award given to an individual by the Florida Trust for Historic Preservation. Named in honor of the first director of the Bonnet House, the

Carl Weinhardt Award recognizes an individual's lifelong achievements and leadership in state and national preservation areas and his or her service to the Florida Trust.

October 2010 – Received the *Thomas Taylor Award*, the highest award given to an individual by the Florida Lighthouse Association. Named in honor of the Association's founder, the *Thomas Taylor Award* recognizes an individual's outstanding service on behalf of lighthouse preservation.

References Available Upon Request

**Leon County
Board of County Commissioners**

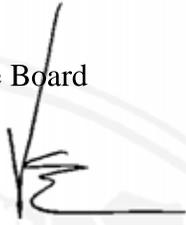
Notes for Agenda Item #13

Leon County Board of County Commissioners

Cover Sheet for Agenda #13

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Consideration of a Request by the Greater Tallahassee Chamber of Commerce to Include Industry Stakeholder Input and an Evaluation of Other Transpiration Fee Alternatives in the Mobility Fee Study Process

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Benjamin H. Pingree, Director, Planning Land Management and Community Enhancement
Lead Staff/ Project Team:	Cherie Bryant, Planning Department Manager Artie White, Principal Planner

Fiscal Impact:

This item does not have a fiscal impact since the Board has previously directed staff to include \$162,500 in the FY 2017 tentative budget for a joint mobility fee study with the City. The proposed modifications to the consultant scope of services presented herein are not anticipated to require additional funds.

Staff Recommendation:

Option #1: Approve the Greater Tallahassee Chamber of Commerce’s request and authorize the County Administrator include an evaluation of alternative transportation fees in the study scope and to work with the City Manager in assembling an industry stakeholder group to share their feedback in the process.

Report and Discussion

Background: At the April 26, 2016 budget workshop, the Board voted to tentatively include \$162,500 in the FY 2017 preliminary budget for a joint mobility fee study to be evenly matched with the City of Tallahassee. As detailed in that agenda item, the purpose of this consultant-led study is to pursue the establishment of a Mobility Fee to replace the current transportation mitigation system of concurrency that is utilized by the City and County (Attachment #1). The City Commission approved a similar motion to fund the mobility fee study as part of their FY 2017 budget development process but also directed staff to meet with the Greater Tallahassee Chamber of Commerce, alongside County staff, to better understand any concerns about this policy development process and potential impacts to businesses. Given the joint nature of the proposed study, City staff requested and County staff attended the meeting.

The Chamber is seeking a review process that would analyze other available transportation fee alternatives prior to moving forward on the mobility fee study. Staff offered to present this approach to the Board for its consideration (Attachment #2).

This matter aligns with the revised FY 2012 – FY 2016 Strategic Initiatives that the Board approved at the January 26, 2016 meeting, including:

- Consider mobility fee to replace the concurrency management system. (EN2, G1, and G5)

This particular Strategic Initiative aligns with the following Board Strategic Priorities – Environment and Governance:

- Promote orderly growth which protects our environment, preserves our charm, maximizes public investment, and stimulates better and more sustainable economic returns. (EN2)
- Sustain a culture of transparency, accessibility, accountability, civility, and the highest standards of public service. (G1)
- Exercise responsible stewardship of County resources, sound financial management, and ensure that the provision of services and community enhancements are done in a fair and equitable manner. (G5)

Analysis:

The current County and City transportation concurrency systems are based on statutory requirements adopted in 1985 that require new development to pay for its added impact to road networks. However, concurrency is only paid when a road is near or over capacity, leading to backlogs and cost burdens for developers who come in after the road's capacity has been consumed. This system has been described as being unfair to later developers who bear greater costs when their developments surpass transportation concurrency thresholds, resulting in assessments to the latest developer/development (not prior developers that added pressure to the roadway system). The current system also makes it difficult for developers to plan in advance for their concurrency fees. These fees can either be completely avoided if determined to be

Title: Consideration of a Request by the Greater Tallahassee Chamber of Commerce to Include Industry Stakeholder Input and an Evaluation of Other Transpiration Fee Alternatives in the Mobility Fee Study Process

June 14, 2016

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applicable or they can be significant and raise development costs markedly. Finally, because the current framework makes it more expensive to build in the urban area where roads are more crowded, it tends to push development further out into suburban and rural areas. These sprawled development patterns lead to higher capital and operational costs to taxpayers since new development also requires extended water, sewer, parks, fire, police, and other urban services.

Since the state relaxed concurrency requirements and developed guidance on mobility fees in 2011, numerous cities and counties have enacted mobility fees to replace concurrency. Mobility fees still require new development to pay for added impacts to the transportation system, but correct some of the problems of the older systems. Unlike concurrency, mobility fees allow for greater flexibility and thus can be structured to reflect local growth policy. Without concurrency or mobility fees, taxpayers are burdened with the financial responsibility of paying for development impacts on the road network and other modes of transit.

Based on the direction of both Commissions, funds will be available by October 1st to engage a consultant for the joint mobility fee study. Following these recent actions, County and City staff met with representatives of the Chamber on May 18, 2016 to discuss the mobility fee and the anticipated study process. Prior to initiating the mobility fee study, the Chamber would like to work with the County and City to first analyze the benefits and challenges of the existing system compared to other transportation concurrency alternatives, including mobility fees, so that industry stakeholders can have a better appreciation of the available models to pay for growth. More specifically, the Chamber stakeholders expressed their desire to have the consultant incorporate a phased approach to the mobility fee study to include industry input prior to proceeding with the development of the mobility fee.

In consideration of the Chamber's request, the Board may wish to authorize that the Mobility Fee scope be refined to have the consultant develop and evaluate alternative funding methods, in addition to the Mobility Fee. Should the Board direct, as part of this process, the County Administrator would work with the City Manager in assembling an industry stakeholder group to share their feedback in the process. Upon receiving the consultant's report and evaluation, with input from the stakeholder group, the County and City Commissions would provide the consultant guidance on the development of a mobility fee or alternative transportation fee.

City staff indicates that they will be working over the next several months to formalize this approach.

Title: Consideration of a Request by the Greater Tallahassee Chamber of Commerce to Include Industry Stakeholder Input and an Evaluation of Other Transpiration Fee Alternatives in the Mobility Fee Study Process

June 14, 2016

Page 4

Options:

1. Approve the Greater Tallahassee Chamber of Commerce's request and authorize the County Administrator include an evaluation of alternative transportation fees in the study scope and to work with the City Manager in assembling an industry stakeholder group to share their feedback in the process.
2. Accept the report on the mobility fee study process and take no further action.
3. Board direction.

Recommendation:

Option #1.

Attachment:

1. April 26, 2016 Board Budget Workshop Agenda

Leon County Board of County Commissioners

Budget Workshop Item #10

April 26, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Consideration of Providing Funding to Hire a Mobility Fee Consultant in Coordination with the City of Tallahassee

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Benjamin H. Pingree, Director, Planning Land Management and Community Enhancement Scott Ross, Director, Office of Financial Stewardship Cherie Bryant, Planning Manager
Lead Staff/ Project Team:	Russell Snyder, Land Use Division Manager, Planning Department Susan Poplin, Senior Planner, Planning Department

Fiscal Impact:

This item has the potential to have up to a \$162,500 fiscal impact to the County to jointly fund a Mobility Fee study in FY 2017 with the City of Tallahassee; the total study is estimated not to exceed \$325,000.

Staff Recommendation:

Option #1: Provide \$162,500 in the FY 2017 preliminary budget for a joint Mobility Fee Study with the City of Tallahassee.

Title: Consideration of Providing Funding to Hire a Mobility Fee Consultant in Coordination with the City of Tallahassee
April 26, 2016 Budget Workshop
Page 2

Report and Discussion

Background:

At the March 8, 2016, meeting the Board directed staff to prepare a budget discussion item regarding participating in a joint Mobility Fee Study with the City of Tallahassee (Attachment #1). The cost of the study, estimated at \$250,000 to \$325,000, would be shared equally between the parties. The Planning Department will continue to evaluate elements of the study that could be performed by in-house planning staff in an effort to reduce the overall cost of a consultant study. If a Mobility Fee was implemented, the existing Concurrency Fee structure would be correspondingly eliminated.

The mobility fee is essential to the following revised FY 2012 – FY 2016 Strategic Initiatives that the Board approved at the January 26, 2016 meeting:

- Consider mobility fee to replace the concurrency management system (EN1 and EN2)
- Implement strategies that preserve neighborhoods and create connectedness and livability (Q2 and Q7)

These particular Strategic Initiatives aligns with the following Board Strategic Priorities: Economy, Environment, and Quality of Life:

- Provide essential public safety infrastructure and service which ensure the safety of the entire community (Q2)
- Further create connectedness and livability through supporting human scale infrastructure and development, including: enhancing our multimodal districts. (Q7)
- Protect our water supply, conserve environmentally sensitive lands, safeguard the health of our natural ecosystems, and protect our water quality, including the Floridan Aquifer, from local and upstream pollution (EN1)
- Promote orderly growth which protects our environment, preserves our charm, maximizes public investment, and stimulates better and more sustainable economic returns (EN2)
- Integrate infrastructure, transportation, redevelopment opportunities and community planning to create the sense of place which attracts talent (EC1)

Analysis:

The current County and City concurrency systems are based on statutory requirements adopted in 1985 that required new development to pay for its added impact to road networks. However, concurrency only is paid when a road is near or over capacity, leading to backlogs and cost burdens to later developers who come in after the road's capacity has been consumed. Because this framework makes it more expensive to build in the urban area where roads are more crowded, it tends to push development further and further out into suburban and rural areas. This leads to sprawled development patterns, which further leads to higher capital and operational costs to the taxpayers since new development also needs extended water, sewer, parks, fire, police, and other urban services.

Since the State relaxed concurrency requirements and developed guidance on mobility fees in 2011, numerous cities and counties have enacted mobility fees to replace concurrency. Mobility

Title: Consideration of Providing Funding to Hire a Mobility Fee Consultant in Coordination with the City of Tallahassee
April 26, 2016 Budget Workshop
Page 3

fees still require new development to pay for added impacts to the transportation system, but correct some of the problems of the older systems. Specifically, mobility fees can be structured to:

- reward development closer to activity centers, which better supports infill and economic development;
- fund not only road projects, but sidewalks, trails, bike routes, and transit;
- only applies to new development & major expansions;
- would not apply to a house being built on a vacant lot in an existing subdivision;
- is very customizable to support community goals, such as place-making;
- be more fiscally responsible to taxpayers; and
- be fairer and more predictable for developers.

Without concurrency or mobility fees, taxpayers are then burdened with the financial responsibility for paying for developments impacts on the road network and other transit.

Anticipated Cost and Scope for Developing and Adopting a Mobility Fee

Based on similar studies in other Florida communities, staff estimates the project will cost between \$250,000 and \$325,000 and should include, at a minimum, the following:

- Provide Additional Background and Literature Review
 - Definition and summary of mobility fee
 - Examples of other Florida communities and the current status of each
 - Summary of initial City/County preliminary transportation analysis
- Identify Available Mobility Fee Approaches
 - Coordinate on feasibility study, analysis and findings with City and County Staff
 - Conduct feasibility analysis and identify best potential approach
 - Model best potential approach
- Identify Approach for Outreach and Coordination
 - Surveys as appropriate
 - Meetings (both external and internal to the City and County)
 - Minimum of two public workshops
 - Presentation of recommendations to the Commissions
- Provide the Mobility Fee Ordinances and Fee Structure
 - Develop and provide a draft fee ordinance
 - Identify the mobility fee calculation tables/format/formula
 - Identify items that require change in the Comprehensive Plan and the Land Development Code
- Technical and Expert Support
 - Identify extent of professional expertise and experience with transportation and mobility fee development
 - Identify capacity as a transportation and land use expert witness to support analyses provided
 - Identify any and all work that would be required to implement and maintain the recommended mobility fee system
 - Identify what legal resources would be used in the development of the mobility fee

Title: Consideration of Providing Funding to Hire a Mobility Fee Consultant in Coordination with the City of Tallahassee
April 26, 2016 Budget Workshop
Page 4

Proposed Activities and Schedule Moving Forward

If funds are approved for inclusion in the preliminary budget, staff has developed a possible timeline for moving forward with a study:

- Now-October 2016:** continue work on the land use element update, which will set the framework for the mobility fee study
- Now-October 2016:** engage with and seek input from the business community on the proposed study
- Fall 2016:** begin the advertising/procurement process to hire a consultant
- Fall 2016:** consultant hired; work on the fee begins
- Nov 2016-2018:** mobility fee development

The City of Tallahassee has tentatively approved the inclusion of the funding as part of their budget development process.

Options:

1. Provide \$162,500 in the FY 2017 preliminary budget to hire a consultant to prepare a joint Mobility Fee Study with the City of Tallahassee.
2. Do not provide \$162,500 in the FY 2017 preliminary budget to hire a consultant to prepare a joint Mobility Fee Study with the City of Tallahassee.
3. Board Direction.

Recommendation:

Option #1.

Attachments:

1. March 8, 2016 Agenda Item

**Leon County
Board of County Commissioners**

Notes for Agenda Item #14

Leon County Board of County Commissioners

Cover Sheet for Agenda #14

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: First and Only Public Hearing to Adopt the Solid Waste Disposal Services Non-ad Valorem Assessment Roll and Authorize the Certification of the Entire Roll to Tax Collector

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Tony Park, P.E., Director, Public Works Robert Mills, Assistant Public Works Director Scott Ross, Director, Office of Financial Stewardship
Lead Staff/ Project Team:	Theresa B. Heiker, P.E., Stormwater Management Coordinator Joshua Pascua, Budget and Management Analyst

Fiscal Impact:

This item has a fiscal impact. This non-ad valorem special assessment generates revenue in the amount of \$1,541,320 that is contemplated in the proposed FY 2016/2017 budget.

Staff Recommendations:

Option #1: Conduct the first and only public hearing and approve the Resolution (Attachment #1) adopting the Non-Ad Valorem Assessment Roll for Solid Waste Disposal Services, and authorize the Chairman to certify the Roll to the Tax Collector (Attachment #2).

Report and Discussion

Background:

Section 18-164, Leon County Code of Laws provides that, prior to October 1st of each year, the Board of County Commissioners shall 1) adopt a budget for the operation and maintenance of the Solid Waste Management System; and 2) adopt a resolution incorporating a determination of annual fees, rates, charges, or assessments for disposal service to be imposed upon the owners of improved residential real property in the service area.

Section 197.3632, Florida Statutes, requires that the Board of County Commissioners hold a public hearing and adopt an assessment roll for all properties being assessed for the first time, and certify the entire assessment roll to the Tax Collector by September 15th.

Analysis:

The annual disposal service charge is applied to all single-family residences, with the exception of apartment complexes, mobile home parks, and public lodging establishments that are served by commercial garbage service. The annual disposal service charge covers the cost of transporting, processing and disposing of solid waste. On August 28, 2012 the Board established the annual disposal service charge of \$40.00, which remains in effect annually, thereafter, until such time the Board determines otherwise. No changes are recommended for the FY 2016/17 annual disposal service charge.

The public hearing was advertised in the Tallahassee Democrat at least 20 days prior to the hearing, according to Florida Statute (Attachment #3). Additionally, a first-class U.S. mail notice was sent to owners of property subject to the disposal service charge for the first time.

The proposed assessment roll has been made available for public inspection at the County Administration offices located at the fifth floor of the County Courthouse. However, it has not been attached to this item due to the voluminous nature thereof. The assessment roll contains the name of the owner, the parcel identification number, the parcel address, and the amount of the assessment. Written comments and objections filed by affected property owners, if any, have been compiled and likewise have been made available for public inspection at County Administration. The proposed Resolution adopting the non-ad valorem assessment roll for all properties subject to the assessment for the first time (Attachment #1), and the Certificate to the assessment roll to the Tax Collector (Attachment #2), are attached for the Board's consideration.

Failure of the Board to adopt the Non-ad Valorem Assessment Roll for Solid Waste Disposal Services will create a budget impact in the amount of \$1,541,320 for Fiscal Year 2016/2017.

Options:

1. Conduct the first and only public hearing and approve the Resolution (Attachment #1) adopting the Non-ad Valorem Assessment Roll for Solid Waste Disposal Services, and authorize the Chairman to certify the Roll to the Tax Collector (Attachment #2).
2. Conduct the first and only public hearing and do not approve the Resolution adopting the Non-ad Valorem Assessment Roll for Solid Waste Disposal Services.
(This action would require changes to the FY 2016/2017 proposed budget.)
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Resolution Adopting the Solid Waste Disposal Services Non-ad Valorem Assessment Roll
2. Certificate to Non-ad Valorem Assessment Roll to the Tax Collector.
3. Notice of Public Hearing

RESOLUTION NO. R16-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ADOPTING THE SOLID WASTE DISPOSAL SERVICES NON-AD VALOREM ASSESSMENT ROLL; PROVIDING FOR CERTIFICATION OF THE ROLL TO THE TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on June 25, 1995, the Board of County Commissioners enacted the Solid Waste Disposal Ordinance, which authorizes the Board to establish an *Annual Disposal Service Charge* for the disposal of solid waste, which is an annual special assessment imposed upon each parcel of *Improved Residential Real Property* in the *Service Area* of unincorporated Leon County; and

WHEREAS, on August 28, 2012, the Board of County Commissioners adopted a *Rate Resolution* determining the *Annual Disposal Service Charge* for the operation and maintenance of the solid waste disposal system applicable to all *Improved Residential Real Property* located within the *Service Area* of unincorporated Leon County (see Exhibit 1); and

WHEREAS, pursuant to Section 18-167, Leon County Code of Laws, and Section 197.3632, Florida Statutes, the Board of County Commissioners has reviewed the solid waste disposal services non-ad valorem assessment roll for conformity with the *Rate Resolution*; and

WHEREAS, the Board wishes to approve and adopt the solid waste disposal services non-ad valorem assessment roll and to certify the roll for collection to the Tax Collector; and

WHEREAS, Leon County has provided notice of this public hearing at least twenty days prior to same by first class United States mail and by publication in the *Tallahassee Democrat* advising that a public hearing would take place;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

Section 1. Recitals. The Recitals to this Resolution are incorporated herein and made a part hereof as if fully set forth below.

Section 2. Definitions. For purposes of this Resolution, the definitions contained in section 18-161, Leon County Code of Laws, are incorporated herein by reference.

Section 3. Pursuant to Section 197.3632, Florida Statutes, Leon County hereby approves and adopts the solid waste disposal services non-ad valorem assessment roll, which is attached hereto as Exhibit 2 and incorporated herein as if fully set forth below.

Section 4. The unit of measurement for the annual solid waste disposal services non-ad valorem assessment is as set forth in the *Rate Resolution*, Resolution No. 2012-37, which is attached hereto as Exhibit 1 and incorporated herein as if fully set forth below, and the amount of the annual solid waste disposal services assessment is as further set forth in Exhibits 1 and 2 for each single family unit of *Improved Residential Real Property* located within the *Service Area* of the unincorporated area of Leon County, for the period commencing October 1, 2012, and continuing each year thereafter until such time as the Board determines.

Section 5. The solid waste disposal services non-ad valorem assessment roll is hereby certified to the Tax Collector for collection in accordance with Florida law.

Section 6. This Resolution shall be effective upon adoption.

DONE AND ADOPTED by the Board of County Commissioners of Leon County,
Florida, this 14th day of June, 2016.

LEON COUNTY, FLORIDA

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

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

BY: _____

Approved as to Form:
Leon County Attorney's Office

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

RESOLUTION NO. 2012- 37**A RESOLUTION DETERMINING THE ANNUAL DISPOSAL SERVICE CHARGE FOR THE OPERATION AND MAINTENANCE OF THE SOLID WASTE DISPOSAL SYSTEM APPLICABLE TO ALL IMPROVED RESIDENTIAL REAL PROPERTY LOCATED WITHIN THE UNINCORPORATED AREA OF LEON COUNTY.**RECITALS

WHEREAS, Section 18-165, Leon County Code of Laws, adopted by the Leon County Board of County Commissioners on July 25, 1995, authorizes the Board to impose an annual disposal service charge on all improved residential real property in the service area of Leon County; and

WHEREAS, Section 18-164, Leon County Code of Laws, authorizes the Board to annually adopt a resolution determining the annual disposal service charge to be imposed upon all improved residential real property within the service area; and

WHEREAS, the Board finds that the reasonable costs of providing residential solid waste disposal services within the service area is forty dollars (\$40.00) per single family residential unit per year; and

WHEREAS, the Board finds that the annual disposal service charge shall cover the period from October 1, 2012, through September 30, 2013 and annually thereafter until such time as the Board determines otherwise.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

1. The Recitals set forth above are incorporated herein and made a part hereof.
2. The annual disposal service charge for each single family residential unit located within the service area of Leon County is hereby determined and shall be forty dollars (\$40.00) for the period from October 1, 2012, through September 30, 2013, and annually thereafter until such time as the Board determines.

3. This Resolution shall be effective upon adoption.

DONE AND ADOPTED by the Board of County Commissioners of Leon County,
Florida, this 28th day of August, 2012.

LEON COUNTY, FLORIDA



BY: *Akin Akinyemi*
Akin Akinyemi, Chairman
Board of County Commissioners

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

BY: *[Signature]*

Approved as to Form:
Leon County Attorney's Office

BY: *[Signature]*
Herbert W.A. Thiele, Esq.
County Attorney

EXHIBIT 2

**SOLID WASTE DISPOSAL SERVICES
NON-AD VALOREM ASSESSMENT ROLL**

(Due to the voluminous nature thereof, the assessment roll is not attached to this Resolution in this Agenda Item but has been made available for public inspection in the office of the County Administrator and will be attached hereto upon adoption.)



**CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of Leon Cty. Bd. of County Commissioners , located in Leon County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 14th day of June , 2016 year .

Chairman of the Board or authorized agent
of Leon County Board of County Commissioners
Name of local government

Leon County, Florida

NOTICE OF PUBLIC HEARING

Notice is hereby given, pursuant to Section 197.3632(4)(b), Florida Statutes, that the Board of County Commissioners of Leon County, Florida (the "Board"), will conduct a public hearing on Tuesday, June 14, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider the adoption of a solid waste disposal system non-ad valorem assessment roll for the subject parcels of improved real property located within the unincorporated area of Leon County, Florida.

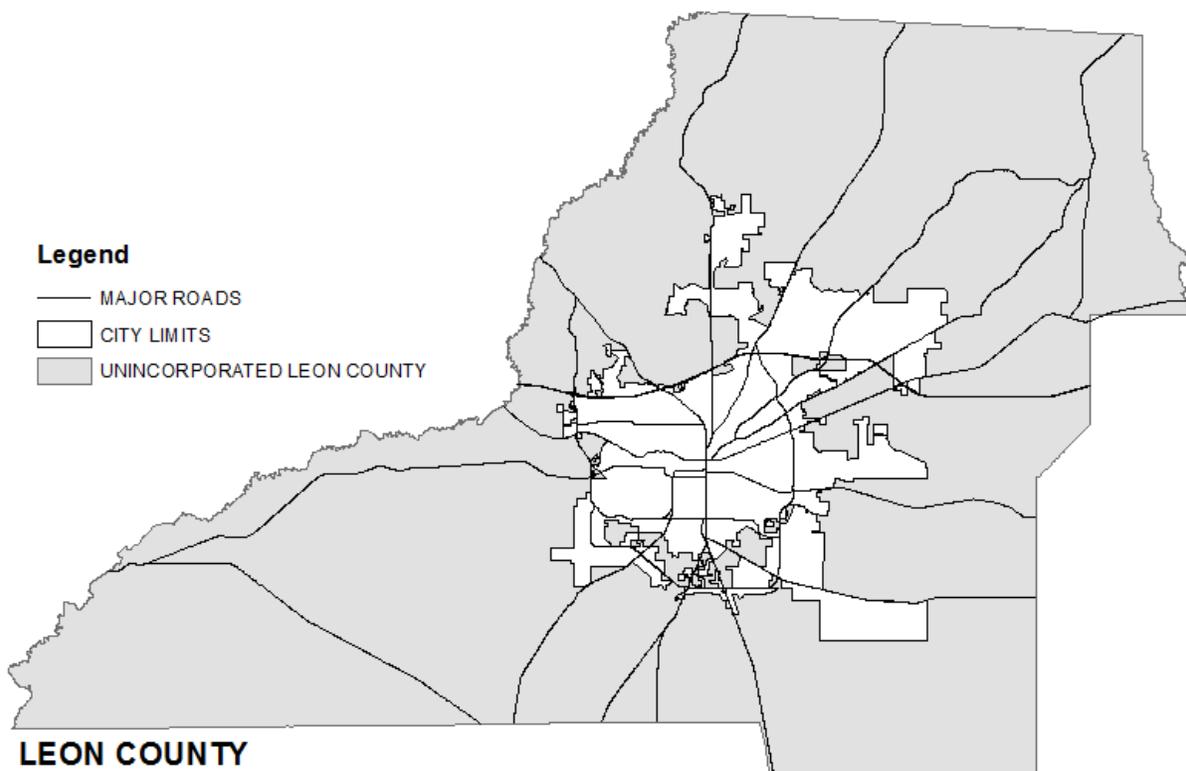
The purpose of the assessment is to equitably recover costs incurred for the construction, operation and maintenance of the solid waste disposal system for the benefit of improved residential parcels of property located within the unincorporated area of Leon County (geographic depiction of the property subject to the assessment is set forth below). The assessment shall be collected annually by the Leon County Tax Collector.

All interested parties are invited to present their comments at the public hearing at the time and place set out above. All affected property owners have the right to appear at the public hearing, and have the right to file written objections with the Board within 20 days of the publication of this notice.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this public hearing should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the date of the public hearing. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), or 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Advertise: May 23, 2016



**Leon County
Board of County Commissioners**

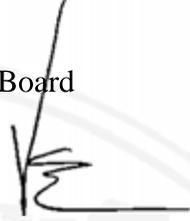
Notes for Agenda Item #15

Leon County Board of County Commissioners

Cover Sheet for Agenda #15

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: First and Only Public Hearing to Approve the Resolution Adopting the Stormwater Non-ad Valorem Assessment Roll and Authorize Certification of the Entire Roll to Tax Collector

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Tony Park, P.E., Director, Public Works Charles Wu, P.E., Director of Engineering Services Scott Ross, Director, Office of Financial Stewardship
Lead Staff/ Project Team:	Theresa B. Heiker, P.E., Stormwater Management Coordinator Joshua Pascua, Budget and Management Analyst

Fiscal Impact:

This item has a fiscal impact. This non-ad valorem special assessment generates revenue in the amount of \$3,539,181 that is contemplated in the proposed FY 2016/2017 budget.

Staff Recommendations:

Option #1: Conduct the first and only public hearing and approve the Resolution (Attachment #1) adopting the Stormwater Non-Ad Valorem Assessment Roll, and authorize the certification of the Non-Ad Valorem Assessment Roll to the Tax Collector (Attachment #2).

Report and Discussion

Background:

The Stormwater Management Assessment was first adopted in September 1991, with a rate of \$20 per single-family unit, with a multiplier for commercial properties based on the amount of impervious area on a parcel. The Board modified the Stormwater Utility Ordinance in July 1995 to allow funding for operation and maintenance expenses, and for the purchase of wetlands and floodplains, with or without proposed structural improvements.

The Ordinance established two classes of property: residential development and non-residential development. Residential development property includes single-family units, mobile homes, and apartments. Under the original Ordinance, each single-family unit was charged a single rate. The rate of \$20 per year was established by Resolution No. 95-24 on September 12, 1995.

During the April 23, 2013 budget workshop, the Board directed staff to implement the \$85 assessment rate, recommended in the new rate study performed by utilizing a variable fee for residential class property. Non-residential development includes all the other developed property except agricultural. The assessment imposed on non-residential property is the rate of one single-family unit (SFU) multiplied by the numerical factor obtained by dividing the total impervious area of the non-residential developed property by the SFU average impervious area. The average SFU impervious area in the unincorporated area of Leon County is 3,272 square feet. For example, a convenience store that has 32,720 square feet of impervious area equals 10 SFU and pays \$850 under the subsequently adopted Rate Resolution.

On May 28, 2013, the Board approved amending the Stormwater Management System Ordinance to reflect the changes in the rate structure as directed at the April 23, 2013 budget workshop. Reductions of up to seventy-five percent (75%) of the stormwater utility services assessment, however, may be granted to property owners upon application by the owner demonstrating that stormwater generated by the parcel is treated by a private stormwater management facility with a valid Leon County operating permit. Any such assessment reduction shall apply only when a private stormwater management facility, which receives stormwater flow from the subject property, maintains a valid Leon County operating permit. The percentage of the adjustment reflects the level of stormwater treatment and attenuation provided by the private facilities, as determined by the local environmental management permit. In addition, residential property owners who qualify with the Leon County Property Appraiser's office as Disabled Veteran or Low Income Senior property owners will receive a fifty percent (50%) reduction in the amount of the stormwater utility services assessment.

The Stormwater Management Assessment is included on the Tax Notice. Section 197.3632, Florida Statutes, outlines the process for collection of non-ad valorem assessments. An assessment roll must be prepared showing all properties being assessed for the first time, which is then adopted by the Board by resolution, and the entire roll certified to the Tax Collector for collection.

Analysis:

The Stormwater Management System Ordinance and Section 197.3632, Florida Statutes, require that the stormwater assessment roll be adopted by Resolution of the Board following a public hearing by September 15th of the year that the fee is imposed against new properties for the first time.

County staff has published notice of the public hearing in the Tallahassee Democrat and provided first class mailed notice to each property owner subject to the non-ad valorem assessment for stormwater management services in accordance with the requirements of Section 197.3632, Florida Statutes (2015) (Attachment #3).

The proposed assessment roll has been made available for public inspection at the County Administration offices located at the fifth floor of the County Courthouse. However, it has not been attached to this item due to the voluminous nature thereof. The assessment roll contains the name of the owner, the parcel identification number, the parcel address, and the amount of the assessment. Written comments and objections filed by affected property owners, if any, have been compiled and likewise have been made available for public inspection at County Administration. The proposed Resolution adopting the non-ad valorem assessment roll for all properties subject to the assessment for the first time (Attachment #1), and the Certificate to the assessment roll to the Tax Collector (Attachment #2), are attached for the Board's consideration.

Options:

1. Conduct the first and only public hearing and approve the Resolution (Attachment #1) adopting the Stormwater Non-Ad Valorem Assessment Roll, and authorize the certification of the Non-Ad Valorem Assessment Roll to the Tax Collector (Attachment #2).
2. Conduct the first and only public hearing and do not approve the Resolution adopting the Stormwater Non-Ad Valorem Assessment Roll.
(This action would require changes to the FY 2016/2017 proposed budget.)
3. Board direction.

Recommendations:

Option #1.

Attachments:

1. Resolution Adopting the Stormwater Assessment Roll
2. Certificate to Non-ad Valorem Assessment Roll to the Tax Collector
3. Notice of Public Hearing

RESOLUTION NO. R16-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ADOPTING THE STORMWATER MANAGEMENT SERVICES AND FACILITIES NON-AD VALOREM ASSESSMENT ROLL; PROVIDING FOR CERTIFICATION OF THE ROLL TO THE TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, on May 28, 2013, the Board of County Commissioners enacted an Ordinance amending chapter 18, article iv, division 3, Leon County Code of Laws, relating to the provision and funding of the *Stormwater Management Services and Facilities* to the *Stormwater Services Area*; and

WHEREAS, on May 28, 2013, the Board of County Commissioners adopted a *Stormwater Assessment Rate Resolution* levying and imposing upon each *Developed Property* located within the *Stormwater Services Area* a *Stormwater Assessment* in an amount found to be reasonably related to the cost of providing the *Stormwater Management Services and Facilities* to such property and thereby providing an equitably corresponding special benefit to such property; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, the Board of County Commissioners has reviewed the *Stormwater Assessment Roll* for conformity with the *Stormwater Assessment Rate Resolution*; and

WHEREAS, the Board wishes to approve and adopt the *Stormwater Assessment Roll* and to certify the roll for collection to the Tax Collector; and

WHEREAS, Leon County has provided notice of a public hearing at least twenty days prior to same by first class United States mail and by publication in the *Tallahassee Democrat* advising that a public hearing would take place.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

Section 1. Recitals. The Recitals to this Resolution are incorporated herein and made a part hereon as if fully set forth below.

Section 2. Definitions. For purposes of this Resolution, the definitions contained in section 18-134.2, Leon County Code of Laws, are incorporated herein by reference.

Section 3. Pursuant to section 197.3632, Florida Statutes (2014), Leon County hereby approves and adopts the *Stormwater Assessment Roll*, attached hereto as Exhibit 2 and incorporated herein as if fully set forth below.

Section 4. The unit of measurement for the *Stormwater Assessment* shall be as set forth in Exhibit 1, the *Stormwater Assessment Rate Resolution*, R13-20, which is attached hereto and incorporated herein as if fully set forth below. The amount of the *Stormwater Assessment* imposed against each subject parcel of *Developed Property* is and shall be as further set forth in Exhibit 2. The *Stormwater Assessment* shall be and is hereby levied and imposed annually commencing October 1, 2013, and continuing each year thereafter until such time as changed or discontinued by the Board.

Section 5. The *Stormwater Assessment Roll* is hereby certified to the Tax Collector for collection in accordance with Florida law.

Section 6. This Resolution shall be effective upon adoption.

DONE AND ADOPTED by the Board of County Commissioners of Leon County,
Florida, this 14th day of June, 2016.

LEON COUNTY, FLORIDA

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

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

BY: _____

Approved as to Form:
Leon County Attorney's Office

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

EXHIBIT 1

RESOLUTION NO. R13-20

**STORMWATER ASSESSMENT RATE RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS, RELATING TO THE
PROVISION AND FUNDING OF THE STORMWATER
MANAGEMENT SYSTEM.**

RECITALS

WHEREAS, the County desires to provide *Stormwater Management Services and Facilities* in the most efficient manner possible in order to promote the health, safety, and general welfare of its citizens; and

WHEREAS, a new and dedicated funding for implementation of the County's *Stormwater Management Plan* is needed to maintain compliance with state and federal requirements, and the levy of a *Stormwater Assessment* is determined to be the most equitable method of providing such funding; and

WHEREAS, those elements of the *Stormwater Management System* that provide for the collection, storage, treatment, and conveyance of *Stormwater* specially benefit all *Developed Property* within the unincorporated area of the County; and

WHEREAS, Florida law authorizes and encourages local governments to create stormwater management systems, provide stormwater management services and facilities, and adopt stormwater charges sufficient to plan, construct, operate and maintain its stormwater management system; and

WHEREAS, the cost of operating and maintaining the County *Stormwater Management System* and providing *Stormwater Management Services and Facilities* in accordance with existing permits and the funding of existing and future repairs, replacements, improvements, and extensions thereof should, to the extent practicable, be allocated in relationship to the benefits enjoyed and services received; and

WHEREAS, on May 28, 2013, the Board of County Commissioners enacted an Ordinance amending ch. 18, Leon County Code of Laws, relating to the provision and funding of the County *Stormwater Management System*.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Leon County, Florida, that:

Section 1. Recitals. The Recitals set forth above are deemed incorporated herein as is fully set forth below.

Section 2. Authority. This Resolution is adopted pursuant to the authority granted the County under Article 8, Section 1, Florida Constitution, ch. 125 and 403, Florida Statutes, the Leon County Charter, and other applicable provisions of law.

Section 3. Definitions. For purposes of this Resolution, the definitions contained in section 18-134.2, Leon County Code of Laws, are incorporated herein by reference.

Section 4. Resolution. This Resolution shall constitute the *Stormwater Assessment Rate Resolution* as described in section 18-134.4(b), Leon County Code of Laws.

Section 5. Provision of Stormwater Management Services and Facilities. The County intends to provide *Stormwater Management Services and Facilities* for the benefit of all parcels of *Developed Property* located within the *Stormwater Services Area* commencing October 1, 2013. All or a portion of the cost to provide such *Stormwater Management Services and Facilities* shall be funded from the proceeds of the *Stormwater Assessment*.

Section 6. Legislative Determinations. It is hereby ascertained, determined, and declared that each parcel of *Developed Property* subject to the *Stormwater*

Assessment located within the *Stormwater Services Area* shall be specially benefited by the provision of *Stormwater Management Services and Facilities*, in an amount and to a degree not less than the *Stormwater Assessment* imposed against such parcel of *Developed Property*, in that such *Stormwater Assessment* as computed in a manner as set forth in this Resolution, constitutes a fair and reasonable charge for the provision of *Stormwater Management Services and Facilities*. It is hereby further ascertained, determined, and declared that the cost of providing *Stormwater Management Services and Facilities* used to compute the *Stormwater Assessment* constitutes a reasonable estimation of the ten (10) year average annual cost of providing *Stormwater Management Services and Facilities* to all parcels of *Developed Property* within the *Stormwater Services Area*. Lastly, the *Stormwater Assessment* is based upon the Leon County, Florida, Stormwater Utility Update, Final Report, dated April 5, 2013 (hereinafter "Rate Study") which is hereby specifically approved and adopted as Exhibit A, same being attached hereto and incorporated herein as if fully set forth below.

Section 7. Stormwater Assessment. A *Stormwater Assessment* is hereby levied and imposed upon each parcel of *Developed Property* located within the *Stormwater Services Area* and which is hereby ascertained, determined, and declared to be reasonably related to the cost of providing *Stormwater Management Services and Facilities* and thereby provides an equitably corresponding special benefit to the *Developed Property*. The *Stormwater Assessment* is hereby ascertained, determined and declared to be based upon a reasonable estimation of a ten (10) year average annual cost of providing *Stormwater Management Services and Facilities* to such *Developed Property*. It is further ascertained, determined and declared that the *Stormwater Assessment* imposed hereby provides a special benefit to and is equitably apportioned among the *Developed*

Properties assessed based upon the special benefit assumptions and apportionment methodology set forth in the Rate Study, Exhibit A. The amount of the *Stormwater Assessment* levied and imposed upon each parcel of *Developed Property* in the *Stormwater Services Area* shall be determined according to the property use category and rate as set forth in Exhibit B, Rate Schedule, commencing October 1, 2013, annually until discontinued or changed by the Board.

Section 8. Residential Credit. The Board hereby provides a fifty percent (50%) residential credit to the *Stormwater Assessment* for County residents owning and residing on residential *Developed Property* who have been qualified with the *Property Appraiser* as either a Low Income Senior or Disabled Veteran in accordance with Florida law. Funds designated by the Board to adequately fund the residential credit shall be paid from funds other than those generated by the *Stormwater Assessment*. The residential credit shall be effective commencing October 1, 2013, and continue annually until discontinued by the Board.

Section 9. Adjustment.

(a) The Board hereby finds that retention of *Stormwater* meeting the standards set forth in sections 10-4.301(3)(b) or (5)(a)(i) and (5)(b), Leon County Code of Laws, would constitute a significant and measureable reduction in County provided *Stormwater Management Services and Facilities*, resulting in an adjustment to the *Stormwater Assessment* to reflect only those costs associated with engineering and permitting services of the *Stormwater Management Services and Facilities* provided. Therefore, the Board hereby creates a 75% adjustment to the *Stormwater Assessment* for the subject *Developed Property*. Upon approval of an application of the owner, a 75% reduction to the *Stormwater Assessment* will be applied to a *Developed Property*,

when a privately owned stormwater management facility serving the subject property has a valid operating permit issued by the County, for a private residential subdivision or an on-site stormwater management facility serving a non-residential property, meeting the requirements of Section 18-134.4(f)(2)a.(1), Leon County Code of Laws. The 75% adjustment will commence October 1, 2013 and will remain in effect so long as the subject property owner's operating permit remains valid, or until such time as discontinued by the Board.

- (b) The Board hereby finds that by demonstrating that *Stormwater* quality treatment and rate attenuation standards applicable at the time of approval of a County issued environmental permit have been met, would constitute a significant and measurable reduction in County provided *Stormwater Management Services and Facilities*. As a result, adjusting the *Stormwater Assessment* to reflect a portion of those costs associated with the *Stormwater Management Systems and Facilities* provided, would result in a 50% reduction in the *Stormwater Assessment*. Therefore, the Board hereby creates a 50% adjustment to the *Stormwater Assessment* for the subject *Developed Property*. Upon approval of an application of the owner, a 50% reduction to the *Stormwater Assessment* will be applied to a *Developed Property*, when a privately owned stormwater management facility serving the subject property has a valid operating permit issued by the County, for a private residential subdivision or an on-site stormwater management facility serving a non-residential property, meeting the requirements of Section 18-134.4(f)(2)a.(2), Leon County Code of Laws. The 50% adjustment will commence October 1, 2013 and will remain in effect so long as the subject property owner's operating permit remains valid, or until such time as discontinued by the Board.

- (c) The Board hereby finds that by demonstrating that *Stormwater* rate attenuation standards applicable at the time of approval of a County issued environmental permit have been met, would constitute a significant and measurable reduction in County provided *Stormwater Management Services and Facilities*. As a result, adjusting the *Stormwater Assessment* to reflect a portion of those costs associated with the *Stormwater Management Systems and Facilities* provided would result in a 25% reduction in the *Stormwater Assessment*. Therefore, the Board hereby creates a 25% adjustment to the *Stormwater Assessment* for the subject *Developed Property*. Upon approval of an application of the owner, a 25% reduction to the *Stormwater Assessment* will be applied to a *Developed Property*, when a privately owned stormwater management facility serving the subject property has a valid operating permit issued by the County, for a private residential subdivision or an on-site stormwater management facility serving a non-residential property, meeting the requirements of Section 18-134.4(f)(2)a.(3), Leon County Code of Laws. The 25% adjustment will commence October 1, 2013 and will remain in effect so long as the subject property owner's operating permit remains valid, or until such time as discontinued by the Board.
- (d) Upon approval of an application of the owner, a reduction to the *Stormwater Assessment* may be applied to the subject *Developed Property*, when the owner demonstrates by competent substantial evidence that alternative means or techniques have been utilized to accomplish the standards set forth in Section 18-134.4(f)(2)a.(1), Leon County Code of Laws.

Section 10. Collection of the Stormwater Assessment. The collection of the *Stormwater Assessment* shall be made pursuant to and in accordance with section 18-

134.5, Leon County Code of Laws and is authorized hereby, commencing October 1, 2013.

Section 11. Effective Date. This Resolution shall have effect upon adoption and shall apply to all parcels of *Developed Property* located within the unincorporated area of Leon County.

Done and adopted by the Board of County Commissioners of Leon County, Florida, this 28th day of May, 2013.



LEON COUNTY, FLORIDA
BY: *Nich*
NICHOLAS MADDOX, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

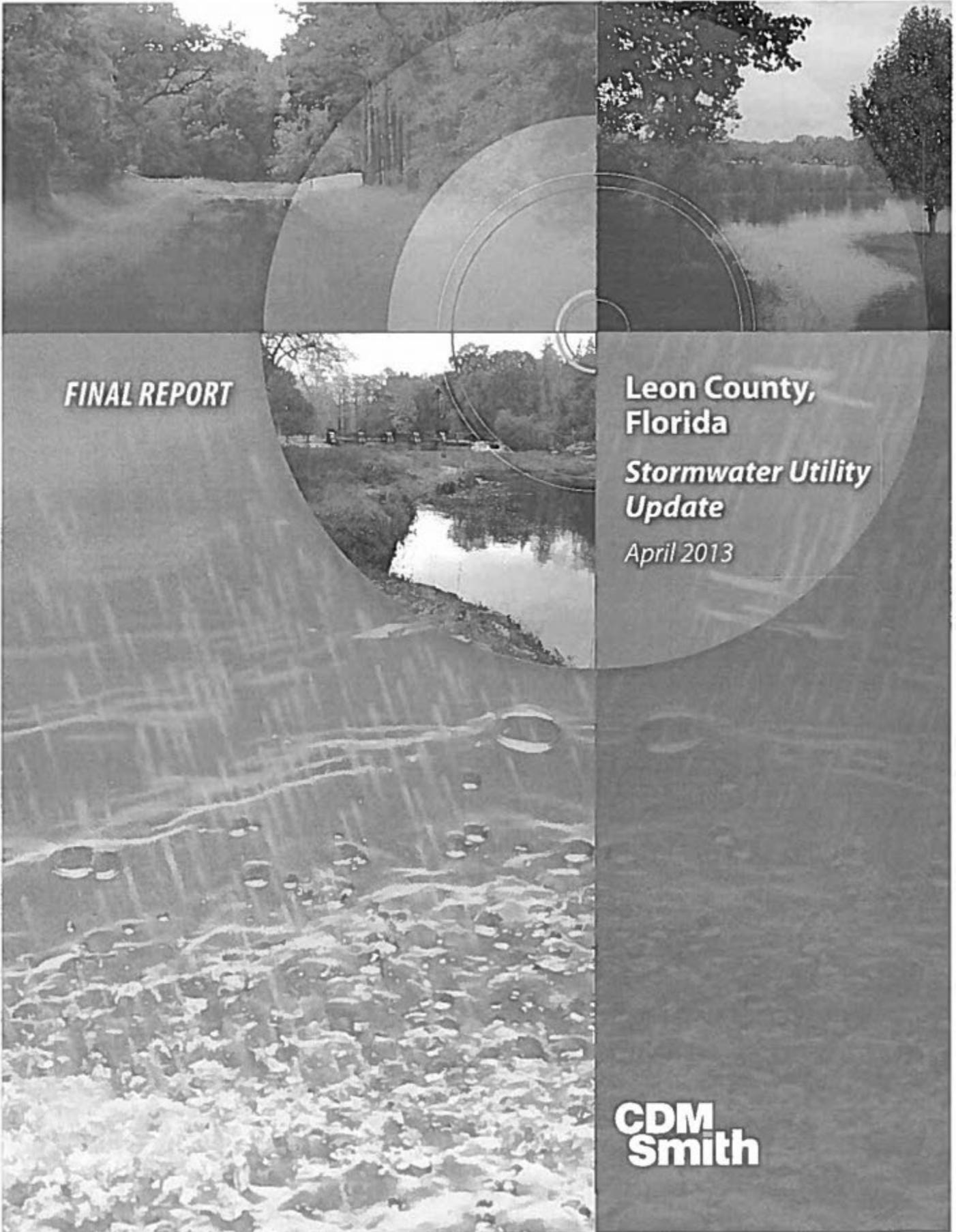
ATTESTED BY:
BOB INZER, CLERK OF THE COURT
LEON COUNTY, FLORIDA

BY: *Bob Inzer*
for Bob Inzer

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

BY: *Herbert W.A. Thiele*
HERBERT W.A. THIELE, ESQ.
Dop. COUNTY ATTORNEY

EXHIBIT A



FINAL REPORT

**Leon County,
Florida**
**Stormwater Utility
Update**
April 2013

**CDM
Smith**

EXHIBIT A



1715 North Westshore Boulevard, Suite 875
Tampa, Florida 33607
tel: 813 281-2900
fax: 813 288-8787

April 5, 2013

Ms. Theresa Heiker, P.E.
Stormwater Management Coordinator
Engineering Services Division
Leon County Public Works Department
2280 Miccosukee Road
Tallahassee, Florida 32398

Subject: Stormwater Utility Update Final Report

Dear Ms. Heiker:

CDM Smith is pleased to submit the Stormwater Utility Update Final Report (5 copies). The final report incorporates final comments and decisions CDM Smith received from the County on March 8, 2013 and early April via e-mail. Highlights from the report are presented below.

Level of Service Analysis

CDM Smith worked with County staff to define program activities and expenditures for Service Areas presented in Figure 1. The assessed level-of-service (LOS) for each program element is highlighted in blue. In general, the County's program is between a LOS C and LOS D. This assessment is based upon services currently being provided by the County and the associated funding of those services as compared to other Florida communities.

Level of Service	Engineering & Permitting Activities	Operation and Maintenance Program Activities	CIP Implementation Period
A	Comprehensive Planning + Full Implementation Capabilities + Exemplary NPDES Permit Compliance	Fully Preventative/ 100% Routine	10-year Plan
B	Pro-Active Planning + Systematic CIP Implementation Capabilities + Proactive Permit Compliance	Mixture of Routine and Inspection Based	20-year Plan
C	Priority Planning + Partial CIP Implementation Capabilities + Minimal NPDES Permit Compliance	Inspection Based Only	40-year Plan
D	Reactionary Planning + Minimal CIP Implementation Capabilities + Below Minimum NPDES Permit Compliance	Mainly Responsive (Complaint-based)	50-year Plan
F	No Planning + No CIP Implementation Capabilities + NPDES Non-Compliance	Less than full response to all complaints	100-year Plan

Figure 1
LOS Analysis of County Stormwater Program Elements



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Ms. Theresa Heiker, P.E.
April 5, 2013
Page 2

In order to maintain the current LOS being provided by the County, and the elimination of the transfer of general revenues to the stormwater utility fund, the updated stormwater utility would need to generate the revenue shown in Table 1. As an option, CDM Smith also considered at the request of the County an additional scenario to add \$2 million in annual revenue for capital improvements.

Table 1
Stormwater Program Costs

Program Element	Budget	% of Total
Engineering & Permitting, and NPDES	\$1,350,000	26.2%
Operations & Maintenance	\$1,800,000	35.0%
Capital Improvement Program	\$2,000,000	38.8%
Total	\$5,150,000	100.0%

Rate Structure Analysis

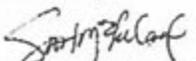
CDM Smith worked with County staff to define and evaluate various stormwater utility rate structure scenarios to generate the program costs. This included an

assessment of impervious area characteristics of parcels located in unincorporated Leon County and the selection of a "single family dwelling unit" (SFU) as the basis for assigning fees to parcel owners. Based on the input from County staff, the preferred rate structure includes tiered non-single family residential rates, non-residential rates based upon their equivalent number of SFU's and the allowance of a credit adjustment. The analysis considered the cost of service within the defined Urban Service Area (USA). Also, the analysis showed that the rate for the USA would be only slightly different than the non-USA area, which may not support the need for different service areas.

Based on the number of SFU's in the County, to generate \$5.15 million in annual stormwater program costs, the fee is estimated to be \$140 per SFU per year assuming a 95 percent collection. To fund the stormwater program costs using a graduated 5-year approach, the fee would start out at \$44 per year per SFU, and increase by \$24 per year per SFU for each of the next 4 years. After five years, the ultimate rate would be \$140 per year per SFU. These estimates are based on a 2 percent growth per year in revenue needs and a 1 percent growth per year (i.e., new construction) in revenues.

We appreciate working with the County on this very important project and look forward to future opportunities.

Sincerely,


Scott McClelland
Vice President
CDM Smith Inc.

cc: Brian Mack



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Section 1

Introduction

In October 2012, Leon County (the County) contracted with CDM Smith to prepare a Stormwater Utility Update Study (the 2012 Study). Procurement for these services was based upon the findings and recommendations from the Board of County Commissioner's Workshop on Stormwater and Solid Waste Non-Ad Valorem Assessments and Transportation Taxes held in February 2012. The original purpose of the 2012 Study was to identify the necessary funding to maintain adequate levels-of-service (LOS) for the County's stormwater management program and to determine the feasibility of eliminating the approximate \$2 to \$3 million subsidy from the County's general fund for stormwater services.

To accomplish this goal, CDM Smith prepared a LOS analysis of the County's stormwater programs (Section 2), performed a rate structure analysis (Sections 3 and 4), and developed subsidy elimination scenarios (Section 5). Also, as part of this work, CDM Smith developed a simple rate model using MS Excel ©, which has been provided to the County. This document summarizes the results and conclusions made for each of these tasks.

In order to compare the various rate structure options considered in Sections 3 and 4, the 2011 Stormwater Utility Survey (2011 Survey) prepared by the Florida Stormwater Association (FSA) was used. This survey included 81 respondents, of which 71 were cities and 10 were counties.

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Section 2

Level of Service

2.1 Stormwater Levels of Service (LOS)

For the purposes of this evaluation, stormwater management services for the County have been organized into four categories as described below:

- **Engineering & Permitting Services (EPS)** – this area of service provides for the management and planning of the stormwater assets for the County. Included are program administration, planning, development review, total maximum daily load (TMDL) Engineering & Permitting, enforcement and monitoring. Also, this includes the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit (FLS000033) compliance activities that are not otherwise accounted for in the other categories.
- **Operation and Maintenance Services (O&M)** – these services include the maintenance of the stormwater assets of the County including mowing, cleaning, litter control, and minor repair.
- **Capital Improvement Program (CIP)** – this includes major construction of new stormwater assets for the County. Projects are generally identified annually in the 5-year CIP program.

In an ideal world with unlimited funding, stormwater management activities would be completed at the highest level. This would result in routinely maintaining all systems, constructing facilities to control every storm, planning for all watersheds to ultimate build out, and performing award winning NPDES compliance. In reality, such funding is not available and thus, services must be provided at a reasonable level that balances services desired by the public with the limited funding available. This level of service (LOS) varies depending on the desires of the community and the issues that need to be addressed.

In order to define the stormwater services provided by the County to its citizens, this study will compare stormwater services provided by the County to a set of standards. The term "LOS" is used in this study to describe the magnitude of beneficial results gained by the community and the environment from the County's stormwater program. A higher LOS will result in better flood control and protection, better control of erosion and sedimentation, and better water quality and stream habitat. This LOS concept is useful for assessing each of the four major stormwater program areas that have been described previously (Engineering & Permitting which includes NPDES Compliance, Operation and Maintenance, and Capital Improvements).

For the purposes of this study, different LOS have been defined and assigned standard letter grades, with "A" being the highest and "F" being the lowest. These standard definitions facilitate evaluation of the LOS currently being provided by the County's stormwater program, and allow consideration of alternative LOS, with their associated benefits and costs. A LOS "F" is considered to be below the minimum regulatory requirements and expectations of the community.

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A matrix has been developed to assist in understanding the different LOS as they relate to the four major program areas (Figure 2-1). Within this matrix, the first column contains the LOS letter grade identification ranging from "A" to "F." Subsequent column headings are provided for the four program areas, and each box within the matrix contains a brief description of the key elements required to achieve the given LOS for each program area. Later in this section, the County's current stormwater program is assigned a letter grade for each program area based on these LOS definitions. CDM Smith also evaluated the current cost of stormwater services as compared to other communities.

Level of Service	Engineering & Permitting Activities	Operation and Maintenance Program Activities	CIP Implementation Period
A	Comprehensive Planning + Full Implementation Capabilities + Exemplary NPDES Permit Compliance	Fully Preventative/ 100% Routine	10-year Plan
B	Pro-Active Planning + Systematic CIP Implementation Capabilities + Proactive NPDES Permit Compliance	Mixture of Routine and Inspection Based	20-year Plan
C	Priority Planning + Partial CIP Implementation Capabilities + Minimal NPDES Permit Compliance	Inspection Based Only	40-year Plan
D	Reactionary Planning + Minimal CIP Implementation Capabilities + Below Minimum NPDES Permit Compliance	Mostly Responsive (Complaint-based)	50-year Plan
F	No Planning + No CIP Implementation Capabilities + NPDES Non-compliance	Less than full response to all complaints	100-year Plan

Figure 2-1 Leon County, Florida Stormwater Utility Update

2.1.1 Engineering & Permitting Level of Service Descriptions

A high LOS related to Engineering & Permitting provides benefits to the community and environment through the following means:

- Comprehensive planning of stormwater management activities and practices increases the opportunity to implement recommendations prior to development or redevelopment occurring, thus decreasing the costs and improving the effectiveness of these best management practices.
- A proper staffing level of County personnel to oversee and manage other program areas (i.e., operation and maintenance and capital improvements) improves the cost-effectiveness and efficiency of these program areas.
- A proper staffing level of County personnel to monitor and enforce stormwater rules and regulations increases the level of compliance by the regulated community, better protecting the community and environment from unlawful activities.
- Full compliance with all state and federal regulatory programs allows the County to qualify and gain higher priority for potential funding opportunities when they are available to the County, and avoids potential fines and/or environmental damage that may result from non-compliance. The data and information gained from monitoring activities required by these programs allows the County to make better decisions as to where to apply resources to gain the most benefit and as to the effectiveness of past and ongoing activities in achieving desired benefits.

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To a large degree, the LOS of the Engineering & Permitting area depends upon the corresponding LOS of the other two major program areas, operation and maintenance and capital improvements. This is because County staff members are required to oversee and manage these other program areas to ensure their cost-effectiveness and efficiency.

However, there are other elements within the Engineering & Permitting area that are not related to O&M or capital improvements. These include enforcement of County development and environmental regulations (e.g., plan review and inspections for soil and erosion control and floodplain regulation, and inspections of stormwater facilities controlling existing development). Other activities that would fall under the Engineering & Permitting category include public information and education about stormwater-related issues, and other supporting functions such as information management, finance, billing, and administration.

The County was first issued its NPDES MS4 permit by the Florida Department of Environmental Protection (FDEP) in 1997 (Permit No. FLS000033). The permit was reissued in 2003 and again on November 1, 2011. Under this permit, the County is required to accomplish and report on various stormwater management activities. Currently, these activities are managed and funded under engineering and permitting services. Compliance is measured by the State using annual reports prepared by the permittee documenting all of the permit related activities accomplished during the permit year.

The various LOS for Engineering & Permitting are described below:

- **LOS A:** Watershed planning completed or scheduled dealing with existing and future stormwater problems (drainage and water quality); complete inventory of stormwater system in a geographic information system (GIS) database. Includes exemplary and/potentially award winning compliance with State and Federal NPDES permit requirements.
- **LOS B:** Increased planning for the watershed considering not only existing problems but also future problems that may be caused by growth; partial stormwater system inventory and sufficient management to administer the program and complete limited CIP projects. Provides proactive NPDES compliance with permit conditions and represents activities that are better than simply a minimal compliance with the letter of the permit, no substantive comments or requests from the annual report review and associated FDEP inspection.
- **LOS C:** Partial planning of watershed, limited stormwater system inventory and some ability to manage capital improvement projects; planning focused on dealing with major or significant existing problems. Middle-of-the-road and minimal accepted LOS with adequate compliance with NPDES permit conditions, some comments received during the annual review, but no major compliance issues are received from FDEP.
- **LOS D:** Poor management characterized by minimal or no planning; some ability to perform project management for capital projects; poor inventory of stormwater system and limited staff to administer the program. Not complying with NPDES permit conditions, characterized by substantive comments on the annual report and during the annual inspection.
- **LOS F:** No management or planning, no system inventory, and no ability to accomplish CIP projects or planning. Non-compliance with major NPDES permit conditions, with the permittee subject to potential fines from the state for noncompliance.

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2.1.2 Operation and Maintenance Level of Service Descriptions

A high LOS related to operation and maintenance provides benefits to the community and environment through the following means:

- The useful life of the County's stormwater infrastructure is extended through proper operation and routine maintenance of these assets. This results in cost savings by delaying the need for major rehabilitation or replacement of these assets
- Cleaning of swales, catch basins, culverts, and ditches maintains the hydraulic capacity of these items, thus decreasing the frequency of flooding that may occur upstream of and in the vicinity of these areas.
- Regular removal of trash, debris, sediment, and excess vegetation from the stormwater system improves water quality of streams and downstream waterways as well as the aesthetic value of these areas to the community. Regular street sweeping and greenway maintenance achieves similar benefits.

The LOS for O&M are described below:

- **LOS A:** Highest O&M service level that is fully preventative – all maintenance is completed routinely, addressing every stormwater facility once or more each year.
- **LOS B:** Mixture of routine and inspection based maintenance. Critical structures are routinely maintained, both periodically during each year and possibly before each storm event, and non-critical structures are maintained based on inspection.
- **LOS C:** Inspection based maintenance whereby all structures are routinely inspected by management and maintenance is scheduled according to the inspection.
- **LOS D:** Complaint-based maintenance – all maintenance is done based on citizen complaints; generally characterized by work order based activities resulting from citizen call in complaints.
- **LOS F:** Less than complaint-based maintenance, with limited or no ability to even respond to complaints.

Once achieved, a LOS "A" may be less costly than lower LOS because it should reduce the frequency of high-cost capital expenditures such as repairs to failed facilities, unscheduled labor overtime, and high administrative costs. The challenge, however, is that the transition from a lower LOS to a LOS "A" cannot be achieved immediately.

2.1.3 Capital Improvements Level of Service Descriptions

A high LOS related to capital improvements provides benefits to the community and environment through the following means:

- Construction of stormwater system conveyance improvements reduces flooding in known problem areas, thus better protecting public and private property from flood damage.
- Protection and/or improvement of existing lakes, ponds, and wetlands supports downstream water quality objectives by providing treatment of stormwater runoff entering these waters.

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- Acquiring and preserving stream buffers and other environmentally sensitive areas provides water quality improvement, increased habitat opportunities, and improved aesthetic value of the surrounding environment.
- Restoration and/or stabilization of streams and other areas subject to erosion reduces sediment transport, thus decreasing the need for downstream maintenance and improving downstream habitat.

Alternate LOS associated with capital improvements primarily distinguishes between the level of funding and rate of implementation for identified capital improvement needs. LOS "F" through "A" were assumed to correspond to an implementation period of 100 years to 10 years, respectively. The implementation schedule for capital improvements under any of these LOS could be accelerated through the issuance of revenue debt, with annual stormwater utility fees servicing the debt. It should be noted, however, that deferred implementation of some capital improvements would likely increase the costs of the required improvements, thus further delaying the schedule for full implementation.

2.2 Description of Current County Stormwater Program

2.2.1 Engineering Services Division

The goal of the Engineering Services Division "is to provide the public with professional services for the construction and maintenance of cost-effective infrastructure to enhance the community's quality of life". Within the Engineering Services Division are four full time employees dedicated to the County's stormwater management program. There are other staff within the Engineering Services Division that dedicate a portion of their time to stormwater management services. The appropriation of stormwater related costs is discussed later in this document. In general, the stormwater services provided by the Engineering Services Division include:

In-house Design Services

For small CIP projects, the Engineering Services Division provides in-house design services.

Project Management Services for CIP

For stormwater CIP projects, the Engineering Services Division provides project management services. This includes oversight of the technical aspects of the project during both design and construction.

Review of Development Plans

The Engineering Service Division is also periodically asked to review the stormwater elements of development plans submitted to the County. The review includes the associated stormwater management systems intended to meet local, state, and federal requirements. Support is also provided on wetland planting plans or review of environmental impacts.

Inspections of New Construction Sites

In addition to review of development plans, the Engineering Services Division is responsible for construction inspection activities that include enforcing erosion and sediment best management practices for County construction projects.

Stormwater Engineering & Permitting and Planning

These activities primarily focus on staff time associated with the continued management and planning of the County's stormwater services. Increased Engineering & Permitting services may be needed to

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address the regulatory changes affecting how the County manages new mandates related to improved water quality. The County also represents County interests with the BluePrint 2000 program.

Stormwater Master Planning

Under the direction of the Engineering Services Division, a stormwater master plan was completed in 1995 for the County's Primary Stormwater Management System (PSMS). Since the completion of the study, the County has been implementing CIP projects to address identified problem areas as funding becomes available. In recent years, funding of CIP projects has been accomplished with grant monies and other sources. No CIP funding has come from the existing stormwater utility.

CIP Program

On an annual basis, the County updates and prioritizes its CIP needs and then implements the project as funding becomes available. CIP prioritization is based upon previous master planning efforts and flooding complaints from the community. Priority has been given to flood complaint based projects. As a result of aging infrastructure, it is expected that the CIP needs will increase, and thus will require additional funding. Currently, the existing stormwater utility is not used for funding of the County's CIP program. Since 2003, the County has averaged approximately \$4.6 million in expenditures in its stormwater CIP.

Grant Funding Pursuits

The Engineering Services Department look for opportunities for grant funding of stormwater related services. The most recent example is grant monies secured as a result of Tropical Storm Faye to mitigate flooding problems that occurred as a result of the storm.

Total Maximum Daily Load (TMDL) Engineering & Permitting

The TMDL program requires governments to reduce pollutant loads to impaired waters as identified by the Florida Department of Environmental Protection (FDEP) and/or the Environmental Protection Agency (EPA). As a result of TMDL regulations, the County may be required to reduce pollutant loads leaving its stormwater system into waters of the United States. The County has a list of waters deemed impaired by FDEP and the EPA. It is expected that the County will have to look at opportunities to reduce nutrients in several of the basins.

NPDES MS4 Compliance & Reporting

The County has been meeting the requirements for their NPDES MS4 since first being issued (Permit No. FLS000033). In 2011, FDEP has renewed the permit, which requires the County to expand their stormwater program moving forward. Under the new permit, the County is now responsible for several new/enhanced activities. These activities will require additional funding to be compliant with the permit conditions.

Stormwater Utility Program

The Engineering Services Division is responsible for the administration of the Stormwater Utility Program.

2.2.2 Operation Services Division

Following a reorganization effort in 2008, the Operation Services Division of Public Works became responsible for the following services areas:

- Transportation Maintenance;

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- Right-of-Way Management; and,
- Stormwater Maintenance.

Each of these three functions involves O&M services for stormwater management systems as described in the paragraphs below.

Transportation Maintenance

The goal of the Division of Operations Transportation Program is to "provide for the safety, comfort, and convenience of the public by creating, maintaining, and managing infrastructure and programs supporting transportation, roadside beautification, and stormwater maintenance". Activities related to stormwater management provided under transportation maintenance services include dirt road grading, stabilization and ditch maintenance.

Based upon Tallahassee Leon County GIS street segment data, there are 1,365 lane-miles that are currently being maintained by the Operations Services Division. Approximately, 51 percent of these roads are located within the Urban Service Area (USA). The County also estimated that 628 of the 1,365 lane-miles (46 percent) have a greater functional designation than "local road". For these roads, the expenses associated with transportation and stormwater O&M activities should be shared between transportation and stormwater funding sources. Sharing of these costs is common practices throughout Florida municipalities.

For the unpaved roads, the County provides grading services, including the adjacent roadside ditches on an approximate 14 day cycle. The County has 2 excavation crews available for this purpose. Additionally, the County maintains approximately 107 lane-miles within the City of Tallahassee limits. Approximately 46 percent of the lane-miles within the City limits are served by curb and gutter and closed systems (pipes) for stormwater management. The remainder is served by open systems (e.g. swales).

Right-of-Way Management

The goal of the Division of Operations Right-of-Way Management is to "provide for the safety, comfort, and convenience of the public by managing programs that support transportation, roadside beautification, and stormwater maintenance". Activities related to stormwater management under Right-of-Way management include:

- Mowing in landscape areas of County rights-of-way; and,
- Maintenance of vegetation in County maintained stormwater facilities.

The County mows approximately 500 miles of road Right-of-Way, five times each year (2,500 miles of roadway mowing annually). In addition, the County maintains approximately 42 acres of landscaped areas 11 times each year. The County expects more landscaped stormwater facilities in the future as a result of increased interests in green infrastructure for water quality improvement, and therefore, the demand for O&M services will increase.

Operations – Stormwater Maintenance

The goal of the Division of Operations Stormwater Maintenance Program is to "provide for the safety, comfort, and convenience of the public by creating, maintaining, and managing infrastructure and

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programs supporting transportation, roadside beautification, and stormwater maintenance".

Activities related to stormwater management under Stormwater Maintenance include:

- Maintaining open and closed County owned drainage systems;
- Protect citizens from stormwater runoff (flooding);
- Provide silt removal from open and closed stormwater systems;
- Provide erosion protection through sod and hydromulch of ditches;
- Respond to stormwater issues identified by citizens;
- Construction and/or repair of stormwater structures (i.e., swale ditch blocks, inlets, etc.);
- Conduct routine maintenance to stormwater ponds and ditches (i.e., mowing, fence repair, etc.);
- Remove silt from County owned ponds and replace stormwater filter systems;
- Provide pond stabilization for erosion protection; and,
- Conduct inspections of stormwater ponds and conveyance systems for permit compliance.

As indicated above, the majority of stormwater services are provided by the Division of Operations under Stormwater Maintenance. It should be noted that approximately 75 percent of stormwater services are complaint based. The County maintains approximately 300 stormwater ponds. All but 10 of the stormwater ponds are "dry" ponds and require mowing. Mowing of the County-owned ponds is inspection-based and not complaint-based. Aquatic weed control is provided as necessary.

The County provides operation and maintenance services for approximately 60 miles of ditches, broken into 60 maintenance segments. Approximately 25 percent of the segments receive O&M annually. Pond maintenance also includes debris removal and mowing of the banks of Lake Henrietta. Two County crews are used to provide approximately 150,000 linear feet of ditch maintenance annually (28 miles per year). A third crew was eliminated during the last reorganization of the Operations Division.

2.3 Current County Stormwater Program Funding Summary

Based upon review of the Fiscal Year 2012/2013 Annual Budget Five-Year Financial Plan (Budget Document), and the information provided by the Leon County Office of Management and Budget, CDM Smith compiled a stormwater service funding and appropriation table (See Table 2-1). As can be seen from the table, the average budget for stormwater services for Fiscal Year 2011 through Fiscal Year 2013 is approximately \$4.8 million. Of the \$4.8 million, approximately \$1 million comes from the non-ad valorem assessment (stormwater utility fees), \$1.2 million from the Transportation Trust Fund, \$2.5 million from the non-countywide fund, and the balance from miscellaneous sources. To account for the funding to pay for related stormwater and engineering services, funds are transferred between stormwater and transportation funds. It is important to note that both of these funds are supported by General Revenue. \$1.2 million in transportation funds are transferred to the stormwater program to fund the maintenance of stormwater systems associated with roadways. The County's engineering services, including stormwater engineering costs, are accounted for in the Transportation Trust Fund. \$1.6 million in revenue from the Stormwater Fund is paid back to the Transportation Trust Fund to pay for related engineering and operating services. Additionally, it is the goal of the County to

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Table 2-1
Leon County, Florida
Stormwater Utility Update - Stormwater Management and Operations Budgets and Costs
As Shown in the Leon County Annual Budget, 5-Year Financial Plan and CIP, FY12/13

Revenue Sources for Stormwater Utility Fund	FY 2011 Actual Revenue	FY 2012 Adopted Revenue	FY 2013 Budget Revenue	3-Year Average
Non Ad-valorem Assessment	\$1,006,742	\$1,021,250	\$1,004,150	\$1,010,714
City Permit Water Atlas	\$18,750	\$25,000	\$0	\$14,583
Pooled Interest Allocation	\$37,644	\$35,625	\$44,745	\$39,338
Other Sources	\$137,245	\$0	\$0	\$45,748
Transfer from 106 (Transp. Trust)	\$1,179,177	\$1,248,251	\$1,072,112	\$1,166,513
Transfer from 126 (non- countywide)	\$1,890,951	\$2,618,647	\$2,985,242	\$2,498,280
Miscellaneous	\$0	\$290,000	\$0	\$96,667
	\$4,270,508	\$5,238,773	\$5,106,249	\$4,871,843
Actual Expenses or Budgeted Expenses for Stormwater Utility Fund	FY 2011 Actual Expenses	FY 2012 Adopted Budget	FY 2013 Requested Budget	8-Year Average
Stormwater Maintenance ¹	\$2,241,834	\$2,774,701	\$2,748,500	\$2,588,345
MIS Automation - Stormwater	\$626	\$568	\$500	\$565
Stormwater Utility Risk	\$35,769	\$32,231	\$19,644	\$29,215
Indirect Costs - Stormwater	\$549,016	\$619,399	\$425,552	\$531,322
Tax Collector	\$20,849	\$17,910	\$18,447	\$19,069
Water Quality & TMDL Sampling	\$37,500	\$59,940	\$0	\$32,480
Transfers to Account 106	\$1,067,204	\$1,699,024	\$1,886,104	\$1,550,777
Budgeted Reserves - Stormwater	\$0	\$35,000	\$35,000	\$23,333
	\$3,952,798	\$5,238,773	\$5,133,747	\$4,775,106

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eliminate the transfer of the approximate \$2.5 million of Non-Countywide funds with revenue generated from the updated stormwater utility rate structure.

The County expends \$4.8 million for various stormwater related activities. Approximately \$2.6 million is spent on stormwater O&M, \$1.6 million is transferred back for engineering services, and the remaining \$600,000 is spent on various other stormwater functions located in the stormwater fund.

It is a common practice for other County stormwater programs in Florida to fund the O&M for major roads using transportation funds. Consistent with this practice, in future years, the County has identified \$800,000 in the Transportation Trust Fund for stormwater O&M on major roads. The County estimated this cost using the assumption that 46% of County roads are classified as greater than "local" and that 67% of O&M budget (\$2.6 million) is spent on roadway stormwater maintenance ($\$2.6 \text{ million} \times 67\% \times 46\% = \$800,000$). As a result, the stormwater utility will only need to fund \$1.8 million for stormwater facility and conveyance O&M and not the full \$2.6 million ($\$2,600,000 - \$800,000$). Therefore, the actual funds that will be appropriated from the stormwater utility fund will be \$3.15 million.

Historically, the County has spent an average of \$4.6 million on its CIP program (FY2003 – FY2012). The majority of the dollars were secured from revenue sources other than what is generated by the County's current stormwater assessment fee. Moving forward, the County anticipates using approximately \$2.0 million for its stormwater CIP program as a minimum amount. This is based upon the last 10 years of stormwater CIP appropriations from the County's CIP program, Gas Tax, and Local Options Sales Tax. A summary of the historical CIP expenditures by fund is presented in Table 2-2.

Based on a review of the existing County stormwater program by CDM Smith, discussions with county staff, and the LOS definitions provided previously, the following LOS ratings are provided for the current County stormwater program.

2.3.1 Current Engineering & Permitting LOS

The County's currently provides a LOS C for Engineering & Permitting. While the County completed a stormwater master plan in 1995, it has not been updated nor have basin plans related to water quality protection been completed. Also, the County continues to inventory of stormwater facilities.

2.3.2 Current NPDES Compliance LOS

Based on this assessment of the compliance activities for the County, the existing program has achieved adequate compliance so would be designated a LOS C. The County does additional stormwater monitoring above what is required for permit compliance.

2.3.3 Current Operation and Maintenance LOS

The existing O&M LOS is primarily complaint based. There are limited inspection based O&M practices related to pond mowing. Based upon the LOS criteria previously defined in Figure 2-1, the current LOS provided by the County is D. This LOS rating is indicative of resource limitations and not effort.

2.3.4 Current Capital Improvements LOS

The current LOS provided by the County related to capital improvements associated with stormwater management is LOS D+. Projects are completed based upon need and fiscal resources. It should be noted that the currently, the stormwater utility does not fund the County's stormwater CIP.

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Table 2-2
Leon County, Florida
Stormwater Utility Update - Capital Expenditures and Source of Funding

Capital Improvement Projects - Funding Source	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	10-Year Average
Grants - 125	\$0	\$508,671	\$21,391	\$0	\$1,641,670	\$110,057	\$200,000	\$308,021	\$1,097,013	\$2,086,385	\$597,321
Capital Improvements Fund - 305	\$509,975	\$1,361,643	\$1,388,050	\$2,021,548	\$1,838,855	\$615,355	\$1,350,106	\$2,171,559	\$2,098,912	\$2,306,180	\$1,566,218
Transportation Fund - 306	\$0	\$1,863	\$9,722	\$294,483	\$35,616	\$32,677	\$37,486	\$80,172	\$199,875	\$49,759	\$74,165
Sales Tax Fund - 308	\$10,914	\$161,000	\$118,891	\$326,234	\$0	\$0	\$0	\$0	\$0	\$0	\$61,704
Sales Tax Extension Fund - 309	\$71,778	\$2,753	\$937,510	\$6,857,166	\$1,185,613	\$1,997,770	\$1,796,482	\$1,812,261	\$653,984	\$2,593,600	\$1,790,892
Bond Series - 318	\$1,474,768	\$2,733,623	\$581,544	\$261,867	\$37,382	\$0	\$0	\$0	\$0	\$0	\$508,918
Totals	\$2,067,435	\$4,769,553	\$3,057,108	\$9,761,298	\$4,739,136	\$2,755,859	\$3,384,074	\$4,372,013	\$4,049,784	\$7,035,924	\$4,599,218

Capital Improvement Projects - Funding Source	10-Year Average
Capital Improvements Fund - 305	\$1,566,218
Transportation Fund - 306	\$74,165
Sales Tax Fund - 308	\$61,704
Totals	\$1,702,088

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Figure 2-2 illustrates the current LOS for the County based on this assessment. Overall, the County is assessed as being between a C and D* for the LOS.

Level of Service	Engineering & Permitting Activities	Operation and Maintenance Program Activities	CIP Implementation Period
A	Comprehensive Planning + Full Implementation Capabilities + Exemplary NPDES Permit Compliance	Fully Preventative/ 100% Routine	10-year Plan
B	Pro-Active Planning + Systematic CIP Implementation Capabilities + Proactive NPDES Permit Compliance	Mixture of Routine and Inspection Based	20-year Plan
C	Priority Planning + Partial CIP Implementation Capabilities + Minimal NPDES Permit Compliance	Inspection Based Only	40-year Plan
D	Reactionary Planning + Minimal CIP Implementation Capabilities + Below Minimum NPDES Permit Compliance	Mainly Responsive(Complaint-based)	50-year Plan
F	No Planning + No CIP Implementation Capabilities + NPDES Non-compliance	Less than full response to all complaints	100-year Plan

Figure 2-2 Leon County, Florida Stormwater Utility Update

2.4 Existing Program Cost Comparison

CDM Smith used a "top-down" approach to establish a base line for varying levels of service. This approach uses standard unit costs to estimate the total program cost. Typically, costs are related to population (i.e., cost per capita) or to road or lane mile, with the latter tending to relate best to O&M costs and the former relating to total and Engineering & Permitting costs. Table 2-3 shows the results for a number of communities in Florida and other states for which population, funding, road miles and level of service were available. Based on these data, the top-down costs for the different LOS above the current LOS for the County was estimated.

Table 2-3 Leon County, Florida Stormwater Utility Update
LOS Costs

Population Based Level of Service (EPS, O&M, CIP)	Average	Minimum	Maximum
A	\$61	\$59	\$63
B	\$44	\$27	\$60
C	\$25	\$17	\$43
D	\$21	\$12	\$28
Lane Mile Based Level of Service (O&M only)	Average	Minimum	Maximum
A	\$12,201	\$6,550	\$17,852
B	\$8,044	\$3,148	\$11,104
C	\$6,079	\$2,698	\$10,090
D	\$2,442	\$1,216	\$3,216

As previously shown in Table 2-1, the County spends approximately \$3.95 million on its stormwater program, including the \$800,000 from the Transportation Trust Fund. Using a population estimate of 95,000 (2011 Census Estimate), this is an equivalent cost of \$42 per capita for stormwater services. Using the benchmark data presented in Table 2-3, this is between a LOS C and LOS B. When you consider the County appropriates a portion of its stormwater budget on stormwater maintenance activities associated with roadways within the City of Tallahassee limits, the result would move the benchmark LOS closer to LOS C. This result is consistent with the LOS determination using County specific data (see Section 2.3).

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A comparison of the O&M LOS based upon the lane miles of County road currently being maintained was also performed. Currently, the County maintains approximately 1365 lane-miles of roadway. As previously discussed, approximately 694 lane-miles are within the USA and 107 lane-miles are within the City of Tallahassee limits. Because the County maintains roads inside city limits and the costs for this work is included in the overall expenses recorded here, the LOS is identified with Table 2-3 is slightly lower than it is in reality. Based upon the \$2.6 million appropriation for stormwater O&M (see Table 2-1), the County spends approximately \$1,904 per roadway lane-mile on stormwater O&M services. Based upon the benchmark information presented in Table 2-3, this equates to a LOS D, which is consistent with the LOS determination using County specific data (see Section 2.3).

2.5 Stormwater Program Level of Service Improvements

The cost of the County's stormwater program at the current LOS is \$3.95 million. As previously discussed, approximately \$800,000 will come from the Transportation Trust Fund to maintain arterial and collector roadways, leaving \$3.15 million to be funded by the stormwater assessment, annually. The recommended allocation of the \$3.15 million is presented in Table 2-4. In order to provide \$2 million for its CIP program into the stormwater utility fund, the total revenue needed from the stormwater utility fee would be \$5.15 million.

**Table 2-4 Leon County, Florida
Stormwater Utility Update – Stormwater Management and
Operation Estimated Budgets Excluding and Including CIP**

Revenue Sources for Stormwater Utility Fund	Existing Budget
Engineering & Permitting Services	\$1,350,000
Stormwater Maintenance	\$1,800,000
Total	\$3,150,000

Revenue Sources for Stormwater Utility Fund	Future Budget
Engineering & Permitting Services	\$1,350,000
Stormwater Maintenance	\$1,800,000
Capital Improvement Projects	\$2,000,000
Total	\$5,150,000

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Section 3

Parcel Analysis

A stormwater utility program includes a utility fee that is generally based upon the amount of impervious area on a fee payer's land. Generally, the greater the amount of impervious area, the greater amount of stormwater runoff and, subsequently, the greater the effort local cities and counties have to expend to control the runoff. While there are a number of parameters related to runoff, the best parameter is the amount of impervious area. Therefore, to understand the stormwater assessment for Leon County (the County), this project included a study of impervious area as well as other parcel-based information that may be pertinent to the utility assessment.

Based on CDM Smith experience, it has been found in Florida and other parts of the country that there tend to be two distinct categories of parcels which need study: residential and non-residential. Generally, the impervious areas of residential parcels represent relatively uniform classes while the impervious areas for non-residential parcels vary significantly.

Provided in this section is a discussion of the parcels in the study area. The data used in the analysis were obtained from Tallahassee-Leon County GIS (GIS). A brief description of the data and techniques used is provided prior to the consideration of the results for each general parcel type.

3.1 Tallahassee-Leon County GIS and Leon County Appraisal Data

The GIS staff provided CDM Smith with parcel specific GIS and database information. From these records and conversations with the GIS staff, a dataset of parcel information was obtained, a summary of which is provided below.

3.2 Results of Parcel Assessment

A summary of the 2012 parcel data for the Unincorporated County as defined by GIS & LCPA data is provided in **Table 3-1**. The table lists the parcel types, number of parcels encountered in the dataset, number of estimated dwelling units, the impervious areas used for the assessment and the assessment revenues. The data are separated into residential, non-residential and vacant categories. The percentages are rounded to the nearest 10th percent. Also included in these tables are the relative percent of the County each category represents. It should be noted that there are a number of "vacant" parcels as defined by the GIS datasets (1,289 to be precise). These parcels, although coded as if they have no development (i.e., vacant), were considered in the analysis as they did have onsite improvements such as mobile homes or parking areas. For the purposes of the summary the 100 Department of Revenue Codes were categorized as follows:

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**Table 3-1 Leon County, Florida
Stormwater Utility Update
Summary of Unincorporated County Parcel Data FY 2011-2012**

Parcel Type	No. of Parcels	% of Total	Estimated Dwelling Units	% of Total	Impervious Area (sq ft)	% of Total	SWU Assessment	% of Total
Residential								
Single Family ¹	27,130	73.6%	27,130	73.4%	107,177,177	64.3%	\$542,600	58.4%
SFR with > 1 DU	769	2.1%	1,900	5.1%	4,958,171	3.0%	\$38,020	4.1%
Mobile Home	5,652	15.3%	5,652	15.3%	12,031,183	7.2%	\$113,040	12.2%
Mobile Home with >1 DU	451		1,091		1,944,451		\$21,820	
Condominium								
Multifamily 2-9 DUs	264	0.7%	669	1.8%	929,558	0.6%	\$13,380	1.4%
Multifamily >9 DUs	3	0.0%	332	0.9%	1,091,838	0.7%	\$1,060	0.1%
Misc. Residential	204	0.6%	204	0.6%	508,874	0.3%	\$4,780	0.5%
Subtotal Residential	34,473	93.6%	36,978	100.0%	128,641,252	77.1%	\$734,700	79.0%
Nonresidential								
Commercial	477	1.3%			15,650,717	9.4%	\$71,918	7.7%
Industrial	253	0.7%			7,876,516	4.7%	\$39,704	4.3%
Agricultural	1	0.0%			61,734	0.0%	\$40	0.0%
Institutional	50	0.1%			1,748,510	1.0%	\$9,134	1.0%
Churches	138	0.4%			2,736,354	1.6%	\$17,406	1.9%
City/County	45	0.1%			1,224,439	0.7%	\$5,384	0.6%
Governmental	25	0.1%			1,738,624	1.0%	\$1,776	0.2%
Public Schools	9	0.0%			2,491,003	1.5%	\$2,206	0.2%
Miscellaneous	80	0.2%			750,427	0.4%	\$6,964	0.7%
Subtotal Nonresidential	1,078	2.9%			34,278,324	20.6%	\$154,532	16.6%
Vacant								
Vacant Residential	1,171	3.2%	1,275		2,330,028	1.4%	\$29,360	3.2%
Vacant Commercial	72	0.2%			1,085,112	0.7%	\$9,372	1.0%
Vacant Industrial	33	0.1%			97,222	0.1%	\$1,000	0.1%
Vacant Institutional	13	0.0%			360,289	0.2%	\$906	0.1%
Subtotal Vacant	1,289	3.5%			3,872,651	2.3%	\$40,638	4.4%
Total Unincorporated	36,840	100.0%	38,253		166,792,227	100.0%	\$929,870	100.0%
Total Developed	35,551		36,978		162,919,576			
Estimated Unincorporated Population ²			89,895					
Estimated 2011 Population (2010 Census Estimate)			95,006					

Notes:

- 1 Based on NAV Database, some SFU (DOR Code 01) have more than 1 DU.
- 2 Estimated population based on 2.35 persons per DU (2010 Census)

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<u>DOR Code</u>	<u>Category</u>
00	Vacant Residential
01	Single Family
02	Mobile Homes
03, 08	Multifamily
04	Condominiums (none in record)
05, 06, 07, 09	Miscellaneous Residential
10	Vacant Commercial
11 - 39	Commercial
40	Vacant Industrial
41 - 49	Industrial
50 - 69	Agricultural
70	Vacant Institutional
71	Churches
72 - 79	Institutional
80, 81, 82, 84, 85, 87 - 89	Governmental
83, 86	City/County
90 - 99	Miscellaneous

For the purposes of this analysis, the term "Single Family" refers only to those parcels in DOR Code 01. Mobile homes, even though only one family may reside in them, and Multifamily are considered Non-Single Family Residential.

Also, for this analysis, "Miscellaneous Residential" includes parcels in DOR Codes 05, 06, 07 and 09. According to the GIS data, the Unincorporated County has 204 parcels identified as DOR Code 07, which according to the Department of Revenue means "Miscellaneous Residential (migrant camps, boarding houses, etc.)". How the County assigns billing units to these types of parcels is subject to County policy and in Florida, there is no standard of practices for this issue. For the purposes of this analysis, each parcel in DOR Code 07 was assigned 1 billing unit.

In total, there are 36,840 assessed parcels in the Unincorporated County, of which 34,473 are residential in nature (94 percent). The majority of the residential parcels are single family units (73 percent). The second largest number of residential parcels is Mobile Homes at 15.3 percent. Of the 1,078 non-residential parcels, 477 (44.2 percent) are commercial, 253 (23.5 percent) are industrial and 138 (12.8 percent) are churches. Of the parcels identified as vacant, most are vacant residential.

From the NAV records, the impervious area for each category is also shown in Table 3-1. Residential parcels represent 77.1 percent of the impervious area, nonresidential parcels represent 18.6 percent and vacant parcels represent 4.4 percent of the total. Also, of the estimated \$929,870 in revenue, 79.0 percent comes from residential parcels, 16.6 percent comes from nonresidential parcels and 4.4 percent comes from vacant parcels.

3.3 Estimated Dwelling Units

To consider rate structure options, an estimate of the number of dwelling units was needed. For single family units, normally it is assumed that each parcel is one dwelling unit. From the NAV dataset, about 770 parcels have more than one dwelling unit located on the parcel. These parcels are separately listed in Table 3.1. This is also true of mobile homes: one dwelling unit per parcel is normally assumed. There are 451 mobile home parcels with more than one dwelling unit – these are also listed separately. Finally for multifamily, the NAV record was used to identify the number of

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dwelling units associated with each parcel type including vacant residential. In total, about 38,250 dwelling units were identified, the majority of which are single family units (71 percent).

3.4 Estimated Parcels for USA

One of the considerations of this study was the potential for service areas. Service areas, for the purpose of this study, are areas in the County where differential levels of service may be offered by the County. Upon discussion with County staff, it was suggested that one such separation may be parcels in the Urban Services Area (USA) and those without. Staff believed that the O&M component of the stormwater program may be less in the non-USA area. To test this, the parcels within and without of the USA (in the Unincorporated County) were separated.

Using the GIS information, parcels within the USA were identified.. Of the 36,840 assessed parcels in the Unincorporated County, 23,568 (64 percent) are in the USA. **Table 3-2** summarizes the number of parcels, number of estimated dwelling units, impervious areas and assessment revenues for the Unincorporated County portion of the USA. Residential parcels comprise 23,495 (94 percent) of the parcels, most of which are single family units (84 percent). There are 786 nonresidential parcels in the unincorporated portion of the USA representing 3.3 percent of the total number of parcels. The rest of the parcels (2.3 percent) are coded as vacant by the Property Appraiser's Office. Using the same methods noted above for impervious area, the USA has 110.4 million square feet of impervious area of which only 73.9 percent is residential.

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**Table 3-2 Leon County, Florida
Stormwater Utility Update
Summary of Parcel Data FY 2011-2012 – Urban Services Area**

Parcel Type	No. of Parcels	% of Total	DU/ Parcel	Estimated Dwelling Units	% of Total	Imperv Area (sq ft)	% of Total	Avg. Imperv per DU (sq ft)	SWU Assessment	% of Total
Residential										
Single Family	19,700	83.6%	1	19,700	83.8%	73,476,092	66.5%	3,730	\$394,000	64.6%
SFR with > 1 DU	298	1.3%	2.5	749	3.2%	1,978,666	1.8%	2,642	\$14,980	2.5%
Mobile Home	1,866	7.9%	1	1,866	7.9%	3,769,349	3.4%	2,020	\$37,320	6.1%
Mobile Home with >1 DU	92	0.4%	2.53	233	1.0%	355,264	0.3%	1,525	\$4,660	0.8%
Condominium										
Multifamily	240	1.0%	3.75	902	3.8%	1,896,532	1.7%		\$12,460	2.0%
Misc. Residential	45	0.2%	1	45	0.2%	121,989	0.1%	2,711	\$1,220	0.2%
Subtotal Residential	22,241	94.4%		23,495	100.0%	81,597,892	73.9%	3,473	\$464,640	76.1%
Nonresidential										
Commercial	385	1.6%				13,870,197	12.6%		\$60,172	9.9%
Industrial	228	1.0%				7,194,140	6.5%		\$36,808	6.0%
Agricultural		0.0%					0.0%			0.0%
Institutional	27	0.1%				1,224,995	1.1%		\$7,324	1.2%
Churches	80	0.3%				2,069,605	1.9%		\$12,066	2.0%
City/County	25	0.1%				752,559	0.7%		\$2,584	0.4%
Governmental	18	0.1%				310,697			\$1,216	
Public Schools	4	0.0%				876,030			\$806	
Miscellaneous	19	0.1%				156,896			\$2,080	
Subtotal Nonresidential	786	3.3%				26,455,119	24.0%		\$123,056	20.2%
Vacant										
Vacant Residential	437	1.9%		437		904,299	0.8%		\$12,220	2.0%
Vacant Commercial	66	0.3%				1,071,164	1.0%		\$9,132	1.5%
Vacant Industrial	31	0.1%				96,185			\$960	
Vacant Institutional	7	0.0%				291,715			\$366	
Subtotal Vacant	541	2.3%				2,363,363	2.1%		\$22,678	3.7%
Total Unincorporated	23,568	100.0%		23,495		110,416,374	100.0%		\$610,374	100.0%
Total Developed	23,027			23,495		108,053,011				

The table also identifies the stormwater utility revenue from the USA, about 65.6 percent of the total revenue.

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Section 4

Rate Structure Analysis

As part of this assessment of the Leon County Stormwater Utility, a number of potential rate structures were considered. For this section, the rate structure options are considered independent from the fee. In the next section, the annual fee is varied to consider the current stormwater utility fund subsidy.

4.1 Purpose

In the previous section, information related to the potential customers within the unincorporated County was gathered including number of parcels, number of dwelling units, and impervious areas for various different parcel types. These data were collected to develop a rate model for the stormwater assessment, which is intended to estimate the potential rates and revenues depending on rate structure options. Also, to consider the potential rates for differing rates in the USA, a rate model was prepared for just the parcels in the USA.

4.2 Rate Model

The rate model for the County is a series of worksheets within spreadsheets that provide the following:

- A ten-year estimate of program costs for Management, Compliance and Implementation, Operation and Maintenance (O&M); and Capital Improvement Program (CIP). The CIP costs are separated so that a Pay-As-You-Go funding can be compared to a bonded program. Costs are assumed to increase at 2% per year while revenue (i.e., number of SFU's) is assumed to increase at 1% per year.
- An ad valorem tax worksheet estimates the ad valorem tax rate (millage or \$ per \$1000) that would generate an equivalent total program. In this spreadsheet, the millage needed to generate a specified revenue need can be estimated as well as to estimate the revenue for a given tax rate.
- An options worksheet allows the user to identify whether or not a rate structure option is to be simulated. Options include single family unit equivalence or residential equivalence; billing unit based on single family units only or all residential units; potential credits and the amount of credits (percent reduction in fee); various adjustments that might be offered; and tiered non-single family residential rates. This spreadsheet also accumulates the number of extra staff needed to administer the rate structure options.
- A worksheet showing the resultant annual revenue from the options selected for rates in \$5 increments from \$10 per year per SFU to \$100 per year per SFU.
- A worksheet with a 10-year projection of rates and program needs is provided with the ability to test the effect of a pay-as-you-go CIP program compared to a bonded program with annual debt service. For the 10-year bonded CIP, two bonds are simulated for each of the 5 years (20-year repayment, 7 percent loan rate, 25 percent coverage and 12 percent financing costs).

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Section 4 • Rate Structure Analysis

- A worksheet with the highest 25 parcels based on the 2012 Assessment record and the effects the chosen rate structure options may have on their assessment.
- The final worksheet in the file is the summary of data used for the other worksheets. This table is shown in Table 4-1 for the data from this study.

**Table 4-1 Leon County, Florida Stormwater Utility Update
Summary of Parcel Data (October 2012)**

Parcel Type	No. of Parcels	No. of Dwelling Units	2012 Imperv. Area (sq ft)	2012 Total Parcel Area (sq ft)	Imperv./ DU or Parcel	Billing Unit Equivalent	SFUs Based on Equivalent	SFUs for Subsidy	% Affected by Credits (Estimated)	Fraction of SFUs	Total SFUs with Options
Residential(1)											
Single Family - Small	2,426	2,426	2,861,836		1,055		2,426		5%	100%	2,426
Single Family - Medium	19,412	19,412	60,546,853		3,272		19,412		5%	100%	18,733
Single Family - Large	1,547	1,547	22,686,379		9,115		1,547		5%	100%	1,547
Single Family - Very Large	880	880	11,707,829		13,304	3,272	880		5%	100%	880
Single Family w/>1 SFU	769	1,900	4,900,177		2,610		1,900		5%	100%	1,900
Multifamily (2)	267	1,001	2,143,522		2,141		1,001		5%	100%	1,001
Mobile Home	6,103	6,743	13,894,287		2,061		6,743		5%	100%	6,743
Misc. Residential	204	204	508,874		2,494		204		5%	100%	204
Single Family w/Exemption	2,865	2,865	9,374,280		3,272		2,865		5%	100%	2,865
Subtotal Residential	34,473	36,978	128,624,037		3,482		36,978				36,978
Nonresidential											
Commercial	477		15,650,717		32,828	3,272	4,786		5%		4,786
Industrial	253		7,876,516		31,132	3,272	2,407		5%		2,407
Agricultural	1		61,734		61,734	3,272	19		5%		19
Institutional w/o Churches	50		1,748,510		34,970	3,272	534		5%		516
Churches	138		2,736,354		19,829	3,272	836	836	5%		836
Governmental w/o Schools	25		1,738,624		69,545	3,272	531	531	5%		531
City/County	45		1,224,439		27,210	3,272	374	374	5%		374
Schools	9		2,491,003		276,778	3,272	761	761	5%		761
Miscellaneous	80		750,427		9,380	3,272	229		5%		229
Subtotal Nonresidential	1,078		34,286,393		31,806		10,479	2,503			10,479
Vacant											
Vacant Residential	1,171	1,275	3,634,878			3,272	1,111	1,111	5%		1,111
Vacant Commercial	72		1,200,027			3,272	367	367	5%		367
Vacant Industrial	33		119,907			3,272	37	37	5%		37
Vacant Institutional	13		360,612			3,272	110	110	5%		110
Subtotal Vacant	1,289	1,275	5,315,424								1,568
Total Developed	35,551	36,978	162,910,430				47,457	4,128			47,457
Total Parcels	36,840	38,253	168,225,854								49,081

Note:

- (1) Small SF is 10th percentile and below; Large is 90th percentile and above. Very large is greater than 10,000 square feet.
- (2) Multifamily includes parcels with DOR Codes 03 and 08.
- (3) For Residential, column represents Impervious per Dwelling Unit.
For Nonresidential, column represents Impervious per Parcel.

Type	SFUs	%
Residential	38,089	77.6%
Nonresidential	10,992	22.4%

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It should be noted that for the rate model, single family parcels were split into tiers based on impervious areas. Separately, parcels owned by disabled veterans or low income exemptions were quantified for credit calculations. It was assumed that all of these parcels came from the Single Family - Medium category and were moved to a separate category called "Single Family w/ Exemption" solely to consider the effects of rate structure options on this category. Also, the average impervious area per dwelling unit for Single Family - Small and Single Family - Large were based on the 20th and 80th percentile, respectively. Also, the parcel database included single family parcels (DOR Code 01) with more than one dwelling unit (usually a home with one or more mobile home). These parcels were separated in Table 4-1.

A snapshot of each of the worksheets (tabs in an Excel file) is provided in the Appendix.

4.3 Stormwater Program Needs

Table 4-2 Leon County, Florida Stormwater Utility Update
Summary of FY13 Program Costs

Program Element	Future Budget	% of Total
Engineering & Permitting	\$1,350,000	26.2%
Operations & Maintenance	\$1,800,000	35.0%
Capital Improvement Program	\$2,000,000	38.8%
Total	\$5,150,000	100.0%

With the help of County staff, the program costs for the County were estimated and projected for potential future levels of service scenarios. Table 4-2 provides a summary of the existing stormwater

program needs for the management and O&M costs for the County. The costs were separated in this fashion to allow various revenue sources to pay for various components of the program. In the lower part of the table, as an alternative, an additional \$2 million has been included at the request of the County staff to consider the funding of capital projects independent of the general fund, grants or sales taxes.

4.4 Rate Structure Alternatives – Unincorporated County

As noted previously, most of the stormwater utilities in the United States are based on the impervious area of the customer's property. Actually, the majority of stormwater utilities have a uniform rate for all residential and nonresidential parcels, with the residential customer's fee based on the number of dwelling units and the nonresidential customer's fee based on the impervious area. The purpose of this section is to discuss the alternatives for the stormwater utility rate structure. Alternatives include uniform and variable rates for both residential and non-residential customers, exemptions, and credits.

To compare the fiscal consequences of each alternative considered, the option was compared to the results for the existing rate structure. This structure includes 1 billing unit (known as an SFU, see below) for each dwelling unit associated with residential parcels and a calculated number of billing units for non-residential parcels based on their respective impervious areas. Using the current rate structure, the estimated number of billing units (or SFUs) is 49,081 based on an updated average single family unit impervious area (see below).

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4.4.1 Equivalent Units

In order to provide an equitable measure of impervious areas for both residential and non-residential developed parcels, stormwater utilities have used an equivalent or base unit to measure the impervious areas by a uniform basis. Similar to other types of utilities, the equivalent unit for a stormwater utility is the relative amount of contribution of a fee payer compared to a residential unit. In other words, the residential unit is the base for the utility fee.

Two methods of defining the equivalent or base unit have been employed in Florida. The first is named the Single Family Unit Equivalent, or SFU. As expected by the name, a SFU is defined as the average or median impervious area for single family detached residences within the county. The current value used as the SFU is 2,723 square feet, based on an analysis completed prior to the adoption of the original ordinance in 1991. From the recent information obtained from the County, this method results in a median value of 3,272 square feet for the County. The second method, known as Equivalent Residential Unit or ERU, is based upon the average or median impervious area for all residential unit types including single family, multifamily, apartments and mobile homes. For Leon County, the average impervious area for all residential parcels is 3,553 sq. feet, not significantly different than the SFU value (9 percent increase).

From the rate model, the number of SFUs is 49,081 billing units, while, for the ERU method, there are 48,420 billing units (a 1.3 percent decrease). The difference is because, while the residential SFUs stay the same, the nonresidential billing units are based on a slightly larger denominator.

It should be emphasized that the choice of the SFU or ERU base is subject to the policy decisions of the County and that different communities around the U.S. have chosen differently. In Florida, the 2011 FSA Survey, within which all 10 counties were respondents, reports that 50 percent of the 10 counties with assessments or fees use the SFU base and 30 percent use the ERU base (20 percent use some other equivalent). For all cities and counties (81 respondents), 61 percent use the SFU, 30 percent use the ERU and 9 percent use another method. In the case of Leon County, 73.4 percent of the dwelling units are single family which leads to the result that an SFU Equivalent seems appropriate.

4.4.2 Uniform or Tiered Residential Rates

Many utilities have the residential customer pay in relation to the number of dwelling units for the customer. A single family unit is assigned 1 SFU and a duplex is assigned 2 SFUs, for example. In Florida, 70 percent of counties use this method. Two other options are possible: variable single family rates and uniform rates by residential type. Each of these is considered below.

Tiered Single Family Rates. For this alternative, single family (and for that matter all residential customers) would be assigned a fee based on the impervious area of their property in the same manner as the nonresidential properties. The purpose of this would be to have a fee directly related to amount of impervious area on each customer's property. Most stormwater assessment datasets do not have the impervious area readily available – the Leon County GIS does. That is, using the footprint plus appurtenances and some extra features, a value for impervious area for single family can be defined. The driveway is excluded but can be added as a unit average number. Therefore, impervious area data for each single family parcel is not a significant limitation in the County.

There are some stormwater utilities that have a tiered structure for single family units to recognize that some single family properties are very small and some are extremely large. If each is assigned a fee based on 1 SFU, then the small properties may appear to pay too much and the large properties appear to pay too little. Previous studies in the US have shown that when the ratio of the 90th

EXHIBIT A



percentile to the 10th percentile is greater than 2.5, a tiered structure can be justified. In the case of Leon County, the ratio of the 90th percentile and 10th percentile is 4.05, a value which suggests a tiered methodology.

**Table 4-3 Leon County, Florida Stormwater Utility Update
Potential Tiered Single Family Rate Structure**

Category	Minimum Impervious Area (sq ft)	Maximum Impervious Area (sq ft)	No. of Parcels	Total Impervious Area (sq ft)
Small	0	1,629	2,426	2,861,836
Medium	1,629	7,096	19,412	60,546,853
Potential Special Adjustment - Medium	1,629	7,096	2,865	9,274,280
Large	7,097	9,999	1,547	22,686,379
Very Large	10,000	53,930	880	11,707,829
Total			27,130	107,177,177

To use a tiered structure, the impervious area of every single family unit would be needed. A possible structure is shown below based on the median, Small (10th percentile) and Large (90th percentile) values of the measured properties. The Very Large Single Family parcels are those with impervious areas equal to or

greater than 10,000 square feet. The SFUs for the each tier is the midpoint impervious area in the range divided by the median value (3,246 square feet), and the SFUs for the large tier is recommended to be based on impervious area divided by the median value, in the same manner as is non-residential parcels. Also, because many of the public tend to believe that very large home need to pay more, homes greater than 10,000 square feet can be billed as a commercial property is (i.e., based on impervious area). **Table 4-3** shows a potential tiered structure using the 10th and 90th percentile values. It should be noted that the Disabled Veterans or Low Income Senior SF that may receive a special adjustment (see below) were assumed to be within the Medium Category.

If a tiered structure with Small, Medium and Large SF parcels is used, there would a 5.5 percent increase in revenue as the large single family parcels generally generate revenue to compensate for the small ones. If the very large single family tier is considered, additional SFUs are generated (an 8.5 percent increase in revenue).

Table 4-1 summarizes the information for SF (single-family) parcels with either a disabled veterans or senior low income credits. The rate model simulated the revenue consequences if such parcels had reduced fees. While the rate model can be modified for various percentages, for the rate structure analysis, a reduction of 50 percent (that is, the parcels are assigned 50 percent of the other SF fees) was used. Since parcels cannot be exempted from a non-ad valorem assessment other than provided in state law, these fees can only be offset by a credit from the County through another revenue source such as the General Revenue. The overall rate would stay the same for all other parcels and the credited SF parcels would be funded by a subsidy based on 1,432 SFUs times the chosen rate.

Non-Single Family Residential Fees Based on Impervious Areas. As an alternative to the non-SF residential parcels which in this report refers to Multifamily, Mobile Homes and Miscellaneous Residential to be based on dwelling unit (the most administratively simple alternative), the non-SF residential parcels may be addressed in the same manner as the nonresidential; that is, tiered based on total impervious area. According to the parcel dataset summarized in Table 4-1, there are estimated to be 7,948 non-SF dwelling units in the unincorporated County (22% of the total residential dwelling units) excluding Single Family with more than 1 dwelling unit. Using the average impervious areas for each non-SF type, the ratio to that for Single Family is as follows:

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**Table 4-4 Leon County, Florida Stormwater Utility Update
Potential Tiered Residential Rates**

Average Residential Type	Percent of Impervious	SFU's Single Family	Per DU
Single Family	3,272	100%	1.0*
Single Family w/>1 DU	2,610	80%	1.0*
Multifamily	2,141	65%	0.7
Mobile Homes	2,061	63%	0.6
Misc. Residential	2,494	76%	0.8

*Note: this can be 1 SFU per unit or tiered.

For this option, Single Family would be assigned 1 SFU or based on a tiered structure and other non-SF parcels would be assigned less than one SFU per DU. For example, a multifamily parcel with 10 dwelling units would be assigned 10 times 0.7 or 7 SFU's.

According to the FSA 2011 Survey, 70 percent of the counties and 58 percent of all SWU in Florida have a rate structure with multifamily customers assigned the same number of billing units as the single family customers (i.e., 1 SFU per dwelling unit).

4.4.3 Nonresidential Rates

Nonresidential customer rates for adopted stormwater utilities in the United States are almost always related to the impervious area of the property. For most utilities, the actual impervious area is measured or inferred for each nonresidential parcel, and the ERU assignment is the parcel's impervious area divided by the residential equivalent. An alternative to this is to assign nonresidential property types a percent imperviousness based on literature values or a statistically measured sample of imperviousness. However, in the case of the County, all of the non-residential parcels have impervious area measured and these data are already part of the assessment database; therefore, other less accurate rate structures (e.g., percent imperviousness assigned) are not supported.

The FSA 2011 Survey shows that 83 percent of the respondents use an impervious area for fee setting, 7 percent use pervious and impervious area, and 10 percent use other methods (such as intensity of development). For counties, 60 percent use impervious area, 20 percent use the gross area, and 20 percent use either intensity of development or other methods

4.4.4 Adjustments and Credits

Exemptions and credits are related to a reduction in the fee for a customer due to a reduction of the services provided to the customer. For an exemption, all or some of the fee is eliminated because of special circumstances, such as a reduction in imperviousness due to a portion of the property not draining to the County's stormwater system. A credit on the other hand is related to the reduction in fees due to special action taken by the fee payer to reduce the need for stormwater services such as the design, construction and maintenance of a stormwater pond that reduces both stormwater flows and pollutants associated with runoff. In both cases, however, the amount of the reduction can depend on the services being provided the customer.

As noted in Section 2, the three basic services of any stormwater program are Engineering & Permitting which includes NPDES compliance, operation and maintenance (O&M), and capital improvements (CIP). For a total LOS C recommended program costing \$5,150,000 annually (see Table 4-2), the portions of each component are as follows:

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<u>Program Component</u>	<u>Cost</u>	<u>Percent</u>
Engineering & Permitting	\$1,350,000	26.2%
Operation & Maintenance	\$1,800,000	35.0%
Capital Improvement Program	\$2,000,000	38.8%

The Engineering & Permitting costs for any particular customer would be the same regardless of the presence of private BMPs on the property because these costs relate to general services received by all; thus for an example, the maximum potential credit allowed could be about 73.8 percent (the sum of percentages for O&M and CIP). For this program, this value has been rounded up to 75 percent. If a customer has a stormwater facility that reduces the runoff and treats stormwater pollutants, the O&M and CIP services provided by the County would be reduced. For this reason, the amount of the reduction for credits should be related to the reduced services provided to the property based on 75 percent for the stormwater utility fee.

Adjustment Based on Control of Stormwater Volume

One of the adjustments that can be considered is related to the reduction of stormwater runoff to the County's stormwater system. For many stormwater utilities, the only circumstance in which a reduction is meaningful to the overall stormwater system is for the 100-year storm event, a major stormwater quantity level of service measure. The control of stormwater for the 100-year storm event can be accomplished for two characteristics of the event: rate and volume. Rate control allows the total amount of runoff to be discharged to the stormwater system over a prolonged period of time, but does not decrease the volume of runoff. Volume control reduces the total amount of runoff ultimately discharged to the stormwater system.

For the utilities with an adjustment for volume controls, many are related to the 100-year storm event. Control of the volume for a 100-year storm event would be a significant and measurable reduction in the O&M and CIP services provided to a property. As a result, an adjustment based on the control of the 100-year storm volume can be assigned an adjustment for the O&M and CIP portion of the fee, which represents 75 percent for the utility.

It should be noted that these adjustments are related to specific characteristics of the customer's property. An adjustment for the control of the 100-year storm event and the discharge of property runoff to non-municipal stormwater systems requires site specific information. If adjustments for these conditions are allowed by the County, then the customer must petition the County by providing parcel specific, competent and substantial evidence such as photographs or engineering drawings.

Adjustments for Stormwater Facilities Without Volume Controls

These adjustments are for customers who, except for mitigating circumstances, would have to pay the whole fee. Mitigating circumstances include onsite stormwater facilities that attenuate and treat stormwater runoff. For example, compare three properties: one built with no detention ponds, one built with a detention pond that is not maintained, and the last with a maintained pond. In the first case, stormwater runs off the land uncontrolled and untreated to the County's stormwater system. In the second, while the runoff was originally controlled, due to lack of maintenance, runoff is no longer controlled and is no better than the first case. In the last example, runoff is controlled and treated, thereby reducing the burden on the County's system. Of these three cases, the third clearly has reduced the services that the County needs to provide and deserves a reduction in fee (credit).

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There are a number of methods used to adjust the fees for credits. The most common methods include a percentage reduction and relative reduction. In the percentage reduction, if the customer designs, builds and maintains an on-site stormwater facility, then a straight percentage reduction on the fee based on the O&M and CIP budget components of the revenue needs. For the second, the reduction is relative to an ideal stormwater facility. For example, assuming that to treat stormwater runoff, a property needs 0.1 acre-feet (ac-ft) of storage for every acre of impervious land. The ideal with this assumption for a 10-acre site with 50 percent imperviousness would be 0.5 ac-ft of storage. If this parcel constructs a pond with 0.5 ac-ft, then the site gets the maximum credit. If the actual pond is smaller, then the credit is relative to the ratio of the actual size and the ideal. Clearly, the first method is easier to administer but the second is more site-specific.

Either of the credit methods can be administered by County staff. However, to keep the program simple initially, the percentage reduction should be allowed if credits are authorized. Also, it is important that facilities are maintained annually to retain the credit. Therefore, the credit should require annual certification of maintenance via competent and substantial evidence and should be checked periodically by County staff through random and unannounced site inspection. Furthermore, since the County wishes to encourage the construction and maintenance of private stormwater ponds according to County standards, the 75 percent credit for detention ponds should be allowed only if the pond meets current County code.

A second type of adjustment for stormwater treatment would be for an incentive to reduce stormwater runoff and treat stormwater on site. For example, if a property owner uses Low Intensity Development (LID) techniques (e.g., Directly Connected Impervious Area or DCIA reduction, vegetative buffers, rain gardens, cisterns, etc.) both the runoff volume and the runoff pollutants are reduced, decreasing the effort required by the County to deal with the volume and pollutants. Since on-site stormwater facilities and LID techniques reduce the capital needs of the County, the adjustment should be no more than 33 percent of the separate utility fee. The County is in the process of developing specific LID protocols and methods; it is recommended that this credit should be re-evaluated as part of the rate structure after a standard protocol has been approved.

4.5 Consequences of Rate Structure Options

Using the rate model, the number of billing units (a.k.a., SFU) changes depending on the rate structure options chosen. Table 4-5 provides the revenue consequences for each of the general rate structure options in comparison to the existing rate structure (i.e., single family-defined billing unit, 1 billing unit defined for each dwelling unit for all residential parcels, and 1 SFU defined for each 3,272 square feet of impervious area on nonresidential parcels). Each of the options is compared to the SFUs for the existing rate structure.

EXHIBIT A



**Table 4-5 Leon County, Florida Stormwater Utility Update
Summary of Consequences for Rate Structure Options**

Option	Total SFU	% Change in SFU from Current
Current Rate Structure	49,081	
ERU Based Fee	48,420	1.4%
Tiered Single Family	51,772	-5.2%
Tiered Single Family w/Large SF Extra	53,223	-7.8%
Variable Non-Single Family	45,663	7.5%
Credit for Pond at 75%	47,348	3.7%
Vacant Parcel is Excluded	47,457	3.4%
Disabled Vets & Low Income Senior	48,365	-2.9%

Most alternative rate structure options increase the fee required to fund the existing program from 1 to 7 percent. The Tiered Single Family alternative slightly decreases the rate and the Tiered Single Family with Extra Large Single Family treated like nonresidential parcels would decrease the fee by almost 7 percent. Also, for the Disabled Veterans and Low Income

Senior parcels, a 50 percent reduction in fee would slightly decrease the number of SFUs.

4.6 Urban Services Area Options

During the consideration of the level of service (LOS) for stormwater services, the LOS for properties within the USA and that for properties outside of the USA was considered. Based on discussions with the County staff, it was concluded that the LOS inside and outside the USA were the same for Engineering & Permitting and CIP activities. However, the LOS for O&M services may be less for properties outside of the USA. As noted in Table 4-2, the total existing O&M program costs \$1,800,000. According to County staff, 67 percent of the stormwater facilities are in the USA; assuming the O&M is consistent with the percent of facilities then the O&M costs in the USA are \$1,206,000 and outside the USA the costs are \$594,000. **Table 4-6** below results from using the parcel data from Section 3 (the distribution of SFUs is based on the ratio of total revenues from Tables 3-1 and 3-2).

In this example, while the revenue requirements for the non-USA areas are smaller than for the USA, there are fewer SFU in the non-USA area. This results in a slightly larger fee in the USA area.

**Table 4-6 Leon County, Florida Stormwater Utility Update
O&M Rate for USA and Non-USA Areas**

Area	Total SFU	Total Revenue Need	Resultant O&M Fee (\$/year/SFU)
USA Parcels	32,303	\$1,206,000	\$39.30
Non-USA Parcels.	16,778	\$594,000	\$37.27

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Section 5

Rate Alternatives

As noted in the level of service (LOS) analysis, the County is subsidizing the stormwater management program each year using general fund revenues. According to County records, the actual subsidy for FY11 was approximately \$1.891 million; the subsidy budget for FY12 was \$2.619 million; projected subsidy budget for FY13 was \$2.985 million. These represent a 38 percent and 14 percent increase over these years.

The purpose of this Section is to show the fiscal and rate consequences to fund the stormwater program (or at least, components of it) over the next 10 years. As noted previously, the County is interested in considering the rate needed to fund the Engineering & Permitting, O&M and CIP programs at levels of \$1.35 million, \$1.8 million and \$2.0 million, respectively, totaling \$5.15 million. One option to fund this program is to authorize a sufficient rate in the first year. Another option is to amortize the rate over a period of 5 years. In either case, the subsidy would be eliminated.

Rate Model

For the purposes of this analysis, the following rate structure options have been included in the model to consider the rates needed to fund the program defined above:

- Single Family Unit equivalent (SFU);
- Tiered Non-Single Family Residential;
- "Vacant" parcels with impervious area included;
- Disabled Veterans and Low Income Senior Adjustment of 50 percent; and,
- Credits for Stormwater Facilities (75 percent reduction).

For this rate structure, the estimated number of SFU's is 42,686.

Rate Scenario Results

Based on the number of SFU's, to generate \$5.15 million, the fee would be estimated to be \$140 per SFU per year assuming a 95 collection. If the reduction in fee is offered for Disabled Veterans and Low Income Senior exemptions, the General Fund subsidy required would be \$200,480 (1,432 SFUs times \$140).

To fund the \$5.15 million in 5 years accounting for a 95 percent collection, the fee would start out at \$44 per year per SFU, and increase by \$24 per year per SFU for each of the next 4 years. After 5 years, the ultimate rate would be about \$140 per year per SFU. The rates vary with time since the rate model includes an increase of 1 percent per year in the number of SFU's and a 2 percent increase per year in costs.

EXHIBIT A



A summary of the rate options is provided in Table 5-1 and Table 5-2.

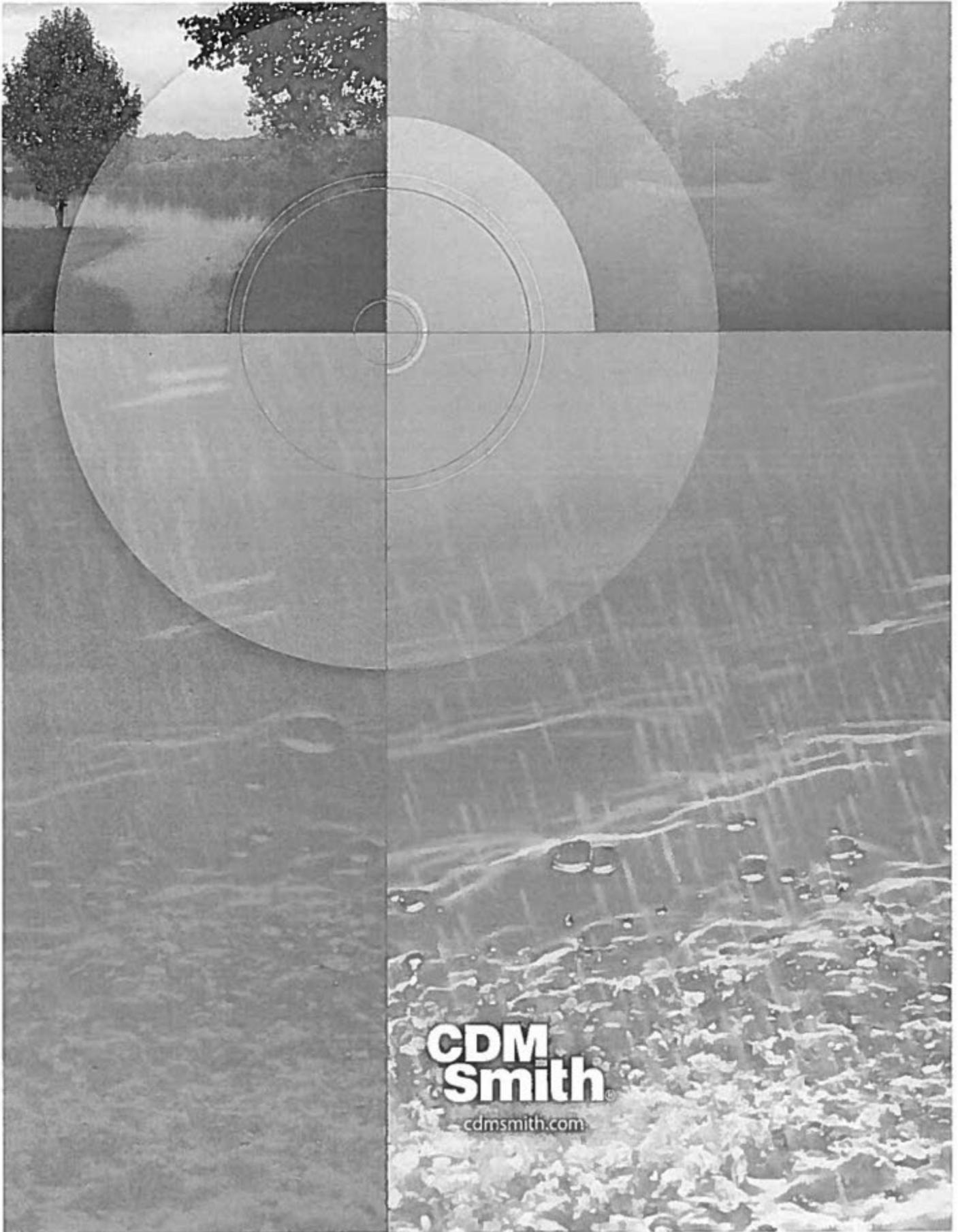
**Table 5-1 Leon County, Florida Stormwater Utility Update Study
Rate Alternatives to Fund \$3.15 Million Annually**

Year	Revenue	Rate
FY13	\$1,336,310	\$33.33
FY14	\$1,881,363	\$46.00
FY15	\$2,437,183	\$59.00
FY16	\$3,003,931	\$72.00
FY17	\$3,581,770	\$85.00
FY18	\$3,617,588	\$85.00
FY19	\$3,653,764	\$85.00
FY20	\$3,690,302	\$85.00
FY21	\$3,727,205	\$85.00
FY22	\$3,764,477	\$85.00

**Table 5-2 Leon County, Florida Stormwater Utility Update Study
Rate Alternatives to Fund \$5.15 Million Annually**

Year	Revenue	Rate
FY13	\$1,781,747	\$44.00
FY14	\$2,781,145	\$68.00
FY15	\$3,800,353	\$92.00
FY16	\$4,839,666	\$116.00
FY17	\$5,899,386	\$140.00
FY18	\$5,958,380	\$140.00
FY19	\$6,017,964	\$140.00
FY20	\$6,078,144	\$140.00
FY21	\$6,138,925	\$140.00
FY22	\$6,200,314	\$140.00

EXHIBIT A



**CDM
Smith**
cdmsmith.com

**EXHIBIT B
RATE SCHEDULE**

Property Use Category	Unit of Measurement Applied	Assessment Rate
Residential	Single Family Unit	\$85
Residential	Single Family-Multi Dwellings/Other	\$68
Residential	Multi Family Structures	\$60
Residential	Mobile Homes	\$51
Non-Residential	Total Square Feet of Impervious Area Divided by 3,272 Sq. Ft. (Single Family Unit Equivalent)	\$85
<p>A Single Family Unit Equivalent, or SFU is defined as the average or median impervious area for single family detached residences within Leon County. From the most recent statistical data obtained, this method results in a median value of 3,272 square feet for Leon County. Therefore, one SFU equals 3,272 Sq. Ft.</p>		

EXHIBIT 2

**STORMWATER MANAGEMENT SERVICES AND FACILITIES
NON-AD VALOREM ASSESSMENT ROLL**

Due to the voluminous nature thereof, the assessment roll is not attached to this Resolution in this Agenda Item but has been made available for public inspection in the office of the County Administrator and will be attached hereto upon adoption.



**CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of Leon Cty. Bd. of County Commissioners , located in Leon County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 14th day of June , 2016 year.

Chairman of the Board or authorized agent
of Leon County Board of County Commissioners
Name of local government

Leon County, Florida

NOTICE OF PUBLIC HEARING

Notice is hereby given, pursuant to Section 197.3632(4)(b), Florida Statutes, that the Board of County Commissioners of Leon County, Florida (the "Board"), will conduct a public hearing on Tuesday, June 14, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider the adoption of a stormwater management services and facilities non-ad valorem assessment roll for the subject parcels of improved real property located within the unincorporated area of Leon County, Florida.

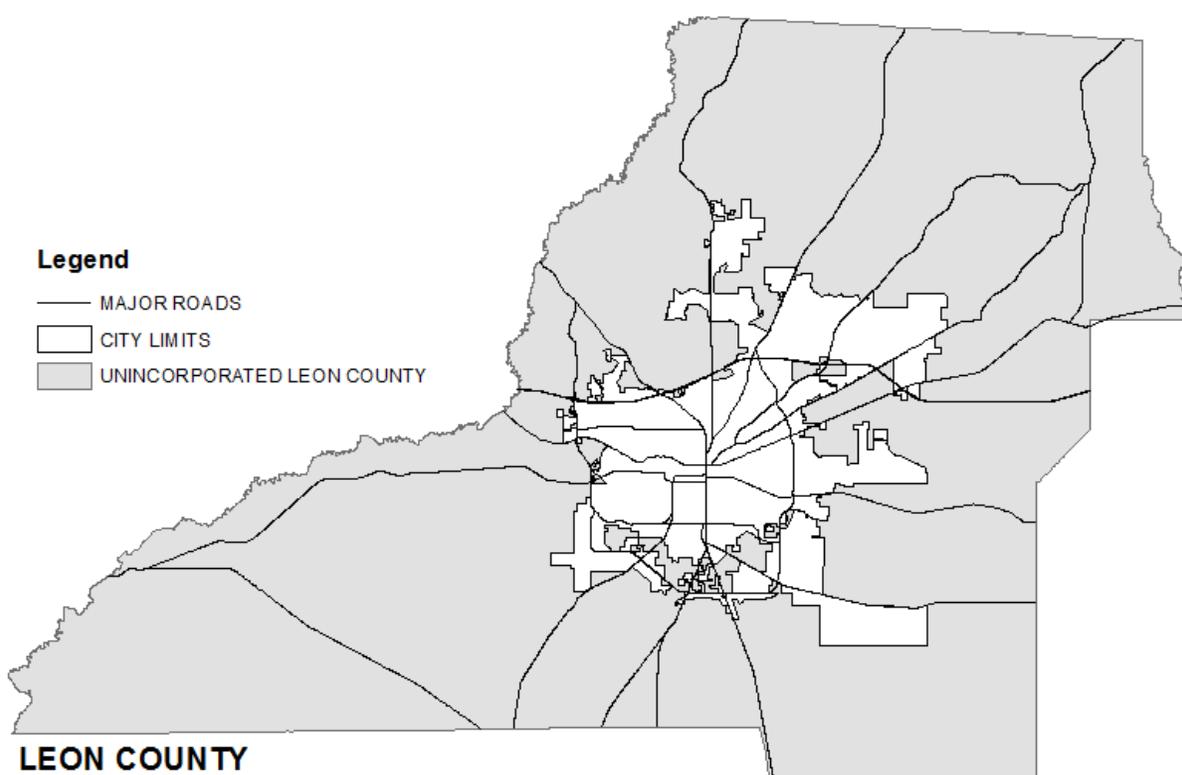
The purpose of the assessment is to equitably recover costs incurred for providing and funding County stormwater management services and facilities, including but not limited to, flood prevention and response; construction of stormwater treatment facilities; stormwater pond maintenance; and water quality monitoring, to benefit improved parcels of property located within the unincorporated area of Leon County (geographic depiction of the property subject to the assessment is set forth below). The assessment shall be collected annually by the Leon County Tax Collector.

All interested parties are invited to present their comments at the public hearing at the time and place set out above. All affected property owners have the right to appear at the public hearing, and have the right to file written objections with the Board within 20 days of the publication of this notice.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this public hearing should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the date of the public hearing. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), or 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Advertise: May 23, 2016



**Leon County
Board of County Commissioners**

Notes for Agenda Item #16

Leon County Board of County Commissioners

Cover Sheet for Agenda #16

June 14, 2016

To: Honorable Chairman and Members of the Board

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



Title: First and Only Public Hearing on Proposed Resolutions to Adopt the Non-Ad Valorem Assessment Rolls for Fire Rescue Services Assessments

County Administrator Review and Approval:	Vincent S. Long, County Administrator
County Attorney Review and Approval:	Herbert W.A. Thiele, County Attorney
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Patrick T. Kinni, Deputy County Attorney
Lead Staff/ Project Team:	Scott Ross, Director, Office of Financial Stewardship

Fiscal Impact:

This item has a fiscal impact. The total estimated collection for the unincorporated area of the 2015 fire rescue services assessment for 2016 is \$8,184,950 of which \$1,942,793 will be placed on property tax bills as an assessment for FY 2017. The remaining amount will be collected by the City of Tallahassee through the City utility bill and quarterly billing (\$5,006,000), and \$1,224,459 from unincorporated area general revenue fund balances.

In addition, \$11,698 will be placed on the tax bills of 163 property owners for the 2009 Fire Rescue Services Assessment, who are either delinquent on their accounts with the City of Tallahassee, or have chosen to have the previous fire rescue services assessment be placed on their tax bill.

Staff Recommendation:

Note: As these are two separate public hearings, the options should be considered individually.

Option #1: Conduct the first and only public hearing and adopt the proposed Resolution adopting the non-ad valorem assessment roll for the 2015 Fire Rescue Services Assessment (Attachment #1) and authorize the Chairman to certify the roll to the Tax Collector (Attachment #2).

Option #2: Conduct the first and only public hearing and adopt the proposed Resolution adopting the non-ad valorem assessment roll for the 2009 Fire Rescue Services Assessment (Attachment #3) and authorize the Chairman to certify the roll to the Tax Collector (Attachment #4)

Report and Discussion

Background:

On February 26, 2009, Leon County and the City of Tallahassee entered into an Interlocal Agreement for purposes of administering and funding the provision of fire suppression, fire prevention, and emergency medical services on a countywide basis. The Interlocal Agreement provides for the funding of and payment for fire rescue services by the means of a levy and collection of special assessments upon benefited properties and a fire services fee imposed upon governmental properties.

The Interlocal Agreement provided that a jointly funded rate study would be developed to determine the necessary funding to support the services being provided by the City of Tallahassee's Fire Department. The approved rate study established an initial fire rescue charge for a period of five years (FY2010 through FY2014).

In July 2013, the County and City negotiated a comprehensive amendment to the Interlocal Agreement. With regard to the fire rescue charge, the County focused on providing future rate certainty and a level of fiscal constraint on the possible growth in the fire rescue charge. To accomplish this, the agreement provides, in pertinent part:

- For FY 2015 the rate remained unchanged; this had the effect of having a constant rate for a total of six years;
- Beginning in FY 2016, for five years, the single family dwelling unit fire rescue charge rate cannot increase more than 15% in total over the five years; and,
- Beginning Oct. 1, 2019 (FY 2020) and continuing for five years, the fire rescue charge rate structure would be developed utilizing an inflationary index.

The Board approved the terms of the Second Amendment to the Interlocal Agreement regarding the Provision of Fire and Emergency Medical Services with its second term, to be effective from October 1, 2015 and continue for a period of ten years.

Consistent with the terms of the Second Amendment, in July 2014, the Board approved the County and City engaging Government Services Group to conduct an update to the fire rescue services rate study.

On December 9, 2014, the Board held a public hearing to hear comments on utilizing the uniform method for collection of the referenced fire rescue services special assessments pursuant to Section 197.3632, Florida Statutes (2014), and adopted Resolution No. 14-55 declaring its intent to collect said special assessments under Section 197.3632.

At the April 28, 2015 Budget Workshop, the Board approved implementing the proposed fire rescue charges for FY2016 and FY2017 at a 15% reduction, using existing fund balances to support the required payment to the City, and approved implementing the proposed fire rescue charges at the full rates for FY 2018.

Subsequent to the April 28, 2015 FY 2016 Budget Workshop, when the new fire rescue services rate study was reviewed, the Board adopted the Fourth Amendment to the Fire and Emergency Services Interlocal Agreement at the May 26, 2015 meeting, which included the second term fire services study and the associated rate resolution.

Analysis:

Section 197.3632(4), Florida Statutes (2015), requires the Board of County Commissioners adopt a non-ad valorem assessment roll at a public hearing held between January 1 and September 15 of any year in which the County elects to utilize the uniform method of collection for the first time. Under Section 197.3632(9), Florida Statutes (2013), special assessments may be placed on the annual property tax bill as a non-ad valorem assessment irrespective of whether the assessment has previously been collected by another method. The Board has utilized the uniform method for collecting stormwater and solid waste non-ad valorem assessments, as well as to collect assessments related to 2/3 paving and sewer projects. The amount of the assessment imposed will be payable to the Tax Collector.

The County primarily collects the assessment in three ways: City Utility invoice, quarterly direct bill by the City, and the property tax bill. Since the Fire Rescue Assessment commenced in October 2009, 10,274 out of 20,514 property owners (50%) have been removed from the quarterly payment system. These property owners either preferred to pay the assessment on their property tax bill or failed to remain current with the quarterly bills. For FY 2017, an additional 472 property owners will have the assessment removed from the quarterly payment system and added to their property tax bill. This will bring the total number of property owner who have the assessment on the tax bill to 10,746 or 52% of property owners eligible to have the assessment on their tax bill.

The assessment roll contains the name of the owner, the parcel identification number, the parcel address, and the amount of the assessment. Written comments and objections filed by affected property owners have been compiled and are available for public inspection in the Office of the County Administrator, County Courthouse, 5th Floor Reception area

The total estimated collection for the unincorporated area for the FY 2017 fire assessment is \$8,184,950; this includes \$5,006,000 collected by the city through utility bills or quarterly billing, \$1,954,491 as an assessment on the Tax Bill, and \$1,224,459 paid from appropriated unincorporated area fund balances. Failure of the Board to adopt the non-ad valorem assessment roll will create a budget impact in the amount of \$1,954,491 for fiscal year 2016/2017.

In addition, for the previous 2009 fire service assessments that were on quarterly billing, 163 property owners either are delinquent or have chosen to have this assessment placed on their Tax Bill. To collect these accounts, the attached assessment roll needs to be adopted. These individuals are also included on the larger assessment roll for the 2015 Fire Rescue Service Assessment. Failure of the Board to adopt the non-ad valorem assessment roll for delinquent accounts will create a budget impact in the amount of \$11,698 for FY 2017.

On May 23, 2016, the public hearing to adopt these assessment rolls was noticed in the Tallahassee Democrat (Attachments #5 and #6). Additionally, a first class mail notice was sent to each property owner subject to the non-ad valorem assessment for fire rescue services for the first time, and/or who has failed to pay the 2015 and/or the 2009 assessment under the billing services provided by the City of Tallahassee, in accordance with the requirements of Section 197.3632(4) (b), Florida Statutes (2015).

Options:

Note: As these are two separate public hearings, the options should be considered individually.

1. Conduct the first and only public hearing and adopt the proposed Resolution adopting the non-ad valorem assessment roll for the 2015 Fire Rescue Services Assessment (Attachment #1) and authorize the Chairman to certify the roll to the Tax Collector (Attachment #2).
2. Conduct the first and only public hearing and adopt the proposed Resolution adopting the non-ad valorem assessment roll for the 2009 Fire Rescue Services Assessment (Attachment #3) and authorize the Chairman to certify the roll to the Tax Collector (Attachment #4)
3. Conduct the first and only public hearings and do not adopt the proposed Resolutions adopting the non-ad valorem assessment rolls for the Fire Rescue Services Assessments.
(This action would require changes to the FY 2016/2017 proposed budget.)
4. Board direction.

Recommendation:

Options #1 and #2

Attachments:

1. Proposed Resolution Adopting the Fire Rescue Services Non-Ad valorem Assessment Roll for the 2015 Fire Assessment, and Certification to the Tax Collector
(Due to its voluminous nature, the proposed non-ad valorem assessment roll is available for public review in the Office of the County Administrator, County Courthouse, 301 South Monroe Street, 5th floor reception area).
2. Certificate of 2015 Fire Rescue Service Non-Ad Valorem Assessment Roll to the Tax Collector
3. Proposed Resolution Adopting the Fire Rescue Services Non-Ad valorem Assessment Roll for the 2009 Fire Assessment and Certification to the Tax Collector
(Due to its voluminous nature, the proposed non-ad valorem assessment roll is available for public review in the Office of the County Administrator, County Courthouse, 301 South Monroe Street, 5th floor reception area).
4. Certificate of 2009 Fire Rescue Service Non-Ad Valorem Assessment Roll to the Tax Collector
5. Notice of Public Hearing (2015) Fire Rescue Services Assessment
6. Notice of Public Hearing (2009) Fire Rescue Services Assessment

RESOLUTION NO. R16-_____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEON COUNTY, FLORIDA, ADOPTING THE FIRE RESCUE
SERVICES NON-AD VALOREM ASSESSMENT ROLL; PROVIDING
FOR CERTIFICATION OF THE ROLL TO THE TAX COLLECTOR;
AND PROVIDING FOR AN EFFECTIVE DATE.**

RECITALS

WHEREAS, on February 26, 2009, Leon County and the City of Tallahassee entered into an Interlocal Agreement for the provision of fire suppression, fire prevention and emergency medical services county-wide commencing October 1, 2009; and

WHEREAS, the Interlocal Agreement by and between Leon County and the City of Tallahassee provides for the funding and payment of *Fire Rescue Services* by means of the levy and collection of special assessments upon benefited property; and

WHEREAS, on March 19, 2009, the Board of County Commissioners enacted an ordinance amending Chapter 7, Leon County Code of Laws, relating to the provision and funding of *Fire Rescue Services*; and

WHEREAS, on May 26, 2015, the Board of County Commissioners adopted a *Fire Rescue Assessment Rate Resolution* levying and imposing upon each improved parcel of nongovernmental property located within the unincorporated area of the County an assessment in an amount found to be reasonably related to the cost of providing *Fire Rescue Services* to such property and thereby providing an equitably corresponding special benefit to such property; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, the Board of County Commissioners has reviewed the fire rescue services non-ad valorem assessment roll for conformity with the *Fire Rescue Assessment Rate Resolution*; and

WHEREAS, the Board wishes to approve and adopt the fire rescue services non-ad valorem assessment roll and to certify the roll for collection to the Tax Collector; and

WHEREAS, Leon County has provided notice of a public hearing at least twenty days prior to same by first class United States mail and by publication in the *Tallahassee Democrat* advising that a public hearing would take place.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

Section 1. Recitals. The Recitals to this Resolution are incorporated herein and made a part hereof as if fully set forth below.

Section 2. Definitions. For purposes of this Resolution, the definitions contained in section 7-39, Leon County Code of Laws, are incorporated herein by reference.

Section 3. Pursuant to Section 197.3632, Florida Statutes, Leon County hereby approves and adopts the fire rescue services non-ad valorem assessment roll, which is attached hereto as Exhibit 2 and incorporated herein as if fully set forth below.

Section 4. The unit of measurement for the fire rescue services non-ad valorem assessment is as set forth in the *Fire Rescue Assessment Rate Resolution*, R15-20, which is attached hereto as Exhibit 1, and incorporated herein as if fully set forth below. The amount of the fire rescue services assessment for each subject parcel of property is as further set forth in Exhibit 2. The *Fire Rescue Assessment* shall be and is hereby imposed annually commencing October 1, 2015, and continuing each year thereafter until such time as changed or discontinued by the Board.

Section 5. The fire rescue services non-ad valorem assessment roll is hereby certified to the Tax Collector for collection in accordance with Florida law.

Section 6. This Resolution shall be effective upon adoption.

Done and adopted by the Board of County Commissioners of Leon County, Florida, this
14th day of June, 2016.

LEON COUNTY, FLORIDA

BY: _____
BILL PROCTOR, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

ATTESTED BY:
BOB INZER, CLERK & COMPTROLLER
LEON COUNTY, FLORIDA

BY: _____

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

BY: _____
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY

RESOLUTION NO. 15-20

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS RELATING TO THE PROVISION AND FUNDING OF FIRE RESCUE SERVICES; PROVIDING FOR RECITALS; PROVIDING FOR AUTHORITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR A RESOLUTION; PROVIDING FOR PROVISION OF FIRE RESCUE SERVICES; PROVIDING FOR GENERAL LEGISLATIVE DETERMINATIONS; PROVIDING FOR FIRE RESCUE CHARGE; PROVIDING FOR EXEMPT PROPERTY; PROVIDING FOR LIEN; PROVIDING FOR COLLECTION OF FIRE RESCUE CHARGE; PROVIDING FOR FINAL ADJUDICATION AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the County desires to continue to provide fire rescue services, facilities and programs, hereafter "*fire rescue services*," in the most efficient manner possible in order to promote the health, safety and general welfare of its citizens; and

WHEREAS, the County desires to maintain a uniform financial mechanism for the funding of such *fire rescue services* to its citizens on an equitable basis; and

WHEREAS, the City of Tallahassee and the County have entered into an Interlocal Agreement to administer the provision of and funding for *fire rescue services*; and

WHEREAS, the Interlocal Agreement by and between the City of Tallahassee and the County provides for the funding and payment for *fire rescue services* by means of the levy, imposition and collection of special assessments upon benefited *nongovernment property* and the imposition of fire rescue fees on *government property*; and

WHEREAS, on March 19, 2009, the Board of County Commissioners enacted an ordinance amending Chapter 7, Leon County Code of Laws, relating to the provision and funding of *fire rescue services*; and

WHEREAS, the Board of County Commissioners desires to adopt a *fire rescue assessment rate resolution* and *fire rescue fee rate resolution* pursuant to Chapter 7, Leon County Code of Laws.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

Section 1. Recitals. The Recitals set forth above are deemed incorporated herein as if fully set forth below.

Section 2. Authority. This Resolution is adopted pursuant to the authority granted the County under Article VIII, Section 1, Florida Constitution, Chapter 125, Florida Statutes, the Leon County Charter, Chapter 7 of the Leon County Code of Laws, and other applicable provisions of law.

Section 3. Definitions. For purposes of this Resolution, the definitions contained in Section 7-39, Leon County Code of Laws, are incorporated herein by reference as if fully set forth below. In addition, as used in this Resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires:

"*Building area*" means the actual area of a *building* expressed in square feet and reflected on the *tax roll* or, in the event such information is not reflected or is determined not to be accurately reflected on the *tax roll*, that area determined by the County.

"*Code descriptions*" mean the descriptions listed in the *fixed property use codes* and the descriptions listed in the *improvement codes*.

"*Core stations*" are those fire stations located within five road miles of at least two other stations.

"*Commercial property*" means those *tax parcels* with a *code description* designated as "*commercial*" in the *improvement codes*, including those *tax parcels* that meet the definition of *recreational vehicle park* herein.

"*Cost apportionment*" means the apportionment of the *fire rescue cost* among all *property use categories* according to the *demand percentages* established pursuant to the apportionment methodology described in Sections 7.A.3 and 7.B.2 of this Resolution.

"*Cost Factor*" means the factor that represents the varying cost in providing *fire rescue services* to the different *service zones*, as calculated in accordance with Section 7.B of this Resolution.

"*Demand percentage*" means the percentage of demand for *fire rescue services* attributable to each *property use category* determined by analyzing the historical demand for *fire rescue services* as reflected in *incident reports* in the *state database* under the methodology described in Sections 7.A.3 and 7.B.2 of this Resolution.

"*DOR code*" means a property use code established in Rule 12D-8.008, Florida Administrative Code, assigned by the Property Appraiser to *tax parcels*.

"*Dwelling unit*" means (1) a *building*, or a portion thereof, available to be used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only, or (2) the use of land in which lots or spaces are offered for rent or lease for the placement of mobile homes or the like for residential purposes.

"*EMS services*" means those services recorded in *FFIRS* that assign a "type of situation found code" of 3, 300, 311, 320, 321, 321B, 322, 323, 381, 551E, 554, and 661.

"*EMS Cost*" means the amount, other than first response medical rescue services, determined by the County to be associated with *EMS services*.

"*FFIRS*" means the Florida Fire Incident Reporting System maintained by the Florida State Fire Marshal.

"*Fire rescue cost*" means the *fire rescue cost* as defined in Chapter 7 of the Leon County Code of Laws, but specifically excluding any *EMS Cost*.

"*Fire rescue services*" means fire rescue services, facilities and programs.

"*Fire rescue fee*" means a fee for *fire rescue services* provided to each improved parcel of *governmental property* located within the unincorporated area of the County.

"*Fire services property use category*" means the use codes developed for the purpose of assigning a *fire rescue charge* for collection on a *utility bill*.

"*Fixed property use codes*" mean the property use codes used by *FFIRS* as specified in the attached Exhibit A, Appendix B.

"*Improvement codes*" mean the building use codes assigned by the Property Appraiser to *tax parcels* as specified in the attached Exhibit A, Appendix C.

"*Incident report*" means an individual report filed with the Florida State Fire Marshal under *FFIRS* that is not associated with *EMS services*.

"*Industrial/warehouse property*" means those *tax parcels* with a *code description* designated as "*industrial/warehouse*" in the *improvement codes*.

"*Mixed use property*" means a *tax parcel* that contains *buildings* whose use descriptions are capable of assignment under a *code description* in the *improvement codes* in more than one *property use category*.

"*Non-residential property*" means, collectively, *commercial property* and *industrial/warehouse property*.

"*Parcel apportionment*" means the further apportionment of the *fire rescue cost* allocated to each *property use category* by the *cost apportionment* among the *tax parcels* under the methodology established in Sections 7.A.3 and 7.B.2 of this Resolution.

"*Property use categories*" means, collectively, *residential property* and all categories of *non-residential property*.

"*Recreational vehicle park*" means (1) a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more recreational vehicles or tents; and (2) licensed by the Department of Health of the State of Florida, or its successor in function as a "recreational vehicle park" or "lodging park" under Chapter 513, Florida Statutes, as may be amended from time-to-time.

"*Residential property*" means those *tax parcels* designated as "Residential" in the *improvement codes*.

"*Service zones*" mean the geographic areas defined to differentiate between the two levels of *fire rescue services* provided within the County based upon proximity to *core stations*.

"*State database*" means the incident data derived from the *FFIRS incident reports* maintained by the Florida State Fire Marshal.

"*Tax parcel*" means a parcel of property located within the unincorporated area of the County to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

Section 4. Resolution. This Resolution shall constitute the *fire rescue assessment rate resolution* and the *fire rescue fee rate resolution* as described in Sections 7-42 and 7-43, Leon County Code of Laws.

Section 5. Provision of Fire Rescue Services. The County shall continue to provide *fire rescue services* for the benefit of all parcels of *assessed property* located within the unincorporated areas of the County commencing October 1, 2015. All or a portion of the cost to provide such *fire rescue services* shall be funded from proceeds of the *fire rescue charge*. The remaining cost, if any, required to provide *fire rescue services* shall be funded by available County revenues other than such proceeds.

Section 6. General Legislative Determinations. It is hereby ascertained and declared that the *fire rescue services* provide a special benefit to the *assessed property* based upon the following legislative determinations and based upon that certain report entitled "City of Tallahassee and Leon County, Florida, Fire Assessment Memorandum" dated April 14, 2015, prepared by Government Services Group, Inc., which is hereby specifically approved and adopted as Exhibit A, same being attached hereto and incorporated herein as if fully set forth below. Upon the adoption of this Resolution, the legislative determinations ascertained and declared in Sections 7-42 and 7-43, Leon County Code of Laws are hereby ratified and confirmed.

A. It is hereby ascertained, determined, and declared that each parcel of property subject to a *fire rescue charge* located within the unincorporated area of the County, and the *owners* and occupants of said parcel, will be benefited by the County's provision of *fire rescue services*, in an amount not less than the *fire rescue charge* imposed against such parcel and that such *fire rescue charge*, as computed in a manner as set forth in this Resolution, constitutes a fair and reasonable charge for the provision of *fire rescue services*.

B. The availability and provision of comprehensive *fire rescue services* enhance and strengthen the relationship of such services to the use and enjoyment of the parcels of property,

the market perception of the area and, ultimately, the property and rental values within the assessable area.

C. The Board does hereby find that the various legislative findings and determinations contained herein are found to have existed as of the original imposition of the *fire rescue charge* in 2009 and relate back thereto. Therefore, such findings shall be deemed to have been incorporated in the provisions of Chapter 7, Leon County Code of Laws, adopted March 13, 2009, and Resolution No. 09-16, adopted June 9, 2009, as if they had been set forth fully therein and continued thereafter.

Section 7. Fire Rescue Charges.

A. Fire Rescue Fee.

1. Imposition; Legislative Determinations.

- a. A *fire rescue fee* is hereby imposed upon each improved parcel of *government property* located within the unincorporated area of the County, and which is hereby ascertained, determined, and declared to be reasonably and fairly related to the cost of providing *fire rescue services* to such *government property* and as such the *fire rescue fee* constitutes a fair, reasonable, just, and equitable manner for apportioning and allocating the *fire rescue cost for government property*. The *fire rescue fee* imposed hereby is not a special assessment; it is a fee for services available and rendered to *government property*.
- b. Upon the adoption of this Resolution determining the *fire rescue fee* and identifying the *government property* to be billed a *fire rescue fee*, the legislative determinations ascertained and declared in Section 7-42, Leon County Code of Laws, are hereby ratified and confirmed.

- c. It is fair and reasonable to use the *fire services property use category* to assign property use for a *fire rescue fee* because the use codes are most compatible with the system of billing on the City of Tallahassee *utility bill*.
- d. It is fair and reasonable to use the *fire rescue costs* for the development of the *fire rescue fee* and apply the *fire rescue fee* for future fiscal years at the rates established in this Resolution because it is hereby determined that the actual annual cost of providing *fire rescue services*, over the five-year period will be as great as or greater than the *fire rescue fee* established herein.
- e. It is fair and reasonable and consistent with the decision of the Florida Supreme Court in the case of City of North Lauderdale v. SMM Properties, Inc., 825 So.2d 343 (Fla. 2002), to exclude from the *fire rescue costs*, amounts determined to constitute the cost of providing emergency medical services.
- f. Apportioning *fire rescue costs for government property* among classifications of improved *government property* based upon historical demand for *fire rescue services*, but not emergency medical services, is a fair and reasonable method of *cost apportionment* because it reflects the property uses' potential fire risk based upon *building* use and is a reasonable proxy for the amount of fire flow, fire fighters, quantity and size of apparatus, and other special firefighting equipment that must be available in accordance with the County's required standards and practices.
- g. The greater the *building area*, the greater the potential for a large fire and the greater amount of firefighting resources that must be available in the event of

a fire in a structure of that *building's* size. Therefore, it is fair and reasonable to use *building area* as a proxy for determining the *fire rescue fees*.

- h. It is fair and reasonable to not charge a *fire rescue fee* to *government property* that is vacant as evidenced by the cessation of *utility services*. The costs of administering and collecting *fire rescue fees* from such vacant property exceed the anticipated *fire rescue fees* that could be collected from such property.
- i. The *incident reports* are the most reliable data available to determine the potential demand for *fire rescue services* from *government property* use and to determine the benefit to property use resulting from the availability of *fire rescue services* to protect and serve *buildings* located within *government property* and their intended occupants. There exists sufficient *incident reports* documenting the historical demand for *fire rescue services* from *government property*. The *demand percentage* determined for each classification of *government property* by an examination of such *incident reports* is consistent with the experience of the County. Therefore, the use of *demand percentages* determined by an examination of *incident reports* is a fair and reasonable method to apportion the *fire rescue costs* among each classification of *government property*.
- j. The suppression of fire on vacant property primarily benefits the *buildings* within the adjacent improved property by the containment of the spread of fire rather than the preservation of the vacant property. Therefore, it is fair and reasonable not to apportion any of the costs attributed to providing *fire rescue services* to vacant property and the *incident reports* omitted from the *demand percentage* calculation.

- k. The budget is sized based upon its ability to provide *fire rescue services* to *assessed property* within the unincorporated area. Therefore, the level of services required to meet anticipated demand for *fire rescue services* and the corresponding fire services budget required to fund *fire rescue services* provided to non-specific property uses would be required notwithstanding the occurrence of any incidents from such non-specific uses. Therefore, it is fair and reasonable to omit from the *demand percentage* calculation, the *incident reports* documenting *fire rescue services* provided to non-specific property uses and vacant property.
2. Methodology for Determining Fire Rescue Fees. The *fire rescue fees* shall be calculated as follows:
 - a. The number of *incident reports* filed within a sampling period was determined for *government property* and all *property use categories* of *nongovernment property*. The percentages of total *incident reports* allocated to *government property* as compared to total *incident reports* allocated to *nongovernment property* were used to calculate the *fire rescue cost* for *assessed property* and the *fire rescue cost* for *government property*.
 - b. The *fire rescue cost* for *government property* was then apportioned among the *tax parcels* of *government property* as follows:
 1. Add the *building area* of all the *buildings* of *government property* to arrive at the aggregate square footage for *government property*. Any *buildings* that exceed 100,000 square feet of *building area* shall only be included at 100,000 square feet.

2. Divide the *fire rescue cost for government property* by the product of subsection 1. above to arrive at a rate per square foot of *building area* to be charged to *government property*.

3. For each *building of government property*, multiply the applicable square foot rate determined in subsection 2. above by the number of square feet for that *building* and then sum the amounts for all *buildings* on that *tax parcel*.

3. Amount of Fire Rescue Fee.

The *fire rescue cost for government property* is further determined to be a reasonable estimation of a five-year average annual cost of providing *fire rescue services to government property*. The amount of the *fire rescue fee* imposed upon *government property for fire rescue services* is specifically based upon the Rate Study, Exhibit A, established pursuant to and in accordance with Section 7-42, Leon County Code of Laws, and shall be as set forth in Exhibit B, Rate Schedule, same being attached hereto and incorporated herein as if fully set forth below, commencing October 1, 2015, annually, until otherwise determined by the Board.

B. Fire Rescue Assessment.

1. Imposition; Legislative Determinations; Cost Apportionment Methodology; Parcel Apportionment Methodology; Amount.

A *fire rescue assessment* is hereby levied and imposed upon each improved parcel of *nongovernment property* located within the unincorporated area of the County, and which is hereby ascertained, determined, and declared to be reasonably related to the cost of providing *fire rescue services* and thereby provides an equitably corresponding special benefit to *nongovernment property*. The *fire*

rescue assessment is hereby ascertained, determined and declared to be based upon a reasonable estimation of the five-year average annual cost of providing *fire rescue services* to such *nongovernment property*. It is further ascertained, determined and declared that the *fire rescue assessment* imposed hereby provides a special benefit to and is equitably apportioned among the *assessed property* based upon the special benefit assumptions and apportionment methodology set forth in the Rate Study, Exhibit A, and as further set forth below:

- a. It is further hereby ascertained and declared that the *fire rescue services* provide a special benefit to *nongovernment property*, that is improved by the existence or construction of a *building*, based upon the following legislative determinations:
 1. *Fire rescue services* enhance the use and enjoyment of improved property, which constitutes a special benefit to *owners*, commercial tenants, residential tenants, and occupants by the following:
 - a) Protecting the value of the improvements, structures, and contents through the provision of available *fire rescue services*;
 - b) Protecting the life and safety of occupants, residential tenants and commercial tenants, in the use and enjoyment of the improvements and structures within improved parcels; and
 - c) Lowering the cost of fire insurance, including renter's insurance and property coverage for the repair and replacement of contents of improvements and structures within the improved parcels, by the presence of a professional and comprehensive fire services program within the unincorporated area of the County.

2. The *fire rescue services* enhance the use and enjoyment of commercial tenants by protecting the continued commercial operations within improved parcels of property within the unincorporated area of the County.
 3. The *fire rescue services* enhance the value of business and commercial interests, which accrues to *owners* and lessees, by protecting the continued commercial operations within improved parcels of property within the unincorporated area of the County.
 4. The legislative determinations of special benefit ascertained arising from the *fire rescue services*, as set out and declared in Section 7-43, Leon County Code of Laws, are incorporated herein by reference and further ratified and confirmed.
- b. It is fair and reasonable to create *service zones* to reflect the level of service differentiation between a property located in a higher density area that receives fire protection coverage from multiple *core stations* and a property located in an area generally described as rural and typically serviced by a single fire station.
 - c. It is fair and reasonable to use the *improvement codes* and the *DOR codes* for the *cost apportionment* and the *parcel apportionment* because: (1) the *tax roll* database employing the use of such property use codes is the most comprehensive, accurate, and reliable information readily available to determine the property use and *building area* for improved property within the County, (2) the *tax roll* database within such property use codes is maintained by the Property Appraiser and is thus consistent with parcel designations on

- the *tax roll*, and (3) the parcel descriptions on the *tax roll* are not incompatible with the property use descriptions on the City of Tallahassee's *utility* customer database which has been developed and maintained by the City of Tallahassee and which will be used in many instances to bill the *fire rescue assessments*.
- d. The data available in the *improvement codes* is more useful and accurate to determine *building area* than the data maintained in the *DOR codes* because (1) the data maintained in the *improvement codes* reveals the existence of a *building* with a different use than the use described in the *DOR codes*, (2) the *improvement codes* represent records maintained by the Property Appraiser with the most information relative to *building area* regardless of property use, and (3) the City of Tallahassee *utility* customer database does not contain *building area* data.
- e. It is fair and reasonable and consistent with the decision of the Florida Supreme Court in the case of City of North Lauderdale v. SMM Properties, Inc., 825 So. 2d 343 (Fla. 2002), to exclude from the *fire rescue costs*, amounts determined to constitute the cost of providing *EMS services*.
- f. Apportioning the *fire rescue cost for assessed property* among classifications of improved property based upon historical demand for *fire rescue services*, but not *EMS services*, is fair and reasonable method of *cost apportionment* because it reflects the property uses' potential fire risk based upon *building* use and is a reasonable proxy for the amount of fire flow, fire fighters, quantity and size of apparatus, and other special firefighting equipment that must be available in accordance with the County's required standards and practices..

- g. The cost of responding to fire incidents varies among the *service zones*. Therefore, it is fair and reasonable to use a *cost factor* in calculating the *demand percentages* because it reflects the varying costs that are associated with the responses and services to different *property use categories* based upon average call duration, which accounts for the time that personnel and equipment were out of service.
- h. It is fair and reasonable to use the *fire rescue costs for assessed property* for the development of the *fire rescue assessment* and apply the *fire rescue assessment* for future fiscal years at the rates established in this Resolution because it is hereby determined that the actual annual cost of providing *fire rescue services* over the five-year period will be as great as or greater than the *fire rescue assessment* established herein.
- i. The *incident reports* are the most reliable data available to determine the potential demand for *fire rescue services* from property use and to determine the benefit to property use resulting from the availability of *fire rescue services* to protect and serve *buildings* located within the *assessed property* and their intended occupants. There exists sufficient *incident reports* documenting the historical demand for *fire rescue services* from *assessed property* within the *property use categories*. The *demand percentage* determined for each *property use category* by an examination of such *incident reports* is consistent with the experience of the City of Tallahassee Fire Department. Therefore, the use of *demand percentages* determined by an examination of *incident reports* is a fair and reasonable method to apportion the *fire rescue costs* among the *property use categories*.

- j. The suppression of fire on vacant property primarily benefits the buildings within the adjacent improved property by the containment of the spread of fire rather than the preservation of the vacant property. Therefore, it is fair and reasonable not to apportion any of the costs attributed to providing *fire rescue services* to vacant property and the *incident reports* documenting historical *fire rescue costs* provided to vacant property were thus omitted from the *demand percentage* calculation.
- k. The budget for *fire rescue services* is sized based upon its ability to provide service to *assessed property* within the unincorporated area. Therefore the level of services required to meet anticipated demand for *fire rescue services* and the corresponding budget required to fund *fire rescue services* provided to nonspecific property uses would be required notwithstanding the occurrence of any incidents from such nonspecific uses. Therefore, it is fair and reasonable to omit from the *demand percentage* calculation the *incident reports* documenting *fire rescue services* provided to nonspecific property uses and vacant property.
- l. It is fair and reasonable to not charge a *fire rescue assessment* to *nongovernment property* that is vacant as evidenced by the cessation of *utility services*. The costs of administering and collecting *fire rescue assessments* from such vacant property exceed the anticipated *fire rescue assessments* that could be collected from such property.
- m. The size or the value of the *residential property* does not determine the scope of the required *fire rescue services* response. The potential demand for *fire*

rescue services is driven by the existence of a *dwelling unit* and the anticipated average occupant population.

- n. Apportioning the *fire rescue costs* to *residential property* on a per *dwelling unit* basis is required to avoid cost inefficiency and unnecessary administration and is a fair and reasonable method of *parcel apportionment* based upon historical call data.
- o. The demand for *fire rescue service* availability is substantially the same for all *residential property*; therefore, it is fair and reasonable to use the combined *demand percentages* attributable to all types of *residential property*, both *single family property* and *multi-family property*, to determine *fire rescue assessments* for *residential property*.
- p. The risk of loss and the demand for *fire rescue services* availability is substantially the same for *buildings* below a certain minimum size. Because the value and anticipated occupancy of non-residential *buildings* below a certain minimum size is less, it is fair, reasonable and equitable to provide a lesser assessment burden on improved property containing such *buildings* by the creation of specific *building area* classification ranges for such parcels.
- q. The assessment of *nonresidential property* by square footage classification ranges is fair and reasonable for the purpose of *parcel apportionment* because the demand for fire rescue service, fire flow, fire fighters, quantity and size of apparatus, and other special firefighting equipment is determined and measured by the square footage of structures and improvements within benefited parcels.

- r. The greater the *building area*, the greater the potential for a large fire and the greater amount of firefighting resources that must be available in the event of a fire in a structure of that *building's* size. Therefore, it is fair and reasonable to use *building area* as a proxy for determining the *tax parcel's fire rescue assessment*.
- s. The separation of improved *non-residential property* into *building area* classification ranges is fair and reasonable for the purposes of *parcel apportionment* because: (1) the absence of a need for precise square footage data within the ad valorem tax records maintained by the Property Appraiser undermines the use of actual *building area* within each improved parcel as a basis for *parcel apportionment*; (2) the administrative expense and complexity created by an on-site inspection to determine the actual *building area* within each improved parcel assessed is impractical; (3) the demand for *fire rescue services* availability is not precisely determined or measured by the actual *building area* within benefited parcels; and (4) the classification of parcels within *building area* classification ranges is a fair and reasonable method to classify benefited parcels and to apportion costs among benefited parcels that create similar demand for the availability of *fire rescue services*.
- t. The demand for the availability of *fire rescue services* diminishes at the outer limit of *building size* since a fire occurring in a structure greater than a certain size is not capable of being suppressed under expected conditions and the fire control activities under such circumstances are directed to avoid the spread of the fire event to adjacent *buildings*. Therefore, it is fair and reasonable to

place a cap on the *building area* classification of benefited parcels within *non-residential property*.

- u. In accordance with Section 125.0168, Florida Statutes, which mandates that counties treat recreational vehicle park property as *commercial property* for non-ad valorem special assessments levied by a county, like the *fire rescue assessment*, it is fair and reasonable to treat each space within recreational vehicle park property as a *building on commercial property* and to assign the square footage of 191 square feet, the average size of a recreational vehicle, according to the Florida Association of RV Parks and Campgrounds.

2. Cost Apportionment Methodology for Fire Rescue Assessment.

- a. The number of *incident reports* filed within a sampling period was determined for *government property* and all *property use categories* of *nongovernment property*. The percentages of total *incident reports* allocated to *government property* as compared to total *incident reports* allocated to *nongovernment property* were used to calculate the *fire rescue cost for assessed property* and the *fire rescue cost for government property*.
- b. Next, to correlate the *nongovernment tax parcels* to the *service zones*, the *incident reports* filed within a sampling period were geo-coded on the GIS system map based upon the address provided in the *FFIRS* database.
- c. Based upon such correlation by *service zone*, the number of *incident reports* filed within a sampling period were determined for each *service zone*.
- d. A *cost factor* was then developed and applied to the *incident reports* within each *service zone* based upon the difference in average call duration between

the *service zones* with Zone 1 being assigned a 1.00 weighting *cost factor* and Zone 2 being assigned a 1.26 weighting *cost factor*.

- e. A *demand percentage* was then determined for each *service zone* by calculating the percentage that *incident reports* allocated to each *service zone* bears to the total number of *incident reports* documented for both *service zones* during the sampling period. The *demand percentage* for each *service zone* was then applied to the *fire rescue cost for assessed property* and the resulting product is the cost allocation of that portion of the *fire rescue costs* allocated to each *service zone*.
- f. Using the weighted *incident reports*, fire rescue incidents were assigned within the County to the *property use categories* by correlating the *code descriptions* within the *fixed property use codes* to the *improvement codes* and *DOR codes*.
- g. To correlate the *property use categories* with the *state database*, the *code descriptions* within the *fixed property use codes* similar to *code descriptions* within the *improvement codes* that were used to determine the *property use categories* were identified. Exhibit A, Appendix C contains a designation of *code descriptions* by *property use category* with the *improvement codes*, and Exhibit A, Appendix B contains a designation of *code descriptions* by *property use category* with the *fixed property use codes*. Such correlation between *code descriptions* by *property use category* between the *fixed property use codes* and the *improvement codes* is necessary to allocate the historical demand for *fire rescue services* as reflected by the weighted *incident reports* for *tax parcels* on the *tax roll* within the *property use categories*.

- h. Based upon such assignment of weighted *incident reports* to *property use categories*, the number of weighted *incident reports* filed within a sampling period was determined for each *property use category*. A *demand percentage* was then determined for each *property use category* in each *service zone* by calculating the percentage that weighted *incident reports* allocated to each *property use category* bear to the total number of weighted *incident reports* documented for all *property use categories* within the sampling period. The *demand percentage* for each *property use category* within each *service zone* was then applied to the *fire rescue cost for assessed property* for that *service zone*, and the resulting product is the cost allocation of that portion of the *fire rescue cost for assessed property* allocated to each *property use category* within that *service zone*.
3. Parcel Apportionment Methodology.
 - a. The apportionment among *tax parcels* of *nongovernment property* of that portion of the *fire rescue cost for assessed property* apportioned to each *property use category* within each *service zone* under the *cost apportionment* is consistent with the *parcel apportionment* methodology described and determined herein.
 - b. RESIDENTIAL PROPERTY. For each *service zone*, the *fire rescue assessment* for each *tax parcel* of *residential property* shall be computed by multiplying the *demand percentage* attributable to *residential property* by the *fire rescue cost for assessed property* allocated to the respective *service zone*, dividing such product by the total number of *dwelling units* shown on the *tax*

roll within the *service zone*, and then multiplying such quotient by the number of *dwelling units* located on such *tax parcel*.

c. NON-RESIDENTIAL PROPERTY. The *fire rescue assessments* for each *building of nonresidential property*, except recreational vehicle property, shall be computed as follows for each *service zone*:

1. Respectively, multiply the *fire rescue cost for assessed property* for the applicable *Service zone* by the *demand percentage* attributable to each of the non-residential *property use categories*. The resulting dollar amounts reflect the portions of the *fire rescue services* budget to be respectively funded from *fire rescue assessment* revenue derived from each of the non-residential *property use categories*.

2. Separate each *building* in each of the *nonresidential property use categories* into one of the following square footage categories:

- a) *buildings* with a *building area* of 1,999 square feet or less;
- b) *buildings* with a *building area* between 2,000 square feet and 3,499 square feet;
- c) *buildings* with a *building area* between 3,500 square feet and 4,999 square feet;
- d) *buildings* with a *building area* between 5,000 square feet and 9,999 square feet;
- e) *buildings* with a *building area* between 10,000 square feet and 19,999 square feet;
- f) *buildings* with a *building area* between 20,000 square feet and 29,999 square feet;

- g) *buildings* with a *building area* between 30,000 square feet and 39,999 square feet;
 - h) *buildings* with a *building area* between 40,000 square feet and 49,999 square feet; and
 - i) *buildings* with a *building area* between 50,000 square feet and 59,999 square feet; and
 - j) *buildings* with a *building area* between 60,000 square feet and 69,999 square feet; and
 - k) *buildings* with a *building area* between 70,000 square feet and 79,999 square feet; and
 - l) *buildings* with a *building area* between 80,000 square feet and 89,999 square feet; and
 - m) *buildings* with a *building area* between 90,000 square feet and 99,999 square feet; and
 - n) *buildings* with a *building area* of 100,000 square feet or greater.
3. As to each non-residential *property use category* multiply the number of *buildings* categorized in:
- a) Paragraph (2)(a) of this subsection by 1,000 square feet; and
 - b) Paragraph (2)(b) of this subsection by 2,000 square feet; and
 - c) Paragraph (2)(c) of this subsection by 3,500 square feet; and
 - d) Paragraph (2)(d) of this subsection by 5,000 square feet; and
 - e) Paragraph (2)(e) of this subsection by 10,000 square feet; and
 - f) Paragraph (2)(f) of this subsection by 20,000 square feet; and
 - g) Paragraph (2)(g) of this subsection by 30,000 square feet; and

- h) Paragraph (2)(h) of this subsection by 40,000 square feet; and
- i) Paragraph (2)(i) of this subsection by 50,000 square feet; and
- j) Paragraph (2)(j) of this subsection by 60,000 square feet; and
- k) Paragraph (2)(k) of this subsection by 70,000 square feet; and
- l) Paragraph (2)(l) of this subsection by 80,000 square feet; and
- m) Paragraph (2)(m) of this subsection by 90,000 square feet; and
- n) Paragraph (2)(n) of this subsection by 100,000 square feet.

4. For each non-residential *property use category*, add the products of paragraphs (3)(a) through (3)(n) of this subsection. The sum of these products reflects an aggregate square footage area for each non-residential *property use category* to be used in the computation of *fire rescue assessments*.

5. Divide the product of paragraph 1. of this subsection relative to each of the non-residential *property use categories* by the sum of the products for each non-residential *property use category* described in paragraph 4. of this subsection. The resulting quotient expresses a dollar amount adjusted or weighted per square foot of improved area to be used in computing *fire rescue assessments* on each of the respective non-residential *property use categories*.

6. For each of the non-residential *property use categories*, multiply the resulting quotients from paragraph 5. of this subsection by each of the respective products in paragraphs (3)(a) through (3)(n) of this subsection. The resulting products for each non-residential *property use category*, expresses a series of gross dollar amounts expected to be funded by all *buildings* in the respective non-residential *property use categories* in each of the square footage categories described in paragraph 2. of this subsection.

7. For each of the non-residential *property use categories*, divide each of the respective products of paragraph 6. of this subsection by the number of *buildings* determined to be in each of the square footage categories identified in paragraph 2. of this subsection. The result expresses the respective dollar amounts of the *fire rescue assessments* to be imposed upon each *building* in each of the non-residential *property use categories*.

d. RECREATIONAL VEHICLE PARK PROPERTY. Notwithstanding the procedure in subsection c. above for *non-residential property*, the *fire rescue assessments* for each *tax parcel* of *recreational vehicle park* property shall be computed as follows:

1. Aggregate the amount of square footage for each *tax parcel* of *recreational vehicle park*, with recreational vehicle park spaces, as reported to the Department of Health, at 191 square feet each, mobile home spaces, as reported to the Department of Health, at actual *building area* or 720 square feet each if actual square footage is not available, and actual *building area* for all other *buildings*.

2. Assign the respective dollar amount of the *fire rescue assessments* determined in subsection c. above for *commercial property* for the applicable *service zone* to the comparable aggregated square footage category ranges of *recreational vehicle park* property as calculated in paragraph 1. above. Any aggregated square footage that exceeds 100,000 square feet on a *tax parcel* shall be assigned the *commercial* dollar amount for 100,000 square feet. The result expresses the respective dollar amounts of the *fire rescue assessments* to be imposed upon each *recreational vehicle park* property.

- e. **MIXED USE PROPERTY.** The *fire rescue assessments* for each *tax parcel* classified in two or more *property use categories* shall be the sum of the *fire rescue assessments* computed for each *property use category*.

4. Amount of Fire Rescue Assessment.

The amount of the *fire rescue assessment* levied and imposed upon *nongovernment property* shall be as set forth in Exhibit B, Rate Schedule, commencing October 1, 2015, annually, until otherwise determined by the Board.

Section 8. Exempt Property. The *fire rescue assessment* heretofore imposed upon *nongovernment property* shall not be levied nor imposed against property owned or occupied by a “religious institution” as that term is defined in Section 170.201(2), Florida Statutes, to the extent same is used as a place of worship.

Section 9. Lien. The *fire rescue assessments* imposed herein shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

Section 10. Collection of Fire Rescue Charge; Legislative Determinations. The collection of the *fire rescue charge* shall be made pursuant to and in accordance with Section 7-44, Leon County Code of Laws, and is authorized hereby, commencing October 1, 2015. The use of the *utility bills* for the collection of the *fire rescue fee* and *fire rescue assessment* is a method of collection that is reasonably related and directed to those that derive the benefit received by the property from the provision of *fire rescue services*. The benefit to the property is not solely received by the *owner* of the property but also extends to all intended occupants,

including but not limited to, tenants, leaseholders and others occupying the property. There is a rational nexus between the use of the *utility* bill to collect the *fire rescue fees* and *fire rescue assessments* from the property and the intended occupants of the property, including but not limited to, owners, tenants, leaseholders and others occupying property, and the benefit they derive through the enhancement of their use and enjoyment of the property. The use of *utility* bills for collection also provides a convenient mechanism of payment and further relieving any potential economic burden by providing an opportunity to pay smaller fees in twelve (12) increments annually as opposed to one larger lump sum payment being collected annually.

Section 11. Final Adjudication. The adoption of this Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment, the method of apportionment, the rate of assessment and fee, the and the levy and lien of the *fire rescue charges*), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Resolution.

Section 12. Effective Date. This Resolution shall have effect upon adoption and shall apply to all property located within the unincorporated area of Leon County.

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DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon
County, Florida, this 26th day of May, 2015.

LEON COUNTY, FLORIDA

BY: Mary Ann Lindley
MARY ANN LINDLEY, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS



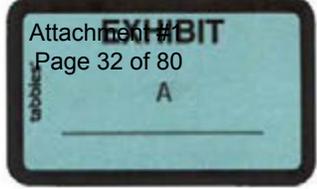
ATTESTED BY:

BOB INZER
CLERK & COMPROLLER
LEON COUNTY, FLORIDA

BY: John Stott, Deputy Clerk

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

BY: Herbert W.A. Thiele
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY



City of Tallahassee and Leon County, Florida

Fire Assessment Memorandum

APRIL 14, 2015

Presented by:
Government Services Group, Inc.
1500 Mahan Drive, Suite 250
Tallahassee, Florida 32308
(850) 681-3717
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Introduction

The City of Tallahassee (City) and Leon County (County) entered into a professional services agreement with GSG to provide specialized services in the development and implementation of a non-ad valorem assessment program to fund fire services within the incorporated and unincorporated areas of the County (Fire Assessment Project).

The objective of this Fire Assessment Project is to develop and implement an update to the City's current revenue program capable of efficiently and effectively collecting all assessable and billable costs associated with providing fire services on an annual basis throughout the entire County for Fiscal Year 2015-16 and future fiscal years. The mechanism for collecting the fire fee from governmental properties will remain in effect, however both the City and County will utilize the City's utility bill as the collection method for all non-governmental properties where possible and the City will assist the County in the collection of the fire assessment utilizing the utility bill, separate bills and tax bill. This document is the Fire Assessment Memorandum (Assessment Memorandum), which is one of the project deliverables specified in the scope of services.

The work effort, documented by this Assessment Memorandum, focused on the calculation of assessment rates and classifications required to fully fund the identified assessable costs to provide countywide fire services for Fiscal Year 2015-16 and future fiscal years. However, the City and County have the choice of funding all or only a portion of the assessable costs based on policy direction. In addition, the work effort recorded in this Assessment Memorandum required the identification of the full costs of assessable fire services (net of all fire related revenues) and the allocation of those costs to properties that specially benefit from the provision of such fire services.

BACKGROUND

In 1999, the City adopted a fire services funding program consisting of two components: a Fire Fee and a Fire Assessment. The goal of the Fire Services Funding Project in 1999 was to design an alternative revenue program capable of efficiently and effectively collecting all assessable and billable costs associated with providing fire services on an annual basis. The Fire Fee is the funding mechanism that secures recovery of the cost for providing fire services to governmental property. The Fire Assessment is the funding mechanism for non-government property that could be collected on the City's utility bill. The program was updated to account for changes in call data, property data and service delivery in Fiscal Year 2004-05 and once again in Fiscal Year 2009-10.

OBJECTIVES

The City retained GSG to develop an annual recurring special assessment program that is capable of funding all of the assessable costs associated with providing countywide fire services. The City will utilize the utility bill for collection of the fire assessment and will assist the County in the collection of the fire assessment utilizing the utility bill, separate bills and the tax bill. Data available on the ad valorem tax roll was used to develop the Fiscal Year 2015-16 assessment program. GSG has been

charged to fully cost the services to be provided by the City, develop a fair and reasonable apportionment methodology for such assessable costs and determine assessment rates and parcel classifications that are accurate, fair and reasonable.

The fire non-ad valorem assessments must meet the Florida case law requirements for a valid special assessment. These requirements include the following:

1. The service provided must confer a special benefit to the property being assessed; and
2. The costs assessed must be fairly and reasonably apportioned among the properties that receive the special benefit.

The work effort of this project required the evaluation of data obtained from the City to develop a fire assessment program that focuses upon the projected Fiscal Year 2015-16 assessable cost calculations. The objectives of this initial effort were to:

- Determine the full costs of providing fire services within the County.
- Review such final cost determination with the City to determine which elements provide the requisite special benefit to the assessed properties.
- Determine the relative benefit anticipated to be derived by categories of property use within the County from the delivery of fire services.
- Recommend the fair and reasonable apportionment of assessable costs among benefited parcels within each category of property use.
- Calculate assessment rates and parcel classifications for Fiscal Year 2015-16 and future years based on the projected Fiscal Year 2015-16 budget adjusted for year over year increases.

Service Description and Assessable Cost Calculations

The fire services apportionment methodology allocates assessable costs on the basis of the anticipated demand for fire services by categories of private, real property use as identified on the real property assessment roll prepared for the levy of ad valorem taxes. The assessable fire costs are allocated among private, real property use categories based upon the historical demand for these services. This demand is identified by examining the fire incident data as reported by the City to the State Fire Marshal's office.

The fire services apportionment methodology for government property allocates billable costs to provide fire services based upon the historical demand for these services for all government owned property (i.e. City, County, State, Federal, etc.), as reflected by the incident data reported by the City.

SERVICE DELIVERY DESCRIPTION

Fire Rescue services are provided throughout the County from 16 paid fire rescue stations and 5 volunteer fire rescue stations. One of the volunteer stations is co-located at Station 15. Table 1 identifies fire rescue buildings/facilities inventory, as well as the corresponding physical location address for the facility.

Table 1
Fire Rescue Department Buildings/Facility Inventory

Station	Address
Station #1	327 North Adams Street Tallahassee, FL 32301
Station #2	2805 Sharer Road Tallahassee, FL 32302
Station #3	3005 South Monroe Street Tallahassee, FL 32301
Station #4	2899 West Pensacola Street Tallahassee, FL 32304
Station #5	3238 Capital Circle Southwest Tallahassee, FL 32304
Station #6	2901 Apalachee Parkway Tallahassee, FL 32311
Station #7	2805 Shamrock South Tallahassee, FL 32308
Station #8	2423 Hartsfield Road Tallahassee, FL 32304
Station #9	3205 Thomasville Road Tallahassee, FL 32312

Station	Address
Station #10	5323 Tower Road Tallahassee, FL 32303
Station #11	8752 Centerville Road Tallahassee, FL 32308
Station #12	4701 Chaires Cross Road Tallahassee, FL 32311
Station #13	1555 Oak Ridge Road Tallahassee, FL 32311
Station #14	16614 Blountstown Highway Tallahassee, FL 32310
Station #15	1445 Bannerman Road Tallahassee, FL 32312
Station #16	911 Easterwood Drive Tallahassee, FL 32311
Miccosukee (County-Volunteer)	15210 Mahan Drive Tallahassee, FL 32308
Bradfordville (County-Volunteer) (Co-located at Station #15)	1445 Bannerman Road Tallahassee, FL 32312
Chaires-Capitola (County-Volunteer)	10541 Valentine Road South Tallahassee, FL 32317
Woodville (County-Volunteer)	155 East Oakridge Tallahassee, FL 32305
Lake Talquin (County-Volunteer)	16614 Blountstown Highway Tallahassee, FL 32312

Source: City of Tallahassee

The City of Tallahassee Fire Rescue Department provides standard fire suppression, medical services, hazmat response, technical rescue, airport capabilities, state disaster response, emergency response and disaster preparedness, fire prevention and safety education. Five of the sixteen City stations provide Advanced Life Support (ALS) services in coordination with Leon County EMS.

Dispatch services for fire and EMS services are provided through a joint dispatch operation between the City and the County.

Tables 2 through 5 outline the Fire Rescue Department's current service operations and service components. Table 2 outlines the Fire Rescue Department's organizational structure.

Table 2
City of Tallahassee Fire Rescue Department Organizational Chart

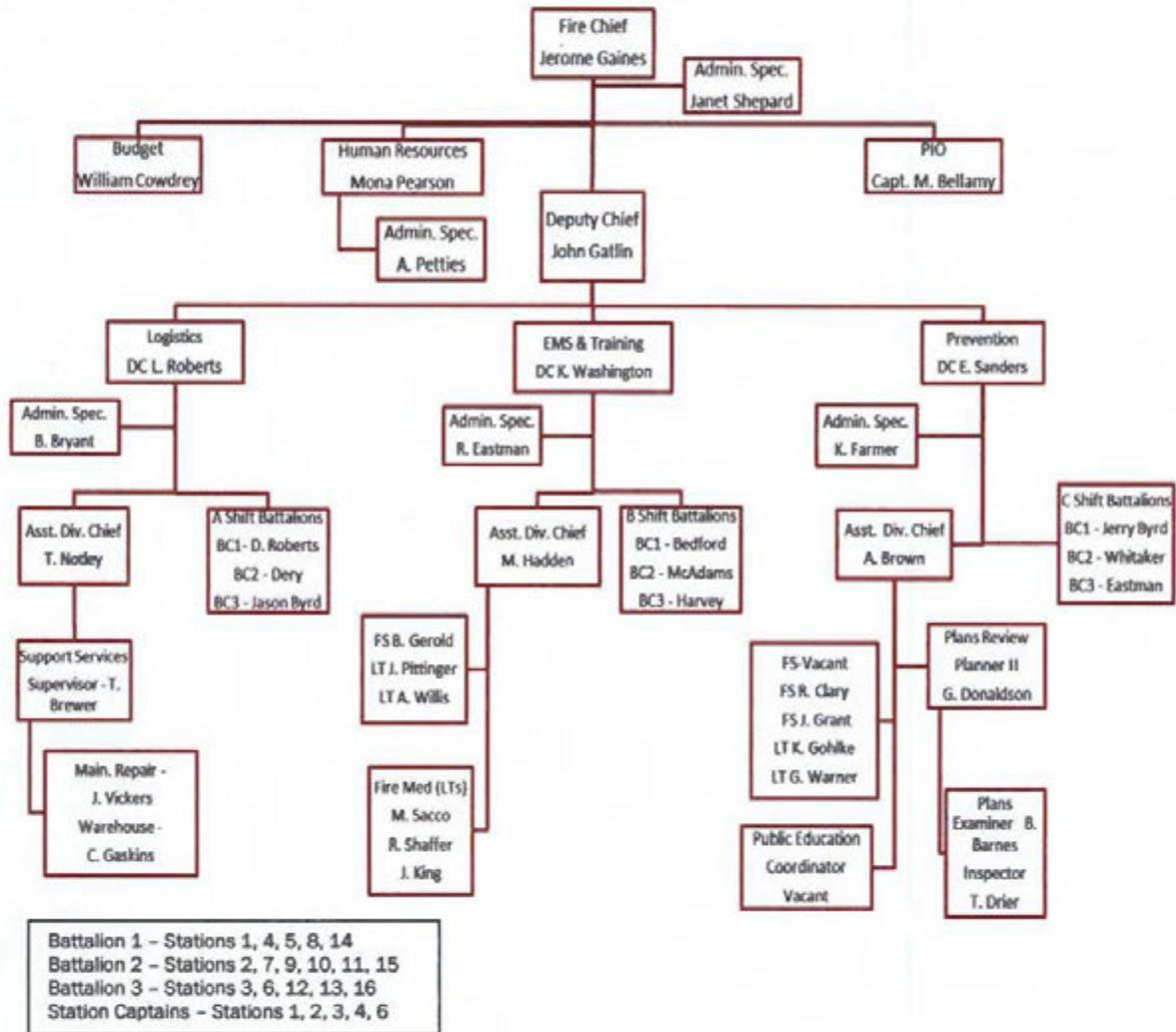


Table 3 describes the normal staffing for each apparatus. This information is used in the development of the Administrative Factor, as further discussed in the "Development of Factors" section of this Assessment Memorandum.

Table 3
Fire Rescue Department Apparatus Normal Staffing Requirements

Apparatus	Typical Staffing
Aerial	3-4 personnel
Pumper	3-4 personnel
Ford Expedition/Battalion Chief	1 personnel
Rescue	2 Personnel
Air Truck	1 Personnel
Brush Truck	1 Personnel
Rescue Boat	2 Personnel
Tanker	1 Personnel
Chevy Suburban/FireMed1	1 Personnel
HazMat Apparatus	3-4 personnel
Squad or Mass Care	3-4 personnel
USAR Apparatus	3-4 personnel

Source: City of Tallahassee

Table 4 lists the location and the fire flow/pumping capacity of the Fire Rescue Department's apparatus. This information is used to determine the square footage cap for non-residential properties.

Table 4
Fire Rescue Department Apparatus Fire Flow

Location	Apparatus	Fire Flow (GPM)
Station 1	1994 E-One Tanker	1,500
	1996 E-One International Air and Light	N/A
	2014 Pierce Impel Pumper	1,500
	2007 E-One 95' Platform	1,500
	2008 Ford Expedition	N/A
	2003 E-One Typhoon Rescue Pumper	1,500
Station 2	1996 E-One Haz-Mat	N/A
	1998 Pace 16ft. Trailer	N/A
	2008 Ford Expedition	N/A
	2001 E-One Platform	1,500
	2002 Ford F-550 Brush Truck	350
	2005 E-One Typhoon Rearmount Pumper	1,500
Station 3	1994 Rescue-1 Boat	N/A
	2005 Ford-550 HazMat Tow Vehicle	N/A
	1997 E-One Medium Rescue	N/A
	2014 Pierce Impel 75 ft. Aerial	1,500
	2008 Ford Expedition	N/A
	2005 E-One Typhoon Rescue Pumper	1,500

Location	Apparatus	Fire Flow (GPM)
Station 4	2010 Rescue -1 Boat	N/A
	2002 E-One Bronto Aerial Platform	1,500
	1996 E-One International Rescue Squad	500
	1998 16ft. Trailer	N/A
	2002 Ford F-550 Brush Truck	350
	2014 Pierce Impel Pumper	1,500
	2005 International 4X4 Tractor	N/A
	2005 Hackney Trailer	N/A
	2005 E-One International Air Light Truck	N/A
Station 5*	1994 International ARFF	500
	2010 E-One Titan Force ARFF	3,300
	2014 Oshkosh Striker 3000	3,300
Station 6	1994 Rescue-1 Boat	N/A
	1997 95 Ft. E-One Tower	1,500
	2002 Ford F-550 Brush Truck	350
	2005 E-One Typhoon Rearmount Pumper	1,500
Station 7	2005 E-One Typhoon Rearmount Pumper	1,500
Station 8	2005 E-One Typhoon Rearmount Pumper	1,500
Station 9	2005 E-One Typhoon Rescue Pumper	1,500
Station 10	1998 E-One International Tanker/Pumper	2,500
	2000 E-One International Rescue	650
Station 11	1998 E-One International Tanker/Pumper	2,500
	1996 E-One International Rescue	650
Station 12	1998 E-One International Tanker/Pumper	2,500
	2000 E-One International Rescue	650
Station 13	1998 E-One International Tanker/Pumper	2,500
	2000 E-One International Rescue	650
Station 14	1994 Rescue-1 Boat	N/A
	2000 E-One International Rescue	650
	2006 E-One International Tanker/Pumper 7600	2,500
Station 15	1994 Rescue-1 Boat	N/A
	2000 Ford F-450 Brush Truck	350
	2003 E-One Typhoon Rearmount Pumper	1,500
Station 16	Tanker/Pumper	2,500
	Rescue	650
Total GPM		44,800

Source: City of Tallahassee

* Pumping capacity for Station 5 is not included in total because those apparatus are dedicated to the airport.

The current pumping capacity is defined as the combined amount of water that all apparatus in the Fire Rescue Department can pump to a first alarm non-residential fire. As outlined by Table 4 above, the pumping capacity of the City's Fire Rescue Department is 44,800 gallons per minute. Accordingly, based on National Fire Protection Association firefighting standards for fire flow as provided for in NFPA 1 Fire Code, 2015, Chapter 18 (assuming ordinary construction), the Fire Rescue Department currently has sufficient fire flow capacity to provide service coverage in the event of a structure fire involving unlimited square feet.

Table 5 below details the Fire Rescue Department's response protocol.

Table 5
Minimum Response Protocol

Call Type	Typical City Response
Medical	Engine (1)
Vehicle Accident	Engine (1)
Vehicle Accident with Extraction	Engine (2), Battalion Chief (1)
Residential Fire	Engine (2), Truck(1), Battalion Chief (1), FireMed (1)
Residential/Building Alarm	Engine (1)
Commercial Fire	Engine (3), Truck (1), Battalion Chief (1), FireMed (1)
Hazardous Material	Engine (2), Tanker (1), Truck (1), Haz-Mat (1), Battalion Chief (1), FireMed (1)
Service Calls	Engine (1)

Call Type	Typical County Response
Medical	Rescue (1), Tanker (1)
Vehicle Accident	Rescue (1), Tanker (1)
Vehicle Accident with Extraction	Rescue (1), Tanker (1), Battalion Chief (1), FireMed (1), Engine or Truck (1)
Residential Fire	Rescue (1), Tanker (2), Battalion Chief (1), FireMed (1), Engine or Truck (1)
Residential/Building Alarm	Rescue (1), Tanker (1)
Commercial Fire	Rescue (1), Tanker (1), Battalion Chief (1), FireMed (1), Engine or Truck (3)
Hazardous Material	Rescue (1), Tanker (1), Battalion Chief (1), FireMed (1), Engine or Truck (2), HazMat (1)
Service Calls	Rescue (1), Tanker (1)

Source: City of Tallahassee

DEVELOPMENT OF FACTORS

FIRE RESCUE V. EMERGENCY MEDICAL SERVICES

In June 2000, litigation over the City of North Lauderdale fire rescue assessment program resulted in a decision by the Fourth District Court of Appeals in the case of SMM Properties, Inc. v. City of North Lauderdale, (the "North Lauderdale" case). The Fourth District Court of Appeals concluded that Emergency Medical Services (EMS) did not provide a special benefit to property. The Court, however, reaffirmed that fire suppression, fire prevention, fire/building inspections and first response medical services do provide a special benefit to property. In 2002, the Florida Supreme Court upheld the decision of the Fourth District Court of Appeals.

To address these concerns, GSG developed a methodology that removed the costs associated with emergency medical services. This method of splitting the fire and EMS portions of a consolidated public safety department's budget was upheld by the Fourth District Court of Appeals in Desiderio Corporation, et al. vs. The City of Boynton Beach, Florida, et al., 39 So.3d 487 (Fla. 4th DCA 2010).

The proposed fire rescue department's line item costs were allocated between fire rescue and emergency medical services as a result of the Florida Supreme Court's opinion in City of North Lauderdale v. SMM Properties that emergency medical services (above the level of first response) do not provide a special benefit to property. Accordingly, the County's fire rescue costs were split from emergency medical service costs based on the following general guidelines.

DIRECT ALLOCATIONS

To the extent that certain line items could be allocated directly to fire, direct allocations were made. For example, all costs associated with "Utility Service Expense," "Volunteer Fire Department," and "Contractual Svcs - VFD County" were allocated entirely to fire. All costs directly related to "Medical Services" were directly allocated to EMS.

ADMINISTRATIVE FACTOR

Certain line items were allocated between fire and EMS based on an Administrative Factor. This Administrative Factor is derived by creating a ratio between non-EMS or fire personnel and total combat personnel per shift. The administrative factor calculations are based on the City's total Fire Rescue Department combat personnel staffing, including an allocation for volunteers. Under normal staffing, this results in 75 non-EMS personnel and 14 EMS personnel for a total of 89 combat personnel. This normal staffing yields an 84.27 % percent non-EMS Administrative Factor.

This percentage was applied to all applicable line items to allocate the costs that could not be directly allocated as fire costs or EMS costs, and that could not be operationally allocated (see below). For example, the Administrative Factor was applied to the line item expenditures for "Food," "Human Resource Expense" and "Utilities - Electric" to determine the fire service costs of these line items.

OPERATIONAL FACTOR

Other line items were allocated between fire and EMS based on an Operational Factor. The Operational Factor is derived by creating a ratio between non-EMS (i.e. fire) calls and EMS calls, and this ratio which is based on the City's Fire Rescue Department's operations, was then applied to certain budget line items such as "Vehicle Fuel" and "Vehicle Replacement".

To develop the Operational Factor, GSG obtained fire rescue incident data identifying the number of fire rescue calls made to property categories within the entire County over a three-year period. The City fire rescue incident data was used to determine the demand for fire rescue services. GSG obtained information from the City in an electronic format, identifying the number and type of fire rescue incident responses for calendar years 2011, 2012 and 2013.

The State Fire Marshal's office uses the Florida Fire Incident Reporting System (FFIRS). This system is a tool for fire rescue departments to report and maintain computerized records of fire rescue incidents and other department activities in a uniform manner. Under this system, a series of basic phrases with code numbers are used to describe fire rescue incidents. Appendix A provides a codes list for the "type of situation found" as recorded on the fire rescue incident reports used to identify EMS and non-EMS calls.

The ratio between non-EMS (i.e. fire) calls and EMS calls is then applied to all applicable line items to allocate the costs that could not be directly allocated as fire costs or EMS costs, and that could not be administratively allocated. For calendar years 2011, 2012 and 2013, the City reported 50,089 total non-government fire rescue incident calls to FFIRS, of which 19,406 were non-EMS (i.e. fire) calls and 30,683 were EMS calls. This information results in a 38.74% non-EMS Operational Factor.

ASSESSABLE COST CALCULATIONS

The fire services assessable cost calculations for Fiscal Years 2015-16 through 2019-20 are based on the following assumptions for the purpose of this Fire Assessment Memorandum.

- Actual projected expenditures and revenues were provided by the City for Fiscal Years 2015-16 through 2019-20.
- Revenues are shown as a reduction of the total projected expenditures for each fiscal year, thereby reducing the total assessable costs for that year. Revenues are comprised of revenues directly received from or for the delivery of fire services, such as "Fire Inspection Fees," "Forfeited Discounts," "Firefighters Supplemental," and contract for service revenues that are allocated to the fire budget.
- All costs associated with providing contract services to the Tallahassee Regional Airport were included in the assessable budget with the corresponding contract revenues removed from the assessable budget calculations.
- The line item "Under Collection Rate" under "Additional Costs" reflects a 95% collection rate of the Fire Services Assessment.
- The line item "GSG Study/Annual/Update" under "Operating Expenditures" is the cost associated with the anticipated update of the fire assessment program in Fiscal Year 2019-20. These costs are reimbursable through the assessment program.
- The costs associated with supporting the volunteer fire departments were included as 100% fire costs and are included in the assessable budget.

Table 6 provides a calculation of the assessable costs for Fiscal Year 2015-16 based on an application of the above factors to the Fiscal Year 2015-16 Projected Budget. The calculation yields an assessable cost of \$35,497,107 for Fiscal Year 2015-16.

Table 6
Fire Services Assessable Cost Calculations (FY 2015-16)

	FY 15-16 Projected Budget	FY 15-16 Assessable Budget
Personnel Services		
Salaries	\$16,683,075	\$13,919,205
Capitalized Wages	(\$37,935)	(\$31,968)
Salary Enhancements	\$1,138,964	\$950,374
Firefighter Holiday Pay	\$617,613	\$515,380
Overtime	\$861,507	\$734,035
Other Salary Items	\$655,681	\$540,911
Pension-Current	\$4,143,996	\$3,457,681
Pension-MAP	\$55,983	\$46,619
Mandatory Medicare	\$242,113	\$201,821
Health Benefits	\$1,945,308	\$1,612,587
Health Benefits-OPEB	\$200,977	\$169,363
Flex Benefits	\$81,415	\$66,711
Total Personnel Services	\$26,588,697	\$22,182,721
Operating Expenditures		
Advertising	\$6,645	\$5,600
Cleaning & Laundry	\$8,731	\$8,209
Reproduction	\$5,412	\$2,404
Equipment Repairs	\$44,801	\$17,357
Medical Services	\$67,001	\$0
Construction Services	\$10,000	\$8,427

	FY 15-16 Projected Budget	FY 15-16 Assessable Budget
Unclassified Contract Svcs	\$290,916	\$170,389
Computer Software	\$3,150	\$2,654
Telephone	\$22,550	\$17,827
Chem-Med-Lab	\$70,246	\$1,672
Food	\$1,211	\$1,021
Gasoline	\$697	\$270
Office Supplies	\$20,441	\$15,978
Uniforms & Clothing	\$298,761	\$251,082
Unclassified Supplies	\$156,294	\$108,628
Non-Capitalized Furniture	\$5,673	\$5,541
Travel & Training	\$72,359	\$49,453
Journals & Books	\$16,857	\$14,963
Memberships	\$4,008	\$3,098
Certificates & Licenses	\$2,300	\$590
Rent Expense-Machines	\$9,992	\$8,420
Unclassified Charges	\$52,500	\$44,242
Bad Debt Expense	\$161,366	\$135,983
Unclassified Equipment	\$351,619	\$308,733
Human Resource Expense	\$421,915	\$355,546
Accounting Expense	\$87,776	\$73,969
Purchasing Expense	\$42,490	\$35,806
Information Systems Expense	\$1,709,303	\$1,440,424
Risk Management Expense	\$575,434	\$484,916
Radio Communications Expense	\$165,497	\$139,464
Revenue Collection Expense	\$64,707	\$54,528
Utility Service Expense	\$1,269,676	\$1,269,676
Vehicle Garage Expense	\$990,333	\$383,685
Vehicle Fuel	\$338,765	\$131,248
Vehicle Replacement	\$3,172,465	\$1,229,109
Utilities-Sewer	\$30,377	\$25,599
Utilities-Sanitation	\$16,149	\$13,609
Utilities-Stormwater	\$21,749	\$18,328
Utilities-Gas	\$37,495	\$31,597
Utilities-Water	\$25,177	\$21,217
Utilities-Electric	\$187,813	\$158,269
Utilities-Fire Services	\$47,890	\$40,357
Indirect Costs	\$757,947	\$638,719
Debt Service Transfer	\$2,834,850	\$2,388,919
RR&I Transfer	\$1,247,500	\$1,051,264
Inter-Fund Transfer	\$10,990	\$9,261
Contribution to Human Resources	\$45,000	\$37,921
Contribution to Consolidated Dispatch Agency	\$321,978	\$271,330
Contractual Svcs - VFD County	\$482,479	\$482,479
Airport Fire Protection	\$1,234,050	\$1,234,050
GSG Study/Annual/Update	\$0	\$0
Total Operating Expenditures	\$17,823,335	\$13,203,830
Total Expenditures	\$44,412,032	\$35,386,551
Revenues		
City-Fire Inspection Fees	\$294,500	\$294,500
City-Firefighters Supplemental	\$76,450	\$76,450
City-Airport	\$1,234,050	\$1,234,050
City-Forfeited Discounts	\$59,300	\$59,300
Total Revenues	\$1,664,300	\$1,664,300
Total Expenditures	\$44,412,032	\$35,386,551

	FY 15-16 Projected Budget	FY 15-16 Assessable Budget
Less Total Revenues	(\$1,664,300)	(\$1,664,300)
Total Net Expenditures before Additional Costs	\$42,747,732	\$33,722,251
Additional Costs		
Under Collection Rate (5%)		\$1,774,856
Total Additional Costs		\$1,774,856
Total Assessable Costs		\$35,497,107

Table 7 shows the calculation of the full cost of the Fire Services Assessment Program for Fiscal Year 2015-16 through Fiscal Year 2019-20 as well as the five-year average Fire Services Assessment Program cost.

Table 7
Fire Services Assessable Cost Calculations Proforma Five-Year Average (FY 2015-16 thru FY 2019-20)

	FY 15-16 Assessable Budget	FY 16-17 Assessable Budget	FY 17-18 Assessable Budget	FY 18-19 Assessable Budget	FY 19-20 Assessable Budget	Five-Year Average Assessable Budget
Total Personnel Services	\$22,182,721	\$23,552,663	\$24,866,486	\$27,625,129	\$28,829,470	\$25,411,294
Total Operating Expenditures	\$13,203,830	\$13,360,632	\$13,697,672	\$13,209,205	\$13,000,395	\$13,294,347
Total Expenditures	\$35,386,551	\$36,913,295	\$38,564,158	\$40,834,334	\$41,829,865	\$38,705,641
Total Revenues	(\$1,664,600)	(\$1,729,956)	(\$1,766,528)	(\$1,795,675)	(\$1,825,561)	(\$1,756,404)
Total Net Expenditures before Additional Costs	\$33,722,251	\$35,183,339	\$36,797,630	\$39,038,659	\$40,004,304	\$36,949,237
Total Additional Costs	\$1,774,856	\$1,851,755	\$1,936,718	\$2,054,667	\$2,105,490	\$1,944,697
Total Assessable Costs	\$35,497,107	\$37,035,094	\$38,734,348	\$41,093,326	\$42,109,794	\$38,893,934

The average annual increase in the total assessable costs from Fiscal Year 2009-10 (Prior Study) to 2019-20 is estimated to be 4 - 5%. This estimate could be used for budgetary planning purposes relating to the fire assessment moving forward.

Determination of Fire Services Demand

INCIDENT DATA

GSG obtained information from the City in an electronic format, identifying the number and type of fire rescue incident responses for calendar years 2011, 2012 and 2013. The City uses the Florida Fire Incident Reporting System (FFIRS) to record its fire rescue incidents. The FFIRS is a tool for fire rescue departments to report and maintain computerized records of fire rescue incidents and other department activities in a uniform manner.

Under this system, a series of basic phrases with code numbers are used to describe fire rescue incidents. A data field in the FFIRS, "type of situation found," identifies the incident as an EMS or non-EMS type of call for each incident. Appendix A provides a code list for the "type of situation found" as recorded on the fire rescue incident reports used to identify EMS and non-EMS calls.

Another data field in the FFIRS, "fixed property use," identifies the type of property that fire rescue departments respond to for each fire rescue incident. The fixed property uses correlate to property uses determined by the Leon County Property Appraiser on the ad valorem tax roll. Appendix B provides a code list for the "fixed property use" as recorded on the fire rescue incident reports.

GSG analyzed the calendar year 2011, 2012 and 2013 fire rescue incident data from the FFIRS files to evaluate trends and determine if aberrations were present. The fire rescue incident data for calendar years 2011, 2012 and 2013 represents 52,103 fire rescue incidents. Of the 52,103 fire rescue incidents, there were 30,683 incidents classified as EMS type incidents based on the type of situation found indicated on the incident report. The 30,683 EMS type incidents were not included in the analysis.

There are certain fire incidents that could not be assigned to a specific property or parcel. These calls represent non-specific type incidents, which are incidents that either could not be correlated to a specific parcel or calls that involved auto accidents and other types of incidents along roads and highways.

Of the 21,420 remaining fire type incidents, 14,638 were calls to specific property uses. The remaining 6,782 incidents were considered non-specific type incidents. Because of the inability to correlate these non-specific type incidents to specific property categories, the call analysis does not include these 6,782 incidents. Additionally, the level of services required to meet anticipated demand for fire services and the corresponding annual fire services budget required to fund fire services provided to non-specific property uses would be required notwithstanding the occurrence of any incidents from such non-specific property uses.

The suppression of fires on vacant land and agricultural property primarily benefits adjacent property by containing the spread of fire rather than preserving the integrity of the vacant parcel. Thus, incidents to vacant and agricultural property were not included in the final analysis of the fire call database. The 116 calls to these two property use categories were removed.

Of the remaining 14,522 fire type incidents, there were 2,014 calls for service to government properties and 12,508 calls to non-Government properties as identified by addresses or fixed property use codes provided in the FFIRS reports. The costs associated with providing service to government properties was segregated and those government properties will fund fire service through a fee that is determined by the historical demand for service as detailed later in this Memorandum.

Table 8 outlines the assignment of fire type incidents based on the analysis conducted by GSG.

Table 8
Fire Calls by Category (Calendar Years 2011, 2012 and 2013)

Property Category	Number of Fire Incidents	Percentage of Total Incidents
Non-Government	12,508	86.13%
Government	2,014	13.87%
Total	14,522	100%

Source: City of Tallahassee

PROPERTY DATA

GSG obtained information from the ad valorem tax roll from the Leon County Property Appraiser's office to develop the assessment roll. Each building within the County on the ad valorem tax roll was assigned to one or more of the property use categories based on their assignment of use by the Leon County Property Appraiser or verification of use obtained through field research. A list of building improvement codes used by the Leon County Property Appraiser and their assignment to a property use category is provided as Appendix C.

The Residential Property Use Category includes such properties as single-family dwelling units, duplexes, mobile homes, triplexes, quadruplexes, apartments, condominiums, townhouses, and cooperatives. In the event the data was indefinite, the DOR codes were used to clarify mobile home categories and help identify condominium and townhouse buildings. For parcels assigned to the Residential Property Use Category, GSG utilized the total number of dwelling units as determined from the building files on the ad valorem tax roll or through the use of field research.

The Non-Residential Property Use Category includes commercial and industrial/warehouse property uses. For parcels within the Non-Residential Property Use Categories (Commercial and Industrial/Warehouse), GSG determined the amount of square footage of the structures using the building files on the ad valorem tax roll or through the use of field research.

For RV parks regulated under Chapter 513, Florida Statutes, in accordance with Sections 166.223 and 125.0168, Florida Statutes, which mandate that cities and counties treat RV parks like commercial property for non-ad valorem assessments levied by the City and County, each RV space within the park was treated as a building of commercial property and assigned the square footage of 191 square feet, the average size of a recreational vehicle, according to the Florida Association of RV Parks and Campgrounds.

Computation of Fire Services Assessments

This section of the Memorandum includes the assessment rates as calculated within this Assessment Memorandum. The fire rescue assessment cost calculations provided herein are primarily based on information supplied by the City. The assessable cost projections developed by GSG are designed to forecast assessment rates within each property use category for Fiscal Years 2015-16 through 2019-20.

SERVICE ZONES

Service zones were created under the previous fire assessment study in Fiscal Year 2009-10 to reflect the level of service differentiation of a property located in a higher density area that receives fire protection coverage from multiple stations as compared to a property located in an area generally described as rural and typically serviced by a single fire station. For this purpose, "core stations" were identified and defined as those stations within five road miles of at least two other stations. The creation of a core area was necessary to eliminate the appearance of a higher service level of those properties that may be within five road miles of two stations; however, the location of the property lies between two stations that are nearly ten miles apart. This same approach was used in this study. Any changes in the level of service provided in the two zones will need to be reviewed in subsequent studies to ensure that this approach is still valid.

Those properties included in "Zone 1" were generally located within five road miles of two "core stations." Properties located outside of five road miles of two "core stations" were included in "Zone 2." A map of the service zones is provided in Appendix E.

Calls were plotted, or "geocoded," on a map based upon the address provided in the FFIRS database. Those calls correlated to properties included in "Zone 1," and those calls correlated to properties included in "Zone 2," were aggregated and assigned to the respective zone. Table 9 details the assignment of calls to service zones.

Table 9
Fire Calls to Non-Governmental Properties by Zone (Calendar Years 2011, 2012 and 2013)

Zone	Number of Calls to Specific Property Uses
Zone 1	9,590
Zone 2	2,918

The calls for service were then weighted based on the average call duration differential between Zone 1 and Zone 2 to account for the difference in resources used on calls between the two zones. On average a call in Zone 2 is 26% longer in duration than a call in Zone 1. Therefore, all calls in Zone 2 were multiplied by a weighting factor of 1.26 to determine the weighted number of calls while all calls in Zone 1 were assigned a weighting factor of 1.00. Table 10 details the weighting of calls by zone

Table 10
Weighted Fire Calls to Non-Governmental Properties by Zone (Calendar Years 2011, 2012 and 2013)

Zone	Number of Calls to Specific Property Uses	Weighting Factor	Number of Weighted Calls to Specific Property Uses
Zone 1	9,590	1.00	9,590.00
Zone 2	2,918	1.26	3,676.68

Table 11 outlines the property use category assignment of weighted fire type incidents for non-governmental properties based on the historical demand for service in each zone.

Table 11
Weighted Fire Calls by Category to Non-Governmental Properties (Calendar Years 2011, 2012 and 2013)

Category	Zone 1		Zone 2	
	Number of Incidents	Percentage of Calls	Number of Incidents	Percentage of Calls
Residential	6,036	62.94%	3,186.54	86.67%
Commercial	3,448	35.95%	444.78	12.10%
Industrial/Warehouse	106	1.11%	45.36	1.23%
Total	9,590	100%	3,676.68	100%

Source: City of Tallahassee

SPECIAL BENEFIT ASSUMPTIONS

The following assumptions support a finding that the fire services, facilities, and programs provided by the City provide a special benefit to the assessed parcels.

- Fire services, facilities, and programs possess a logical relationship to the use and enjoyment of property by: (i) protecting the value and integrity of improvements and structures through the availability and provision of comprehensive fire services; (ii) protecting the life and safety of intended occupants in the use and enjoyment of property; (iii) lowering the cost of fire insurance by the presence of a professional and comprehensive fire services program; and (iv) containing fire incidents occurring on land with the potential to spread and endanger other property and property features.
- The availability and provision of comprehensive fire services enhances and strengthens the relationship of such services to the use and enjoyment of the parcels of property, the market perception of the area and, ultimately, the property values within the assessable area.

APPORTIONMENT METHODOLOGY

The following section describes the assessment apportionment methodology for fire services based on: (i) the fire services assessable cost calculations; (ii) the ad valorem tax roll maintained by the property appraiser and the availability of the data residing on the database; and (iii) the fire rescue incident data.

COST APPORTIONMENT

The assessable costs were first apportioned among government and non-government property based upon the historical demand for service percentages shown in Table 8. The assessable costs attributable to non-government property were then apportioned to Zone 1 and Zone 2 and then further to the individual property use categories in each service zone based upon the weighted historical demand for fire services reflected by the fire incident data experienced in each service zone for Calendar Years 2011, 2012 and 2013. The five-year average cost apportionment is illustrated in Table 12.

Table 12
Cost Apportionment (Five-Year Average)

Category	Zone 1 (72.29% of Weighted Fire Calls)			Zone 2 (27.71% of Weighted Fire Calls)		
	Total Calls	Percentage	Assessable Costs	Total Calls	Percentage	Assessable Costs
Residential	6,036	62.94%	\$15,239,222	3,186.54	86.67%	\$8,045,128
Commercial	3,448	35.95%	\$8,705,242	444.78	12.10%	\$1,122,946
Industrial/Warehouse	106	1.11%	\$267,621	45.36	1.23%	\$114,521
Total	9,590	100%	\$24,212,085	3,676.68	100%	\$9,282,595

PARCEL APPORTIONMENT

The share of the assessable costs apportioned to each property use category was further apportioned among the individual buildings of property within each property use category in the manner described in Table 13.

Table 13
Parcel Apportionment within Property Use Categories

Category	Parcel Apportionment
Residential	Dwelling Unit
Non-Residential	Improvement Area Per Building Within Square Footage Ranges (100,000 Square Foot Cap Per Building)
-Commercial	
-Industrial/Warehouse	

Applying the foregoing parcel apportionment methodology, fire assessment rates were computed for each property use category. The specific methodology, underlying special benefit and fair apportionment assumptions are included below and generally described.

RESIDENTIAL PARCEL APPORTIONMENT ASSUMPTIONS

The following assumptions support findings that the parcel apportionment applied in the Residential Property Use category are fair and reasonable. The Residential Property Use Category includes such properties as single-family dwelling units and multi-family dwelling units.

- The size or the value of the residential parcel does not determine the scope of the required fire services. The potential demand for fire services is driven by the existence of a dwelling unit and the anticipated average occupant population.
- Apportioning the assessable costs for fire services attributable to the residential property use category on a per dwelling unit basis is required to avoid cost inefficiency and unnecessary administration, and is a fair and reasonable method of parcel apportionment based upon historical fire call data.
- The consolidation of single-family and multi-family properties into a single category is fair and reasonable because they are similar property uses and the number of calls per dwelling unit is not significantly different.

RESIDENTIAL PARCEL APPORTIONMENT CALCULATION

Based upon the historical demand for fire services, the percentages of assessable costs attributable to residential properties were calculated. The amount of the assessable costs allocable to each residential property was divided by the number of dwelling units in the Residential Property Use Category to compute the fire assessment to be imposed against each dwelling unit. For each residential parcel, the actual number of dwelling units located on the parcel will be multiplied by the residential dwelling unit rate to compute the residential fire assessment amount for the parcel.

Table 14 illustrates the assignment of dwelling units under this apportionment methodology to the Residential Property Use Category for each zone.

Table 14
Parcel Apportionment (Residential Property Use Category)

Residential Property Use Category	Number of Dwelling Units-Zone 1	Number of Dwelling Units-Zone 2
Residential Dwelling Units	75,921	43,378

Source: Leon County Property Appraiser Data

NON-RESIDENTIAL PARCEL APPORTIONMENT ASSUMPTIONS

The Non-Residential Property Use category includes commercial and industrial/warehouse property uses. The capacity to handle fires and other emergencies in Non-Residential Property Use category is governed by the following:

- The current pumping capacity is defined as the combined amount of water that all apparatus in the Fire Department can pump to a non-residential fire. As outlined by Table 4 above, the pumping capacity of the Fire Department is 44,800 gallons per minute. Accordingly, based on National Fire Protection Association firefighting standards for fire flow as provided for in NFPA 1 Fire Code, 2015, Chapter 18 (assuming ordinary construction), the Fire Rescue Department currently has sufficient fire flow capacity to provide service coverage in the event of a structure fire involving unlimited square feet. To avoid inefficiency and unnecessary administration, the City has made a policy decision to set the maximum classification of any building at 100,000 square feet.

The following assumption supports findings that the parcel apportionment applied in the Non-Residential Property Use category is fair and reasonable.

- The risk of loss and demand for fire services availability is substantially the same for structures below a certain minimum size. Because the value and anticipated occupancy of structures below a certain minimum size is less, it is fair, reasonable, and equitable to provide a lesser assessment burden on such structures by the creation of a specific property parcel classification for those parcels.
- The separation of non-residential buildings into square footage classifications is fair and reasonable for the purposes of parcel apportionment because: (i) the absence of a need for precise square footage data within the ad valorem tax records maintained by the property appraiser undermines the use of actual square footage of structures and improvements within each improved building as a basis for parcel apportionment; (ii) the administrative expense and complexity created by an on-site inspection to determine the actual square footage of structures and improvements within each improved parcel assessed is impractical; and (iii) the demand for fire services availability is not precisely determined or measured by the actual square footage of structures and improvements within benefited parcels; and (iv) the classification of buildings within square footage ranges is a fair and reasonable method to classify benefited parcels and to apportion costs among benefited buildings that create similar demand for the availability of fire services.
- The consolidation of commercial and institutional properties into a single category is fair and reasonable because the non-government institutional type properties are similar in use to the commercial type properties.

The parcel apportionment for each Non-Residential Property Use Classification shall include both minimum building classifications and an additional classification of all other buildings based upon the assumed square footage of structures and improvements within the improved parcel. The Non-Residential Property Use Classifications include Commercial and Industrial/Warehouse. The following describes the Non-Residential Property parcel apportionment calculation and classification for the Commercial and Industrial/Warehouse categories.

NON-RESIDENTIAL PARCEL APPORTIONMENT CALCULATION

Based upon the historical demand for fire services, property in the Non-Residential Property Use categories will be responsible for funding a percentage of assessable costs. The amount of the assessable costs allocable to buildings within each of the Non-Residential Property Use Classifications was calculated based upon the following building classifications.

- Non-residential buildings with square footage of non-residential improvements less than 1,999 square feet were assigned an improvement area of 1,000 square feet per building. Buildings with square footage of non-residential improvements between 2,000 square feet and 3,499 square feet were assigned an improvement area of 2,000 square feet per building. Buildings with non-residential improvements between 3,500 square feet and 4,999 square feet were assigned an improvement area of 3,500 square feet per building. Buildings with non-residential improvement areas between 5,000 square feet and 9,999 square feet were assigned an improvement area of 5,000 square feet per building. For buildings containing non-residential improvements between 10,000 square feet and 99,999 square feet, assignments of improvement area were made in 10,000 square foot increments.
- For buildings, containing non-residential improvements over 99,999 square feet, an assignment of improvement area of 100,000 was made.

Sections 125.0168 and 166.223, Florida Statutes, relating to special assessments levied on recreational vehicle parks regulated under Chapter 513, Florida Statutes are based on the following:

- When a city or county levy a non-ad valorem special assessment on a recreational vehicle park regulated under Chapter 513, the non-ad valorem special assessment shall not be based on the assertion that the recreational vehicle park is comprised of residential units. Instead, recreational vehicle parks regulated under Chapter 513 shall be assessed as a commercial entity in the same manner as a hotel, motel, or other similar facility.

Table 15 illustrates the assignment of improvement area under this apportionment methodology for the Commercial and Industrial/Warehouse categories.

Table 15
Parcel Apportionment (Non-Residential Property Use Category)

Square Foot Tiers	Number of Commercial Buildings		Number of Industrial/Warehouse Buildings	
	Zone 1	Zone 2	Zone 1	Zone 2
≤ 1,999	1,444	238	86	45
2,000 - 3,499	961	173	147	54
3,500 - 4,999	536	88	122	51
5,000 - 9,999	809	111	274	79
10,000 - 19,999	407	73	196	27
20,000 - 29,999	141	19	60	5
30,000 - 39,999	81	4	28	2
40,000 - 49,999	48	7	13	0
50,000 - 59,999	34	3	9	0
60,000 - 69,999	18	4	5	0
70,000 - 79,999	13	2	3	4
80,000 - 89,999	11	2	5	1
90,000 - 99,999	9	3	3	0
≥ 100,000	39	3	13	0

Source: Leon County Property Appraiser Data

Because the suppression of fires on vacant land and agricultural property primarily benefits adjacent property by containing the spread of fire rather than preserving the integrity of the vacant parcel, incidents to vacant and agricultural property were not included in the final analysis of the fire call database. Therefore, only the primary structures on vacant and agricultural parcels will be charged.

FIRE ASSESSMENT RATES

Applying the parcel apportionment methodology, fire services assessment rates were computed for each specified property use category. Based on the assessable costs of providing fire services, the number of fire calls apportioned to specific property categories and the number of billing units within the specified property categories.

Table 16 illustrates the assessment rates after application of the assessment methodology based on 100 percent funding of the five-year average total assessable costs.

Table 16
Fire Services Assessment Rates (Five Year Average)

Residential Property Use Categories		Zone 1 - Rate Per Dwelling Unit	Zone 2 - Rate Per Dwelling Unit
Residential Dwelling Unit		\$201	\$185
Commercial Property Use Category	Building Classification (in square foot ranges)	Zone 1 - Rate Per Building	Zone 2 - Rate Per Building
	≤ 1,999	\$293	\$267
	2,000 - 3,499	\$585	\$533
	3,500 - 4,999	\$1,023	\$933
	5,000 - 9,999	\$1,461	\$1,332
	10,000 - 19,999	\$2,921	\$2,663
	20,000 - 29,999	\$5,842	\$5,326
	30,000 - 39,999	\$8,762	\$7,989
	40,000 - 49,999	\$11,683	\$10,652
	50,000 - 59,999	\$14,603	\$13,315
	60,000 - 69,999	\$17,524	\$15,978
	70,000 - 79,999	\$20,444	\$18,641
	80,000 - 89,999	\$23,365	\$21,304
	90,000 - 99,999	\$26,285	\$23,967
	≥ 100,000	\$29,206	\$26,630
Industrial/Warehouse Property Use Category	Building Classification (in square foot ranges)	Zone 1 - Rate Per Building	Zone 2 - Rate Per Building
	≤ 1,999	\$28	\$76
	2,000 - 3,499	\$56	\$152
	3,500 - 4,999	\$98	\$265
	5,000 - 9,999	\$139	\$378
	10,000 - 19,999	\$278	\$756
	20,000 - 29,999	\$556	\$1,511
	30,000 - 39,999	\$834	\$2,266
	40,000 - 49,999	\$1,112	\$3,021
	50,000 - 59,999	\$1,390	\$3,776
	60,000 - 69,999	\$1,668	\$4,532
	70,000 - 79,999	\$1,946	\$5,287
	80,000 - 89,999	\$2,224	\$6,042
	90,000 - 99,999	\$2,502	\$6,797
	≥ 100,000	\$2,780	\$7,552

*Estimated Gross Revenue: \$33,494,680; Estimated Institutional Tax Exempt Buy-down: \$1,052,276; Estimated Net Revenue: \$32,442,404.

EXEMPTIONS AND IMPACT OF EXEMPTIONS

Because the fire services assessment is being developed to meet the case law standards for a valid special assessment, any proposed exemptions require special scrutiny. The crafting of an exemption must be founded upon a legitimate public purpose, and not tramp on state or federal constitutional concepts of equal protection and constitutional prohibitions against establishment of religion or the use of the public treasury directly or indirectly to aid religious institutions. Furthermore, to ensure public acceptance, any exemption must make common sense and be fundamentally fair. Finally, the impact of any proposed exemption should be evaluated in terms of its magnitude and fiscal consequences on the City and County's general funds respectively.

Whenever crafting an exemption, it is important to understand that the fair apportionment element required by Florida case law prohibits the shifting of the fiscal costs of any special assessment from exempt landowners to other non-exempt landowners. In other words, the funding for an exemption from a special assessment must come from a legally available external revenue source, such as the City and

County's general funds. Funding for fire assessment exemptions cannot come from the proceeds derived directly from the imposition of special assessments for fire services and facilities. Because any exemption must be funded by an external funding source, the grant of any exemption will not have any impact upon the fire assessment to be imposed upon any other non-exempt parcels.

The decision to fund exemptions for fire services assessments on property owned by non-governmental entities is based upon the determination that such exemptions constituted a valid public purpose.

Table 17 summarizes the estimated impact of exempting institutional, wholly tax-exempt property based on the five-year average assessable budget.

Table 17
Estimated Impact of Exemptions (Five-Year Average)

Financial Classification	Zone 1	Zone 2	Total
Estimated Assessable Costs	\$24,212,085	\$9,282,595	\$33,494,680
Estimated Buy-down for Institutional Tax-Exempt Building Uses	\$791,202	\$261,074	\$1,052,276
Estimated Revenue Generated	\$23,420,883	\$9,021,521	\$32,442,404

Fire Services Fees Imposed on Governmental Property

The special benefit and fair and reasonable apportionment requirements for a valid special assessment do not rigidly apply to charges against government property. Florida case law has stated that user fees are paid by choice and are charged in exchange for a particular governmental service, which benefits the property paying the fee in a manner not shared by other members of the public. In the user fee context, choice means that the property paying the fee has the option of not using the governmental service and thereby avoiding the charge. Under such tests and definition of choice, the validity of both impact fees and stormwater fees have been upheld.

Impact fees are imposed to place the economic burden of infrastructure required by growth on new development. Stormwater fees are imposed to control and treat the stormwater burden generated by the use and enjoyment of developed property. Likewise, fire services provided by the City and County are intended to meet the historical demand for fire services from developed property and such fee benefits the owner or user of developed property in a manner not shared by other members of society (e.g., the owner of undeveloped property).

The Florida Attorney General has recognized that state-owned property is not required to pay a special assessment without legislative authorization but that such authorization is not needed for user fees or service charges. Additionally, a valid charge cannot be enforced by a lien against public property absent elector approval. Rather, the enforcement remedy is a mandamus action to compel payment. In addition, certain general laws preempt the home rule power of local governments to impose special assessments on educational institutions.

As discussed previously and documented in the "Incident Data" section of this document, the fire services incidents were analyzed to determine the fire services demand for all governmental property. It was determined that approximately 13.87% of the total fire calls were attributable to governmental property. Therefore, approximately 13.87% of the total assessable budget was allocated to governmental property as shown in Table 18 below.

Table 18
Government Cost Allocation

Total Assessable Costs	Percentage of Governmental Calls	Governmental Cost Allocation
\$38,893,934	13.87%	\$5,399,254

The costs attributable to each governmental entity will be allocated based on each entities percentage of the total governmental square footage as determined by the City. GSG calculated a rate per square foot for governmental property based on the governmental cost allocation in Table 18 and the total governmental square footage as provided by the City. This calculation is shown in Table 19 below.

Table 19
Government Rate Calculation

Governmental Cost Allocation	Total Government Square Feet	Government Rate Per Square Foot
\$5,399,254	25,608,345	\$0.211

Additional Information

EXEMPTION CALCULATIONS

GSG utilized the most current data to identify institutional, tax-exempt parcels within the County in order to calculate the aggregate cost ('buy down') of these parcels. In addition, best efforts were made by GSG to reconcile any differences necessary to calculate the estimated buy down for this exemption category. Missing or incorrect property data could affect the estimated aggregate costs.

NON-SPECIFIC CALLS

In the fire call analysis, certain fire related calls were classified as non-property specific, because of the location of occurrence in the incident report. These calls represent non-specific incidents that either could not be correlated to a specific parcel or involved auto accidents or other types of incidents along roads and highways. These calls are excluded from the analysis that determines the percentage of calls for service to respective property types and therefore, are not considered in the determination of the extent of budget required to fund the department. Because the budget is established based on the ability of the department to adequately protect structures, no adjustment has been made to the budget due to non-property specific calls.

MOBILE HOME AND RECREATIONAL VEHICLE PARK VACANCY CREDIT

As a consequence of the transient use and potential extraordinary vacancies within mobile home and recreational vehicle (RV) parks as compared to other residential property and the lack of demand for fire services for unoccupied spaces, it is fair and reasonable to provide for an extraordinary vacancy adjustment procedure for mobile home and RV park properties. Vacant mobile home and RV spaces within a mobile home or RV park will be charged; however, these properties will be eligible for an extraordinary vacancy adjustment for vacant mobile home or RV spaces.

VERIFICATION OF SQUARE FOOTAGE OF STRUCTURES ON TAX-EXEMPT PARCELS

The ad valorem tax roll provides the data required to determine value. So long as properties remain in the name of owners exempt from ad valorem taxation, the property appraiser may not consistently maintain data related to building improvements on such parcels. As a consequence of such data imperfections, the square footage on some of the parcels, particularly for institutional private sector classifications, may not be complete. The City of Tallahassee Fire Department staff has assisted GSG in verifying square footage information for certain parcels of property within the County.

BILLING PROPERTIES WITH MULTIPLE UTILITY ACCOUNTS

The proposed methodology can determine the assessment rate per building on a tax parcel. However, for some non-residential properties there may be many utility accounts assigned to a building. When utilizing the utility bill to collect the Fire Services Assessment, a considerable amount of data collection will be necessary to assess each utility account assigned to the building.

Appendix A

SITUATION FOUND CODES AND DESCRIPTIONS

Code	Description	Type
100	Fire, Other	Non-EMS
111	Building Fire	Non-EMS
112	Fires in structures other than in a building	Non-EMS
113	Cooking fire, confined to a container	Non-EMS
114	Chimney or flue fire, confined to chimney or flue	Non-EMS
115	Incinerator overload or malfunction, fire confined	Non-EMS
116	Fuel burner/boiler malfunction, fire confined	Non-EMS
117	Commercial compactor fire, confined to rubbish	Non-EMS
118	Trash or rubbish fire, contained	Non-EMS
118B	Bonfire Contained	Non-EMS
120	Fire in mobile property used as a fixed structure, other	Non-EMS
121	Fire in mobile home used as a fixed residence	Non-EMS
122	Fire in mobile home, camper, recreational vehicle	Non-EMS
123	Fire in portable building, fixed location	Non-EMS
130	Mobile property (vehicle) fire, other	Non-EMS
131	Passenger vehicle fire	Non-EMS
132	Road freight or transport vehicle fire	Non-EMS
134	Water vehicle fire	Non-EMS
137	Camper or RV fire	Non-EMS
138	Off Road vehicle or heavy equipment fire	Non-EMS
140	Natural vegetation fire	Non-EMS
141	Forest, woods or wildland fire	Non-EMS
142	Brush, or brush and grass mixture fire	Non-EMS
143	Grass fire	Non-EMS
150	Outside rubbish fire, other	Non-EMS
151	Outside rubbish, trash or waste fire	Non-EMS
152	Garbage dump or sanitary landfill fire	Non-EMS
153	Construction or demolition landfill fire	Non-EMS
154	Dumpster or other outside trash receptacle fire	Non-EMS
155	Outside stationary compactor/compacted trash fire	Non-EMS
160	Special outside fire, other	Non-EMS
161	Outside storage fire	Non-EMS
162	Outside equipment fire	Non-EMS
170	Cultivated vegetation, crop fire, other	Non-EMS
200	Overpressure rupture, explosion, overheat, other	Non-EMS
210	Overpressure rupture from steam, other	Non-EMS
211	Overpressure rupture of steam pipe or pipeline	Non-EMS
213	Steam rupture of pressure or process vessel	Non-EMS
220	Overpressure rupture from air or gas, other	Non-EMS
221	Overpressure rupture of air or gas pipe/pipeline	Non-EMS
223	Air or gas rupture of pressure or process vessel	Non-EMS
240	Explosion (no fire), other	Non-EMS
243	Fireworks explosion (no fire)	Non-EMS
251	Excessive heat, scorch burns with no ignition	Non-EMS
3	Rescue Call	EMS
300	Rescue, EMS call, other	EMS
311	Medical assist, assist EMS crew	EMS
320	Allergic reaction	EMS

Code	Description	Type
321	EMS call, excluding vehicle accident with injury	EMS
321B	Blood Pressure Check	EMS
322	Vehicle accident with injuries	EMS
323	Motor vehicle/pedestrian accident (MV Ped)	EMS
324	Motor Vehicle Accident, No Injuries	Non-EMS
331	Lock-in (if lock out, use 511)	Non-EMS
341	Search for person on land	Non-EMS
342	Search for person in water	Non-EMS
350	Extrication, rescue, other	Non-EMS
351	Extrication of victim(s) from building/structure	Non-EMS
352	Extrication of victim(s) from vehicle	Non-EMS
353	Removal of victim(s) from stalled elevator	Non-EMS
354	Trench/below grade rescue	Non-EMS
355	Confined space rescue	Non-EMS
356	High angle rescue	Non-EMS
361	Swimming/recreational water areas rescue	Non-EMS
365	Watercraft rescue	Non-EMS
370	Electrical rescue	Non-EMS
371	Electrocution or potential electrocution	Non-EMS
372	Trapped by power lines	Non-EMS
381	Rescue or EMS standby	EMS
400	Hazardous condition, other	Non-EMS
400P	Hazardous Condition Powder	Non-EMS
410	Flammable gas or liquid condition, other	Non-EMS
411	Gasoline or other flammable liquid spill	Non-EMS
412	Gas leak	Non-EMS
413	Oil or other combustible liquid spill	Non-EMS
422	Chemical spill or leak	Non-EMS
423	Refrigeration leak	Non-EMS
424	Carbon monoxide incident	Non-EMS
440	Electrical wiring/equipment problem, other	Non-EMS
441	Heat from short circuit (wiring), defective/worn	Non-EMS
442	Overheated motor	Non-EMS
443	Light ballast breakdown	Non-EMS
444	Power line down	Non-EMS
445	Arcing, shorted electrical equipment	Non-EMS
451	Police Assist	Non-EMS
460	Accident, potential accident, other	Non-EMS
461	Building or structure weakened or collapsed	Non-EMS
462	Aircraft standby	Non-EMS
462A	Aircraft Standby, Electrical Indicators	Non-EMS
462E	Aircraft Standby, Engine Failure	Non-EMS
462O	Aircraft Standby, Other	Non-EMS
463	Vehicle accident, general cleanup	Non-EMS
471	Explosive, bomb removal (for bomb scare, use 721)	Non-EMS
480	Attempted burning, illegal action, other	Non-EMS
481	Attempt to burn	Non-EMS
482	Threat to burn	Non-EMS

Code	Description	Type
500	Service call, other	Non-EMS
500C	Service Call Other - Check	Non-EMS
510	Person in distress, other	Non-EMS
511	Lock-out	Non-EMS
512	Ring or jewelry removal	Non-EMS
520	Water problem, other	Non-EMS
521	Water evacuation	Non-EMS
522	Water or steam leak	Non-EMS
531	Smoke or odor removal	Non-EMS
540	Animal problem, other	Non-EMS
541	Animal problem	Non-EMS
542	Animal rescue	Non-EMS
550	Public service assistance, other	Non-EMS
551	Assist police or other governmental agency	Non-EMS
551E	Assist EMS	EMS
551R	Airport Runway Check	Exclude
552	Police matter	Non-EMS
553	Public service	Non-EMS
553D	Public Service Smoke Detector	Non-EMS
554	Assist invalid	EMS
555	Defective elevator	Non-EMS
561	Unauthorized burning	Non-EMS
571	Cover assignment, standby, moveup	Non-EMS
600	Good intent call, other	Non-EMS
611	Dispatched & canceled en route	Non-EMS
621	Wrong location	Non-EMS
621L	Unable to Locate	Non-EMS
622	No incident found upon arrival	Non-EMS
631	Authorized controlled burning	Non-EMS
632	Prescribed fire	Non-EMS
641	Vicinity alarm (incident in other location)	Non-EMS
650	Steam, other gas mistaken for smoke, other	Non-EMS
651	Smoke scare, odor of smoke	Non-EMS
652	Steam, vapor, fog or dust thought to be smoke	Non-EMS
653	Barbecue, tar kettle	Non-EMS
661	EMS call, party transported by non-fire agency	EMS
671	Hazmat release investigation w/no hazmat	Non-EMS
672	Biological hazard investigation, none found	Non-EMS
700	False alarm or false call, other	Non-EMS
710	Malicious, mischievous false call, other	Non-EMS
711	Municipal alarm system, malicious false alarm	Non-EMS
712	Direct tie to FD, malicious/false alarm	Non-EMS
713	Telephone, malicious false alarm	Non-EMS
714	Central station, malicious false alarm	Non-EMS
715	Local alarm system, malicious false alarm	Non-EMS
721	Bomb scare - no bomb	Non-EMS
730	System malfunction	Non-EMS
731	Sprinkler activation due to malfunction	Non-EMS

Code	Description	Type
732	Extinguishing system activation due to malfunction	Non-EMS
733	Smoke detector activation due to malfunction	Non-EMS
734	Heat detector activation due to malfunction	Non-EMS
735	Alarm system sounded due to malfunction	Non-EMS
736	CO detector activation due to malfunction	Non-EMS
740	Unintentional transmission of alarm, other	Non-EMS
740R	Alarm Reset	Non-EMS
741	Sprinkler activation, no fire - unintentional	Non-EMS
742	Extinguishing system activation	Non-EMS
743	Smoke detector activation, no fire - unintentional	Non-EMS
744	Detector activation, no fire - unintentional	Non-EMS
745	Alarm system sounded, no fire - unintentional	Non-EMS
745B	Alarm System Activated/Burnt Floor/No Fire	Non-EMS
745T	Alarm System Activated/Testing/Maintenance	Non-EMS
746	Carbon monoxide detector activation, no CO	Non-EMS
800	Severe weather or natural disaster, other	Non-EMS
813	Wind storm, tornado/hurricane assessment	Non-EMS
814	Lightning strike (no fire)	Non-EMS
900	Special type of incident, other, Dumpster fire	Non-EMS
900A	Training/Academy	Exclude
900B	Training/Territory	Exclude
900E	Inspection	Exclude
900G	Drug Test	Exclude
900H	Hose Testing	Exclude
900I	Hydrant Inspection	Exclude
900P	Prefire Planning	Exclude
900R	Fire/Re-Check	Non-EMS
900T	Test Incident/CAD/PMDC	Exclude
911	Citizen complaint	Non-EMS

Appendix B

FIXED PROPERTY USE CODES AND DESCRIPTIONS

Code	Description	Category
000	FIXED PROP USE UNDETERMINED	NON-SPECIFIC
100	UNKNOWN OTHER	NON-SPECIFIC
110	FIXED USE RECREATION, OTHER	COMMERCIAL
111	BOWLING ESTABLISHMENT	COMMERCIAL
112	BILLIARD CENTER	COMMERCIAL
113	AMUSEMENT CENTER	COMMERCIAL
115	ROLLER RINK	COMMERCIAL
116	SWIMMING FACILITY	COMMERCIAL
120	VARIABLE USE AMUSEMENT/RECREATION	COMMERCIAL
121	BALLROOM,GYMNASIUM	COMMERCIAL
122	EXHIBITION HALL	COMMERCIAL
123	ARENA/STADIUM	COMMERCIAL
124	PLAYGROUND	COMMERCIAL
129	AMUSEMENT CENTER INDOOR/OUTDOOR	COMMERCIAL
130	PLACES OF WORSHIP,CHURCH,FUNERAL PARLOR	COMMERCIAL
131	CHURCH/CHAPEL	COMMERCIAL
134	FUNERAL PARLOR/CHAPEL	COMMERCIAL
140	CLUBS, OTHER	COMMERCIAL
141	ATHLETIC CLUB/YMCA	COMMERCIAL
142	CLUB HOUSE	COMMERCIAL
143	YACHT CLUB	COMMERCIAL
144	CASINO, GAMBLING CLUBS	COMMERCIAL
150	PUBLIC, GOVT, OTHER	COMMERCIAL
151	LIBRARY	COMMERCIAL
152	MUSEUM, ART GALLERY	COMMERCIAL
154	MEMORIAL STRUCTURE,MONUMENT	COMMERCIAL
155	COURT ROOM	COMMERCIAL
160	EATING/DRINKING PLACES	COMMERCIAL
161	RESTAURANT	COMMERCIAL
162	NIGHTCLUB	COMMERCIAL
170	TERMINALS OTHER	COMMERCIAL
173	BUS TERMINAL	COMMERCIAL
180	THEATER, STUDIO OTHER	COMMERCIAL
181	PERFORMANCE THEATER	COMMERCIAL
182	AUDITORIUM, CONCERT HALL	COMMERCIAL
183	MOVIE THEATER	COMMERCIAL
185	RADIO, TV STUDIO	COMMERCIAL
200	EDUCATIONAL PROPERTY OTHER	COMMERCIAL
210	SCHOOLS NON-ADULT OTHER	COMMERCIAL
211	PRE-SCHOOL	COMMERCIAL
213	ELEMENTARY SCHOOL	COMMERCIAL
215	HIGH SCHOOL/JR HIGH/MIDDLE SCHOOL	COMMERCIAL
241	COLLEGE/UNIVERSITY	COMMERCIAL
254	DAY CARE-IN COMMERCIAL PROPERTY	COMMERCIAL
255	DAY CARE-IN RESIDENCE-LICENSED	COMMERCIAL
300	HEALTHCARE/DETENTION OTHER	COMMERCIAL
311	CARE OF THE AGED/NURSING STAFF	COMMERCIAL
321	MENTAL RETARDATION/DEVELOPMENT DISABILITY FACILITY	COMMERCIAL

Code	Description	Category
322	ALCOHOL/SUBSTANCE ABUSE RECOVERY CENTER	COMMERCIAL
323	ASYLUM/MENTAL INSTITUTION	COMMERCIAL
331	HOSPITAL-MEDICAL/PSYCHIATRIC	COMMERCIAL
332	HOSPICES	COMMERCIAL
340	CLINICS, OTHER	COMMERCIAL
341	CLINIC, CLINIC-TYPE INFIRMARY	COMMERCIAL
342	DOCTOR/DENTIST/SURGEONS OFFICE	COMMERCIAL
343	HEMODIALYSIS UNIT	COMMERCIAL
361	JAIL/PRISON - NOT JUVENILE	COMMERCIAL
363	REFORMATORY, JUVENILE DETENTION CENTER	COMMERCIAL
365	POLICE STATION	COMMERCIAL
365A	POLICE TRAINING CENTER	COMMERCIAL
400	RESIDENTIAL OTHER	RESIDENTIAL
419	ONE- AND TWO-FAMILY DWELLING	RESIDENTIAL
429	MULTI-FAMILY DWELLINGS	RESIDENTIAL
439	ROOMING, BOARDING, RESIDENTIAL HOTELS	COMMERCIAL
449	HOTELS, MOTELS, INNS, LODGES	COMMERCIAL
459	RESIDENTIAL BOARD AND CARE	COMMERCIAL
460	DORMITORIES OTHER	COMMERCIAL
462	FRATERNITY, SORORITY HOUSE	COMMERCIAL
464	MILITARY BARRACKS/DORMITORY	RESIDENTIAL
500	MERCANTILE PROPERTIES OTHER	COMMERCIAL
511	CONVENIENCE STORE	COMMERCIAL
519	FOOD, BEVERAGE SALES, GROCERY STORE	COMMERCIAL
529	TEXTILE, WEARING APPAREL SALES	COMMERCIAL
539	HOUSEHOLD GOODS SALES, REPAIRS	COMMERCIAL
549	SPECIALTY SHOPS	COMMERCIAL
557	BARBER, BEAUTY SHOP, PERSONAL SERVICES	COMMERCIAL
559	RECREATIONAL, HOBBY, HOME SALES, PET STORE	COMMERCIAL
564	SELF-SERVICE LAUNDRY/DRY CLEANING	COMMERCIAL
569	PROFESSIONAL SUPPLIES	COMMERCIAL
571	SERVICE STATION	COMMERCIAL
579	MOTOR VEHICLE, BOAT SALES/SERVICE/REPAIRS	COMMERCIAL
580	GENERAL ITEM STORES, OTHER	COMMERCIAL
581	DEPARTMENT STORE	COMMERCIAL
592	BANK W/FIRST STORY BANKING FACILITY	COMMERCIAL
593	MEDICAL, RESEARCH, SCIENTIFIC OFFICE	COMMERCIAL
596	POST OFFICE OR MAILING FORMS	COMMERCIAL
599	BUSINESS OFFICES	COMMERCIAL
600	BASIC INDUSTRY, UTILITY, DEFENSE OTHER	INDUSTRIAL/WAREHOUSE
610	ENERGY PRODUCTION, OTHER	INDUSTRIAL/WAREHOUSE
614	STEAM, HEAT ENERGY PLANT	INDUSTRIAL/WAREHOUSE
615	ELECTRIC GENERATING PLANT	INDUSTRIAL/WAREHOUSE
629	LABORATORIES	INDUSTRIAL/WAREHOUSE
631	NATIONAL DEFENSE SITE/MILITARY SITE	COMMERCIAL
635	COMPUTER, DATA PROCESSING CNTR	INDUSTRIAL/WAREHOUSE
639	COMMUNICATIONS CENTER	INDUSTRIAL/WAREHOUSE
640	UTILITY, ENERGY DISTRIBUTION CNTR OTHER	INDUSTRIAL/WAREHOUSE

Code	Description	Category
642	ELECTRIC TRANSMISSION DISTIB. SYSTEM	INDUSTRIAL/WAREHOUSE
644	GAS DISTRIBUTION SYSTEM, PIPELINE	INDUSTRIAL/WAREHOUSE
647	WATER UTILITY	INDUSTRIAL/WAREHOUSE
648	SANITARY SERVICE	INDUSTRIAL/WAREHOUSE
655	CROPS, ORCHARDS	LAND
669	FOREST, TIMBERLAND	LAND
700	MANUFACTURING PROPERTY, PROCESSING	INDUSTRIAL/WAREHOUSE
800	STORAGE PROPERTY OTHER	INDUSTRIAL/WAREHOUSE
807	OUTSIDE MATERIAL STORAGE AREA	NON-SPECIFIC
808	SHED	NON-SPECIFIC
819	LIVESTOCK, POULTRY STORAGE	LAND
839	REFRIGERATED STORAGE	INDUSTRIAL/WAREHOUSE
880	VEHICLE STORAGE; OTHER	INDUSTRIAL/WAREHOUSE
882	GENERAL VEHICLE PARKING GARAGE	INDUSTRIAL/WAREHOUSE
888	FIRE STATIONS	COMMERCIAL
888T	FIRE TRAINING CENTER/ACADEMY	COMMERCIAL
891	GENERAL WAREHOUSE	INDUSTRIAL/WAREHOUSE
898	WHARF, PIER	INDUSTRIAL/WAREHOUSE
899	RESIDENTIAL OR SELF STORAGE UNITS	INDUSTRIAL/WAREHOUSE
900	OUTSIDE, SPECIAL PROPERTIES; OTHER	NON-SPECIFIC
919	DUMP SANITARY LANDFILL	NON-SPECIFIC
921	BRIDGE, TRESTLE	NON-SPECIFIC
926	OUTBUILDING, EXCLUDING GARAGE	NON-SPECIFIC
931	OPEN LAND, FIELD	LAND
935	CAMPSITE WITH UTILITIES	COMMERCIAL
936	VACANT LOT	LAND
938	GRADED AND CARED FOR PLOTS OF LAND	LAND
940	WATER AREAS, OTHER	NON-SPECIFIC
946	LAKE/RIVER/STREAM	NON-SPECIFIC
951	RAILROAD RIGHT OF WAY	NON-SPECIFIC
952	SWITCH YARD, MARSHALLING YARD	NON-SPECIFIC
960	STREET, OTHER	NON-SPECIFIC
961	DIVIDED HIGHWAY, HIGHWAY	NON-SPECIFIC
962	PAVED PUBLIC STREET, RESIDENTIAL	NON-SPECIFIC
963	PAVED PRIVATE STREET, COMMERCIAL	NON-SPECIFIC
965	UNCOVERED PARKING AREA	NON-SPECIFIC
972	AIRCRAFT RUNWAY	COMMERCIAL
972H	AIRCRAFT HANGER/STORAGE	COMMERCIAL
972T	AIRPORT CONTROL TOWER	COMMERCIAL
974	AIRCRAFT LOADING AREA	COMMERCIAL
981	CONSTRUCTION SITE	NON-SPECIFIC
983	PIPELINE, POWER LINE RIGHT OF WAY	NON-SPECIFIC
984	INDUSTRIAL PLANT YARD	INDUSTRIAL/WAREHOUSE
NNN	NONE	NON-SPECIFIC
UUU	UNDETERMINED	NON-SPECIFIC

Appendix C

LEON COUNTY PROPERTY APPRAISER BUILDING IMPROVEMENT CODES AND USE DESCRIPTIONS WITH ASSIGNMENT OF PROPERTY USE CATEGORY

Code	Description	Category
0100	SINGLE FAMILY RESIDENTIAL	Residential
0300	DUPLEX	Residential
0400	CONDOMINIUM	Residential
0500	STUDENT APARTMENTS	Residential
0501	FRAT/SORORITY	Commercial
0510	STUDENT MULTI LEASE	Residential
0600	STANDARD APARTMENTS	Residential
0601	APT/ LESS THAN 10 UNITS	Residential
0602	DORMITORY	Residential
0650	LIHTC	Residential
0700	TOWNHOUSE	Residential
0800	MOBILE HOME	Residential
1000	GARDEN APARTMENT	Residential
1100	HIGH RISE	Residential
1200	EXEMPT MULTI FAMILY	Residential
1400	MOTELS	Commercial
1500	EXTENDED STAY HOMES	Commercial
1600	HOTELS	Commercial
1700	HOSP/NURS HOME	Residential
1710	NURSING HOME	Residential
1720	CLINIC	Commercial
1730	VET CLINIC	Commercial
1740	REGIONAL MEDICAL CENTER	Commercial
1750	ASSISTED LIVING FACILITY	Residential
1800	CO-OP	Residential
2000	STORE	Commercial
2010	CONDO-STORE	Commercial
2011	SALON/BARBER SHOP	Commercial
2012	LAUNDROMAT	Commercial
2013	CARWASH	Commercial
2014	PHYS FITNESS CENTER	Commercial
2015	STORE SFR CONV	Commercial
2016	IND/RETAIL/STORE	Commercial
2018	DRY CLEANERS	Commercial
2020	CONVENIENCE STORE	Commercial
2030	CONV-STORE/GAS	Commercial
2040	SUPERMARKET	Commercial
2050	PHARMACY	Commercial
2060	JR DISCOUNT	Commercial
2070	SUPER DISCOUNT	Commercial
2080	AUTO PARTS	Commercial
2090	AUTO SERVICE	Commercial
2100	DEPARTMENT STORE	Commercial
2110	JR DEPARTMENT STORE	Commercial
2200	SHOP CENTER	Commercial
2210	NBHD SHOP CENTER	Commercial
2220	COMM SHOP CENTER	Commercial
2300	SERVICE STATION	Commercial

Code	Description	Category
2400	REC/BOWL ALLEY	Commercial
2410	CLUBHOUSE/REC	Commercial
2500	REST/LOUNGE	Commercial
2510	FAMILY RESTAURANT	Commercial
2520	TAKE-OUT RESTAURANT	Commercial
2600	FAST FOOD DRIVE IN	Commercial
2610	FAST FOOD NO SEAT	Commercial
2620	NITE CLUB	Commercial
2700	AUDIT/THEATER	Commercial
2800	MALL	Commercial
2810	SUPER REG MALL	Commercial
3000	OFFICE	Commercial
3010	OFFICE CONDO	Commercial
3015	OFFICE CONDO HIGH RISE	Commercial
3020	OFFICE STRIP CENTER	Commercial
3030	OFFICE LOW RISE	Commercial
3040	OFFICE MID RISE	Commercial
3045	OFFICE PARK	Commercial
3050	OFFICE HIGH RISE	Commercial
3060	OFFICE INDUSTRIAL	Commercial
3070	OFFICE/SFR CONVERSION	Commercial
3080	CONDO MEDICAL OFFICE	Commercial
3100	ED/RELIGIOUS	Commercial
3110	CHILD CARE	Commercial
3200	PUBLIC PARKING	Industrial/Warehouse
3300	BANKS	Commercial
3400	BANKS-BRANCH	Commercial
3410	BANKS-DRV THRU	Commercial
3500	FUNERAL HOME	Commercial
3600	TRAINING CENTER	Commercial
3700	MEDICAL OFFICE	Commercial
3901	BROADCAST CENTER	Commercial
3902	WCTV 2	Commercial
3930	CLASSROOM/TRAINING	Commercial
3940	LIBRARY/MULTI-MEDIA	Commercial
3950	OFFICES	Commercial
3960	DORMITORY/HOUSING	Commercial
3970	MEDICAL FACILITIES	Commercial
3980	COURTHOUSE	Commercial
4000	WAREHOUSE	Industrial/Warehouse
4010	CONDO WAREHOUSE	Industrial/Warehouse
4020	DISTRIBUTION WAREHOUSE	Industrial/Warehouse
4030	TECH MANUFACTURING	Industrial/Warehouse
4031	INDUSTRIAL OFFICE	Industrial/Warehouse
4040	WAREHOUSE/MULTI-BAY	Industrial/Warehouse
4100	SERVICE/PARKING GARAGE	Industrial/Warehouse
4110	INDEPENDENT AUTO CENTER	Commercial
4200	MINI WAREHOUSE	Industrial/Warehouse

Code	Description	Category
4300	COLD STORAGE	Industrial/Warehouse
4400	LIGHT MANUFACTURING	Industrial/Warehouse
4500	HEAVY MANUFACTURING	Industrial/Warehouse
4600	AUTO SHOW/GARAGE	Industrial/Warehouse
4610	CAR/TRUCK RENTAL	Commercial
4620	BOAT S/E DEALER	Commercial
4700	PREFAB METAL BUILDING	Not Used
4800	BARN SHED	Not Used
4810	AIRPORT TERMINAL	Commercial
4900	MAINT/MECH/WAREHOUSING	Industrial/Warehouse
4910	RESEARCH/DEVELOP LABS	Industrial/Warehouse
4920	STADIUMS/ARENAS	Commercial
4930	PARKING GARAGES	Industrial/Warehouse
4940	PRISONS/JAILS	Commercial
4950	MILITARY FACILITIES	Commercial
4960	FIRE STATION	Commercial
MHPK	MOBILE HOME PARK	Residential
MUSE	MUSEUM/CULTURAL	Commercial
RVPK	RV PARK	Commercial

Appendix D

DEPARTMENT OF REVENUE (DOR) CODES

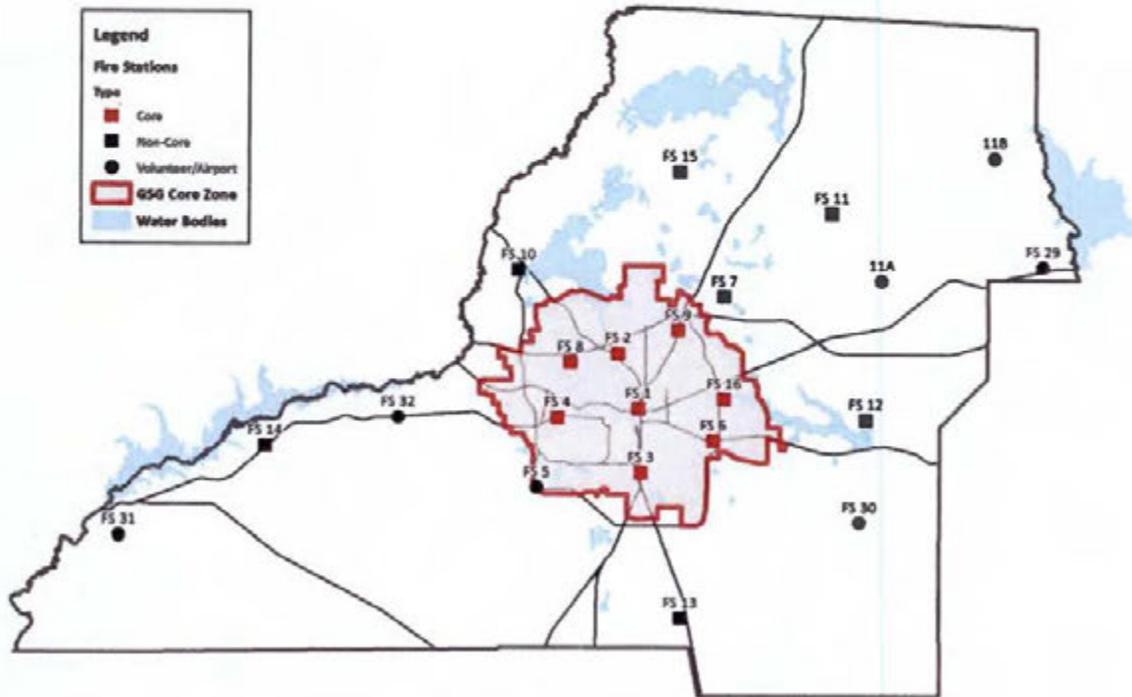
CODE	DESCRIPTION
0	VACANT RESIDENTIAL
100	SINGLE FAMILY IMPROVED
200	MOBILE HOME
300	MULTI FAMILY +10 UNITS
400	CONDOMINIUM
500	CO-OPS
600	RETIREMENT HOMES/NONEXPT
700	MISC RESIDENTIAL
800	MULTI FAMILY 2-9 UNITS
1000	VACANT COMMERCIAL
1100	STORES 1 STORY
1200	MIXED USE STORE/OFFICE
1300	DEPARTMENT STORES
1400	SUPERMARKETS
1500	REGIONAL SHOPPING CTRS
1600	COMMUNITY SHOPPING CTR
1700	OFFICE NON-PROF 1 STORY
1800	OFFICE NON-PROF 2+ STORY
1900	PROFFESIONAL SERVICES
2000	AIR/MARINE/BUS TERMINALS
2100	RESTAURANTS/CAFETERIAS
2200	DRIVE-IN RESTAURANT
2300	BANK/S & L/MORTGAGE/CREDIT
2400	INSURANCE COMPANY OFFICE
2500	REPAIRS SVC TV/LAUNDRIES
2600	SERVICE STATIONS
2700	AUTO SALES/SERVICE/RENTAL
2800	MOBILE HOME PARKS/PK LOTS
2900	WHOLESALE/PRODUCE OUTLETS
3000	FLORIST/GREENHOUSE
3100	OPEN STADIUMS
3200	THEATER/AUDITORIUM (ENCL)
3300	NIGHTCLUB/BAR/LOUNGE
3400	BOWLING/SKATING/POOL HALL
3500	TOURIST ATTRACTION
3600	CAMPS
3700	RACE TRACK; HORSE/DOG/AUTO
3800	GOLF COURSE/DRIVING RANGE
3900	HOTELS/MOTELS
4000	VACANT INDUSTRIAL
4100	LT MFG/SM MACH SHOP/PRINT
4200	HEAVY IND/EQUIP MFG/MACH
4300	LUMBER YARD/SAWMILL
4400	PACK PLANT (FRUIT/MEAT)
4500	CANNERIES/DISTILLERIES

CODE	DESCRIPTION
4600	FOOD PROCESSING/BAKERIES
4700	CEMENT PLANTS
4800	WAREHOUSING
4900	OPEN STORAGE
5000	IMPROVED AGRICULTURAL
5100	VEGETABLE CROPS
5200	BI-ANNUAL ROW CROPS
5300	ROW CROPS
5400	TIMBERLAND SITE 90+
5500	TIMBERLAND SITE 80-89
5600	TIMBERLAND SITE 70-79
5700	TIMBERLAND SITE 60-69
5800	TIMBERLAND SITE 50-59
5900	TIMBERLAND NOT CLASSIFIED
6000	IMPROVED PASTURE LAND
6100	SEMI-IMPROVED LAND
6200	NATIVE LAND
6300	WASTE LAND
6400	GRAZING LAND CLASS V
6500	GRAZING LAND CLASS VI
6600	CITRUS
6700	POULTRY/BEEES/FISH/RABBIT
6800	DAIRY, HOG & CATTLE FEED
6900	ORNAMENTALS, MISC AG
7000	VACANT INSTITUTIONAL
7100	CHURCHES
7200	PRIVATE SCHOOLS & COLLEGE
7300	PRIVATE OWNED HOSPITALS
7400	HOMES FOR THE AGED
7500	ORPHANAGES
7600	MORTUARIES/CEMETERIES
7700	CLUBS, LODGES, UNION HALLS
7800	SANITARIUMS, CONVALES, REST
7900	CULTURAL ORG, FACILITIES
8000	UNDEFINED
8100	MILITARY
8200	GOVT FOREST/PARKS/RECREATIONAL
8300	PUBLIC COUNTY SCHOOLS
8400	COLLEGES
8500	HOSPITALS
8600	COUNTY
8700	STATE
8800	FEDERAL
8900	MUNICIPAL NOT PARKS
9000	LEASEHOLD GOVT OWNED

CODE	DESCRIPTION
9100	UTILITIES, GAS/ELEC/TELEP
9200	MINING, PETROLEUM, GAS
9300	SUBSURFACE RIGHTS
9400	RIGHT-OF-WAY
9500	RIVERS & LAKES, SUBMERGED
9600	SEWAGE DISP, BORROW PITS
9700	OUTDOOR REC OR PARK
9800	CENTRALLY ASSESSED
9900	ACREAGE NON AGRICULTURAL

Appendix E

MAP OF SERVICE ZONES



Rate Schedule

		Per Annum For FY 2016 and FY 2017		Per Annum for FY 2018 and each Fiscal Year Thereafter	
		Zone 1	Zone 2	Zone 1	Zone 2
Residential	Per Residential Dwelling Unit	\$170.85	\$157.25	\$201.00	\$185.00
Commercial/Institutional	Square Feet Classification				
	< 1,999	\$249.05	\$226.95	\$293.00	\$267.00
	2,000 - 3,499	\$497.25	\$453.05	\$585.00	\$533.00
	3,500 - 4,999	\$869.55	\$793.05	\$1,023.00	\$933.00
	5,000 - 9,999	\$1,241.85	\$1,132.20	\$1,461.00	\$1,332.00
	10,000 - 19,999	\$2,482.85	\$2,263.55	\$2,921.00	\$2,663.00
	20,000 - 29,999	\$4,965.70	\$4,527.10	\$5,842.00	\$5,326.00
	30,000 - 39,999	\$7,447.70	\$6,790.65	\$8,762.00	\$7,989.00
	40,000 - 49,999	\$9,930.55	\$9,054.20	\$11,683.00	\$10,652.00
	50,000 - 59,999	\$12,412.55	\$11,317.75	\$14,603.00	\$13,315.00
	60,000 - 69,999	\$14,895.40	\$13,581.30	\$17,524.00	\$15,978.00
	70,000 - 79,999	\$17,377.40	\$15,844.85	\$20,444.00	\$18,641.00
	80,000 - 89,999	\$19,860.25	\$18,108.40	\$23,365.00	\$21,304.00
	90,999 - 99,999	\$22,342.25	\$20,371.95	\$26,285.00	\$23,967.00
	≥ 100,000	\$24,825.10	\$22,635.50	\$29,206.00	\$26,630.00
Industrial/Warehouse	< 1,999	\$23.80	\$64.60	\$28.00	\$76.00
	2,000 - 3,499	\$47.60	\$129.20	\$56.00	\$152.00
	3,500 - 4,999	\$83.30	\$225.25	\$98.00	\$265.00
	5,000 - 9,999	\$118.15	\$321.30	\$139.00	\$378.00
	10,000 - 19,999	\$236.30	\$642.60	\$278.00	\$756.00
	20,000 - 29,999	\$472.60	\$1,284.35	\$556.00	\$1,511.00
	30,000 - 39,999	\$708.90	\$1,926.10	\$834.00	\$2,266.00
	40,000 - 49,999	\$945.20	\$2,567.85	\$1,112.00	\$3,021.00
	50,000 - 59,999	\$1,181.50	\$3,209.60	\$1,390.00	\$3,776.00
	60,000 - 69,999	\$1,417.80	\$3,852.20	\$1,668.00	\$4,532.00
	70,000 - 79,999	\$1,654.10	\$4,493.95	\$1,946.00	\$5,287.00
	80,000 - 89,999	\$1,890.40	\$5,135.70	\$2,224.00	\$6,042.00
	90,999 - 99,999	\$2,126.70	\$5,777.45	\$2,502.00	\$6,797.00
	≥ 100,000	\$2,363.00	\$6,419.20	\$2,780.00	\$7,552.00
Governmental	per square foot	\$0.18	\$0.18	\$0.21	\$0.21

EXHIBIT 2

**Fire Rescue Services
Non-Ad Valorem Assessment Roll**

(Due to the voluminous nature thereof, the assessment roll is not attached to this Resolution in this Agenda Item but has been made available for public inspection in the office of the County Administrator and will be attached hereto upon adoption.)



CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of Leon Cty. Bd. of County Commissioners, located in Leon County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 14th day of June, 2016 year.

Chairman of the Board or authorized agent
of Leon County Board of County Commissioners
Name of local government

Leon County, Florida

RESOLUTION NO. R16-_____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEON COUNTY, FLORIDA, ADOPTING THE FIRE RESCUE
SERVICES NON-AD VALOREM ASSESSMENT ROLL; PROVIDING
FOR CERTIFICATION OF THE ROLL TO THE TAX COLLECTOR;
AND PROVIDING FOR AN EFFECTIVE DATE.**

RECITALS

WHEREAS, on February 26, 2009, Leon County and the City of Tallahassee entered into an Interlocal Agreement for the provision of fire suppression, fire prevention and emergency medical services county-wide commencing October 1, 2009; and

WHEREAS, the Interlocal Agreement by and between Leon County and the City of Tallahassee provides for the funding and payment of *Fire Rescue Services* by means of the levy and collection of special assessments upon benefited property; and

WHEREAS, on March 19, 2009, the Board of County Commissioners enacted an ordinance amending Chapter 7, Leon County Code of Laws, relating to the provision and funding of *Fire Rescue Services*; and

WHEREAS, on October 29, 2013, the Board of County Commissioners adopted a *Fire Rescue Assessment Rate Resolution* levying and imposing upon each improved parcel of nongovernmental property located within the unincorporated area of the County an assessment in an amount found to be reasonably related to the cost of providing *Fire Rescue Services* to such property and thereby providing an equitably corresponding special benefit to such property; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, the Board of County Commissioners has reviewed the fire rescue services non-ad valorem assessment roll for conformity with the *Fire Rescue Assessment Rate Resolution*; and

WHEREAS, the Board wishes to approve and adopt the fire rescue services non-ad valorem assessment roll and to certify the roll for collection to the Tax Collector; and

WHEREAS, Leon County has provided notice of a public hearing at least twenty days prior to same by first class United States mail and by publication in the *Tallahassee Democrat* advising that a public hearing would take place.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

Section 1. Recitals. The Recitals to this Resolution are incorporated herein and made a part hereof as if fully set forth below.

Section 2. Definitions. For purposes of this Resolution, the definitions contained in section 7-39, Leon County Code of Laws, are incorporated herein by reference.

Section 3. Pursuant to Section 197.3632, Florida Statutes, Leon County hereby approves and adopts the fire rescue services non-ad valorem assessment roll, which is attached hereto as Exhibit 2 and incorporated herein as if fully set forth below.

Section 4. The unit of measurement for the fire rescue services non-ad valorem assessment is as set forth in the *Fire Rescue Assessment Rate Resolution*, R13-58, which is attached hereto as Exhibit 1, and incorporated herein as if fully set forth below. The amount of the fire rescue services assessment for each subject parcel of property is as further set forth in Exhibit 2. The *Fire Rescue Assessment* shall be and is hereby imposed annually commencing October 1, 2009, and continuing each year thereafter until such time as changed or discontinued by the Board.

Section 5. The fire rescue services non-ad valorem assessment roll is hereby certified to the Tax Collector for collection in accordance with Florida law.

Section 6. This Resolution shall be effective upon adoption.

Done and adopted by the Board of County Commissioners of Leon County, Florida, this
14th day of June, 2016.

LEON COUNTY, FLORIDA

BY: _____
BILL PROCTOR, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

ATTESTED BY:
BOB INZER, CLERK & COMPTROLLER
LEON COUNTY, FLORIDA

BY: _____

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

BY: _____
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY

RESOLUTION NO. 13- 58A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS RELATING TO THE
PROVISION AND FUNDING OF FIRE RESCUE
SERVICES.RECITALS

WHEREAS, the County desires to provide fire rescue services, facilities and programs, hereinafter "*fire rescue services*," in the most efficient manner possible in order to promote the health, safety and general welfare of its citizens; and

WHEREAS, the County desires to create a uniform financial mechanism for the funding of such *fire rescue services* to its citizens on an equitable basis; and

WHEREAS, on March 19, 2009, the Board of County Commissioners enacted an ordinance amending Chapter 7, Leon County Code of Laws, relating to the provision and funding of *fire rescue services*; and

WHEREAS, the City of Tallahassee and the County have entered into an Interlocal Agreement to administer the provision of *fire rescue services*; and

WHEREAS, the Interlocal Agreement by and between the City of Tallahassee and the County provides for the funding and payment for *fire rescue services* by means of the levy and collection of special assessments upon benefited *nongovernment property* and the imposition of fire rescue fee charges on *government property*; and

WHEREAS, the Board of County Commissioners desires to adopt a *fire rescue assessment rate resolution* and *fire rescue fee rate resolution* pursuant to Chapter 7, Leon County Code of Laws; and

WHEREAS, a rate study was performed on behalf of the City of Tallahassee and Leon County to determine the appropriate funding basis to support a *fire rescue charge*; and

WHEREAS, the findings, data and assumptions set forth in the rate study have been reviewed and reverified and it has been determined that the current *fire rescue charge* based upon the rate study remains reasonable, accurate and in accord with those requirements imposed under law for assessments and fees.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

Section 1. Recitals. The Recitals set forth above are deemed incorporated herein as if fully set forth below.

Section 2. Authority. This Resolution is adopted pursuant to the authority granted the County under Article VIII, Section 1, Florida Constitution, Chapters 125 and 170, Florida Statutes, the Leon County Charter, and other applicable provisions of law.

Section 3. Definitions. For purposes of this Resolution, the definitions contained in Section 7-39, Leon County Code of Laws, are incorporated herein by reference.

Section 4. Resolution. This Resolution shall constitute the *fire rescue assessment rate resolution* and the *fire rescue fee rate resolution* as described in Sections 7-42 and 7-43, Leon County Code of Laws.

Section 5. Provision of Fire Rescue Services. The County provides *fire rescue services* for the benefit of all parcels of improved property located within the unincorporated areas of the County effective October 1, 2009. All or a portion of the cost to provide such *fire rescue services* shall be funded from proceeds of the *fire rescue charge*.

Section 6. Legislative Determinations. It is hereby ascertained, determined, and declared that each parcel of property subject to a *fire rescue charge* located within the unincorporated area of the County shall be specially benefited by the County's provision of *fire*

rescue services, in an amount and to a degree not less than the *fire rescue charge* imposed against such parcel, and that such *fire rescue charge* as computed in a manner as set forth in this Resolution constitutes a fair and reasonable charge for the provision of *fire rescue services*. It is hereby further ascertained, determined, and declared that the *fire rescue cost* used to compute the *fire rescue charge* constitutes a reasonable estimation of the five-year average annual cost of providing *fire rescue services* to all parcels of improved property within the unincorporated areas of the County. Lastly, the *fire rescue charge* is based upon the City of Tallahassee/Leon County, Florida, Fire Assessment Memorandum dated June 2009 (“Rate Study”) which is hereby specifically approved and adopted as Exhibit A, same being attached hereto and incorporated herein as if fully set forth below, and the City of Tallahassee/Leon County Fire Assessment Memorandum dated October 17, 2013, (“Rate Study Update”) which is hereby specifically approved and adopted as Exhibit C, same being attached hereto and incorporated herein as if fully set forth below.

Section 7. Fire Rescue Charge.

A. Fire Rescue Fee. A fire rescue fee is hereby imposed upon each improved parcel of *government property* located within the unincorporated area of the County, and which is hereby ascertained, determined, and declared to be reasonably and fairly related to the cost of providing *fire rescue services* to such *government property* and as such the fire rescue fee constitutes a fair, reasonable, just, and equitable manner for apportioning and allocating the *fire rescue cost for government property*. The fire rescue fee imposed hereby is not a special assessment; it is a fee for services available and rendered to *government property*. The *fire rescue cost for government property* is further determined to be a reasonable estimation of a five-year average annual cost of providing *fire rescue services* to *government property*. The amount of the fire rescue fee

imposed upon *government property for fire rescue services* is specifically based upon the Rate Study, Exhibit A, and Rate Study Update, Exhibit C, established pursuant to and in accordance with Section 7-42, Leon County Code of Laws, and shall be as set forth in Exhibit B, Rate Schedule, same being attached hereto and incorporated herein as if fully set forth below, commencing October 1, 2009, annually until otherwise determined by the Board of County Commissioners.

B. Fire Rescue Assessment. A *fire rescue assessment* is hereby levied and imposed upon each improved parcel of *nongovernment property* located within the unincorporated area of the County, and which is hereby ascertained, determined, and declared to be reasonably related to the cost of providing *fire rescue services* and thereby provides an equitably corresponding special benefit to *nongovernment property*. The *fire rescue assessment* is hereby ascertained, determined and declared to be based upon a reasonable estimation of a five-year average annual cost of providing *fire rescue services* to such *nongovernment property*. It is further ascertained, determined and declared that the *fire rescue assessment* imposed hereby provides a special benefit to and is equitably apportioned among the *assessed property* based upon the special benefit assumptions and apportionment methodology set forth in the Rate Study, Exhibit A, and Rate Study Update, Exhibit C, established pursuant to and in accordance with Section 7-43, Leon County Code of Laws. The amount of the *fire rescue assessment* levied and imposed upon *nongovernment property* shall be as set forth in Exhibit B, Rate Schedule, commencing October 1, 2009, annually until otherwise determined by the Board of County Commissioners.

Section 8. Exempt Property. The *fire rescue assessment* heretofore imposed upon *nongovernment property* shall not be levied nor imposed against property owned or occupied by

a "religious institution" as that term is defined in Section 170.201(2), Florida Statutes, to the extent same is used as a place of worship.

Section 9. Collection of Fire Rescue Charge. The collection of the *fire rescue charge* shall be made pursuant to and in accordance with Section 7-44, Leon County Code of Laws, and is authorized hereby, commencing October 1, 2009.

Section 10. Effective Date and Applicability. This Resolution shall have effect upon adoption and shall apply to all *assessed property, government and nongovernment property*, located within the unincorporated area of Leon County.

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County, Florida, this 29th day of October, 2013.

LEON COUNTY, FLORIDA

BY: 
NICHOLAS MADDOX, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS



ATTESTED BY:

BOB INZER, CLERK OF THE COURT
LEON COUNTY, FLORIDA

BY: 
John Stott, Deputy Clerk

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

BY: 
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY

report



GOVERNMENT SERVICES GROUP, INC.

Suite 250
1500 Mahan Drive
Tallahassee FL 32308

850.681.3717 **T**
850.224.7206 **F**

City of Tallahassee/Leon County, Florida

Fire Assessment Memorandum

JUNE 2009

Presented by:
Government Services Group, Inc.
1500 Mahan Drive, Suite 250
Tallahassee, Florida 32308
(850) 681-3717
(850) 224-7206 Fax

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Assignment of Property Use Category

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Appendix E—Service Zone Map

Introduction

The City of Tallahassee (City) and Leon County (County) have entered into a professional services agreement with GSG to provide specialized services in the development and implementation of a non-ad valorem assessment program to fund fire services within the incorporated and unincorporated areas of the County (Fire Assessment Project).

The objective of this Fire Assessment Project is to develop and implement an update to the City's current revenue program capable of efficiently and effectively collecting all assessable and billable costs associated with providing fire services on an annual basis throughout the entire County for Fiscal Year 2009-10. The mechanism for collecting the Fire Fee from governmental properties will remain in effect, however both the City and County will utilize the City's utility bill as the collection method for all non-governmental properties where possible and the City will assist the County in the collection of the fire assessment utilizing both the utility bill and separate bills. This document is the Fire Assessment Memorandum (Assessment Memorandum), which is one of the project deliverables specified in the scope of services.

The work effort, documented by this Assessment Memorandum, focused on the calculation of assessment rates and classifications required to fully fund the identified assessable costs to provide fire services within the City and County for Fiscal Year 2009-10. However, the City and County have the choice of funding all or only a portion of the assessable costs based on policy direction. In addition, the work effort recorded in this Assessment Memorandum required the identification of the full costs of assessable fire services (net of all fire related revenues) and the allocation of those costs to properties that specially benefit from the provision of such fire services.

BACKGROUND

In 1999, the City adopted a Fire Services Funding Program consisting of two components: a Fire Fee and a Fire Assessment. The goal of the Fire Services Funding Project in 1999 was to design an alternative revenue program capable of efficiently and effectively collecting all assessable and billable costs associated with providing fire services on an annual basis. The Fire Fee is the funding mechanism that secures recovery of the cost for providing fire services to governmental property. The Fire Assessment is the funding mechanism for non-government property that could be collected on the City's utility bill. The program was updated to account for changes in call data, property data and service delivery in Fiscal Year 2004-05.

Currently, fire services provided within the City are partially funded by an existing fire assessment program, and partially funded through the City's General Revenue Fund and a Fire Service Agreement with the County. The County currently funds the Fire Services Agreement in the unincorporated area through the use of the General Revenue.

The City and County have entered into an interlocal agreement that outlines a plan for functional consolidation of fire rescue services countywide. Included in this agreement are the additional personnel located in Stations 10-14. These additional resources will provide an improved response and improved safety for those personnel responding from those stations. A joint dispatch center will be constructed and dispatch for both the Tallahassee Fire Department and Leon County EMS will be consolidated into a joint dispatch unit. This enhancement will result in response efficiencies both in terms of response times and units dispatched to each incident.

OBJECTIVES

The City and County retained GSG to develop an annual recurring special assessment program that is capable of funding all of the assessable costs associated with providing fire services. The City will utilize the utility bill for collection of the fire assessment and will assist the County in the collection of the fire assessment utilizing both the utility bill and separate bills. Data available on the ad valorem tax roll was used to develop the Fiscal Year 2009-10 assessment program. GSG has been charged to fully cost the services to be provided by the City and County, develop a fair and reasonable apportionment methodology for such assessable costs, and determine assessment rates and parcel classifications that are accurate, fair and reasonable.

The fire non-ad valorem assessments must meet the Florida case law requirements for a valid special assessment. These requirements include the following:

1. The service provided must confer a special benefit to the property being assessed; and
2. The costs assessed must be fairly and reasonably apportioned among the properties that receive the special benefit.

The work effort of this project required the evaluation of data obtained from the City and County to develop a fire assessment program that focuses upon the proposed Fiscal Year 2009-10 assessable cost calculations. The objectives of this initial effort were to:

- Determine the full costs of providing fire services within the City and County.
- Review such final cost determination with the City and County to determine which elements provide the requisite special benefit to the assessed properties.
- Determine the relative benefit anticipated to be derived by categories of property use within the County from the delivery of fire services.
- Recommend the fair and reasonable apportionment of assessable costs among benefited parcels within each category of property use.
- Calculate assessment rates and parcel classifications for Fiscal Year 2009-10 based on the Fiscal Year 2007-08 adopted budget adjusted for year over year increases.

Service Description and Assessable Cost Calculations

The fire services apportionment methodology allocates assessable costs on the basis of the anticipated demand for fire services by categories of private, real property use as identified on the real property assessment roll prepared for the levy of ad valorem taxes. The assessable fire costs are allocated among private, real property use categories based upon the historical demand for these services. This demand is identified by examining the fire incident data as reported by the City to the State Fire Marshal's office.

The fire services apportionment methodology for governmental parcels allocates billable costs to provide fire services based upon the actual historical demand for these services by each government owner (ie. City, County, State, Federal, etc.), as reflected by the incident data reported by the City.

SERVICE DELIVERY DESCRIPTION

The City Fire Rescue Department facilities inventory is comprised of 15 fire rescue stations and a training facility. The County's facility inventory consists of 5 volunteer fire stations. One of the volunteer stations is co-located at Station 15 and volunteer apparatus are located at stations 10 through 15. County EMS substations are co-located at city stations 12, 13 and 14. Table 1 identifies the City and County fire rescue buildings/facilities inventory, as well as the corresponding physical location address for the facility.

Table 1
Fire Rescue Department Buildings/Facility Inventory

Station	Address
Station #1	327 North Adams Street Tallahassee, FL 32301
Station #2	2805 Sharer Road Tallahassee, FL 32302
Station #3	3005 South Monroe Street Tallahassee, FL 32301
Station #4	2899 West Pensacola Street Tallahassee, FL 32304
Station #5	3238 Capital Circle Southwest Tallahassee, FL 32304
Station #6	2901 Apalachee Parkway Tallahassee, FL 32311
Station #7	2805 Shamrock South Tallahassee, FL 32308

Station	Address
Station #8	2423 Hartsfield Road Tallahassee, FL 32304
Station #9	3209 Thomasville Road Tallahassee, FL 32312
Station #10	5323 Tower Road Tallahassee, FL 32303
Station #11	8752 Centerville Road Tallahassee, FL 32308
Station #12 (EMS Substation)	4701 Chaires Cross Road Tallahassee, FL 32311
Station #13 (EMS Substation)	1555 Oak Ridge Road Tallahassee, FL 32311
Station #14 (EMS Substation)	16614 Blountstown Highway Tallahassee, FL 32310
Station #15	1445 Bannerman Road Tallahassee, FL 32312
VFD Station #11A	15210 Mahan Drive Tallahassee, FL 32308
VFD Station #11B	11071 Bexhill Lane Tallahassee, FL 32317
VFD Station #30 (EMS Substation)	10541 Valentine Road South Tallahassee, FL 32317
VFD Station #31 (EMS Substation)	155 East Oakridge Tallahassee, FL 32305
VFD Station #32	16614 Blountstown Highway Tallahassee, FL 32312

Source: City of Tallahassee/Leon County

The City of Tallahassee Fire Rescue Department provides standard fire suppression, medical services, hazmat response, technical rescue, airport capabilities, state disaster response, emergency response and disaster preparedness, fire prevention and safety education. There are five City stations that provide Advanced Life Support (ALS) services in coordination with Leon County EMS. The remaining ten stations provide Basic Life Support (BLS) services.

The City currently provides dispatch services for fire services and the County currently provides dispatch services for EMS services. However, the City and County have committed to creating a joint dispatch operation that is expected to begin in Fiscal Year 2010-11. Initial joint dispatch functions will be achieved through a temporary, virtual solution. This virtual dispatch solution will remain in place until a new joint dispatch facility is constructed and operations move to the new location. The target date for the completion of the joint dispatch facility is Fiscal Year 2011-12.

Tables 2 through 5 outline the Fire Rescue Department's current service operations and service components. Table 2 outlines the Fire Rescue Department's organizational structure.

Table 2
City of Tallahassee/Leon County Fire Rescue Department Organizational Chart

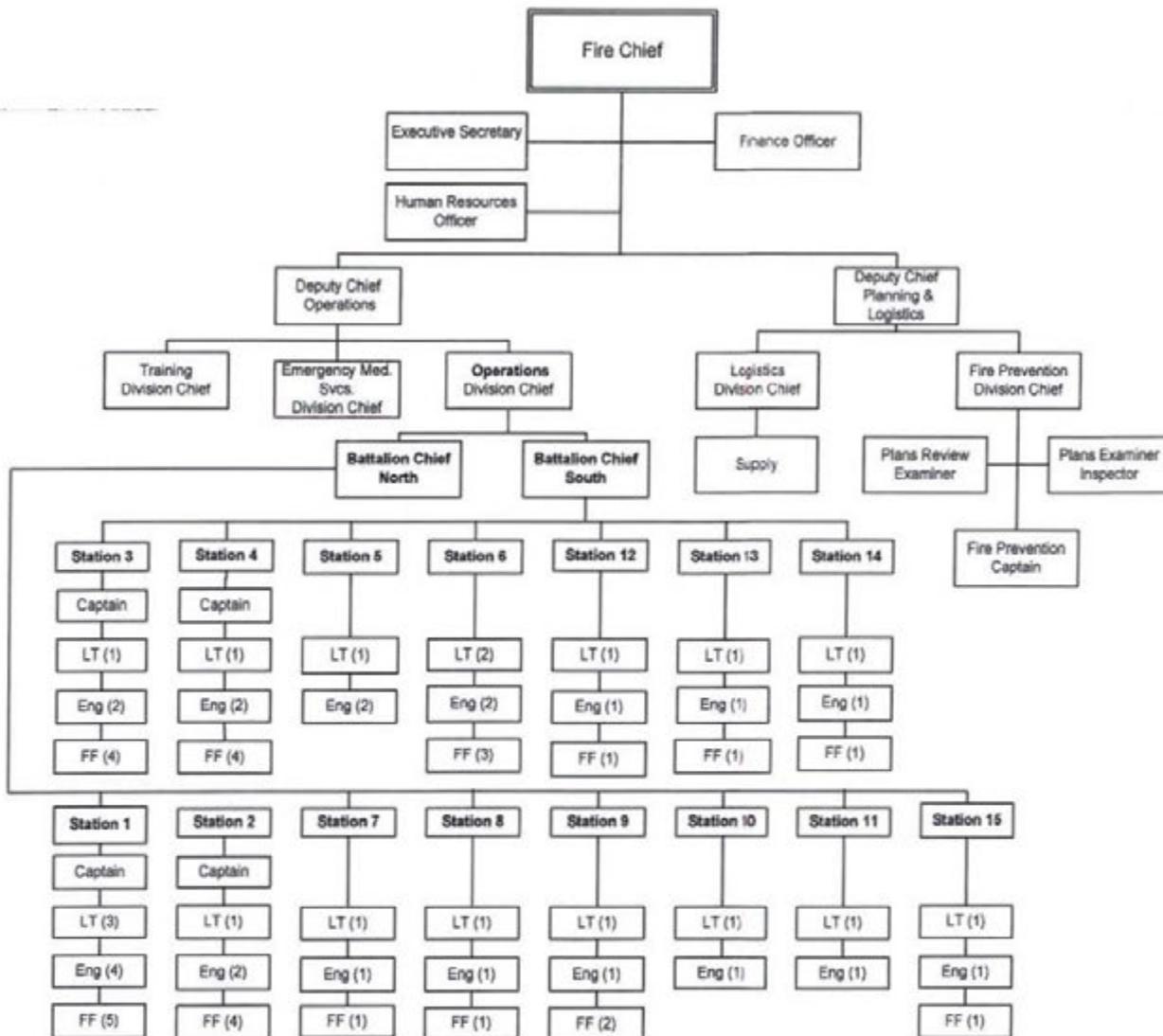


Table 3 describes the normal staffing for each apparatus. This information is used in the development of the Administrative Factor, as further discussed in the "Development of Factors" section of this Assessment Memorandum.

Table 3
Fire Rescue Department Apparatus Normal Staffing Requirements

Tallahassee Fire Department	
Apparatus	Typical Staffing
Aerial	3-4 personnel
Pumper	3-4 personnel
Ford F-250 With Service Body	1 personnel
Ford Expedition	1 Personnel
Rescue	1-2 Personnel
Air Truck	1 Personnel
Haz Mat Mule	2 Personnel
Brush Truck	1 Personnel
Rescue Boat	2 Personnel
Tanker	1 Personnel
Leon County EMS	
Apparatus	Typical Staffing
Ambulance	2 Personnel

Source: City of Tallahassee/Leon County

Table 4 lists the location and the fire flow/pumping capacity of the Fire Rescue Department's apparatus. This information is used to determine the square footage cap for non-residential properties.

Table 4
Fire Rescue Department Apparatus Fire Flow

Location	Apparatus	Fire Flow (GPM)
Station 1	1994 E-One 1500 Tanker	1,500
	1996 E-One Air and Light	N/A
	1996 E-One Teleboom	1,500
	2002 E-One Bronto	1,500
	2003 E-One Rescue Pumper	1,500
Station 2	1996 E-One Haz-Mat	N/A
	1998 Pace 16ft. Trailer	N/A
	2007 Ford Expedition	N/A
	2001 E-One Platform	1,500
	2002 Ford F-550 Brush Truck	350
	2005 E-One Pumper	1,500
Station 3	1994 Rescue One Boat	N/A
	2005 Ford 550	N/A
	1996 E-One Medium Rescue	N/A
	1997 E-One 75ft. Aerial	1,500
	2007 Ford Expedition	N/A
	2005 E-One Pumper	1,500

Location	Apparatus	Fire Flow (GPM)
Station 4	1994 Rescue One Boat	N/A
	2007 95 Foot E-One Tower	1,500
	1997 E-One International Heavy Rescue	350
	1998 16ft. Trailer	N/A
	2002 Ford F-550 Brush Truck	350
	2004 E-One Typhoon Rear Pumper	1,500
	2005 E-One International Air Light Truck	N/A
Station 5*	1994 E-One ARFF	500
	1994 E-One P-23 ARFF	3,300
	1996 E-One P-23 ARFF	3,300
	1997 E-One International Heavy Rescue	350
	1998 Pace 16ft. Trailer	N/A
Station 6	1994 Rescue One Boat	N/A
	1997 95 Foot E-One Tower	1,500
	2002 Ford F-550 Brush Truck	350
	2005 E-One Pumper	1,500
Station 7	2005 E-One Pumper	1,500
Station 8	2005 E-One Pumper	1,500
Station 9	2005 E-One Pumper	1,500
Station 10	1999 E-One International	2,500
	2000 E-One International Interface Pumper	650
Station 11	1996 E-One International Interface	650
	1999 E-One International Tanker	2,500
Station 12	1999 E-One International Tanker	2,500
	2000 E-One International Interface Pumper	650
Station 13	1999 E-One International Tanker	2,500
	2000 E-One International Interface Pumper	650
Station 14	1994 Rescue One Boat	N/A
	2000 E-One International Interface Pumper	650
	2006 E-One International Tanker	1,500
Station 15	1994 Rescue One Boat	N/A
	2000 Ford F-450 Brush Truck	350
	2003 E-One Rescue Pumper	1,500
Total GPM		47,950
Location	Apparatus	Fire Flow (GPM)
	Leon County Ambulance/Vehicles (24)	N/A

Source: City of Tallahassee/Leon County

* Pumping capacity for Station 5 is not included in total because those apparatus are dedicated to the airport.

The current pumping capacity is defined as the combined amount of water that all apparatus in the Fire Rescue Department can pump to a first alarm non-residential fire. As outlined by Table 4 above, the pumping capacity of the City's Fire Rescue Department is 47,950 gallons per minute. Accordingly, based on National Fire Protection Association fire fighting standards for fire-flow, the Fire Department currently

has sufficient fire-flow capacity to provide service coverage in the event of a structure fire involving unlimited square feet.¹ Table 5 details the Fire Rescue Department's response protocol.

Table 5
City of Tallahassee/Leon County Fire Rescue Minimum Response Protocol

Call Type	Typical Zone 1 Response
Medical	Engine (1)
Vehicle Accident	Engine (1)
Vehicle Accident with Extraction	Engine (2), Battalion Chief (1)
Residential Fire	Engines (2), Truck(1), Battalion Chief (1)
Residential/Building Alarm	Engine (1)
Commercial Fire	Engines (2), Truck (1), Battalion Chief (1)
Hazardous Material	Engines (2), Tanker (1), Truck (1), Haz-Mat (1), Battalion Chief (1)
Service Calls	Engine (1)

Call Type	Typical Zone 2 Response
Medical	Rescue (1)
Vehicle Accident	Rescue (1), Tanker (1)
Vehicle Accident with Extraction	Rescue (1), Battalion Chief (1), Engine or Tanker (2)
Residential Fire	Engines (1), Tankers (2), Battalion Chief (1), Rescue (1), Truck (1)
Residential/Building Alarm	Rescue (1), Tanker (1)
Commercial Fire	Engines (2), Truck (1), Battalion Chief (1), Rescue (1), Tanker (1)
Hazardous Material	Engines (2), Tanker (1), Truck (1), Haz-Mat (1), Battalion Chief (1), Rescue (1)
Service Calls	Engine (1), Tanker (1)

Source: City of Tallahassee/Leon County

DEVELOPMENT OF FACTORS

FIRE SERVICES V. EMERGENCY MEDICAL SERVICES

In June 2000, litigation over the City of North Lauderdale fire rescue assessment program resulted in a decision by the Fourth District Court of Appeals in the case of SMM Properties, Inc. v. City of North Lauderdale, (the "North Lauderdale" case). The Fourth District Court of Appeals concluded that Emergency Medical Services (EMS) did not provide a special benefit to property. The Court, however, reaffirmed that fire suppression, fire prevention, fire/building inspections and first response medical services do provide a special benefit to property. In August 2002, the Florida Supreme Court upheld the decision of the Fourth District Court of Appeals.

To address these concerns, GSG has developed a methodology that removes the costs associated with emergency medical services. The apportionment methodology only utilizes fire incident report data related to non-EMS calls.

The proposed Fiscal Year 2009-10 projected departmental costs were allocated between fire rescue and emergency medical services because of the Florida Supreme Court's opinion in City of North Lauderdale v. SMM Properties that emergency medical services (above the level of first response) does not provide a special benefit to property. Accordingly, the fire rescue costs were split from emergency medical service costs based on the following general guidelines.

¹ Source: National Fire Protection Association, "NFPA 1 Uniform Fire Code, 2006, Annex H, Table H, 5.1."

DIRECT ALLOCATIONS

To the extent that certain line items could be allocated directly to fire, direct allocations were made. For example, all costs associated with "RR&I Transfer (Hydrant Replacement)," "Volunteer Fire Department," and "Airport Fire Protection" were allocated entirely to fire. All costs directly related to emergency medical services were removed entirely.

ADMINISTRATIVE FACTOR

Certain line items were allocated between fire and EMS based on an Administrative Factor. This Administrative Factor is derived by creating a ratio between non-EMS or fire personnel and total combat personnel per shift. Because of the addition of six (6) combat positions to the City Fire Rescue Department that will be located at Stations 10 - 14 commencing October 1, 2009, the City's existing staffing pattern will be revised. These changes will allow the City, under optimal staffing, to operate with 69 non-EMS personnel and 11 EMS personnel, for a total of 80 combat personnel within the proposed funding timeframe (by Fiscal Year 2013-14). This optimal staffing yields an 86.3% percent non-EMS Administrative Factor.

This percentage was then applied to all applicable line items to allocate the costs that could not be directly allocated as fire costs or EMS costs, and that could not be operationally allocated (see below). For example, the Administrative Factor was applied to the personnel expenditures for salaries and benefits, and the line item expenditures for "Advertising," "Indirect Costs," "Human Resource Expense" and "Debt Service" to determine the fire service costs of these line items.

OPERATIONAL FACTOR

Other assessable cost line items may also be allocated between fire and EMS based on an Operational Factor. The Operational Factor is derived by creating a ratio between non-EMS (i.e. fire) calls and EMS calls, and this ratio which is based on the City's Fire Rescue Department's operations, was then applied to certain budget line items such as "Gasoline" and "Vehicle Garage Expense".

To develop the Operational Factor, GSG obtained fire rescue incident data identifying the number of fire rescue calls made to property categories within the entire County over a one-year period. The City fire rescue incident data was used to determine the demand for fire rescue services. GSG obtained information from the City in an electronic format, identifying the number and type of fire rescue incident responses for calendar year 2007.

The State Fire Marshal's office uses the Florida Fire Incident Reporting System (FFIRS). This system is a tool for fire rescue departments to report and maintain computerized records of fire rescue incidents and other department activities in a uniform manner. Under this system, a series of basic phrases with code numbers are used to describe fire rescue incidents. Appendix A provides a codes list for the "type of situation found" as recorded on the fire rescue incident reports used to identify EMS and non-EMS calls.

The ratio between non-EMS (i.e. fire) calls and EMS calls is then applied to all applicable line items to allocate the costs that could not be directly allocated as fire costs or EMS costs, and that could not be administratively allocated. For calendar year 2007, the City reported 24,547 total fire rescue incident calls to FFIRS, of which 9,122 were non-EMS (i.e. fire) calls and 15,425 were EMS calls. This information results in a 37.16% non-EMS Operational Factor.

ASSESSABLE COST CALCULATIONS

The fire services assessable cost calculations for Fiscal Years 2009-10 through 2013-14 are based on the following assumptions for the purpose of this Fire Assessment Memorandum.

- Unless more accurate information was available, a three percent annual increase was applied across all "Personnel Services" and all "Operating Expenditures." No increase was applied to revenues.
- Revenues are shown as a reduction of the total projected expenditures for each fiscal year, thereby reducing the total assessable costs for that year. Revenues are comprised of revenues directly received from or for the delivery of fire services, such as "Fire Inspection Fees," "Forfeited Discounts," "Firefighters Supplemental," and contract for service revenues that are allocated to the fire budget.
- All costs associated with providing contract services to the Tallahassee Regional Airport were included in the assessable budget with the corresponding contract revenues removed from the assessable budget calculations.
- The line item "Under Collection Rate for Separate Bill" and "Under Collection Rate for Utility Bill" under "Additional Costs" reflects a 95% collection rate of the Fire Services Assessment is a reserve for under collection.
- The line item "GSG Study/Annual/Update" under "Operating Expenditures" is the costs associated with the development of the initial assessment study as well as the recurring annual costs and update costs in year five. These costs are reimbursable through the assessment program.
- All costs associated with fire hydrant maintenance were provided by City staff. These costs were included as 100% fire costs and are reflected in each year's budget.
- Any payments historically exchanged between the City and County for fire services were not included in the assessable budget.
- The costs associated with providing an additional firefighter to each of the rural fire stations (10-14) were included in the assessable budget.
- The costs associated with supporting the volunteer fire departments were included as 100% fire costs and are included in the assessable budget.

Table 6 provides a calculation of the assessable costs for Fiscal Year 2009-10 based on an application of the above factors to the Fiscal Year 2008-09 Adopted Budget. The calculation yields an assessable cost of \$29,058,003 for Fiscal Year 2009-10.

Table 6
Fire Services Assessable Cost Calculations (FY 2009-10)

	FY 09-10 Proforma Budget	FY 09-10 Assessable Budget
Personnel Services		
Salaries	\$12,978,263	\$11,273,505
Capitalized Wages	(\$34,976)	(\$30,167)
Salary Enhancements	\$542,335	\$470,748
Firefighter Holiday Pay	\$855,272	\$740,543
Temporary Wages	\$7,725	\$7,725
Overtime	\$494,961	\$432,137
Other Salary Items	\$323,218	\$280,399
Pension-Current	\$2,279,993	\$1,979,050
Pension-MAP	\$41,509	\$37,262
Mandatory Medicare	\$135,019	\$117,312
Health Benefits	\$1,550,864	\$1,346,144
Health Benefits-Retirees	\$580,766	\$500,910
Flex Benefits	\$100,759	\$88,383
Total Personnel Services	\$19,855,707	\$17,243,952
Operating Expenditures		
Advertising	\$1,663	\$1,576
Cleaning & Laundry	\$14,302	\$12,915
Reproduction	\$5,780	\$2,684
Unclassified Professional Svcs	\$25,740	\$22,200
Equipment Repairs	\$43,926	\$27,493
Medical Services	\$67,012	\$-
Unclassified Contract Svcs	\$276,471	\$133,464
Computer Software	\$3,281	\$2,829
Telephone	\$27,018	\$22,513
Chem-Med-Lab	\$43,713	\$2,266
Food	\$629	\$543
Gasoline	\$99	\$37
Office Supplies	\$21,542	\$14,508
Uniforms & Clothing	\$126,906	\$109,397
Unclassified Supplies	\$141,938	\$91,347
Travel & Training	\$64,506	\$42,484
Journals & Books	\$15,392	\$13,607
Memberships	\$3,069	\$2,851
Certificates & Licenses	\$206	\$178
Rent Expense-Machines	\$12,756	\$8,166
Unclassified Charges	\$54,075	\$46,640
Bad Debt Expense	\$31,782	\$27,412
Unclassified Equipment	\$113,712	\$88,838
Human Resource Expense	\$409,930	\$355,686
Accounting Expense	\$98,817	\$83,633
Purchasing Expense	\$29,496	\$25,228
Information Systems Expense	\$1,541,214	\$1,334,838
Risk Management Expense	\$239,306	\$206,401
Radio Communications Expense	\$123,962	\$106,917
Revenue Collection Expense	\$62,515	\$53,919
Utility Service Expense	\$1,150,000	\$1,150,000
Vehicle Garage Expense	\$689,491	\$269,289
Vehicle Fuel	\$325,078	\$281,904
Vehicle Replacement	\$600,000	\$517,500
Utilities-Sewer	\$14,873	\$12,828

	FY 09-10 Proforma Budget	FY 09-10 Assessable Budget
Utilities-Sanitation	\$8,210	\$7,081
Utilities-Stormwater	\$15,985	\$13,787
Utilities-Gas	\$40,479	\$34,913
Utilities-Water	\$14,765	\$12,735
Utilities-Electric	\$208,490	\$179,822
Utilities-Fire Services	\$7,597	\$6,553
Indirect Costs	\$552,956	\$476,924
Debt Service Transfer	\$693,181	\$597,868
RR&I Transfer (Hydrant Replacement)	\$100,000	\$100,000
Fire Hydrant Maintenance Expense	\$1,019,626	\$1,019,626
Vol Fire Dept County	\$482,479	\$482,479
Add'l Personnel Stations 10-14	\$916,079	\$790,118
Airport Fire Protection	\$916,061	\$916,061
GSG Study/Annual/Update	\$-	\$195,000
Notice Costs	\$-	\$-
Total Operating Expenditures	\$11,356,107	\$9,905,060
Capital Outlay		
City	\$1,353,400	\$1,325,900
Virtual Dispatch Center	\$500,000	\$431,250
Total Capital Outlay	\$1,853,400	\$1,757,150
Total Expenditures	\$33,065,214	\$28,906,162
Revenues		
City-Fire Inspection Fees	\$320,000	\$320,000
City-Firefighters Supplemental	\$30,000	\$30,000
City-Airport	\$916,061	\$916,061
City-Forfeited Discounts	\$35,000	\$35,000
Total Revenues	\$1,301,061	\$1,301,061
Total Expenditures	\$33,065,214	\$28,906,162
Less Total Revenues	(\$1,301,061)	(\$1,301,061)
Total Net Expenditures before Additional Costs	\$31,764,153	\$27,605,101
Additional Costs		
Separate Monthly Bill		\$-
Under Collection Rate for separate bill (5%)		\$392,284
Under Collection Rate for utility bill (5%)		\$1,060,618
Total Additional Costs		\$1,452,902
Total Assessable Costs		\$29,058,003

Table 7 shows the calculation of the full cost of the Fire Services Assessment Program for Fiscal Year 2009-10 through Fiscal Year 2013-14 as well as the five-year average Fire Services Assessment Program cost.

Table 7
Fire Services Assessable Cost Calculations Proforma Five-Year Average (FY 2009-10 thru FY 2013-14)

	FY 09-10 Assessable Budget	FY 10-11 Assessable Budget	FY 11-12 Assessable Budget	FY 12-13 Assessable Budget	FY 13-14 Assessable Budget	Five-Year Average Assessable Budget
Total Personnel Services	\$17,243,952	\$17,761,270	\$18,294,108	\$18,842,932	\$19,408,220	\$18,310,096
Total Operating Expenditures	\$9,905,060	\$9,966,877	\$10,921,407	\$11,217,971	\$11,625,272	\$10,727,317
Total Capital Outlay	\$1,757,150	\$172,500	\$172,500	\$172,500	\$172,500	\$489,430
Total Expenditures	\$28,906,162	\$27,900,647	\$29,388,015	\$30,233,403	\$31,205,991	\$29,526,844
Total Revenues	\$1,301,061	\$1,301,061	\$1,301,061	\$1,301,061	\$1,301,061	\$1,301,061
Total Net Expenditures before Additional Costs	\$27,605,101	\$26,599,586	\$28,086,954	\$28,932,342	\$29,904,930	\$28,225,783
Total Additional Costs	\$1,452,902	\$1,399,980	\$1,478,262	\$1,522,756	\$1,573,944	\$1,485,569
Total Assessable Costs	\$29,058,003	\$27,999,566	\$29,565,216	\$30,455,098	\$31,478,874	\$29,711,351

Determination of Fire Services Demand

INCIDENT DATA

GSG obtained information from the City in an electronic format, identifying the number and type of fire rescue incident responses for calendar year 2007. The City uses the Florida Fire Incident Reporting System (FFIRS) to record its fire rescue incidents. The FFIRS is a tool for fire rescue departments to report and maintain computerized records of fire rescue incidents and other department activities in a uniform manner.

Under this system, a series of basic phrases with code numbers are used to describe fire rescue incidents. A data field in the FFIRS, "type of situation found," identifies the incident as an EMS or non-EMS type of call for each incident. Appendix A provides a code list for the "type of situation found" as recorded on the fire rescue incident reports used to identify EMS and non-EMS calls.

Another data field in the FFIRS, "fixed property use," identifies the type of property that fire rescue departments respond to for each fire rescue incident. The fixed property uses correlate to property uses determined by the Leon County Property Appraiser on the ad valorem tax roll. Appendix B provides a code list for the "fixed property use" as recorded on the fire rescue incident reports.

GSG analyzed the calendar year 2007-fire rescue incident data from the FFIRS files to evaluate trends and determine if aberrations were present. The fire rescue incident data for calendar year 2007 represents 24,625 fire rescue incidents. All fire rescue incidents were geo-coded to the addresses listed in the FFIRS reports. The geo-coding of calls identified those calls that were made to government owned properties.

Of the 24,625 fire rescue incidents, 78 incidents were duplicates and were removed. Of the remaining 24,547 fire rescue incidents, there were 15,425 incidents classified as EMS type incidents based on the type of situation found indicated on the incident report. The 15,425 EMS type incidents were not included in the analysis.

Of the remaining 9,122 fire type incidents, calls for certain situation found codes were omitted because they were not true incidents, or because they are accounted for under a separate agreement. For example, Station 5, located at the Tallahassee Regional Airport, is funded through a separate budget source. Accordingly, calls reported by Station 5 for runway checks, required by the Federal Aviation Authority, were omitted from the analysis. Additionally, some examples of the situation found codes that did not represent true calls for service were "public service," "alarm system activated/testing/maintenance," "training/academy" and "pre-fire planning." There were a total of 2,120 incidents with these type of situation found codes that were not included in the data set.

There are certain fire incidents that could not be assigned to a specific property or parcel. These calls represent non-specific type incidents, which are incidents that either could not be correlated to a specific parcel or calls that involved auto accidents and other types of incidents along roads and highways.

Of the 7,002 remaining fire type incidents, 5,224 were calls to specific property uses. The remaining 1,778 incidents were considered non-specific type incidents. Because of the inability to correlate these non-specific type incidents to specific property categories, the call analysis does not include these 1,778 incidents. Additionally, the level of services required to meet anticipated demand for fire services and the corresponding annual fire services budget required to fund fire services provided to non-specific property uses would be required notwithstanding the occurrence of any incidents from such non-specific property uses.

The suppression of fires on vacant land and agricultural property primarily benefits adjacent property by containing the spread of fire rather than preserving the integrity of the vacant parcel. Thus, incidents to vacant and agricultural property were not included in the final analysis of the fire call database. The 142 calls to these two property use categories were removed.

Of the remaining 5,082 fire type incidents, there were 662 calls for service to government properties as identified by addresses or fixed property use codes provided in the FFIRS reports. The costs associated with providing service to government properties was segregated and those government properties will fund fire service through a fee that is determined by the historical demand for service.

Table 8 outlines the property use category assignment of fire type incidents based on the analysis conducted by GSG.

Table 8
Fire Calls by Category (Calendar Year 2007)

Property Category	Number of Fire Incidents	Percentage of Total Incidents
Single-Family Residential	2,146	42.23%
Multi-Family Residential	841	16.55%
Commercial	1,058	20.82%
Industrial/Warehouse	48	0.94%
Institutional	327	6.43%
College - FSU	182	3.58%
College - FAMU	152	2.99%
College - TCC	1	0.02%
Government - Federal	5	0.10%
Government - State	79	1.55%
Government - Leon County	24	0.47%
Government - City of Tall	35	0.69%
Government - Fire Stations	8	0.16%
Government - Leon County Industrial Park	10	0.20%
Tallahassee Leon County Civic Center	1	0.02%
Educational - School Board	133	2.62%
Tallahassee Housing Authority	7	0.14%
Leon County Research and Development TIITF Authority	18	0.35%
Educational - Lively Vo-Tech	7	0.14%
Total	5,082	100.00%

Source: City of Tallahassee/Leon County Fire Rescue Department (2007).

PROPERTY DATA

GSG obtained information from the ad valorem tax roll from the Leon County Property Appraiser's office to develop the assessment roll. Each building within the City and the County on the ad valorem tax roll was assigned to one or more of the property use categories based on their assignment of use by the Leon County Property Appraiser or verification of use obtained through field research. A list of building improvement codes used by the Leon County Property Appraiser and their assignment to a property use category is provided as Appendix C.

The Single-Family Residential Property Use Category includes such properties as single-family dwelling units, duplexes and mobile homes. The Multi-Family Residential Property Use Category includes such

properties as triplexes, quadruplexes, apartments, condominiums, townhouses, and cooperatives. In the event the data was indefinite, the DOR codes were used to clarify mobile home categories and help identify condominium and townhouse buildings. For parcels assigned to the Single-Family Residential and Multi-Family Residential Property Use Categories, GSG utilized the total number of dwelling units as determined from the building files on the ad valorem tax roll or through the use of field research.

The Non-Residential Property Use Category includes commercial, industrial/warehouse, and institutional property uses. For parcels within the Non-Residential Property Use Categories (Commercial, Industrial/Warehouse and Institutional), GSG determined the amount of square footage of the structures using the building files on the ad valorem tax roll or through the use of field research.

For RV parks regulated under Chapter 513, Florida Statutes, in accordance with Sections 166.223 and 125.0168, Florida Statutes, which mandate that cities and counties treat RV parks like commercial property for non-ad valorem assessments levied by the City and County, each RV space within the park was treated as a building of commercial property and assigned the square footage of 191 square feet, the average size of a recreational vehicle, according to the Florida Association of RV Parks and Campgrounds.

Computation of Fire Services Assessments

This section of the Memorandum includes the assessment rates as calculated within this Assessment Memorandum. The City and County fire rescue assessment cost calculations provided herein are primarily based on information supplied by the City and County. The assessable cost projections developed by GSG are designed to forecast assessment rates within each property use category for Fiscal Year 2009-10.

SERVICE ZONES

Service zones were created to reflect the level of service differentiation of a property located in a higher density area that receives fire protection coverage from multiple stations compared a property located in an area generally described as rural and typically serviced by a single fire station. For this purpose, "core stations" were identified and defined as those stations within five road miles of at least two other stations. The creation of a core area was necessary to eliminate the appearance of a higher service level of those properties that may be within five road miles of two stations; however, the location of the property lies between two stations that are nearly ten miles apart.

Those properties included in "Zone 1" were generally located within five road miles of two "core stations." Properties located outside of five road miles of two "core stations" were included in "Zone 2." A map of the service zones is provided in Appendix E.

Calls were plotted, or "geocoded," on a map based upon the address provided in the FFIRS database. Those calls correlated to properties included in "Zone 1," and those calls correlated to properties included in "Zone 2," were aggregated and assigned to the respective zone. Table 9 details the assignment of calls to service zones.

Table 9
Fire Calls by Zones to Non-Governmental Properties (Calendar Year 2007)

Zone	Number of Calls to Specific Property Uses
Calls to Zone 1 Properties	3,138
Calls to Zone 2 Properties	1,282

Using the fixed property use codes, the remaining 4,420 fire type incidents corresponding to specific properties were assigned to the following property use categories: single-family residential, multi-family residential, commercial, industrial/warehouse and institutional.

Table 10 outlines the property use category assignment of fire type incidents for non-governmental properties based on the historical demand for service in each zone.

Table 10
Fire Calls by Category to Non-Governmental Properties (Calendar Year 2007)

Category	Zone 1		Zone 2	
	Number of Incidents	Percentage of Calls	Number of Incidents	Percentage of Calls
Single-Family Residential	1,050	33.5%	1,096	85.5%
Multi-Family Residential	806	25.7%	35	2.7%
Commercial	954	30.4%	104	8.1%
Industrial/Warehouse	36	1.1%	12	1.0%
Institutional	292	9.3%	35	2.7%
Total	3,138	100.0%	1,282	100.0%

Source: City of Tallahassee/Leon County Fire Rescue Department (2007).

SPECIAL BENEFIT ASSUMPTIONS

The following assumptions support a finding that the fire services, facilities, and programs provided by the City and County provide a special benefit to the assessed parcels.

- Fire services, facilities, and programs possess a logical relationship to the use and enjoyment of property by: (i) protecting the value and integrity of improvements and structures through the availability and provision of comprehensive fire services; (ii) protecting the life and safety of intended occupants in the use and enjoyment of property; (iii) lowering the cost of fire insurance by the presence of a professional and comprehensive fire services program; and (iv) containing fire incidents occurring on land with the potential to spread and endanger other property and property features.
- The availability and provision of comprehensive fire services enhances and strengthens the relationship of such services to the use and enjoyment of the parcels of property, the market perception of the area and, ultimately, the property values within the assessable area.

APPORTIONMENT METHODOLOGY

The following section describes the assessment apportionment methodology for fire services based on: (i) the fire services assessable cost calculations; (ii) the ad valorem tax roll maintained by the property appraiser and the availability of the data residing on the database; and (iii) the fire rescue incident data.

COST APPORTIONMENT

The Fiscal Year 2009-10 assessable cost calculation was first apportioned among government and non-government property based upon the historical demand for service. The assessable costs attributable to non-government property was then apportioned among property use categories in each service zone based upon the historical demand for fire services reflected by the fire incident data experienced in each service zone for Calendar Year 2007. This apportionment is illustrated in Table 11.

**Table 11
Cost Apportionment**

Category	Zone 1			Zone 2		
	Total Calls	Percentage	Assessable Costs	Total Calls	Percentage	Assessable Costs
Residential	1,050	33.5%	\$6,138,709	1,096	85.5%	\$6,407,643
Multi-Family	806	25.7%	\$4,712,190	35	2.7%	\$204,624
Commercial	954	30.4%	\$5,577,456	104	8.1%	\$608,025
Industrial/Warehouse	36	1.1%	\$210,470	12	1.0%	\$70,157
Institutional	292	9.3%	\$1,707,146	35	2.7%	\$204,624
Total	3,138	100.0%	\$18,345,970	1,282	100.0%	\$7,495,071

PARCEL APPORTIONMENT

The share of the assessable costs apportioned to each property use category was further apportioned among the individual buildings of property within each property use category in the manner described in Table 12.

**Table 12
Parcel Apportionment within Property Use Categories**

Category	Parcel Apportionment
Single - Family Residential	Dwelling Unit
Multi - Family Residential	
Non-Residential	Improvement Area Per Building Within Square Footage Ranges
-Commercial	
-Industrial/Warehouse	
-Institutional	

Applying the foregoing parcel apportionment methodology, fire assessment rates were computed for each property use category. The specific methodology, underlying special benefit and fair apportionment assumptions are included below and generally described.

RESIDENTIAL PARCEL APPORTIONMENT ASSUMPTIONS

The following assumptions support findings that the parcel apportionment applied in the Residential Property Use categories are fair and reasonable. The Residential Property Use Categories includes such properties as single-family dwelling units and multi-family dwelling units.

- The size or the value of the residential parcel does not determine the scope of the required fire services. The potential demand for fire services is driven by the existence of a dwelling unit and the anticipated average occupant population.
- Apportioning the assessable costs for fire services attributable to the residential property use category on a per dwelling unit basis is required to avoid cost inefficiency and unnecessary administration, and is a fair and reasonable method of parcel apportionment based upon historical fire call data.

RESIDENTIAL PARCEL APPORTIONMENT CALCULATION

Based upon the historical demand for fire services, the percentages of assessable costs attributable to residential properties were calculated. The amount of the assessable costs allocable to each residential property was divided by the number of dwelling units in the respective Residential Property Use Category to compute the fire assessment to be imposed against each dwelling unit. For each residential parcel, the actual number of dwelling units located on the parcel will be multiplied by the residential dwelling unit rate to compute the residential fire assessment amount for the parcel.

Table 13 illustrates the assignment of dwelling units under this apportionment methodology to the Residential Property Use Category for each zone.

Table 13
Parcel Apportionment Residential Property Use Category

Residential Property Use Category	Number of Dwelling Units-Zone 1	Number of Dwelling Units-Zone 2
Single-Family Dwelling Units	34,375	39,866
Multi-Family Dwelling Units	37,938	4,837

Source: Leon County Property Appraiser (2007).

NON-RESIDENTIAL PARCEL APPORTIONMENT ASSUMPTIONS

The Non-Residential Property Use category includes commercial, industrial/warehouse, and institutional property uses. The capacity to handle fires and other emergencies in Non-Residential Property Use category is governed by the following:

- The current pumping capacity is defined as the combined amount of water that all apparatus in the Fire Department can pump to a non-residential fire. As outlined by Table 4 above, the pumping capacity of the Fire Department is 47,950 gallons per minute. Accordingly, based on National Fire Protection Association fire fighting standards for fire flow, the Fire Department currently has sufficient fire flow capacity to provide service coverage in the event of a fire involving significant to unlimited square footage.² To avoid inefficiency and unnecessary administration, the City and County have elected to use 14 classifications, with a maximum classification of over 100,000 square feet. This application has no material impact on the non-residential parcel apportionment.

The following assumption supports findings that the parcel apportionment applied in the Non-Residential Property Use category is fair and reasonable.

- The risk of loss and demand for fire services availability is substantially the same for structures below a certain minimum size. Because the value and anticipated occupancy of structures below a certain minimum size is less, it is fair, reasonable, and equitable to provide a lesser assessment burden on such structures by the creation of a specific property parcel classification for those parcels.
- The separation of non-residential buildings into square footage classifications is fair and reasonable for the purposes of parcel apportionment because: (i) the absence of a need for precise square footage data within the ad valorem tax records maintained by the property appraiser undermines the use of actual square footage of structures and improvements within each improved building as a basis for parcel apportionment; (ii) the administrative expense and complexity created by an on-site inspection to determine the actual square footage of structures and improvements within each improved parcel assessed is impractical; and (iii) the demand for fire services availability is not precisely determined or measured by the actual square footage of structures and improvements within benefited parcels; and (iv) the classification of buildings within square footage ranges is a fair

² Source: National Fire Protection Association, "NFPA 1 Uniform Fire Code, 2006, Annex H, Table H, 5.1"

and reasonable method to classify benefited parcels and to apportion costs among benefited buildings that create similar demand for the availability of fire services.

The parcel apportionment for each Non-Residential Property Use Classification shall include both minimum building classifications and an additional classification of all other buildings based upon the assumed square footage of structures and improvements within the improved parcel. The Non-Residential Property Use Classifications include Commercial, Industrial/Warehouse and Institutional. The following describes the Non-Residential Property parcel apportionment calculation and classification for the Commercial, Industrial/Warehouse and Institutional categories.

NON-RESIDENTIAL PARCEL APPORTIONMENT CALCULATION

Based upon the historical demand for fire services, property in the Non-Residential Property Use categories will be responsible for funding a percentage of assessable costs. The amount of the assessable costs allocable to buildings within each of the Non-Residential Property Use Classifications was calculated based upon the following building classifications.

- Non-residential buildings with square footage of non-residential improvements less than 1,999 square feet were assigned an improvement area of 1,000 square feet per building. Buildings with square footage of non-residential improvements between 2,000 square feet and 3,499 square feet were assigned an improvement area of 2,000 square feet per building. Buildings with non-residential improvements between 3,500 square feet and 4,999 square feet were assigned an improvement area of 3,500 square feet per building. Buildings with non-residential improvement areas between 5,000 square feet and 9,999 square feet were assigned an improvement area of 5,000 square feet per building. For buildings containing non-residential improvements between 10,000 square feet and 99,999 square feet, assignments of improvement area were made in 10,000 square foot increments.
- For buildings, containing non-residential improvements over 99,999 square feet, an assignment of improvement area of 100,000 was made.

Sections 125.0168 and 166.223, Florida Statutes, relating to special assessments levied on recreational vehicle parks regulated under Chapter 513, Florida Statutes require the following:

- When a city or county levy a non-ad valorem special assessment on a recreational vehicle park regulated under Chapter 513, the non-ad valorem special assessment shall not be based on the assertion that the recreational vehicle park is comprised of residential units. Instead, recreational vehicle parks regulated under Chapter 513 shall be assessed as a commercial entity in the same manner as a hotel, motel, or other similar facility.

Table 14 illustrates the assignment of improvement area under this apportionment methodology for the Commercial, Industrial/Warehouse and Institutional categories.

Table 14
Fire Services Assessment Parcel Apportionment (Non-Residential Property Use Category)

Square Foot Tiers	Number of Commercial Buildings		Number of Industrial/Warehouse Buildings		Number of Institutional Buildings	
	Zone 1	Zone 2	Zone 1	Zone 2	Zone 1	Zone 2
	≤ 1,999	1325	202	172	62	100
2,000 - 3,499	844	125	175	46	84	40
3,500 - 4,999	488	55	118	43	72	30
5,000 - 9,999	704	69	301	71	90	43
10,000 - 19,999	355	37	197	30	72	22
20,000 - 29,999	116	14	60	5	22	3
30,000 - 39,999	65	5	26	2	13	1
40,000 - 49,999	30	4	11	2	7	1
50,000 - 59,999	29	3	8	0	8	0
60,000 - 69,999	15	1	2	0	2	1
70,000 - 79,999	11	0	2	2	4	1
80,000 - 89,999	9	1	3	1	2	0
90,000 - 99,999	7	2	0	1	2	1
≥ 100,000	37	2	5	0	8	1

Source: City of Tallahassee/Leon County Fire Rescue Department (2007).

Because the suppression of fires on vacant land and agricultural property primarily benefits adjacent property by containing the spread of fire rather than preserving the integrity of the vacant parcel, incidents to vacant and agricultural property were not included in the final analysis of the fire call database. Therefore, only the primary structures on vacant and agricultural parcels will be charged.

FIRE ASSESSMENT RATES

Applying the parcel apportionment methodology, fire services assessment rates were computed for each specified property use category. Based on the assessable costs of providing fire services, the number of fire calls apportioned to specific property categories and the number of billing units within the specified property categories.

Table 15 illustrates the assessment rates after application of the assessment methodology based on 100 percent funding of the total assessable costs for Fiscal Year 2009-10.

Table 15
Fire Services Assessment Rates (Funding Generates \$27,813,187 Net Revenues)

Residential Property Use Categories		Zone 1 - Rate Per Dwelling Unit	Zone 2 - Rate Per Dwelling Unit
Single-Family Dwelling Unit		\$175	\$158
Multi-Family Dwelling Unit		\$122	\$42
Commercial Property Use Category	Building Classification (in square foot ranges)	Zone 1 - Rate Per Building	Zone 2 - Rate Per Building
	≤ 1,999	\$226	\$239
	2,000 - 3,499	\$452	\$478
	3,500 - 4,999	\$791	\$837
	5,000 - 9,999	\$1,129	\$1,195
	10,000 - 19,999	\$2,258	\$2,390
	20,000 - 29,999	\$4,516	\$4,780
	30,000 - 39,999	\$6,774	\$7,169
	40,000 - 49,999	\$9,032	\$9,559
	50,000 - 59,999	\$11,290	\$11,948
	60,000 - 69,999	\$13,548	\$14,338
	70,000 - 79,999	\$15,805	\$16,728
	80,000 - 89,999	\$18,063	\$19,117
	90,000 - 99,999	\$20,321	\$21,507
	≥ 100,000	\$22,579	\$23,896
Industrial/Warehouse Property Use Category	Building Classification (in square foot ranges)	Zone 1 - Rate Per Building	Zone 2 - Rate Per Building
	≤ 1,999	\$27	\$48
	2,000 - 3,499	\$53	\$96
	3,500 - 4,999	\$93	\$168
	5,000 - 9,999	\$132	\$240
	10,000 - 19,999	\$264	\$479
	20,000 - 29,999	\$527	\$957
	30,000 - 39,999	\$790	\$1,436
	40,000 - 49,999	\$1,054	\$1,914
	50,000 - 59,999	\$1,317	\$2,393
	60,000 - 69,999	\$1,580	\$2,871
	70,000 - 79,999	\$1,843	\$3,350
	80,000 - 89,999	\$2,107	\$3,828
	90,000 - 99,999	\$2,370	\$4,307
	≥ 100,000	\$2,633	\$4,785
Non-Government Institutional Property Use Category	Building Classification (in square foot ranges)	Zone 1 - Rate Per Building	Zone 2 - Rate Per Building
	≤ 1,999	\$371	\$190
	2,000 - 3,499	\$742	\$380
	3,500 - 4,999	\$1,298	\$664
	5,000 - 9,999	\$1,854	\$949
	10,000 - 19,999	\$3,708	\$1,897
	20,000 - 29,999	\$7,416	\$3,793
	30,000 - 39,999	\$11,124	\$5,689
	40,000 - 49,999	\$14,832	\$7,585
	50,000 - 59,999	\$18,539	\$9,481
	60,000 - 69,999	\$22,247	\$11,377
	70,000 - 79,999	\$25,955	\$13,273
	80,000 - 89,999	\$29,663	\$15,169
	90,000 - 99,999	\$33,370	\$17,065
	≥ 100,000	\$37,078	\$18,962

*Estimated Gross Revenue: \$29,058,003; Estimated Exempt Buy-down: \$1,244,815; Estimated Net Revenue: \$27,813,187.

Table 16 illustrates the assessment rates after application of the assessment methodology based on 100 percent funding of the total assessable costs for the Five-Year Average Budget (Fiscal Years 2009-10 through 2013-14).

Table 16
Fire Services Assessment Rates (Funding Generates \$28,438,547 Net Revenues)

Residential Property Use Categories		Zone 1 - Rate Per Dwelling Unit	Zone 2 - Rate Per Dwelling Unit
Single-Family Dwelling Unit		\$179	\$161
Multi-Family Dwelling Unit		\$125	\$43
Commercial Property Use Category	Building Classification (in square foot ranges)	Zone 1 - Rate Per Building	Zone 2 - Rate Per Building
	≤ 1,999	\$231	\$245
	2,000 - 3,499	\$462	\$489
	3,500 - 4,999	\$809	\$856
	5,000 - 9,999	\$1,155	\$1,222
	10,000 - 19,999	\$2,309	\$2,444
	20,000 - 29,999	\$4,618	\$4,887
	30,000 - 39,999	\$6,926	\$7,330
	40,000 - 49,999	\$9,235	\$9,774
	50,000 - 59,999	\$11,544	\$12,217
	60,000 - 69,999	\$13,852	\$14,660
	70,000 - 79,999	\$16,161	\$17,104
	80,000 - 89,999	\$18,469	\$19,547
	90,000 - 99,999	\$20,778	\$21,990
	≥ 100,000	\$23,087	\$24,434
Industrial/Warehouse Property Use Category	Building Classification (in square foot ranges)	Zone 1 - Rate Per Building	Zone 2 - Rate Per Building
	≤ 1,999	\$27	\$49
	2,000 - 3,499	\$54	\$98
	3,500 - 4,999	\$95	\$172
	5,000 - 9,999	\$135	\$245
	10,000 - 19,999	\$270	\$490
	20,000 - 29,999	\$539	\$979
	30,000 - 39,999	\$808	\$1,468
	40,000 - 49,999	\$1,077	\$1,957
	50,000 - 59,999	\$1,346	\$2,447
	60,000 - 69,999	\$1,616	\$2,936
	70,000 - 79,999	\$1,885	\$3,425
	80,000 - 89,999	\$2,154	\$3,914
	90,000 - 99,999	\$2,423	\$4,404
	≥ 100,000	\$2,692	\$4,893
Non-Government Institutional Property Use Category	Building Classification (in square foot ranges)	Zone 1 - Rate Per Building	Zone 2 - Rate Per Building
	≤ 1,999	\$380	\$194
	2,000 - 3,499	\$759	\$388
	3,500 - 4,999	\$1,327	\$679
	5,000 - 9,999	\$1,896	\$970
	10,000 - 19,999	\$3,792	\$1,939
	20,000 - 29,999	\$7,583	\$3,878
	30,000 - 39,999	\$11,374	\$5,817
	40,000 - 49,999	\$15,165	\$7,755
	50,000 - 59,999	\$18,956	\$9,694
	60,000 - 69,999	\$22,747	\$11,633
	70,000 - 79,999	\$26,538	\$13,572
	80,000 - 89,999	\$30,330	\$15,510
	90,000 - 99,999	\$34,121	\$17,449
	≥ 100,000	\$37,912	\$19,388

*Estimated Gross Revenue: \$29,711,351; Estimated Exempt Buy-down: \$1,272,804; Estimated Net Revenue: \$28,438,547.

EXEMPTIONS AND IMPACT OF EXEMPTIONS

Because the fire services assessment is being developed to meet the case law standards for a valid special assessment, any proposed exemptions require special scrutiny. The crafting of an exemption must be founded upon a legitimate public purpose, and not trample on state or federal constitutional concepts of equal protection and constitutional prohibitions against establishment of religion or the use of the public treasury directly or indirectly to aid religious institutions. Furthermore, to ensure public acceptance, any exemption must make common sense and be fundamentally fair. Finally, the impact of any proposed exemption should be evaluated in terms of its magnitude and fiscal consequences on the City and County's general funds respectively.

Whenever crafting an exemption, it is important to understand that the fair apportionment element required by Florida case law prohibits the shifting of the fiscal costs of any special assessment from exempt landowners to other non-exempt landowners. In other words, the funding for an exemption from a special assessment must come from a legally available external revenue source, such as the City and County's general funds. Funding for fire assessment exemptions cannot come from the proceeds derived directly from the imposition of special assessments for fire services and facilities. Because any exemption must be funded by an external funding source, the grant of any exemption will not have any impact upon the fire assessment to be imposed upon any other non-exempt parcels.

The decision of the City and County to fund exemptions for fire services assessments on property owned by non-governmental entities is based upon the determination that such exemptions constituted a valid public purpose.

Table 17 summarizes the estimated percentage annual impact of exempting institutional, wholly tax-exempt property.

Table 17
Estimated Percentage Impact of Exemptions

Financial Classification	Amount
Estimated Assessable Costs	\$29,711,351
Estimated Buy-down for Institutional Tax-Exempt Building Uses	\$1,272,804
Estimated Revenue Generated	\$28,438,547

Fire Services Fees Imposed on Governmental Property

The special benefit and fair and reasonable apportionment requirements for a valid special assessment do not rigidly apply to charges against government property. Florida case law has stated that user fees are paid by choice and are charged in exchange for a particular governmental service, which benefits the property paying the fee in a manner not shared by other members of the public. In the user fee context, choice means that the property paying the fee has the option of not using the governmental service and thereby avoiding the charge. Under such tests and definition of choice, the validity of both impact fees and stormwater fees have been upheld.

Impact fees are imposed to place the economic burden of infrastructure required by growth on new development. Stormwater fees are imposed to control and treat the stormwater burden generated by the use and enjoyment of developed property. Likewise, fire services provided by the City and County are intended to meet the historical demand for fire services from developed property and such fee benefits the owner or user of developed property in a manner not shared by other members of society (e.g., the owner of undeveloped property).

The Florida Attorney General has recognized that state-owned property is not required to pay a special assessment without legislative authorization but that such authorization is not needed for user fees or service charges. Additionally, a valid charge cannot be enforced by a lien against public property absent elector approval. Rather, the enforcement remedy is a mandamus action to compel payment. In addition, certain general laws preempt the home rule power of local governments to impose special assessments on educational institutions.

The methodology used in structuring the Fire Services Fee billed to governmental property has been structured to recognize the different legal requirements for special assessments and for fees and in recognition of the following assumptions:

- Fire services benefit owners of property that choose to improve and develop their property by: (i) protecting the value of the improvements and structures by providing available fire control services; (ii) protecting the life and safety of intended occupants in the use and enjoyment of improvements and structures within improved parcels; (iii) lowering the cost of fire insurance by the presence of a professional and comprehensive fire control program; and (iv) containing the spread of fire incidents occurring on vacant property with the potential to spread and endanger the structures and occupants of improved property.
- The combined fire services of the City and County under its existing consolidated fire services program enhances and strengthens the relationship of such services to the use and enjoyment of the structure and improvements on improved and developed parcels of property within the County.
- Calculating the amount of the Fire Services Fee for each classification of governmental owner based upon its actual, historical demand for fire services is fair and reasonable and is in recognition of the benefit anticipated to be provided to the owner of the governmental property.

As discussed previously and documented in the "Incident Data" section of this document, the fire services incidents were analyzed to determine the fire services demand for all governmental property and for each owner. The proportionate share of the billable costs for each owner of governmental property was then applied to the total billable costs attributed to the government property classification to determine the Fire Services Fee for each owner.

Table 18 details the breakdown of the calls for service to government properties including the number of calls in the City and County and the percentages of those calls respectively.

Table 18
Government Call Breakdown

Property Category	Total Calls	Total City Calls	City Percentage	Total County Calls	County Percentage
College - FSU	182	182	100%	-	0%
College - FAMU	152	151	99%	1	1%
College - TCC	1	1	100%	-	0%
Government - Federal	5	2	40%	3	60%
Government - State	79	75	95%	4	5%
Government - Leon County	24	23	96%	1	4%
Government - City of Tall	35	34	97%	1	3%
Government - Fire Stations	8	6	75%	2	25%
Government - Leon County Industrial Park	10	10	100%	-	0%
Tallahassee Leon County Civic Center	1	1	100%	-	0%
Educational - School Board	133	105	79%	28	21%
Tallahassee Housing Authority	7	7	100%	-	0%
Leon County Research and Development TIITF Authority	18	18	100%	-	0%
Educational - Lively Vo-Tech	7	7	100%	-	0%
Total	662	622	94%	40	6%

Table 19 provides the Fire Services Fees for government property at 100 percent of the revenue requirements based on the total assessable costs for the Five-Year Average Budget (Fiscal Years 2009-10 through 2013-14).

Table 19
Fire Services Fees by Government Owner

Property Category	Allocation	City Portion	County Portion
College - FSU	\$1,064,043	\$1,064,043	\$0
College - FAMU	\$888,651	\$882,805	\$5,846
College - TCC	\$5,846	\$5,846	\$0
Government - Federal	\$29,232	\$11,693	\$17,539
Government - State	\$461,865	\$438,479	\$23,386
Government - Leon County	\$140,313	\$134,467	\$5,846
Government - City of Tall	\$204,624	\$198,778	\$5,846
Government - Fire Stations	\$46,771	\$35,078	\$11,693
Government - Leon County Industrial Park	\$58,464	\$58,464	\$0
Tallahassee Leon County Civic Center	\$5,846	\$5,846	\$0
Educational - School Board	\$777,570	\$613,871	\$163,699
Tallahassee Housing Authority	\$40,925	\$40,925	\$0
Leon County Research and Development TIITF Authority	\$105,235	\$105,235	\$0
Educational - Lively Vo-Tech	\$40,925	\$40,925	\$0
Total	\$3,870,310	\$3,636,454	\$233,856

Collection Method for Special Assessments

UTILITY BILL COLLECTION METHOD FOR SPECIAL ASSESSMENTS

One method of collection available to local governments is to use an existing utility bill. The City of Tallahassee currently collects its Fire Services Assessment via the existing utility bill. In the unincorporated areas of the County, some of the parcels receive some form of City utilities, which can include electricity, water, gas, sewer or some combination thereof.

The greatest challenge with using the utility bill is to correlate the utility account with the parcel number maintained by the Property Appraiser. This process is detailed and time-consuming because utilities are not billed according to parcel identification numbers – they are billed according to account numbers, which may or may not correlate to a single parcel number. In some cases, one parcel may have multiple utility accounts based on the number of businesses or residents. In those cases, bills will be issued to each utility account holder based on their occupied portion of the total parcel.

SEPARATE BILL COLLECTION METHOD FOR SPECIAL ASSESSMENTS

A separate bill is the other mechanism available to the County because the County has no utility billing system at its disposal. The greatest disadvantage to the separate bill collection method is that the collection rate tends to be lower than when the charge appears on the tax bill or a utility bill. Local governments may, however, file a lien against properties with delinquent charges. Minimal adjustments were made to account for the anticipated under collections of using a separate bill to collect assessments.

The County and City have agreed that the City will bill and collect from property owners in the unincorporated area of the County that have City utility accounts using the utility bill. The City will identify the property owners within the County that do not receive a City utility bill and provide a separate quarterly bill for the Fire Services Assessment charges. The administration of this billing methodology will require vigilance to ensure all properties required to pay the assessment are correctly billed, and that those property owners that receive a utility bill are not doubled billed.

Additional Information

EXEMPTION CALCULATIONS

GSG utilized the most current data to identify institutional, tax-exempt parcels within the City and County in order to calculate the aggregate cost ('buy down') of these parcels. In addition, best efforts were made by GSG to reconcile any differences necessary to calculate the estimated buy down for this exemption category. Missing or incorrect property data could affect the estimated aggregate costs.

NON-SPECIFIC CALLS

In the fire call analysis, certain fire related calls were classified as non-property specific, because of the location of occurrence in the incident report. These calls represent non-specific incidents that either could not be correlated to a specific parcel or involved auto accidents or other types of incidents along roads and highways. These calls are excluded from the analysis that determines the percentage of calls for service to respective property types and therefore, are not considered in the determination of the extent of budget required to fund the department. Because the budget is established based on the ability of the department to adequately protect structures, no adjustment has been made to the budget due to non-property specific calls.

MOBILE HOME AND RECREATIONAL VEHICLE PARK VACANCY CREDIT

As a consequence of the transient use and potential extraordinary vacancies within mobile home and recreational vehicle (RV) parks as compared to other residential property and the lack of demand for fire services for unoccupied spaces, it is fair and reasonable to provide for an extraordinary vacancy adjustment procedure for mobile home and RV park properties. Vacant mobile home and RV spaces within a mobile home or RV park will be charged; however, these properties will be eligible for an extraordinary vacancy adjustment for vacant mobile home or RV spaces.

VERIFICATION OF SQUARE FOOTAGE OF STRUCTURES ON TAX-EXEMPT PARCELS

The ad valorem tax roll provides the data required to determine value. So long as properties remain in the name of owners exempt from ad valorem taxation, the property appraiser may not consistently maintain data related to building improvements on such parcels. As a consequence of such data imperfections, the square footage on some of the parcels, particularly for institutional private sector classifications, may not be complete. The City of Tallahassee Fire Department staff has assisted GSG in verifying square footage information for many parcels of property within the City and County.

BILLING PROPERTIES WITH MULTIPLE UTILITY ACCOUNTS

The proposed methodology can determine the assessment rate per building on a tax parcel. However, for some non-residential properties there may be many utility accounts assigned to a building. When utilizing the utility bill to collect the Fire Services Assessment, a considerable amount of data collection will be necessary to assess each utility account assigned to the building.

Appendix A

SITUATION FOUND CODES AND DESCRIPTIONS

CODE	DESCRIPTION	TYPE
0	UNCLASSIFIED	NON-EMS
0	SKIPPED RUN	NON-EMS
10	FIRE, EXPLOSION; INSUFFICIENT INFORMATION TO FURTHER CLASSIFY	NON-EMS
100	FIRE, OTHER	NON-EMS
11	STRUCTURE FIRE	NON-EMS
110	FIRE, STRUCTURE	NON-EMS
111	BUILDING FIRE	NON-EMS
112	FIRES IN STRUCTURES OTHER THAN IN A BUILDING	NON-EMS
113	COOKING FIRE, CONFINED TO A CONTAINER	NON-EMS
114	CHIMNEY OR FLUE FIRE, CONFINED TO CHIMNEY OR FLUE	NON-EMS
115	INCINERATOR OVERLOAD OR MALFUNCTION, FIRE CONFINED	NON-EMS
116	FUEL BURNER/BOILER MALFUNCTION, FIRE CONFINED	NON-EMS
117	COMMERCIAL COMPACTOR FIRE, CONFINED TO RUBBISH	NON-EMS
118	TRASH OR RUBBISH FIRE, CONTAINED	NON-EMS
118B	BONFIRE CONTAINED	NON-EMS
12	OUTSIDE OF STRUCTURE FIRE	NON-EMS
120	FIRE IN MOBILE PROPERTY USED AS A FIXED STRUCTURE, OTHER	NON-EMS
121	FIRE IN MOBILE HOME USED AS A FIXED RESIDENCE	NON-EMS
122	FIRE IN MOBILE HOME, CAMPER, RECREATIONAL VEHICLE	NON-EMS
123	FIRE IN PORTABLE BUILDING, FIXED LOCATION	NON-EMS
13	VEHICLE FIRE	NON-EMS
130	MOBILE PROPERTY (VEHICLE) FIRE, OTHER	NON-EMS
131	PASSENGER VEHICLE FIRE	NON-EMS
132	ROAD FREIGHT OR TRANSPORT VEHICLE FIRE	NON-EMS
133	RAIL VEHICLE FIRE	NON-EMS
134	WATER VEHICLE FIRE	NON-EMS
135	AIRCRAFT FIRE	NON-EMS
136	SELF PROPELLED MOTOR HOME OR RECREATIONAL VEHICLE	NON-EMS
137	CAMPER OR RV FIRE	NON-EMS
138	OFF ROAD VEHICLE OR HEAVY EQUIPMENT FIRE	NON-EMS
14	TREES, BRUSH, GRASS FIRE	NON-EMS
140	NATURAL VEGETATION FIRE	NON-EMS
141	FOREST, WOODS OR WILDLAND FIRE	NON-EMS
142	BRUSH, OR BRUSH AND GRASS MIXTURE FIRE	NON-EMS
143	GRASS FIRE	NON-EMS
15	REFUSE FIRE	NON-EMS
150	OUTSIDE RUBBISH FIRE, OTHER	NON-EMS
151	OUTSIDE RUBBISH, TRASH OR WASTE FIRE	NON-EMS
152	GARBAGE DUMP OR SANITARY LANDFILL FIRE	NON-EMS
153	CONSTRUCTION OR DEMOLITION LANDFILL FIRE	NON-EMS
154	DUMPSTER OR OTHER OUTSIDE TRASH RECEPTACLE FIRE	NON-EMS
155	OUTSIDE STATIONARY COMPACTOR/COMPACTED TRASH FIRE	NON-EMS
16	EXPLOSION, NO AFTER-FIRE	NON-EMS
160	SPECIAL OUTSIDE FIRE, OTHER	NON-EMS
161	OUTSIDE STORAGE FIRE	NON-EMS

CODE	DESCRIPTION	TYPE
162	OUTSIDE EQUIPMENT FIRE	NON-EMS
163	OUTSIDE GAS OR VAPOR COMBUSTION EXPLOSION	NON-EMS
164	OUTSIDE MAILBOX FIRE	NON-EMS
17	OUTSIDE SPILL, LEAK WITH ENSUING FIRE	NON-EMS
170	CULTIVATED VEGETATION, CROP FIRE, OTHER	NON-EMS
171	CULTIVATED GRAIN, OR CROP FIRE	NON-EMS
172	CULTIVATED ORCHARD OR VINEYARD FIRE	NON-EMS
173	CULTIVATED TREES OR NURSERY STOCK FIRE	NON-EMS
19	FIRE, EXPLOSION NOT CLASSIFIED ABOVE	NON-EMS
20	OVERPRESSURE RUPTURE; INSUFFICIENT INFORMATION TO FURTHER CLASSIFY	NON-EMS
200	OVERPRESSURE RUPTURE, EXPLOSION, OVERHEAT, OTHER	NON-EMS
21	STEAM RUPTURE	NON-EMS
210	OVERPRESSURE RUPTURE FROM STEAM, OTHER	NON-EMS
211	OVERPRESSURE RUPTURE OF STEAM PIPE OR PIPELINE	NON-EMS
212	OVERPRESSURE RUPTURE OF STEAM BOILER	NON-EMS
213	STEAM RUPTURE OF PRESSURE OR PROCESS VESSEL	NON-EMS
22	AIR, GAS RUPTURE	NON-EMS
220	OVERPRESSURE RUPTURE FROM AIR OR GAS, OTHER	NON-EMS
221	OVERPRESSURE RUPTURE OF AIR OR GAS PIPE/PIPELINE	NON-EMS
222	OVERPRESSURE RUPTURE OF BOILER FROM AIR OR GAS	NON-EMS
223	AIR OR GAS RUPTURE OF PRESSURE OR PROCESS VESSEL	NON-EMS
23	RUPTURE	NON-EMS
231	CHEMICAL REACTION RUPTURE OF PROCESS VESSEL	NON-EMS
240	EXPLOSION (NO FIRE), OTHER	NON-EMS
241	MUNITIONS OR BOMB EXPLOSION (NO FIRE)	NON-EMS
242	BLASTING AGENT EXPLOSION (NO FIRE)	NON-EMS
243	FIREWORKS EXPLOSION (NO FIRE)	NON-EMS
251	EXCESSIVE HEAT, SCORCH BURNS WITH NO IGNITION	NON-EMS
29	OTHER OVERPRESSURE RUPTURE	NON-EMS
30	RESCUE CALL;INSUFF INFO	EMS
300	RESCUE, EMS CALL, OTHER	EMS
31	INHALATOR CALL	EMS
311	MEDICAL ASSIST, ASSIST EMS CREW	EMS
32	EMERGENCY MEDICAL CALL	EMS
320	ALLERGIC REACTION	EMS
321	EMS CALL, EXCLUDING VEHICLE ACCIDENT WITH INJURY	EMS
321B	BLOOD PRESSURE CHECK	EMS
322	VEHICLE ACCIDENT WITH INJURIES	EMS
323	MOTOR VEHICLE/PEDESTRIAN ACCIDENT (MV PED)	EMS
324	MOTOR VEHICLE ACCIDENT, NO INJURIES	NON-EMS
33	LOCK-IN	NON-EMS
331	LOCK-IN (IF LOCK OUT, USE 511)	NON-EMS
34	SEARCH	NON-EMS
340	SEARCH, OTHER	NON-EMS
341	SEARCH FOR PERSON ON LAND	NON-EMS

CODE	DESCRIPTION	TYPE
342	SEARCH FOR PERSON IN WATER	NON-EMS
343	SEARCH FOR PERSON UNDERGROUND	NON-EMS
35	EXTRICATION	NON-EMS
350	EXTRICATION, RESCUE, OTHER	NON-EMS
351	EXTRICATION OF VICTIM(S) FROM BUILDING/STRUCTURE	NON-EMS
352	EXTRICATION OF VICTIM(S) FROM VEHICLE	NON-EMS
353	REMOVAL OF VICTIM(S) FROM STALLED ELEVATOR	NON-EMS
354	TRENCH/BELOW GRADE RESCUE	NON-EMS
355	CONFINED SPACE RESCUE	NON-EMS
356	HIGH ANGLE RESCUE	NON-EMS
357	EXTRICATION OF VICTIM(S) FROM MACHINERY	NON-EMS
360	WATER & ICE RELATED RESCUE, OTHER	NON-EMS
361	SWIMMING/RECREATIONAL WATER AREAS RESCUE	NON-EMS
362	ICE RESCUE	NON-EMS
363	SWIFT WATER RESCUE	NON-EMS
364	SURF RESCUE	NON-EMS
365	WATERCRAFT RESCUE	NON-EMS
37	WATER RESCUE	NON-EMS
370	ELECTRICAL RESCUE	NON-EMS
371	ELECTROCUTION OR POTENTIAL ELECTROCUTION	NON-EMS
372	TRAPPED BY POWER LINES	NON-EMS
381	RESCUE OR EMS STANDBY	EMS
39	RESCUE CALL - NOT CLASSIFIED ABOVE	EMS
40	HAZARDOUS CONDITION, STANDBY; INSUFFICIENT INFORMATION TO FURTHER CLASSIFY	NON-EMS
400	HAZARDOUS CONDITION, OTHER	NON-EMS
400P	HAZARDOUS CONDITION POWDER	NON-EMS
41	SPILL, LEAK WITH NO IGNITION	NON-EMS
410	FLAMMABLE GAS OR LIQUID CONDITION, OTHER	NON-EMS
411	GASOLINE OR OTHER FLAMMABLE LIQUID SPILL	NON-EMS
412	GAS LEAK	NON-EMS
413	OIL OR OTHER COMBUSTIBLE LIQUID SPILL	NON-EMS
42	EXPLOSIVE, BOMB REMOVAL	NON-EMS
420	TOXIC CONDITION, OTHER	NON-EMS
421	CHEMICAL HAZARD (NO SPILL OR LEAK)	NON-EMS
422	CHEMICAL SPILL OR LEAK	NON-EMS
423	REFRIGERATION LEAK	NON-EMS
424	CARBON MONOXIDE INCIDENT	NON-EMS
43	EXCESSIVE HEAT	NON-EMS
430	RADIOACTIVE CONDITION, OTHER	NON-EMS
431	RADIATION LEAK, RADIOACTIVE MATERIAL	NON-EMS
44	POWER LINE DOWN	NON-EMS
440	ELECTRICAL WIRING/EQUIPMENT PROBLEM, OTHER	NON-EMS
441	HEAT FROM SHORT CIRCUIT (WIRING), DEFECTIVE/WORN	NON-EMS
442	OVERHEATED MOTOR	NON-EMS
443	LIGHT BALLAST BREAKDOWN	NON-EMS

CODE	DESCRIPTION	TYPE
444	POWER LINE DOWN	NON-EMS
445	ARCING, SHORTED ELECTRICAL EQUIPMENT	NON-EMS
45	ARCING, SHORTED ELECTRICAL EQUIPMENT	NON-EMS
451	POLICE ASSIST	NON-EMS
46	AIRCRAFT STANDBY	NON-EMS
460	ACCIDENT, POTENTIAL ACCIDENT, OTHER	NON-EMS
461	BUILDING OR STRUCTURE WEAKENED OR COLLAPSED	NON-EMS
462	AIRCRAFT STANDBY	NON-EMS
462A	AIRCRAFT STANDBY, ELECTRICAL INDICATORS	NON-EMS
462E	AIRCRAFT STANDBY, ENGINE FAILURE	NON-EMS
462H	AIRCRAFT STANDBY, HYDRAULICS	NON-EMS
462L	AIRCRAFT STANDBY, LANDING GEAR FAILURE	NON-EMS
463	VEHICLE ACCIDENT, GENERAL CLEANUP	NON-EMS
47	CHEMICAL EMERGENCY	NON-EMS
471	EXPLOSIVE, BOMB REMOVAL (FOR BOMB SCARE, USE 721)	NON-EMS
480	ATTEMPTED BURNING, ILLEGAL ACTION, OTHER	NON-EMS
481	ATTEMPT TO BURN	NON-EMS
482	THREAT TO BURN	NON-EMS
49	HAZARDOUS CONDITION, STANDBY; NOT CLASS	NON-EMS
50	SERVICE CALL; INSUFFICIENT INFORMATION TO FURTHER CLASSIFY	NON-EMS
500	SERVICE CALL, OTHER	NON-EMS
51	LOCK-OUT	NON-EMS
510	PERSON IN DISTRESS, OTHER	NON-EMS
511	LOCK-OUT	NON-EMS
512	RING OR JEWELRY REMOVAL	NON-EMS
52	WATER EVACUATION	NON-EMS
520	WATER PROBLEM, OTHER	NON-EMS
521	WATER EVACUATION	NON-EMS
522	WATER OR STEAM LEAK	NON-EMS
53	SMOKE, ODOR REMOVAL	NON-EMS
531	SMOKE OR ODOR REMOVAL	NON-EMS
54	ANIMAL RESCUE	NON-EMS
540	ANIMAL PROBLEM, OTHER	NON-EMS
541	ANIMAL PROBLEM	NON-EMS
542	ANIMAL RESCUE	NON-EMS
55	ASSIST POLICE	NON-EMS
550	PUBLIC SERVICE ASSISTANCE, OTHER	NON-EMS
551	ASSIST POLICE OR OTHER GOVERNMENTAL AGENCY	NON-EMS
551A	AIRPORT - ALERT 1	NON-EMS
551B	AIRPORT - ALERT 2	NON-EMS
551C	AIRPORT - ALERT 3	NON-EMS
551D	AIRPORT - ALERT 4	NON-EMS
551E	ASSIST EMS	EMS
551R	AIRPORT RUNWAY CHECK	NON-EMS
552	POLICE MATTER	NON-EMS

CODE	DESCRIPTION	TYPE
553	PUBLIC SERVICE	NON-EMS
553D	PUBLIC SERVICE SMOKE DETECTOR	NON-EMS
554	ASSIST INVALID	EMS
555	DEFECTIVE ELEVATOR	NON-EMS
56	UNAUTHORIZED BURNING	NON-EMS
561	UNAUTHORIZED BURNING	NON-EMS
57	COVER ASSIGNMENT, STANDBY AT FIRE STATION, MOVE-UP	NON-EMS
571	COVER ASSIGNMENT, STANDBY, MOVEUP	NON-EMS
59	SERVICE CALL; NOT CLASS ABOVE	NON-EMS
60	GOOD INTENT CALL	NON-EMS
600	GOOD INTENT CALL, OTHER	NON-EMS
61	SMOKE SCARE	NON-EMS
611	DISPATCHED & CANCELED EN ROUTE	NON-EMS
611D	CANCELED BEFORE DISPATCH/UNASSIGNED UNIT	NON-EMS
611E	DISPATCHED AND CANCELED ON SCENE BY EMS	EMS
62	WRONG LOCATION	NON-EMS
621	WRONG LOCATION	NON-EMS
621L	UNABLE TO LOCATE	NON-EMS
622	NO INCIDENT FOUND UPON ARRIVAL	NON-EMS
63	CONTROLLED BURNING	NON-EMS
631	AUTHORIZED CONTROLLED BURNING	NON-EMS
632	PRESCRIBED FIRE	NON-EMS
64	VICINITY ALARM	NON-EMS
641	VICINITY ALARM (INCIDENT IN OTHER LOCATION)	NON-EMS
65	STEAM, OTHER GAS MISTAKEN FOR SMOKE	NON-EMS
650	STEAM, OTHER GAS MISTAKEN FOR SMOKE, OTHER	NON-EMS
651	SMOKE SCARE, ODOR OF SMOKE	NON-EMS
652	STEAM, VAPOR, FOG OR DUST THOUGHT TO BE SMOKE	NON-EMS
653	BARBECUE, TAR KETTLE	NON-EMS
661	EMS CALL, PARTY TRANSPORTED BY NON-FIRE AGENCY	EMS
671	HAZMAT RELEASE INVESTIGATION W/NO HAZMAT	NON-EMS
672	BIOLOGICAL HAZARD INVESTIGATION, NONE FOUND	NON-EMS
69	GOOD INTENT CALL NOT CLASSIFIED	NON-EMS
70	FALSE CALL; INSUFFICIENT INFORMATION TO FURTHER CLASSIFY	NON-EMS
700	FALSE ALARM OR FALSE CALL, OTHER	NON-EMS
71	MALICIOUS, MISCHIEVOUS FALSE CALL	NON-EMS
710	MALICIOUS, MISCHIEVOUS FALSE CALL, OTHER	NON-EMS
711	MUNICIPAL ALARM SYSTEM, MALICIOUS FALSE ALARM	NON-EMS
712	DIRECT TIE TO FD, MALICIOUS/FALSE ALARM	NON-EMS
713	TELEPHONE, MALICIOUS FALSE ALARM	NON-EMS
714	CENTRAL STATION, MALICIOUS FALSE ALARM	NON-EMS
715	LOCAL ALARM SYSTEM, MALICIOUS FALSE ALARM	NON-EMS
72	BOMB SCARE, NO BOMB	NON-EMS
721	BOMB SCARE - NO BOMB	NON-EMS
73	SYSTEM MALFUNCTION	NON-EMS

CODE	DESCRIPTION	TYPE
730	SYSTEM MALFUNCTION	NON-EMS
731	SPRINKLER ACTIVATION DUE TO MALFUNCTION	NON-EMS
732	EXTINGUISHING SYSTEM ACTIVATION DUE TO MALFUNCTION	NON-EMS
733	SMOKE DETECTOR ACTIVATION DUE TO MALFUNCTION	NON-EMS
734	HEAT DETECTOR ACTIVATION DUE TO MALFUNCTION	NON-EMS
735	ALARM SYSTEM SOUNDED DUE TO MALFUNCTION	NON-EMS
736	CO DETECTOR ACTIVATION DUE TO MALFUNCTION	NON-EMS
74	UNINTENTIONAL	NON-EMS
740	UNINTENTIONAL TRANSMISSION OF ALARM, OTHER	NON-EMS
740R	ALARM RESET	NON-EMS
741	SPRINKLER ACTIVATION, NO FIRE - UNINTENTIONAL	NON-EMS
742	EXTINGUISHING SYSTEM ACTIVATION	NON-EMS
743	SMOKE DETECTOR ACTIVATION, NO FIRE - UNINTENTIONAL	NON-EMS
744	DETECTOR ACTIVATION, NO FIRE - UNINTENTIONAL	NON-EMS
745	ALARM SYSTEM SOUNDED, NO FIRE - UNINTENTIONAL	NON-EMS
745B	ALARM SYSTEM ACTIVATED/BURNT FOOD/NO FIRE	NON-EMS
745T	ALARM SYSTEM ACTIVATED/TESTING/MAINTENANCE	NON-EMS
746	CARBON MONOXIDE DETECTOR ACTIVATION, NO CO	NON-EMS
75	FALSE CALL	NON-EMS
77	FALSE CALL	NON-EMS
79	FALSE CALL NOT CLASSIFIED ABOVE	NON-EMS
800	SEVERE WEATHER OR NATURAL DISASTER, OTHER	NON-EMS
811	EARTHQUAKE ASSESSMENT	NON-EMS
812	FLOOD ASSESSMENT	NON-EMS
813	WIND STORM, TORNADO/HURRICANE ASSESSMENT	NON-EMS
814	LIGHTNING STRIKE (NO FIRE)	NON-EMS
815	SEVERE WEATHER OR NATURAL DISASTER STANDBY	NON-EMS
900	SPECIAL TYPE OF INCIDENT, OTHER, DUMPSTER FIRE	NOT USED
900A	TRAINING/ACADEMY	NOT USED
900B	TRAINING/TERRITORY	NOT USED
900C	COURT/DEPOSITION	NOT USED
900D	COMPANY INSPECTION	NOT USED
900E	INSPECTION	NOT USED
900F	RE-INSPECTION	NOT USED
900G	DRUG TEST	NOT USED
900H	HOSE TESTING	NOT USED
900I	HYDRANT INSPECTION	NOT USED
900P	PREFIRE PLANNING	NOT USED
900R	FIRE/RECHECK	NON-EMS
900T	TEST INCIDENT/CAD/PMDC	NOT USED
911	CITIZEN COMPLAINT	NOT USED
96	UNCLASSIFIED	NON-EMS
98	UNCLASSIFIED	NON-EMS
99	UNCLASSIFIED SITUATION	NON-EMS

Appendix B

FIXED PROPERTY USE CODES AND DESCRIPTIONS

CODE	DESCRIPTION	CATEGORY
000	FIXED PROP USE UNDETERMINED	NON-SPECIFIC
100	UNKNOWN OTHER	NON-SPECIFIC
110	FIXED USE RECREATION, OTHER	COMMERCIAL
111	BOWLING ESTABLISHMENT	COMMERCIAL
113	AMUSEMENT CENTER	COMMERCIAL
115	ROLLER RINK	COMMERCIAL
116	SWIMMING FACILITY	COMMERCIAL
120	VARIABLE USE AMUSEMENT/RECREATION	COMMERCIAL
121	BALLROOM,GYMNASIUM	COMMERCIAL
122	EXHIBITION HALL	COMMERCIAL
123	ARENA/STADIUM	COMMERCIAL
124	PLAYGROUND	COMMERCIAL
129	AMUSEMENT CENTER INDOOR/OUTDOOR	COMMERCIAL
130	PLACES OF WORSHIP,CHURCH,FUNERAL PARLOR	INSTITUTIONAL
131	CHURCH/CHAPEL	INSTITUTIONAL
134	FUNERAL PARLOR/CHAPEL	INSTITUTIONAL
140	CLUBS, OTHER	COMMERCIAL
141	ATHLETIC CLUB/YMCA	COMMERCIAL
142	CLUB HOUSE	COMMERCIAL
150	PUBLIC, GOVT, OTHER	INSTITUTIONAL
151	LIBRARY	INSTITUTIONAL
152	MUSEUM, ART GALLERY	INSTITUTIONAL
155	COURT ROOM	INSTITUTIONAL
160	EATING/DRINKING PLACES	COMMERCIAL
161	RESTAURANT	COMMERCIAL
162	NIGHTCLUB	COMMERCIAL
173	BUS TERMINAL	COMMERCIAL
180	THEATER, STUDIO OTHER	COMMERCIAL
182	AUDITORIUM, CONCERT HALL	COMMERCIAL
200	EDUCATIONAL PROPERTY OTHER	INSTITUTIONAL
210	SCHOOLS NON-ADULT OTHER	INSTITUTIONAL
211	PRE-SCHOOL	COMMERCIAL
213	ELEMENTARY SCHOOL	INSTITUTIONAL
215	HIGH SCHOOL/JR HIGH/MIDDLE SCHOOL	INSTITUTIONAL
241	COLLEGE/UNIVERSITY	INSTITUTIONAL
254	DAY CARE-IN COMMERCIAL PROPERTY	COMMERCIAL
255	DAY CARE-IN RESIDENCE-LICENSED	COMMERCIAL
300	HEALTHCARE/DETENTION OTHER	INSTITUTIONAL
309	OTHER INSTITUTIONAL PROPERTY	INSTITUTIONAL
311	CARE OF THE AGED/NURSING STAFF	INSTITUTIONAL
321	MENTAL RETARDATION/DEVELOPMENT DISABILITY FACILITY	INSTITUTIONAL
322	ALCOHOL/SUBSTANCE ABUSE RECOVERY CENTER	INSTITUTIONAL
323	ASYLUM/MENTAL INSTITUTION	INSTITUTIONAL
331	HOSPITAL-MEDICAL/PSYCHIATRIC	INSTITUTIONAL
332	HOSPICES	INSTITUTIONAL

CODE	DESCRIPTION	CATEGORY
340	CLINICS, OTHER	COMMERCIAL
341	CLINIC, CLINIC-TYPE INFIRMARY	INSTITUTIONAL
342	DOCTOR/DENTIST/SURGEONS OFFICE	COMMERCIAL
361	JAIL/PRISON - NOT JUVENILE	INSTITUTIONAL
363	REFORMATORY, JUVENILE DETENTION CENTER	INSTITUTIONAL
365	POLICE STATION	INSTITUTIONAL
365A	Police Training Center	INSTITUTIONAL
400	RESIDENTIAL OTHER	SINGLE-FAMILY RESIDENTIAL
419	ONE- AND TWO-FAMILY DWELLING	SINGLE-FAMILY RESIDENTIAL
429	MULTI-FAMILY DWELLINGS	MULTI-FAMILY RESIDENTIAL
439	ROOMING, BOARDING, RESIDENTIAL HOTELS	MULTI-FAMILY RESIDENTIAL
449	HOTELS, MOTELS, INNS, LODGES	COMMERCIAL
459	RESIDENTIAL BOARD AND CARE	INSTITUTIONAL
460	DORMITORIES OTHER	INSTITUTIONAL
462	FRATERNITY, SORORITY HOUSE	INSTITUTIONAL
464	MILITARY BARRACKS/DORMITORY	INSTITUTIONAL
500	MERCANTILE PROPERTIES OTHER	COMMERCIAL
511	CONVENIENCE STORE	COMMERCIAL
519	FOOD, BEVERAGE SALES, GROCERY STORE	COMMERCIAL
529	TEXTILE, WEARING APPAREL SALES	COMMERCIAL
539	HOUSEHOLD GOODS SALES, REPAIRS	COMMERCIAL
549	SPECIALTY SHOPS	COMMERCIAL
557	BARBER, BEAUTY SHOP, PERSONAL SERVICES	COMMERCIAL
559	RECREATIONAL, HOBBY,HOME SALES, PET STORE	COMMERCIAL
564	SELF-SERVICE LAUNDRY/DRY CLEANING	COMMERCIAL
569	PROFESSIONAL SUPPLIES	COMMERCIAL
571	SERVICE STATION	COMMERCIAL
579	MOTOR VEHICLE, BOAT SALES/SERVICE/REPAIRS	COMMERCIAL
580	GENERAL ITEM STORES, OTHER	COMMERCIAL
581	DEPARTMENT STORE	COMMERCIAL
592	BANK W/FIRST STORY BANKING FACILITY	COMMERCIAL
593	MEDICAL, RESEARCH, SCIENTIFIC OFFICE	COMMERCIAL
596	POST OFFICE OR MAILING FORMS	INSTITUTIONAL
599	BUSINESS OFFICES	COMMERCIAL
600	BASIC INDUSTRY, UTILITY, DEFENSE OTHER	INDUSTRIAL/WAREHOUSE
615	ELECTRIC GENERATING PLANT	INDUSTRIAL/WAREHOUSE
629	LABORATORIES	INDUSTRIAL/WAREHOUSE
631	NATIONAL DEFENSE SITE/MILITARY SITE	INSTITUTIONAL
635	COMPUTER, DATA PROCESSING CNTR	INDUSTRIAL/WAREHOUSE
639	COMMUNICATIONS CENTER	INDUSTRIAL/WAREHOUSE
644	GAS DISTRIBUTION SYSTEM, PIPELINE	INDUSTRIAL/WAREHOUSE
669	FOREST, TIMBERLAND	NOT USED
700	MANUFACTURING PROPERTY, PROCESSING	INDUSTRIAL/WAREHOUSE
800	STORAGE PROPERTY OTHER	INDUSTRIAL/WAREHOUSE
808	SHED	NON-SPECIFIC

CODE	DESCRIPTION	CATEGORY
819	LIVESTOCK, POULTRY STORAGE	NOT USED
880	VEHICLE STORAGE; OTHER	INDUSTRIAL/WAREHOUSE
882	GENERAL VEHICLE PARKING GARAGE	INDUSTRIAL/WAREHOUSE
888	FIRE STATIONS	INSTITUTIONAL
891	GENERAL WAREHOUSE	INDUSTRIAL/WAREHOUSE
900	OUTSIDE, SPECIAL PROPERTIES; OTHER	NON-SPECIFIC
919	DUMP SANITARY LANDFILL	NON-SPECIFIC
921	BRIDGE, TRESTLE	NON-SPECIFIC
922	TUNNEL	NON-SPECIFIC
926	OUTBUILDING, EXCLUDING GARAGE	NON-SPECIFIC
930	OUTDOOR PROPERTIES; INSUFF INFO	NON-SPECIFIC
931	OPEN LAND, FIELD	NOT USED
935	CAMPSITE WITH UTILITIES	COMMERCIAL
936	VACANT LOT	NOT USED
938	GRADED AND CARED FOR PLOTS OF LAND	NOT USED
940	WATER AREAS, OTHER	NON-SPECIFIC
946	LAKE/RIVER/STREAM	NON-SPECIFIC
951	RAILROAD RIGHT OF WAY	NON-SPECIFIC
952	SWITCH YARD, MARSHALLING YARD	NON-SPECIFIC
960	STREET, OTHER	NON-SPECIFIC
961	DIVIDED HIGHWAY, HIGHWAY	NON-SPECIFIC
962	PAVED PUBLIC STREET, RESIDENTIAL	NON-SPECIFIC
963	PAVED PRIVATE STREET, COMMERCIAL	NON-SPECIFIC
964	UNPAVED STREET, ROAD, PATH	NON-SPECIFIC
965	UNCOVERED PARKING AREA	NON-SPECIFIC
972	AIRCRAFT RUNWAY	COMMERCIAL
972T	Airport Control Tower	COMMERCIAL
981	CONSTRUCTION SITE	NON-SPECIFIC
983	PIPELINE, POWER LINE RIGHT OF WAY	NON-SPECIFIC
989	EQUIPMENT OPERATING AREAS NOT CLASS ABOVE	NON-SPECIFIC
NNN	NONE	NON-SPECIFIC
NUL	None - NULL	NON-SPECIFIC
UUU	UNDETERMINED	NON-SPECIFIC

Appendix C

LEON COUNTY PROPERTY APPRAISER
BUILDING IMPROVEMENT CODES AND USE DESCRIPTIONS
WITH ASSIGNMENT OF PROPERTY USE CATEGORY

CODE	DESCRIPTION	CATEGORY
0000	GSG - VACANT/DEMOLISHED	NOT USED
0100	SINGLE FAMILY RESIDENTIAL	SINGLE-FAMILY RESIDENTIAL
0300	DUPLEX	SINGLE-FAMILY RESIDENTIAL
0350	TRI/QUAD ETC PLEX - GSG CREATE	MULTI-FAMILY RESIDENTIAL
0400	CONDOMINIUM	MULTI-FAMILY RESIDENTIAL
0500	STUDENT APARTMENTS	MULTI-FAMILY RESIDENTIAL
0501	FRAT/SORORITY	INSTITUTIONAL
0510	STUDENT MULTI LEASE	MULTI-FAMILY RESIDENTIAL
0600	STANDARD APARTMENTS	MULTI-FAMILY RESIDENTIAL
0601	APT/ LESS THAN 10 UNITS	MULTI-FAMILY RESIDENTIAL
0602	DORMITORY	MULTI-FAMILY RESIDENTIAL
0700	TOWNHOUSE	MULTI-FAMILY RESIDENTIAL
0800	MOBILE HOME	SINGLE-FAMILY RESIDENTIAL
1000	GARDEN APARTMENT	MULTI-FAMILY RESIDENTIAL
1100	HIGH RISE	MULTI-FAMILY RESIDENTIAL
1200	EXEMPT MULTI FAMILY	MULTI-FAMILY RESIDENTIAL
1400	MOTELS	COMMERCIAL
1500	EXTENDED STAY HOMES	COMMERCIAL
1600	HOTELS	COMMERCIAL
1700	HOSP/NURS HOME	INSTITUTIONAL
1710	NURSING HOME	INSTITUTIONAL
1720	CLINIC	COMMERCIAL
1730	VET CLINIC	COMMERCIAL
1740	REGIONAL MEDICAL CENTER	INSTITUTIONAL
1750	ASSISTED LIVING FACILITY	INSTITUTIONAL
1800	CO-OP	MULTI-FAMILY RESIDENTIAL
2000	STORE	COMMERCIAL
2010	CONDO-STORE	COMMERCIAL
2011	SALON/BARBER SHOP	COMMERCIAL
2012	LAUNDROMAT	COMMERCIAL
2013	CARWASH	COMMERCIAL
2014	PHYS FITNESS CENTER	COMMERCIAL
2015	STORE SFR CONV	COMMERCIAL
2016	IND/RETAIL/STORE	COMMERCIAL
2018	DRY CLEANERS	COMMERCIAL
2020	CONVENIENCE STORE	COMMERCIAL
2030	CONV-STORE/GAS	COMMERCIAL
2040	SUPERMARKET	COMMERCIAL
2050	PHARMACY	COMMERCIAL
2060	JR DISCOUNT	COMMERCIAL
2070	SUPER DISCOUNT	COMMERCIAL
2080	AUTO PARTS	COMMERCIAL
2090	AUTO SERVICE	COMMERCIAL
2100	DEPARTMENT STORE	COMMERCIAL
2110	JR DEPARTMENT STORE	COMMERCIAL

CODE	DESCRIPTION	CATEGORY
2200	SHOP CENTER	COMMERCIAL
2210	NBHD SHOP CENTER	COMMERCIAL
2220	COMM SHOP CENTER	COMMERCIAL
2300	SERVICE STATION	COMMERCIAL
2400	REC/BOWL ALLEY	COMMERCIAL
2410	CLUBHOUSE/REC	COMMERCIAL
2500	REST/LOUNGE	COMMERCIAL
2510	FAMILY RESTAURANT	COMMERCIAL
2520	TAKE-OUT RESTAURANT	COMMERCIAL
2600	FAST FOOD DRIVE IN	COMMERCIAL
2610	FAST FOOD NO SEAT	COMMERCIAL
2620	NITE CLUB	COMMERCIAL
2700	AUDIT/THEATER	COMMERCIAL
2800	MALL	COMMERCIAL
2810	SUPER REG MALL	COMMERCIAL
3000	OFFICE	COMMERCIAL
3010	OFFICE CONDO	COMMERCIAL
3020	OFFICE STRIP CENTER	COMMERCIAL
3030	OFFICE LOW RISE	COMMERCIAL
3040	OFFICE MID RISE	COMMERCIAL
3050	OFFICE HIGH RISE	COMMERCIAL
3060	OFFICE INDUSTRIAL	COMMERCIAL
3070	OFFICE/SFR CONVERSION	COMMERCIAL
3080	CONDO MEDICAL OFFICE	COMMERCIAL
3100	ED/RELIGIOUS	INSTITUTIONAL
3110	CHILD CARE	COMMERCIAL
3200	PUBLIC PARKING	INDUSTRIAL/WAREHOUSE
3300	BANKS	COMMERCIAL
3400	BANKS-BRANCH	COMMERCIAL
3410	BANKS-DRV THRU	COMMERCIAL
3500	FUNERAL HOME	INSTITUTIONAL
3600	TRAINING CENTER	COMMERCIAL
3700	MEDICAL OFFICE	COMMERCIAL
3901	BROADCAST CENTER	COMMERCIAL
3902	WCTV 2	COMMERCIAL
3930	CLASSROOM/TRAINING	EDUCATIONAL
3940	LIBRARY/MULTI-MEDIA	GOVERNMENT
3950	OFFICES	COMMERCIAL
3960	DORMITORY/HOUSING	INSTITUTIONAL
3970	MEDICAL FACILITIES	COMMERCIAL
4000	WAREHOUSE	INDUSTRIAL/WAREHOUSE
4010	CONDO WAREHOUSE	INDUSTRIAL/WAREHOUSE
4020	DISTRIBUTION WAREHOUSE	INDUSTRIAL/WAREHOUSE
4030	TECH MANUFACTURING	INDUSTRIAL/WAREHOUSE
4031	INDUSTRIAL OFFICE	INDUSTRIAL/WAREHOUSE

CODE	DESCRIPTION	CATEGORY
4040	WAREHOUSE/MULTI-BAY	INDUSTRIAL/WAREHOUSE
4100	SERVICE/PARKING GARAGE	INDUSTRIAL/WAREHOUSE
4110	INDEPENDENT AUTO CENTER	COMMERCIAL
4200	MINI WAREHOUSE	INDUSTRIAL/WAREHOUSE
4300	COLD STORAGE	INDUSTRIAL/WAREHOUSE
4400	LIGHT MANUFACTURING	INDUSTRIAL/WAREHOUSE
4500	HEAVY MANUFACTURING	INDUSTRIAL/WAREHOUSE
4600	AUTO SHOW/GARAGE	INDUSTRIAL/WAREHOUSE
4610	CAR/TRUCK RENTAL	COMMERCIAL
4620	BOAT S/E DEALER	COMMERCIAL
4700	PREFAB METAL BUILDING	NOT USED
4800	BARN SHED	NOT USED
4900	MAINT/MECH/WAREHOUSING	INDUSTRIAL/WAREHOUSE
4910	RESEARCH/DEVELOP LABS	INDUSTRIAL/WAREHOUSE
4920	STADIUMS/ARENAS	GOVERNMENT
4930	PARKING GARAGES	INDUSTRIAL/WAREHOUSE
4940	PRISONS/JAILS	GOVERNMENT
4950	MILITARY FACILITIES	GOVERNMENT
4960	FIRE STATION	GOVERNMENT
MHPK	GSG - MH SPACES IN MH PARKS	SINGLE-FAMILY RESIDENTIAL
MUSE	GSG - MUSEUM/CULTURAL	INSTITUTIONAL
PSC	GSG - PARKING/STORAGE CONDO	NOT USED
RVLG	GSG - RV PARK LODGING/RES	COMMERCIAL
RVMH	GSG - MH SPACES IN RV PARKS	COMMERCIAL
RVSP	GSG - RV SPACES	COMMERCIAL

Appendix D

DEPARTMENT OF REVENUE (DOR) CODES

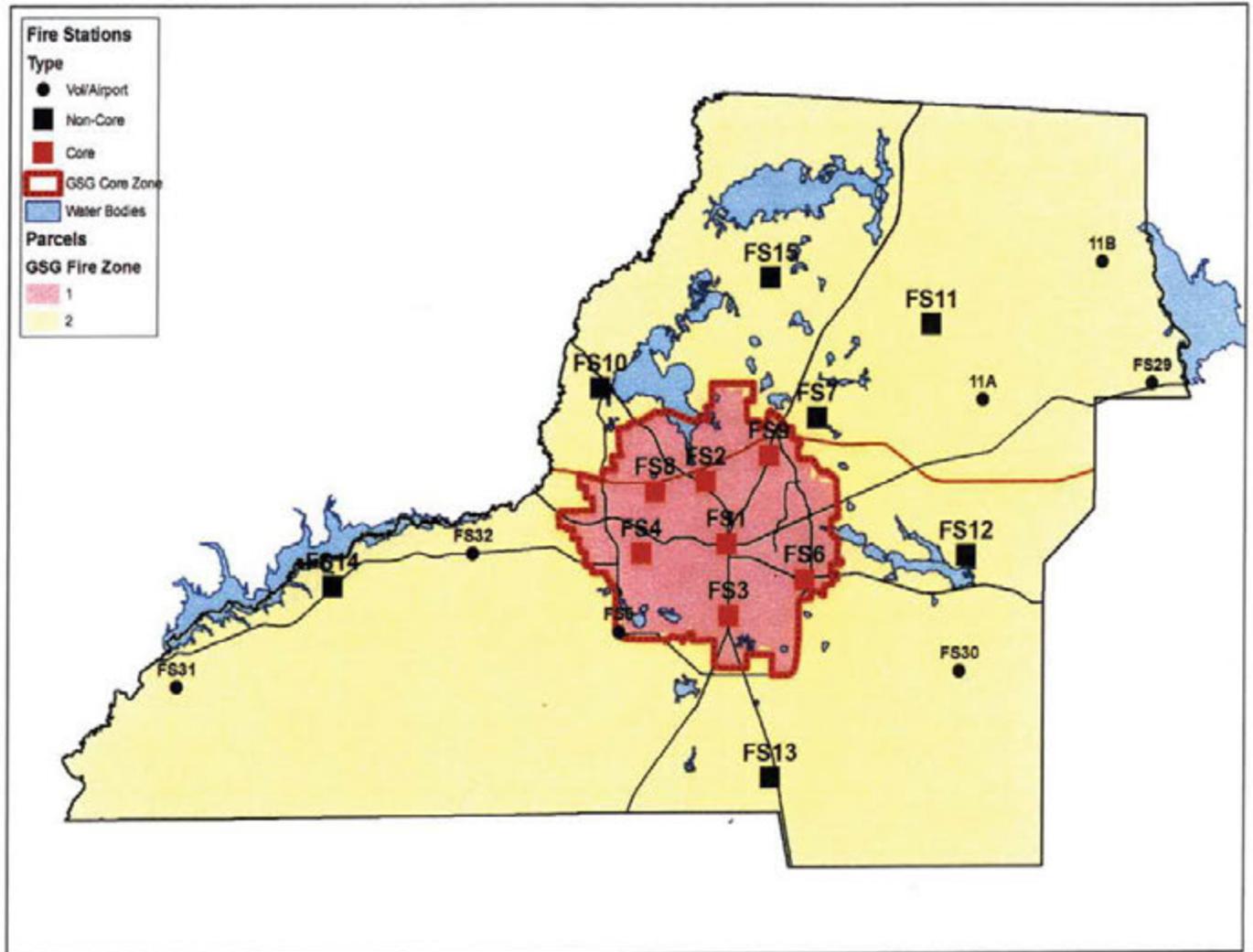
CODE	DESCRIPTION
0	VACANT RESIDENTIAL
100	SINGLE FAMILY IMPROVED
200	MOBILE HOME
300	MULTI FAMILY +10 UNITS
400	CONDOMINIUM
500	CO-OPS
600	RETIREMENT HOMES/NONEXPT
700	MISC RESIDENTIAL
800	MULTI FAMILY 2-9 UNITS
1000	VACANT COMMERCIAL
1100	STORES 1 STORY
1200	MIXED USE STORE/OFFICE
1300	DEPARTMENT STORES
1400	SUPERMARKETS
1500	REGIONAL SHOPPING CTRS
1600	COMMUNITY SHOPPING CTR
1700	OFFICE NON-PROF 1 STORY
1800	OFFICE NON-PROF 2+ STORY
1900	PROFFESIONAL SERVICES
2000	AIR/MARINE/BUS TERMINALS
2100	RESTAURANTS/CAFETERIAS
2200	DRIVE-IN RESTAURANT
2300	BANK/S & L/MORTGAGE/CREDIT
2400	INSURANCE COMPANY OFFICE
2500	REPAIRS SVC TV/LAUNDRIES
2600	SERVICE STATIONS
2700	AUTO SALES/SERVICE/RENTAL
2800	MOBILE HOME PARKS/PK LOTS
2900	WHOLESALE/PRODUCE OUTLETS
3000	FLORIST/GREENHOUSE
3100	OPEN STADIUMS
3200	THEATER/AUDITORIUM (ENCL)
3300	NIGHTCLUB/BAR/LOUNGE
3400	BOWLING/SKATING/POOL HALL
3500	TOURIST ATTRACTION
3600	CAMPS
3700	RACE TRACK; HORSE/DOG/AUTO
3800	GOLF COURSE/DRIVING RANGE
3900	HOTELS/MOTELS
4000	VACANT INDUSTRIAL
4100	LT MFG/SM MACH SHOP/PRINT
4200	HEAVY IND/EQUIP MFG/MACH
4300	LUMBER YARD/SAWMILL
4400	PACK PLANT (FRUIT/MEAT)
4500	CANNERIES/DISTILLERIES

CODE	DESCRIPTION
4600	FOOD PROCESSING/BAKERIES
4700	CEMENT PLANTS
4800	WAREHOUSING
4900	OPEN STORAGE
5000	IMPROVED AGRICULTURAL
5100	VEGETABLE CROPS
5200	BI-ANNUAL ROW CROPS
5300	ROW CROPS
5400	TIMBERLAND SITE 90+
5500	TIMBERLAND SITE 80-89
5600	TIMBERLAND SITE 70-79
5700	TIMBERLAND SITE 60-69
5800	TIMBERLAND SITE 50-59
5900	TIMBERLAND NOT CLASSIFIED
6000	IMPROVED PASTURE LAND
6100	SEMI-IMPROVED LAND
6200	NATIVE LAND
6300	WASTE LAND
6400	GRAZING LAND CLASS V
6500	GRAZING LAND CLASS VI
6600	CITRUS
6700	POULTRY/BEES/FISH/RABBIT
6800	DAIRY, HOG & CATTLE FEED
6900	ORNAMENTALS, MISC AG
7000	VACANT INSTITUTIONAL
7100	CHURCHES
7200	PRIVATE SCHOOLS & COLLEGE
7300	PRIVATE OWNED HOSPITALS
7400	HOMES FOR THE AGED
7500	ORPHANAGES
7600	MORTUARIES/CEMETERIES
7700	CLUBS, LODGES, UNION HALLS
7800	SANITARIUMS, CONVALES, REST
7900	CULTURAL ORG, FACILITIES
8000	UNDEFINED
8100	MILITARY
8200	GOVT FOREST/PARKS/RECREATIONAL
8300	PUBLIC COUNTY SCHOOLS
8400	COLLEGES
8500	HOSPITALS
8600	COUNTY
8700	STATE
8800	FEDERAL
8900	MUNICIPAL NOT PARKS
9000	LEASEHOLD GOVT OWNED

CODE	DESCRIPTION
9100	UTILITIES, GAS/ELEC/TELEP
9200	MINING, PETROLEUM, GAS
9300	SUBSURFACE RIGHTS
9400	RIGHT-OF-WAY
9500	RIVERS & LAKES, SUBMERGED
9600	SEWAGE DISP, BORROW PITS
9700	OUTDOOR REC OR PARK
9800	CENTRALLY ASSESSED
9900	ACREAGE NON AGRICULTURAL

Appendix E

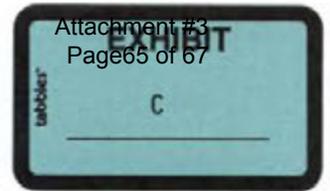
MAP OF SERVICE ZONES



Rate Schedule

Residential Property Use Categories		Zone 1 - Rate Per Dwelling Unit	Zone 2 - Rate Per Dwelling Unit
	Single-Family Dwelling Unit	\$179	\$161
	Multi-Family Dwelling Unit	\$125	\$43
Commercial Property Use Category	Building Classification (in square foot ranges)	Zone 1 - Rate Per Building	Zone 2 - Rate Per Building
	≤ 1,999	\$231	\$245
	2,000 - 3,499	\$462	\$489
	3,500 - 4,999	\$809	\$856
	5,000 - 9,999	\$1,155	\$1,222
	10,000 - 19,999	\$2,309	\$2,444
	20,000 - 29,999	\$4,618	\$4,887
	30,000 - 39,999	\$6,926	\$7,330
	40,000 - 49,999	\$9,235	\$9,774
	50,000 - 59,999	\$11,544	\$12,217
	60,000 - 69,999	\$13,852	\$14,660
	70,000 - 79,999	\$16,161	\$17,104
	80,000 - 89,999	\$18,469	\$19,547
	90,000 - 99,999	\$20,778	\$21,990
	≥ 100,000	\$23,087	\$24,434
Industrial/Warehouse Property Use Category	Building Classification (in square foot ranges)	Zone 1 - Rate Per Building	Zone 2 - Rate Per Building
	≤ 1,999	\$27	\$49
	2,000 - 3,499	\$54	\$98
	3,500 - 4,999	\$95	\$172
	5,000 - 9,999	\$135	\$245
	10,000 - 19,999	\$270	\$490
	20,000 - 29,999	\$539	\$979
	30,000 - 39,999	\$808	\$1,468
	40,000 - 49,999	\$1,077	\$1,957
	50,000 - 59,999	\$1,346	\$2,447
	60,000 - 69,999	\$1,616	\$2,936
	70,000 - 79,999	\$1,885	\$3,425
	80,000 - 89,999	\$2,154	\$3,914
	90,000 - 99,999	\$2,423	\$4,404
	≥ 100,000	\$2,692	\$4,893
Non-Government Institutional Property Use Category	Building Classification (in square foot ranges)	Zone 1 - Rate Per Building	Zone 2 - Rate Per Building
	≤ 1,999	\$380	\$194
	2,000 - 3,499	\$759	\$388
	3,500 - 4,999	\$1,327	\$679
	5,000 - 9,999	\$1,896	\$970
	10,000 - 19,999	\$3,792	\$1,939
	20,000 - 29,999	\$7,583	\$3,878
	30,000 - 39,999	\$11,374	\$5,817
	40,000 - 49,999	\$15,165	\$7,755
	50,000 - 59,999	\$18,956	\$9,694
	60,000 - 69,999	\$22,747	\$11,633
	70,000 - 79,999	\$26,538	\$13,572
	80,000 - 89,999	\$30,330	\$15,510
	90,000 - 99,999	\$34,121	\$17,449
	≥ 100,000	\$37,912	\$19,388
Government Property Use Category		Total System-wide Fee	County Imposed Fee Portion
College - FSU		\$1,064,043	\$0
College - FAMU		\$888,651	\$5,846
College - TCC		\$5,846	\$0
Government - Federal		\$29,232	\$17,539
Government - State		\$461,865	\$23,386
Government - Leon County		\$140,313	\$5,846
Government - City of Tall		\$204,624	\$5,846
Government - Fire Stations		\$46,771	\$11,693
Government - Leon County Industrial Park		\$58,464	\$0
Tallahassee Leon County Civic Center		\$5,846	\$0
Educational - School Board		\$777,570	\$163,699
Tallahassee Housing Authority		\$40,925	\$0
Leon County Research and Development TIITF Authority		\$105,235	\$0
Educational - Lively Vo-Tech		\$40,925	\$0





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Management
Services



Special
Assessments



Water and
Wastewater

October 17, 2013

Mr. Alan Rosenzweig
Deputy County Administrator
Leon County Florida
301 South Monroe Street
Tallahassee, Florida 32301

City of Tallahassee/Leon County Fire Assessment Memorandum (October 17, 2013)

Dear Mr. Rosenzweig,

Government Services Group, Inc. (GSG) was retained by Leon County (County) to determine if the current 5 year average (Fiscal Year 2009-10 through 2013-14) fire assessment rates based on the Fire Assessment Fee Study that was conducted by GSG in 2008-09 are still reasonable, accurate and legally defensible for the Fiscal Year 2014-15, fire assessment rates.

In order to accomplish this GSG had to complete the following tasks:

- Create an estimated Fiscal Year 2014-15 assessable budget.
- Use the estimated Fiscal Year 2014-15 assessable budget along with the original five year average budget to create an estimated six year average assessable budget.
- Ensure that the newly created 6 year average assessable budget was not significantly different than the original 5 year average assessable budget.

ANALYSIS

The estimated assessable budget for Fiscal Year 2014-15, as calculated by GSG, is based on the following:

- The same overall approach, structure and process that was used to calculate the assessable budget as developed in the 2008-09 study.
- The same calculation and/or application of the factors used to calculate the assessable budget as developed in the 2008-09 study.
- Inclusion of the costs of the same additional fire related items (Fire Hydrant Maintenance, Additional Personnel, Utility Service Costs, Indirect Costs, Undercollections for the Utility Bill and Separate Bill, etc.) that may not have been captured in the City of Tallahassee Fire Services Fund and as developed in the 2008-09 study.

GSG estimated the Fiscal Year 2014-15 assessable budget based on the above listed items and the Fiscal Year 2014 City of Tallahassee Fire Services Fund Budget. Table 1 provides a summary of the estimated Fiscal Year 2014-15 assessable budget.

Mr. Alan Rosenzweig
October 17, 2013
Page 2

Table 1
Estimated Fiscal Year 2014-15 Assessable Budget

	FY 14/15 Budget	FY 14/15 Assessable Budget
Personnel Services	\$21,618,807	\$18,774,080
Operating Expenditures	\$11,761,218	\$9,929,258
Capital Outlay	\$200,000	\$172,500
Total Expenditures	\$33,580,025	\$28,875,838
Revenues	\$476,382	\$476,382
Total Net Expenditures before Additional Costs	\$33,103,643	\$28,399,456
Total Additional Costs		\$1,925,645
Total Assessable Costs		\$30,325,101

GSG then created a 6 year average budget based on the original 5 year average budget (Fiscal Year 2009-10 through 2013-14) with the addition of the estimated Fiscal Year 2014-15 assessable budget as provided in Table 2.

Table 2
Six- Year Average Assessable Budget (Fiscal Year 2009-10 through 2014-15)

FY 09/10 Assessable Budget	FY 10/11 Assessable Budget	FY 11/12 Assessable Budget	FY 12/13 Assessable Budget	FY 13/14 Assessable Budget	Estimated FY 14/15 Assessable Budget	6 Year Average Assessable Budget
\$29,058,003	\$27,999,566	\$29,565,216	\$30,455,098	\$31,478,874	\$30,325,101	\$29,813,643

RESULTS

The current Fiscal Year 2013-14 and anticipated Fiscal Year 2014-15 fire assessment rates are based on the 5 year average assessable budget of \$29,711,351.

Table 3 provides a comparison of the original 5 year average assessable budget and the estimated 6 year average assessable budget.

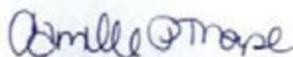
Table 3
Budget Comparison

5 Year Average Assessable Budget	6 Year Average Assessable Budget	Net Increase or Decrease
\$29,711,351	\$29,813,643	\$102,292

Based on the above analysis and the results shown in Table 3, GSG has concluded that the fire assessment rates based on the Fire Assessment Fee Study that was conducted by GSG in 2008-09 are still reasonable, accurate and legally defensible for Fiscal Year 2014-15.

If you would like to further discuss this analysis, or any other related questions, please feel free to contact me at (850) 681-3717 or ctharpe@govserv.com.

Sincerely,



Camille P. Tharpe
Senior Vice President

EXHIBIT 2

**Fire Rescue Services
Non-Ad Valorem Assessment Roll**

(Due to the voluminous nature thereof, the assessment roll is not attached to this Resolution in this Agenda Item but has been made available for public inspection in the office of the County Administrator and will be attached hereto upon adoption.)



**CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of Leon Cty. Bd. of County Commissioners, located in Leon County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 14th day of June, 2016 year.

Chairman of the Board or authorized agent
of Leon County Board of County Commissioners
Name of local government
Leon County, Florida

TALLAHASSEE DEMOCRAT

Tallahassee.com

A GANNETT COMPANY

Attn:
BOARD OF COUNTY COMMISSIONERS
2284 MICCOSUKEE RD
TALLAHASSEE, FL 32308

STATE OF FLORIDA COUNTY OF LEON:
Before the undersigned authority personally appeared Casey Cavill, who on oath says that he or she is a Legal Advertising Representative of the Tallahassee Democrat, a daily newspaper published at Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

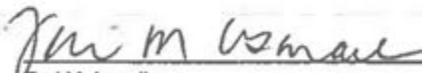
NOTICE

In the Second Judicial Circuit Court was published in said newspaper in the issues of:

05/23/16

Affiant further says that the said Tallahassee Democrat is a newspaper published at Tallahassee, in the said Leon County, Florida, and that the said newspaper has heretofore been continuously published in said Leon County, Florida each day and has been entered as periodicals matter at the post office in Tallahassee, in said Leon County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 23th of May 2016, by Casey Cavill who is personally known to me.


Teri M. Ismail
Notary Public for the State of Florida
My Commission expires June 23, 2018



NOTICE OF PUBLIC HEARING

Notice is hereby given, pursuant to Section 197.3632(4)(b), Florida Statutes, that the Board of County Commissioners of Leon County, Florida (the "Board"), will conduct a public hearing on Tuesday, June 14, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider the adoption of a fire-rescue services non-ad-valorem assessment roll for the subject parcels of improved real property located within the unincorporated area of Leon County, Florida.

The purpose of the special assessment, imposed on May 26, 2015, is to equitably recover costs incurred for providing and funding fire-rescue services to improved parcels of property located within the unincorporated area of Leon County (geographic depiction of the property subject to the assessment is set forth below). The assessment shall be collected annually by the Leon County Tax Collector.

All interested parties are invited to present their comments at the public hearing at the time and place set out above. All affected property owners have the right to appear at the public hearing, and have the right to file written objections with the Board within 20 days of the publication of this notice.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this public hearing should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the date of the public hearing. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), or 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Publication: May 13, 2016

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Legend
— MAJOR ROAD
□ CITY LIMITS
□ UNINCORPORATED LEON COUNTY

LEON COUNTY

Publication: May 23, 2016

TALLAHASSEE DEMOCRAT

Tallahassee.com

A GANNETT COMPANY

Attn:
BOARD OF COUNTY COMMISSIONERS
2284 MICCOSUKEE RD
TALLAHASSEE, FL 32308

STATE OF FLORIDA COUNTY OF LEON:
Before the undersigned authority personally appeared Casey Cavill, who on oath says that he or she is a Legal Advertising Representative of the Tallahassee Democrat, a daily newspaper published at Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

NOTICE

In the Second Judicial Circuit Court was published in said newspaper in the issues of:

05/23/16

Affiant further says that the said Tallahassee Democrat is a newspaper published at Tallahassee, in the said Leon County, Florida, and that the said newspaper has heretofore been continuously published in said Leon County, Florida each day and has been entered as periodicals matter at the post office in Tallahassee, in said Leon County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 23th of May 2016, by Casey Cavill who is personally known to me.

Teri M. Ismail
Notary Public for the State of Florida
My Commission expires June 23, 2018



NOTICE OF PUBLIC HEARING

Notice is hereby given, pursuant to Section 197.363(2)(b), Florida Statutes, that the Board of County Commissioners of Leon County, Florida (the "Board"), will conduct a public hearing on Tuesday, June 14, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider the adoption of a fire rescue services non-ad valorem assessment roll for the subject parcels of improved real property located within the unincorporated area of Leon County, Florida.

The purpose of the special assessment, originally imposed on June 9, 2009, is to equitably recover costs incurred for providing and funding fire rescue services to improved parcels of property located within the unincorporated area of Leon County (geographic depiction of the property subject to the assessment is set forth below). The assessment shall be collected annually by the Leon County Tax Collector.

All interested parties are invited to present their comments at the public hearing at the time and place set out above. All affected property owners have the right to appear at the public hearing, and have the right to file written objections with the Board within 20 days of the publication of this notice.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this public hearing should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the date of the public hearing. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), or 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

LEON COUNTY
Publication: May 23, 2016

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LEON COUNTY
Publication: May 23, 2016

**Leon County
Board of County Commissioners**

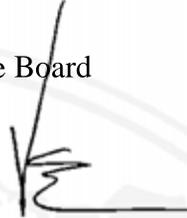
Notes for Agenda Item #17

Leon County Board of County Commissioners

Cover Sheet for Agenda #17

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: First of Two Public Hearings to Consider Proposed Amendments to the Leon County Land Development Code to Allow Outdoor Sport Shooting Ranges in the Rural Zoning District

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

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Conduct the first of two required Public Hearings to consider proposed amendments to the Leon County Land Development Code (Attachment #1) to allow outdoor sport shooting ranges in the Rural zoning district and schedule the second and final Public Hearing for July 12, 2016 at 6:00 p.m.

Report and Discussion

Background:

On July 7, 2015, the Leon County Board of County Commissioners (BCC) adopted an Ordinance amending the Rural zoning district (Ordinance 15-08). The amendment to the Rural zoning district was in response to direction by the Board, as well as response to proposed amendments to the Rural Future Land Use (FLU) Category of the Comprehensive Plan.

On September 23, 2014, the Board approved a Settlement Agreement as a result of litigation involving the Keep It Rural Coalition (KIRC), Thelma Crump, and Leon County concerning a proposed development within the Rural zoning district. One of the terms of the Settlement Agreement required the County to consider amendments to the Rural FLU category to determine whether commercial development was appropriate on properties designated “Rural” on the Future Land Use Map of the Comprehensive Plan. An application for a Comprehensive Plan Amendment to the Rural FLU Category was submitted by the KIRC on September 26, 2014. The amendment addressed the Board’s Strategic Initiative to “protect the rural character of our Rural Land Use Category” that was adopted by the Board on January 27, 2015.

Ordinance 15-08 was reviewed by the Department of Development Support and Environmental Management (DSEM) Citizen’s User Group prior to adoption by the Board. The Citizen’s User Group recommended that outdoor sport shooting ranges be considered as an allowable use in the Rural zoning district. Due to agenda deadlines, staff was only able to complete a preliminary review of other jurisdictions to determine how they addressed the location and standards for outdoor sport shooting ranges before the proposed Ordinance went to the Board in July 2015. The review revealed a lack of consistency among other jurisdictions with regard to the development of locational standards for outdoor sport shooting ranges. As a result, staff did not include outdoor sport shooting ranges in Ordinance 15-08 amending the Rural zoning district. However, the July 7, 2015 agenda item for the referenced Ordinance noted that staff would continue to analyze the development of locational standards for outdoor sport shooting ranges and bring back a recommendation to the Board later in the year. Staff received authorization from the Board to proceed with drafting a proposed Ordinance at their meeting on December 8, 2015.

Analysis:

The Rural zoning district contains specific standards for non-residential uses or activities. Some non-residential uses continue to be allowed at major intersections, while other retail uses (as part of a bona-fide agricultural operation) are allowed in the Rural district provided the uses are functionally related to or supportive of agriculture, silviculture or natural resource based use. Rural commercial that is functionally supportive of agricultural, silvicultural, or natural resource base is allowed at some intersections, provided development standards can be met. This provides greater certainty and predictability with regard to where non-residential uses can occur in the Rural district. A select number of non-residential uses and activities are identified as restricted uses in the Rural zoning district due to their increased potential for adverse impacts to adjacent properties.

Restricted uses have additional development standards that must be addressed prior to approval. These standards and restrictions were established to ensure consistency with the Comprehensive Plan and to address the Board's Strategic Priority to "protect the rural character of the Rural Land Use Category." Therefore, staff recommends that outdoor sport shooting ranges may be allowed as a restricted use in Rural.

An outdoor sport shooting range has never been specifically listed as an allowed use within the Rural zoning district. An outdoor sport shooting range could be expected to have some adverse impacts such as noise, traffic and safety concerns. As a result, any proposed Ordinance to allow outdoor sport shooting ranges in the Rural zoning district will need to include the development of site-specific standards to mitigate the anticipated off-site impacts to adjacent and nearby property owners. Existing outdoor sport shooting ranges were taken into consideration during the drafting of the Ordinance.

There are only two (2) outdoor shooting ranges in Leon County. One is located in the Apalachicola National Forest (located in the Rural zoning district). The other is a private shooting range on Oak Ridge Road, which is located in the Urban Fringe zoning district and would not be affected by any proposed amendments to the Rural district. Both outdoor shooting ranges are considered to be legally non-conforming uses, as the use is currently not allowed in either zoning district.

Staff has drafted an Ordinance amending Section 10-1.101 "Definitions" and Section 10-6.612 "Rural zoning district" of the Leon County Land Development Code (LDC) to include outdoor sport shooting ranges as a restricted use in the Rural zoning district (Attachment #1). A restricted use requires review pursuant to the Type "C" site and development plan review process with final disposition by the Board at a duly noticed Public Hearing.

Staff presented the draft Ordinance to the KIRC and Tall Timbers. KIRC specifically noted concerns about the impact of an outdoor sport shooting range on the rural character of Leon County, including the impacts of noise and safety on surrounding properties. KIRC, through their representation on the DSEM Citizen's User Group, provided specific restrictions to mitigate the anticipated impact. Tall Timbers noted concern about the possible ramifications of the Ordinance for hunting leases on plantation property. Shooting ranges ancillary to hunting plantations have been specifically exempted from the proposed Ordinance. Buffer requirements, access management criteria, hours of operation for all restricted uses, and a minimum 500' setback from all property lines has been included in the proposed Ordinance to mitigate adverse impacts from noise, lighting, and related issues.

DSEM Citizen's User Group Comments and Recommendations

The Ordinance went through numerous revisions in order to meet the requirements of State Statute and to incorporate the recommendations of the KIRC; therefore, the DSEM Citizen's User Group was convened to review each draft at meetings on February 16, April 18 and May 17, 2016. During this process, the County Attorney's Office determined that Leon County is statutorily preempted from regulating certain aspects of outdoor sport shooting ranges, which limited the number of proposed revisions to the Ordinance. The User Group recommended the

Board approve the final draft of the Ordinance that was presented to them at the May 17th meeting.

Comprehensive Plan Consistency Determination

The Planning Department has reviewed the proposed Ordinance and found it consistent with the Tallahassee-Leon County Comprehensive Plan (Attachment #2). The proposed Ordinance is scheduled for consistency review by the Tallahassee-Leon County Planning Commission at a Public Hearing on June 7, 2016. Due to Board agenda deadlines, the recommendation from the Planning Commission will be provided at the Board's first Public Hearing.

Public Notification

The Public Hearing has been publicly noticed consistent with the requirements of Florida Statutes (Attachment #3).

Options:

1. Conduct the first of two required Public Hearings to consider proposed amendments to the Leon County Land Development Code (Attachment #1) to allow outdoor sport shooting ranges in the Rural zoning district and schedule the second and final Public Hearing for July 12, 2016 at 6:00 p.m.
2. Conduct the first of two required Public Hearings to consider proposed amendments to the Leon County Land Development Code to allow outdoor sport shooting ranges in the Rural zoning district and do not schedule the second and final Public Hearing for July 12, 2016 at 6:00 p.m.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Proposed Ordinance
2. Consistency Memorandum from PLACE
3. Legal Advertisement

ORDINANCE NO. 16- _____

1
2
3 AN ORDINANCE OF THE BOARD OF COUNTY
4 COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING
5 CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE
6 CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING
7 SECTION 10-1.101, DEFINITIONS; AMENDING SECTION 10-
8 6.612, RURAL ZONING DISTRICT, TO ALLOW OUTDOOR
9 SPORT SHOOTING RANGES AS A RESTRICTED USE;
10 PROVIDING FOR CONFLICTS; PROVIDING FOR
11 SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
12

13 WHEREAS, the intent of the Rural Zoning District is to maintain and promote agriculture,
14 silviculture and natural resource based activities, to preserve natural systems and ecosystem
15 functions and to protect the scenic vistas and pastoral development patterns that typify Leon
16 County's rural areas; and
17

18 WHEREAS, Outdoor Sport Shooting Ranges are a type of active recreation that is
19 functionally related to a natural resource-based activity; and
20

21 WHEREAS, Outdoor Sport Shooting Ranges are a type of use that assist in promoting a
22 natural resource based activity; and,
23

24 WHEREAS, Outdoor Sport Shooting Ranges shall be regulated as a Restricted Use; and,
25

26 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY,
27 FLORIDA:
28

29 **SECTION 1.** Section 10-1.101 of Article I of Chapter 10 of the Code of Laws of Leon County,
30 Florida, entitled "Definitions" is hereby amended to include the following new definition:
31

32 **Sec. 10-1.101. Definitions.**
33

34 * * *

35
36 Outdoor Sport Shooting Range shall mean an area designed and operated for the use of
37 rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar type of
38 sport shooting.
39

40 * * *

41
42 **SECTION 2.** Section 10-6.612 of Article VI of Chapter 10 of the Code of Laws of Leon County,
43 Florida, entitled "Rural zoning district," is hereby amended to read as follows:
44
45

1 **Sec. 10-6.612. Rural zoning district.**

1. District Intent The intent of the Rural zoning district is to maintain and promote agriculture, silviculture, and natural resource-based activities, preserve natural systems and ecosystem functions, and protect the scenic vistas and pastoral development patterns that typify Leon County's rural areas. Allowable land uses within this district include agriculture, silviculture, ecotourism based activities, very low density residential, community and passive recreational facilities, and some forms of active recreation as a restricted use. Non-residential uses, with the exception of community and passive recreational facilities, that are not functionally related to and supportive of agriculture, silviculture and other natural resource-based activities shall be prohibited within the Rural zoning district. This district is not intended to accommodate commercial activities designed to service basic household needs of area residents. Rural commercial uses, as well as restricted uses, may be allowed in this district but shall be limited to the locational and design standards as noted herein. Due to the need to protect and preserve existing Rural lands from fragmentation and to promote infill and redevelopment within the Urban Services Area and Rural Communities, urban services are not planned or programmed for this area. Design standards and development standards for non-residential development and restricted uses, as noted herein, shall be required to prevent encroachment and fragmentation of agricultural uses as well as to ensure compatibility with adjacent uses.	2. Allowable District Location The district may only be located within areas designated Rural on the Future Land Use Map.
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PERMITTED, PROHIBITED, AND RESTRICTED USES

3. Principal Uses	4. Prohibited Uses	5. Restricted Uses	6. Rural Accessory Uses Functionally Related to Bona-Fide Agriculture, Silviculture or Natural Resource-Based Activities
(1) Agricultural (2) Silviculture (3) Wholesale Trade: Farm-product raw materials (4) Wholesale Nursery Products (5) Rural commercial (6) Community services (7) Low-density residential (single, two-family, or manufactured home) (8) Passive recreation (9) Light infrastructure (10) Cemeteries	(1) Manufacturing (2) Extraction and bottling of mineral or springwater – wholesale (3) High Pressure well stimulation/Acid Fracturing and/or Hydraulic Fracturing (4) Gas stations, fuel oil and liquefied petroleum products (5) Convenience stores (6) Grocery stores (7) General merchandise sales (8) Drug stores (9) Automotive repair (10) Motor vehicle racing tracks/amusement parks (11) Heavy Infrastructure (with the exception of those listed under restricted uses) (12) Active recreation (with the exception of those listed under restricted uses) (13) Other uses which are not functionally supportive of and accessory to established agricultural, silvicultural or natural resource-based activities within the Rural zoning district.	(1) Mining (2) Landscape counseling and planning (3) Airports, flying fields and services (4) Camps and recreational vehicle parks (5) Botanical and zoological gardens (6) Archaeological historical sites (7) Commercial kennels (8) Veterinary clinics (9) Riding academies/livery or boarding stables (10) <u>Outdoor Sport Shooting Ranges</u>	Pursuant to Section 823.14, F.S., a bona-fide farm operation shall be exempt from local regulation, ordinance, rule or policy that prohibits, restricts, regulates or otherwise limits activities of a bona-fide farm operation on land classified as agricultural land pursuant to s. 193.461 FS. Pursuant to Section 823.14(3)(b), F.S., "farm operation" shall mean all conditions or activities which occur on a farm in connection with that farm's products.

2

7. Development Standards										
Use Category	a. Lot area (acres)	b. Minimum lot frontage	c. Front yard setback	d. Corner yard setback	e. Side yard setback	f. Rear Yard Setback	g. Maximum percent impervious surface area	h. Maximum height at building envelope perimeter	i. Maximum height per additional setback	j. Total maximum height
Low Density Residential	10 acres minimum	15 feet	30 feet	30 feet	20 feet	50 feet	30	35 feet	1'/1'	Not applicable

Rural Commercial	3.0 acres minimum; 5.0 acres maximum*	40 feet	50 feet building, 50 feet parking	30	35 feet	1'/1'	45 feet			
Community Services	3.0 acres minimum; 5.0 acres maximum	40 feet	50 feet building, 50 feet parking	30	35 feet	1'/1'	45 feet			
Restricted Uses; Passive Recreation Facilities	3.0 acres minimum	Not applicable	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	30	35 feet	1'/1'	45 feet
Comp. Plan Policy 2.1.9 Subdivision	0.5 acres minimum	15 feet	25 feet	25 feet	15 feet	50 feet	30	35 feet	1'/1'	Not applicable

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development shall provide no less than 0.50 acre of buildable area. Nonresidential development and community service facilities are limited to a maximum of 900 gallons of wastewater flow per day. Refer to sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

Footnotes:

* If subdivision is proposed to create the rural commercial parcel, then the remaining portion of the property shall meet the minimum lot size standards noted herein.

8. Development Standards for Community Service uses:

Community Service uses shall also be subject to the buffer zone standards (section 10-7.522), the parking and loading requirements (Subdivision 3 of Division 5 of Article VII) and applicable design standards outlined in subsection 11 of this section.

- (1) Single structure: 5,000 gross square feet maximum
- (2) Site area: 3 acres minimum; Maximum of 5 acres

9. Rural Commercial Intersection Location Standards:

The intersection location standard is intended to group rural commercial activities toward intersections to provide access and to prevent fragmentation of agricultural uses.

- (1) *Major Function:*
Provide sales and services functionally related to and supportive of agriculture, silviculture and natural resource-based activities.
- (2) *Location:*
On or near the intersection (access within 330 feet of the centerline of the intersection) of an arterial/arterial or arterial/major collector roadway
- (3) *Site area:*
3.0 acres minimum with a maximum of 5.0 acres per quadrant
- (4) *Allowable building square footage:*
Maximum of 10,000 gross square feet per intersection (only 2 quadrants per intersection may be developed for rural commercial). Single structure limited to a maximum of 5,000 gross square feet

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10. Development standards for restricted uses.

All proposed restricted uses shall meet the applicable provisions of Section 10-6.611 (Special Exception uses and Restricted uses); the applicable design standards noted in subsection 11 of this section; the buffer zone standards (section 10-7.522); and, the parking and loading requirements (Subdivision 3 of Division 5 of Article VII). All restricted uses shall be limited to a maximum building area of 2,000 gross square feet per acre with no more than 5,000 gross square feet of retail commercial or office space. The following restricted uses require satisfaction of additional criteria:

(1) Mining activities.

- a. All mining activities as defined on the schedule of permitted uses must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. This includes NAICS items 212321 and 212324.
- b. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:
 1. The mining activity, all accessory uses and structures, internal roadways, and driveways onto the adjacent streets shall be set back a minimum of 100 feet from the perimeter property boundaries or 200 feet from the nearest off-site residence, residential zoning district, or subdivision intended primarily for residential land use, whichever distance is greater. This setback standard may be reduced if less of a setback is approved in writing by the adjacent property owner or owners prior to site plan approval or if the adjacent property is also used as a mining activity.
 2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use. For purposes of this requirement, local and minor collector streets shall be those identified in the local government Comprehensive Plan and the Tallahassee-Leon County Long Range Transportation Plan.
 3. A land reclamation plan shall be submitted demonstrating that upon termination of the activity the land shall be returned to a condition that will allow an effective reuse comparable to surrounding properties.
 4. Fencing requirement: All areas proposed for use in open-pit mining operations and/or construction and demolition debris disposal must be secured by a fence, unless the area is determined by the county administrator or designee to be a reclaimed open-pit mine. The fence must be at least four feet in height with openings that will reject the passage of a seven-inch diameter sphere. The fence must be equipped with a gate which shall remain locked when workers or employees of the land owner or mining company are not present at the site. At every gate or access point, at least one sign must be posted which states, in at least four-inch tall letters, "Danger," "Keep Out," "No Trespassing," or similar language indicate that there may be hazardous conditions on the premises.

(2) Camps and recreational vehicle parks (NAICS 721211 and 721214).

- a. All camps and recreational vehicle parks must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:
 1. Sanitary facilities shall be provided.
 2. Not more than five campsites per gross acre shall be provided.
 3. Individual campsites, roadways, and accessory structures shall be located to meet the minimum building setback standards from the exterior property lines of the campground.

(3) Airports, flying fields and services

- a. All airports, flying fields and services must meet the specific development standards as noted in this section and as required by state or federal law, and shall require review and approval by the Board of County Commissioners following a duly noticed public hearing.

(4) Outdoor Sport Shooting Ranges

- a. This subsection shall not apply to personal firearm use on private property or to businesses that operate an outdoor sport shooting range as an ancillary use to a legal, principal use, such as but not limited to, a hunting plantation, timber plantation, or special event venue.
- b. All outdoor sport shooting ranges must meet the specific development standards as noted in this section, and shall require a Type "C" review and approval by the Board of County Commissioners following a duly noticed public hearing.
- c. All outdoor sport shooting ranges must demonstrate protection of adjacent properties and the public interest which shall include, but not limited to the following:
 1. An outdoor sport shooting range shall not be located within an unrecorded or recorded subdivision or in the Residential Preservation Overlay District.
 2. No outdoor sport shooting range shall be permitted within 500 feet of the property line.
 3. The firing lines shall be oriented to minimize off site impacts, including but not limited to noise and safety of existing structures and roadways.
 4. Access to a Canopy Road shall be subject to Article VI, Division 7 of the LDC.
 5. A minimum of a Type D Buffer and 15 foot high berm behind the line of fire/targets shall be constructed.
 6. Leon County encourages the use of the National Rifle Association's Range Source Book for best practices.
 7. Leon County encourages compliance with the Florida Department of Environmental Protection's Best Management Practices for Environmental Stewardship of Florida Shooting Ranges.
 8. Leon County encourages outdoor sport shooting ranges to have Range Safety Officers on the premises during the hours of operation.

9. To ensure compatibility with the surrounding area, additional site specific conditions may be imposed, such as but not limited to conditions related to noise reduction and safety.

11. Site Design Criteria.

Rural commercial uses, as well as restricted uses, may be allowed in this district but shall be limited to the locational and design standards as noted herein.

- (1) A plan and supporting narrative must be submitted pursuant to the applicable site and development plan process outlined in Article VII that demonstrates compliance, as applicable, with the following:
 - a. Freestanding onsite signs shall be limited to monument-style signs and the sign base shall be consistent with the materials and design context of the primary onsite building. Signs shall be illuminated with externally mounted lighting focused on the sign in a manner that limits off-site illumination. Internally illuminated signs and pole signs are prohibited. For sites not located at intersections, onsite ground signs shall be limited to no more than 32 square feet in area and limited to no more than 10 feet in height.
 - b. Building design standards including any proposed accessory buildings and structures shall reflect or compliment the local vernacular architectural style. Building facade treatments and materials shall provide architectural interest through, but not limited to: the utilization of fenestration that allows for natural surveillance and gabled or parapet roof treatments.
 - c. On-site lighting including 24-hour security lighting shall be wall mounted with illumination focused on the building in a manner that limits off-site illumination, consistent with the "Dark Sky Friendly" guidelines.
 - d. All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof mounted flood or spot lights used as general grounds lighting are permitted. Security lighting is permitted.
 - e. Lighting at the property line (six feet above ground) adjacent to residential uses shall not exceed 0.1 footcandles.
 - f. Lighting for parking areas shall not exceed 15 feet in height as measured from average grade to the light fixture.
 - g. Perimeter buffering and/or fencing requirements shall be based on the density of the adjacent residential uses. If the adjacent residential density is 0.5 dwelling units per acre or greater, a Type C buffer shall be required. A wooden buffer fence may be utilized on sites where the required vegetative buffer cannot be established based on site limitations or constraints.
 - h. The trash collection dumpster shall be accessible to waste collection vehicles, and shall be located in the side or rear setback area of the onsite principle building. The dumpster shall be screened with a material and design treatment consistent with the building façade of the principle building.
 - i. All appurtenant mechanical and electrical equipment, outside collection/drop-off/storage areas, and other accessory or ancillary structures shall be screened from public view. The screening material shall be consistent with the materials and design context of the primary onsite building.
 - j. The site design shall integrate internal and where appropriate external pedestrian circulation and interconnection including the accommodation of bike circulation were applicable.
 - k. The hours of operation shall be limited to 6:00 am to ~~10:00~~ 8:00 pm.
 - l. To ensure compatibility, other site design treatments and considerations may be applicable to the proposed use and shall be identified during the proposed project's application review meeting.

1 **SECTION 4.** Conflicts. All ordinances or parts of ordinances in conflict with the provisions of
2 this Ordinance are hereby repealed to the extent of such conflict, as of the effective date of this
3 Ordinance, except to the extent of any conflicts with the Tallahassee-Leon County
4 Comprehensive Plan, as amended, which provisions shall prevail over any parts of this
5 Ordinance which are inconsistent, either in whole or in part, with the Comprehensive Plan.
6

7 **SECTION 5.** Severability. If any section, subsection, sentence, clause, phrase or portion of this
8 article is for any reason held invalid or unconstitutional by any court of competent jurisdiction,
9 such portion shall be deemed a separate, distinct, and independent provision and such holding
10 shall not affect the validity of the remaining portions of this Ordinance.
11

12 **SECTION 6.** Effective date. This ordinance shall be effective according to law.
13

14
15 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County,
16 Florida, this ____ day of _____, 2016.
17

18
19 LEON COUNTY, FLORIDA
20

21
22 BY: _____
23 BILL PROCTOR, CHAIRMAN
24 BOARD OF COUNTY COMMISSIONERS
25

26
27 ATTEST:
28 BOB INZER, CLERK OF THE COURT
29 AND COMPTROLLER
30 LEON COUNTY, FLORIDA
31

32
33 BY: _____
34

35 APPROVED AS TO FORM:
36 LEON COUNTY ATTORNEY'S OFFICE
37

38
39 BY: _____
40 HERBERT W.A. THIELE, ESQ.
41 COUNTY ATTORNEY
42



MEMORANDUM



"People Focused. Performance Driven"

TO: Ryan Guffey, Concurrency Management Planner, Development Services Division
Leon County Department of Development Services and Environmental Management

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

THRU: Russell Snyder, Administrator, Land Use Planning Division
Tallahassee-Leon County Planning Department

DATE: May 23, 2016

SUBJECT: Comprehensive Plan Consistency Review of Proposed Ordinance Establishing Outdoor Sport Shooting Ranges as a Restricted Use in the Rural Zoning District

Description of the Proposed Ordinance:

The proposed ordinance would amend Sections 10-1.101 and 10-6.612 of the Leon County Land Development Code (LDC) to add the use of outdoor sport shooting ranges as an allowable restricted use within the rural zoning district. In addition to the general site design standards for restrictive uses in the Rural zoning district, outdoor shooting ranges would also be required to adhere to the following review requirements and development standards:

- Outdoor sport shooting ranges shall require a Type "C" site plan, which requires approval by the Board of County Commissioners following a duly noticed public hearing.
- Outdoor sport shooting ranges must demonstrate protection of adjacent properties and the public interest, which shall include, but not be limited to the following:
 - An outdoor sport shooting range shall not be located within an unrecorded or recorded subdivision or in the Residential Preservation Overlay District;
 - No outdoor sport shooting range shall be permitted within 500 feet from all property lines;
 - Access to a Canopy Road shall be subject to Article VI, Division 7 of the LDC .;
 - Firing lines shall be oriented to minimize off site impacts, including but not limited to noise and safety of existing structures and roadways;
 - A minimum of a Type D Buffer and 15 foot high berm behind the line of fire/targets shall be constructed;
 - Use of National Rifle Association's Range Source Book for best practices shall be encouraged;
 - The use of Florida Department of Environmental Protection's (FDEP) Best Management Practices for shooting ranges shall be encouraged;

- Leon County encourages outdoor sport shooting to have Range Safety Officers on premises during hours of operation; and
- To ensure compatibility with the surrounding area, additional site specific conditions may be imposed, such as but not limited to noise reduction and safety,

Analysis of Consistency with the Tallahassee-Leon County Comprehensive Plan

I. Land Use Element Policy 2.2.1[L] (See Attachment #1):

The Rural/Agricultural zoning district implements the Rural/Agricultural Future Land Use Map (FLUM) category in the Tallahassee/Leon County Plan. Land Use Element Policy 2.2.1[L] states that “[t]he intent of the Rural category is to maintain and promote agriculture, silviculture, and natural resource-based activities, to preserve natural systems and ecosystem functions, and to protect the scenic vistas and pastoral development patterns that typify Leon County’s rural areas.”

The Comprehensive Plan defines recreation as either passive, i.e., nature oriented (hiking, boat landings, neighborhood parks) or active, (swimming pools, ball fields, tennis courts) [See Comprehensive Plan Glossary]. An outdoor gun range is an active recreational use. Policy 2.2.1 states that active recreational uses may be permitted in the Rural/agricultural FLUM category provided that [the uses] are compatible with the natural and rural surrounding, and that active recreational uses “functionally are related to or supportive of agricultural, silviculture, natural resource and ecotourist activities”. A gun range is a natural resource based active recreational use because its operation requires a multi-acre rural environment and is arguably integral to the rural way of life.

II. Land Use Element Policy 2.1.1.[L] (See Attachment #1):

Policy 2.1.1 [L], which requires protection of existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Specifically it requires “additional development requirements for community facility (active recreation) when adjoining low density residential areas that result in effective visual and sound buffering (either through vegetative buffering, or other design techniques) between the community facility and the low density residential uses.”

The proposed ordinance implements the visual and sound buffering requirements as follows:

- The ordinance prohibiting outdoor firing ranges in subdivisions within a Residential Protection Overlay (RPO) [Sec. 10-6.612(10)(4)(c)(1)] to minimize the sight and sound impacts in residential areas;
- The ordinance prohibits sport shooting range within 500 feet from any property lines [Sec. 10-6.612(10)(4)(c)(2)] to reduce the site and sound impacts on adjacent property owners.
- The ordinance requires that firing lines shall be shall be oriented to minimize off site impacts , including but not limited to notice and safety of existing structures and roadways [Sec. 10-6.612(10)(4)(c)(3)]; and
- The ordinance requires a minimum of a Type D Buffer and 15 foot high berm behind the line of fire/targets shall be constructed to increase safety and mitigate noise. [Sec. 10-6.612(10)(4)(c)(5)]; and

- To ensure compatibility with the surrounding area, including light and sound impacts, additional site specific conditions may be imposed, such as but not limited to noise reduction and safety to ensure compatibility with the surrounding area [Sec. 10-6.612(10)(4)(c)(9)].

III. Conservation Element Policy 1.3.2 [C] (See Attachment #1):

The ordinance implements Policy 1.3.2[C] by requiring that proposed outdoor shooting ranges avoid or minimize access via a designated Canopy Road, consistent with the requirements of LDC. [Sec. 10-6.612(10)(4)(c)(4)].

Finding of Consistency with the Tallahassee-Leon County Comprehensive Plan

Based on the findings above, the Planning Department finds the proposed Rural Outdoor Shooting Range Ordinance consistent with the Comprehensive Plan.



NOTICE OF ESTABLISHMENT OR CHANGE OF A LAND USE REGULATION

Notice is hereby given that the Board of County Commissioners of Leon County, Florida (the "County") will conduct a public hearing on Tuesday, June 14, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider adoption of an ordinance entitled to wit:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING SECTION 10-1.101, DEFINITIONS; AMENDING SECTION 10-6.612, RURAL ZONING DISTRICT, TO ALLOW OUTDOOR SPORT SHOOTING RANGES AS A RESTRICTED USE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

All interested parties are invited to present their comments at the public hearing at the time and place set out above.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Copies of the ordinance may be inspected at the following locations during regular business hours:

Leon County Courthouse
301 S. Monroe St., 5th Floor Reception Desk
Tallahassee, FL 32301

and

Leon County Clerk's Office
315 S. Calhoun Street, Room 750
Tallahassee, Florida 32301

Advertise June 6, 2016



**Leon County
Board of County Commissioners**

Notes for Agenda Item #18

Leon County Board of County Commissioners

Cover Sheet for Agenda #18

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: First and Only Public Hearing to Adopt an Ordinance Amending the Review Process for Accessory Dwelling Units

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

Fiscal Impact:

This item will have a minimal impact through the reduction in permit fee revenues.

Staff Recommendation:

Option #1: Conduct the first and only Public Hearing and adopt an Ordinance amending the review process for accessory dwelling units (Attachment #1).

Report and Discussion

Background:

In 2008, the Board adopted amendments to the Leon County Land Development Code (LDC) to further clarify Accessory Dwelling Units (ADU). The amendments to the LDC were based on input from the GEM Permit Process and Improvement Group and the Council of Neighborhood Associations (CONA). These amendments established specific requirements for ADUs for type (detached or attached), size, setbacks, architectural standards, and in some zoning districts, minimum lot size. The ADU is provided as an affordable option in lieu of subdividing a parcel to create additional lots for single-family residential development.

Since the adoption of these amendments, the County has processed a number of ADUs, both detached and attached. However, over the last several years, staff has oftentimes encountered procedural issues resulting in potential duplication of work and increased review fees for the applicant. In addition, the development community has voiced their concerns regarding the review and approval process time for ADUs. As a result, staff met with a building contractor who has completed two ADUs, and solicited recommendations concerning enhancements to the associated review and approval process. As a result, staff has determined that a proposed Ordinance amending the LDC to facilitate improvements to the ADU permit and review process is necessary (Attachment #1).

Analysis:

Prior to the amendments in 2008, ADUs were referred to as “accessory apartments” and the regulations for them had little consideration for compatibility with the surrounding development pattern. In 2008, the economy was in a severe recession and the amendments to the ADU regulations were intended to provide an affordable housing option while ensuring compatibility with adjacent property owners. Generally, the new regulations ensured that the ADU maintained the appropriate setbacks, and utilized consistent architectural features as the principal residential dwelling. ADUs are also allowed in conjunction with retail establishments, offices and industrial structures.

There are specific standards for both attached and detached ADUs. Both types of ADUs are limited to no more than 45% of the gross floor area of a principal residential dwelling not larger than 800 square feet. For those ADUs in conjunction with non-residential structures, the ADU may not exceed one-third the area of the principal structure, or no larger than 2,500 square feet. Pursuant to the LDC, no more than one ADU per lot is allowed.

The current regulations regarding the review and approval process for ADUs, specifically Section 10-7.402 of the LDC, notes that a Permitted Use Verification (PUV) is required as a prerequisite followed by submittal and completion of the Administrative Streamlined Application Process (ASAP) level site plan review. In addition, prior to submittal of an ASAP application, an approved Natural Features Inventory (NFI) is required in order to identify and delineate any onsite environmental constraints. These approvals must be obtained prior to the issuance of a building permit for the ADU. Due to these required prerequisites, the process to obtain final approval for an ADU can exceed 30 staff review days. In addition to the length of

time for approval, the fees associated with these reviews can be a disincentive for those interested in an affordable dwelling option.

Currently, an applicant proposing an ADU can be expected to pay the following minimum application review fees which are outlined in the Development Support and Environmental Management (DSEM) Fee Schedule (Attachment #2):

Application	Review Fee
Permitted Use Verification (PUV)	\$242
Natural Features Inventory (NFI) – No Impact	\$180*
Administrative Streamlined Application Process (ASAP)	\$600
Environmental Management Permit (EMP)	\$720

*If environmental constraints are noted on the site, then the NFI will be upgraded to a regular NFI application with a review fee of \$1,128.

At minimum, an applicant can expect to pay \$1,742 for the review of an ADU. Should environmental constraints be located on a site, the NFI will be upgraded to a standard NFI application review, incurring an additional \$948 fee. The review fees noted above do not include the building permit, which is a separate application covering the review of the ADU for compliance with applicable provisions of the Florida Building Code, land use and environmental regulations. The building permit review fee varies depending on the cost of improvements.

Staff has drafted a proposed Ordinance amending the LDC to facilitate a more streamlined approach to the review and approval of ADUs. The proposed Ordinance will eliminate the ASAP review process, as well as the requirement for the NFI and separate EMP. In addition, the PUV requirement will be replaced with the Residential Compliance Certificate (RCC), which will result in additional savings for the applicant. Staff anticipates that these revisions to the process for ADUs will save applicants a minimum of \$1,697 in permitting fees.

The proposed changes would revise the procedural steps by allowing a proposed ADU to be a component of the building permit application submittal and review process. A completed and recorded ADU affidavit, ensuring the proposed ADU has met the applicable requirements of the LDC, will be required prior to issuance of the building permit. In addition to a reduction in associated application review fees, staff anticipates that this will reduce the process time for approval of an ADU by more than 45%.

Citizen's User Group Recommendation

As is standard procedure for all proposed LDC changes, prior to requesting Public Hearings, staff presented the draft Ordinance to the DSEM Citizen's User Group on March 30, 2016 for review and comment. The Citizen's User Group had no concerns with the proposed revisions and recommended that the Board approve the proposed Ordinance. However, the Citizen's User Group did note other provisions that needed further clarification or correction, which have already been incorporated into the proposed Ordinance. For example, Section 10-6.803(b)(4)(e) has been revised to include a chart which provides further clarification on the minimum requirements for ADUs within the Lake Protection and Residential Preservation zoning districts.

Tallahassee-Leon County Planning Commission Consistency Determination

Tallahassee-Leon County Planning Department staff conducted a review of the proposed Ordinance and determined that it is consistent with the Tallahassee-Leon County Comprehensive Plan (Attachment #3). A Public Hearing was held by the Planning Commission on May 3, 2016 to review the Ordinance for consistency with the Comprehensive Plan. The Planning Commission voted to find that the proposed Ordinance was consistent with the Comprehensive Plan and recommended that the Board approve the Ordinance subject to the following recommended revisions:

- Amend Section 10-6.803(b)(1) of the proposed Ordinance to read as follows:
 - (1) *Purpose. The purpose of this subsection is to ~~provide for inexpensive housing units~~, making housing available to persons who might otherwise have difficulty finding homes while maintaining and protecting the property values and residential character of neighborhoods where accessory dwelling units are located. Applicable regulations governing accessory dwelling units are set out below.*
- Amend section 10-6.803(b)(3)(c) to restore current language concerning location of an accessory unit attached to a single-family dwelling unit such that the revised section reads as follows:
 - c. *An accessory dwelling unit attached to a single-family residential dwelling shall be ~~located and designed not to interfere with the appearance of the principal structure~~ constructed utilizing similar architectural features as utilized for the design and construction of the principal structure. This provision shall not be construed so as to limit an attached accessory dwelling unit from having its own entryway, porch, or to limit the quantity or location of window space.*
- Amend section 10-6.803(b)(4)(c) to parallel the language in 10-6.803(b)(3)(c) as follows:
 - c. *A detached dwelling unit accessory to a single-family residential structure shall be ~~located and designed not to interfere with the appearance of the principal structure~~ constructed utilizing similar architectural features as utilized for the design and construction of the principal structure. This provision shall not be construed so as to limit an attached accessory dwelling unit from having its own entryway, porch, or to limit the quantity or location of window space.*

Staff reviewed the recommended revisions from the Planning Commission and has no objection. The recommended revisions further clarify and continue to ensure consistency within the accessory dwelling unit provisions. Staff has incorporated these recommended revisions into the proposed Ordinance.

Public Notification

The Public Hearing has been publicly noticed consistent with the requirements of Florida Statutes (Attachment #4).

Options:

1. Conduct the first and only Public Hearing and adopt an Ordinance amending the review process for accessory dwelling units (Attachment #1).
2. Conduct the first and only Public Hearing and do not adopt an Ordinance amending the review process for accessory dwelling units.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Proposed Ordinance
2. DSEM Fee Schedule
3. Consistency Memorandum
4. Legal Notice

ORDINANCE NO. 16- _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING SECTION 10-6.803(B), RELATING TO ACCESSORY DWELLING UNITS; ADDING SECTION 10-6.803(B)(5), RELATING TO REVIEW PROCEDURES AND CONDITIONS FOR ACCESSORY DWELLING UNITS; AMENDING SECTION 10-7.402(7), RELATING TO REVIEW PROCESS FOR EXCEPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board desires to provide accessory dwelling units as an alternative housing option; and

WHEREAS, the Board desires to ensure the expedited review of applications for accessory dwelling units;

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

SECTION 1. Section 10-6.803(b) of Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, relating to standards for detached accessory dwelling units, is hereby amended to read as follows:

(b) Accessory dwelling units.

(1) Purpose. The purpose of this subsection is to ~~provide for inexpensive housing units,~~ making make housing available to persons who might otherwise have difficulty finding homes while maintaining and protecting the property values and residential character of neighborhoods where accessory dwelling units are located. Applicable regulations governing accessory dwelling units are set out below.

(2) General standards:

- a. Accessory dwelling units shall be allowed in conjunction with the following principal structures: 1) detached single-family residential dwelling units; 2) retail establishments; 3) offices; and, 4) principal industrial structures.
- b. No more than one accessory dwelling unit shall be allowed on any residential lot or within any principal nonresidential structure.
- c. Accessory dwelling units in conjunction with single-family residential structure may be incorporated within or attached to the principal structure or, under limited conditions, specified in section (4)a. below, established as freestanding or detached structures.
- d. All dwelling units accessory to a single-family residential unit shall meet the applicable zoning district ~~front yard setback~~ setbacks.
- e. Dwelling units accessory to a single-family residential unit shall be no greater in height than the principal residential unit, except that accessory dwelling units may be located attached to and above an accessory structure, such as a freestanding garage, in which case, the height of the combined structure may be 24 feet. In no instance shall an accessory dwelling unit be so designed and located as to have windows, which at their base elevation, are higher than the eave of any residential dwelling unit located on an adjacent property.
- f. Accessory dwelling units shall be constructed utilizing similar architectural features as utilized for the design and construction of the principal structure.
- g. Dwelling units accessory to retail, office, and industrial principal structures shall not exceed one-third of the area of the principal structure, nor 2,500 square feet.
- h. In no instance shall a mobile home, standard design manufactured home, or storage shed be used as an accessory dwelling unit.
- i. An accessory dwelling unit shall be required to obtain permitting as a habitable structure.
- j. Deviations may not be granted to the requirements set out in this section except in regard to subsections (2)e. and (4)d. To obtain approval for deviation to the

1 requirements set out in subsections (2)e. and (4)d. under this subsection, the
2 applicant shall demonstrate that, in addition to the general criteria for approval, the
3 proposed placement and elevation of the accessory dwelling unit will not adversely
4 impact any adjacent residential property resident; the application may demonstrate
5 satisfaction of this objective by taking advantage of the topographic characteristics
6 or natural vegetation present on-site, or through the use of enhanced landscaping,
7 architectural, or other design responses.

8 (3) Standards for attached accessory dwelling units:

- 9 a. An accessory dwelling unit may be attached to a principal single-family residential
10 structure if connected by a breezeway, roofed passage or similar structure.
11 Accessory dwelling units in conjunction with nonresidential uses shall be
12 incorporated within or attached to the principal structure.
- 13 b. Any accessory dwelling unit attached to a single-family residential structure,
14 including those connected by breezeway, roofed passage or similar structure, shall
15 not exceed 45 percent of the total gross floor area of the principal residential
16 structure nor 800 square feet gross floor area.
- 17 c. An accessory dwelling unit attached to a single-family residential dwelling shall be
18 ~~located and designed not to interfere with the appearance of the principal structure~~
19 constructed utilizing similar architectural features as utilized for the design and
20 construction of the principal structure. This provision shall not be construed so as
21 to limit an attached accessory dwelling unit from having its own entryway, porch, or
22 to limit the quantity or location of window space.
- 23 d. An accessory dwelling unit attached to a single-family residential dwelling shall be
24 located entirely within all minimum yard setbacks established by the zoning district
25 in which it is located.
- 26 e. As an accessory dwelling unit is not considered a principal use, it shall not be
27 subject to concurrency management system requirements.

28 (4) Standards for detached accessory dwelling units:

- 29 a. Freestanding or detached accessory dwelling units shall be allowed in conjunction
30 with any principal residential use.
- 31 b. A detached dwelling unit accessory to a single-family residential structure shall not
32 exceed 800 square feet nor five percent of the total lot or parcel area.
- 33 c. A detached dwelling unit accessory to a single-family residential structure shall be
34 ~~located and designed not to interfere with the appearance of the principal structure~~
35 constructed utilizing similar architectural features as utilized for the design and
36 construction of the principal structure. This provision shall not be construed so as
37 to limit an attached accessory dwelling unit from having its own entryway, porch, or
38 to limit the quantity or location of window space.
- 39 d. A detached dwelling unit accessory to a single-family residential structure shall be
40 setback a minimum distance equal to the applicable minimum rear and side yard
41 setbacks established by the zoning district in which it is located, except that within
42 the residential preservation zoning district, any detached dwelling unit accessory to
43 a single-family residential structure shall be no less than 105 percent of the
44 applicable minimum side yard setback and 110 percent of the applicable minimum
45 rear yard setback for principal residential structures.
- 46 e. Within the Lake Protection and the Residential Preservation zoning districts and
47 overlays, detached accessory dwelling units are subject to ~~under~~ the following
48 restrictions:
- 49 i) ~~as a component of a new site and development plan application, on a parcel~~
50 ~~of no less than three acres within the lake protection zoning district; a parcel of~~
51 ~~no less than 3 acres within the residential preservation zoning district inside~~
52 ~~the urban services area; or a parcel of no less than three acres within the~~
53 ~~residential preservation overlay, outside of the urban services area; and,~~
- 54 ii) ~~in conjunction with a previously developed, existing residential dwelling, on a~~
55 ~~parcel of no less than three acres within the lake protection zoning district, no~~
56 ~~less than one acre within the residential preservation zoning district inside the~~
57 ~~urban services area, and no less than three acres within the residential~~
58 ~~preservation overlay, outside of the urban services area.~~

- i) As a component of a new site and development plan reviewed and approved pursuant to Article VII, Division 4:

<u>Zoning District</u>	<u>Minimum Lot Size</u>
<u>Lake Protection</u>	<u>3.0 acres</u>
<u>Residential Preservation</u>	<u>0.3 acres (inside USA)</u> <u>3.0 acres (outside USA)</u>

- ii) In conjunction with a previously developed, existing single-family detached dwelling:

<u>Zoning District</u>	<u>Minimum Lot Size</u>
<u>Lake Protection</u>	<u>3.0 acres</u>
<u>Residential Preservation</u>	<u>1.0 acres (inside USA)</u> <u>3.0 acres (outside USA)</u>

~~f. An approved application demonstrating compliance with these regulations shall be required prior to the issuance of any permits for the establishment of accessory dwelling units. Accessory dwelling units may be reviewed as components of a new site and development plan application. Applications for accessory dwelling units in conjunction with a previously developed, existing residential dwelling shall be provided and reviewed by the Leon County Department of Development Support and Environmental Management through the Administrative Streamlined Application Process.~~

SECTION 2. Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, is hereby amended by adding a section to be numbered Section 10-6.803(b)(5), relating to review procedures and conditions for accessory dwelling units, which section reads as follows:

(5) Review procedures and conditions for accessory dwelling units. A proposed accessory dwelling unit shall require submittal of a Residential Compliance Certificate to determine eligibility. A proposed accessory dwelling unit shall be reviewed concurrently with the submittal of a building and environmental management permit. A complete building and environmental management permit shall include documentation demonstrating compliance with the applicable accessory dwelling unit requirements noted in this section. A notarized affidavit identifying the proposed structure as an accessory dwelling unit and outlining any conditions of approval shall be signed by the owner and recorded with the Leon County Clerk of Courts prior to issuance of the building and environmental management permit. Affidavits for detached ADUs shall include, at minimum, a condition that subdivision of the parcel for the benefit of creating a lot exclusively for the ADU shall be subject to the environmental and subdivision regulations of the LDC.

SECTION 3. Section 10-7.402(7) of Article VII of Chapter 10 of the Code of Laws of Leon County, Florida, relating to review process for exceptions, is hereby amended to read as follows:

7. *Review process for exceptions.* The development listed in the table set out as parts (a) and (b) of this subsection shall be excepted from Type A—D site and development plan review, as set forth in subsection 4., above.
- (a) The following chart provides a range of development and changes of use excepted from site and development plan application. The chart specifies appropriate criteria for approval, applicable review process, notice requirements and other applicable substantive or procedural requirements. Omission of a particular requirement from the chart shall not be construed so as to alleviate requirement for compliance.

Proposed Use or Development	Criteria for Approval	PUV or RCC Required	Review Required for Approval	Notice Requirements	Public Meeting Requirements	Application Content Requirements
Single-family (attached or detached) residential dwelling unit, manufactured home, duplex residential units on any vacant existing parcel; any structures accessory to these residential units, including garages, pavilions, kiosks, gazebos, or other similar structures accessory as determined by the county administrator or designee.	Precedent development order, such as, approved plat or site plan, Otherwise as required in the Land Development Code	No, RCC is optional.	PSD	None	No	PSD; scaled sketch plan accessory buildings in this category require affidavit of nonhabitable structure; project-specific environment permits as applicable
Home occupation in an existing residence	Home occupation standards; Life-safety code	No, RCC is optional	None	None	No	RCC (optional); project-specific environment permits as applicable
Agricultural, horticultural, floriculture, and silviculture-related bldgs in a zoning district allowing agricultural as a principal use; structure size ≤5,000 s.f.	As required in the Land Development Code	No	PSD	None	No	Affidavit of nonhabitable structure; project-specific environment permits as applicable
Agricultural, horticultural floriculture and silviculture-related bldgs in a zoning district allowing agricultural as a principal use; structure size ≥5,000 s.f.	As required in the Land Development Code	Yes	ASAP	Ad for PUV	No	Affidavit of nonhabitable structure; project-specific environment permits as applicable
Principal industrial use within a district allowing heavy or light Industrial use as a Principal Use; structure size ≤300 s.f.	As required in the Land Development Code	Yes	PSD	Ad for PUV	No	Sketch plan; project-specific environment permits as applicable
Principal industrial use within a district allowing heavy or light Industrial use as a Principal Use; structure size >300 s.f. and ≤10,000 s.f.	As required in the Land Development Code	Yes	ASAP	Ad for PUV	No	Site plan; project-specific environment permits as applicable
Proposed use or development	Criteria for approval	PUV or RCC required	Review required for approval	Notice requirements	Public meeting requirements	Application content requirements
Change in tenancy without expansion or	N/A	Yes, to verify that	None	Ad for PUV	No	N/A

functional modification		use was originally properly established and allowed in zoning district				
Change of use without expansion or functional modification, to another use allowed within the zoning district, ≤1,000 s.f.	Zoning district; life-safety health codes	Yes	None, unless a special exception or restricted use	Ad for PUV	No	Project-specific environment permits, as applicable
Change of use without expansion or functional modification, to another use allowed within the zoning district, >1,000 s.f.	Zoning district; life-safety health codes	Yes	ASAP, unless a special exception or restricted use	Public notice of approval or denial	No	Project specific environmental permits, as needed.
Additional dwelling unit without subdivision	Approved plat or site plan, otherwise as required in the Land Development Code	No, RCC optional	PSD	None	None	Affidavit; project specific environment permits as applicable
Accessory dwelling unit without subdivision	Approved plat or site plan, otherwise as required in the Land Development Code	PUV <u>RCC</u> required	ASAP <u>PSD</u>	Ad for PUV <u>RCC</u>	Presubmittal (optional)	<u>Site plan for ASAP; Scaled sketch plan; documentation demonstrating compliance with Sec. 10-6.803; Notarized affidavit for accessory dwelling unit shall be recorded prior to issuance of building permit.</u> project specific environment permits as applicable.
Miscellaneous residential accessory structures	Approved plat or site plan, otherwise as required in the Land Development Code	No	PSD	None	None	PSD requires scaled sketch plan; project specific environment permits as applicable.
Other development determined to be below the type A site and development plan review threshold and ≤300 s.f.; and structures accessory to other than single-family,	Approved plat or site plan, and otherwise as required in the Land Development Code	Yes, except for accessory structures	PSD	Ad for PUV	No	Scaled sketch plan; information demonstration compliance with Land Development Code standards; project specific environment permits as

<p>manufactured home, or duplex residential dwellings and ≤300 s.f.</p>						<p>applicable.</p>
<p>Other development determined to be below the Type A site and development plan review threshold and >300 s.f.; and structures >300 s.f. accessory to other than single-family, manufactured home, or duplex residential dwellings</p>	<p>Approved plat or site plan, otherwise as required in the Land Development Code</p>	<p>Yes</p>	<p>ASAP</p>	<p>Ad for PUV</p>	<p>Presubmittal (optional)</p>	<p>Site plan; project specific environmental permits, as applicable.</p>

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(b) Exceptions specified under the definition of subdivision in Section 10-1.101. Any and all landowner(s) of a parcel that is divided or developed pursuant to this exception shall file an affidavit, on a form approved by the county attorney, with the clerk of the court in the public records of the county. The affidavit shall specify that the property has been modified or subdivided, the number of new parcels, if any, created, the exemption type used for this action, the legal description of the original location of the parcel(s), and the metes and bounds descriptions of each new parcel. A judicial exception based on a court order shall be excepted from site and development plan application but may be required to comply with the Land Development Code. Review of development proposed pursuant to such orders shall be through a process determined by the county administrator or designee.

(c) Requirements for administrative streamlined application process (ASAP).

~~(1) *Accessory dwelling unit.* All ASAP applications for accessory dwelling units shall demonstrate compliance with subsection 10-6.803(b). Review and determination of compliance shall be conducted by the county administrator or their designee. Review may include consultation with other county and affiliated agency technical staff. Presubmittal meeting is available at the option of the applicant. Applications shall include a site plan or survey of the subject property along with sufficient information to demonstrate compliance with applicable standards.~~

~~(2) *1:2 subdivision/lot split, inside the urban service area.* All ASAP applications for 1:2 subdivision/lot split shall demonstrate compliance with article IV, environmental management, article VI, zoning, and division 5 of article VII, substantive standards and criteria, subdivision and site and development plan regulations. Review and determination of compliance shall be conducted by the county administrator or their designee. Review may include consultation with other county and affiliated agency technical staff. Applications shall include a site plan or survey of the subject property along with sufficient information to demonstrate compliance with applicable standards. The application should furnish sufficient information to clearly demonstrate legal access, utility service connections, compliance with zoning district standards, and adequate protection of environmental resources.~~

~~(3) *Other administrative streamlined applications process applications.* All other ASAP applications shall demonstrate compliance with article IV, environmental management; article VI, zoning; and division 5 of article VII, substantive standards and criteria, subdivision and site and development plan regulations. Review and determination of compliance shall be conducted by the county administrator or their designee. Review may include consultation with other county and affiliated agency technical staff. Applications shall include a site plan or survey of the subject property along with sufficient information to demonstrate compliance with applicable standards. The application should furnish sufficient information to clearly demonstrate legal access, utility service connections, compliance with zoning district standards, and adequate protection of environmental resources. Applications shall be required to furnish a natural features inventory, as set out in article IV, and provide calculations demonstrating compliance with applicable stormwater management standards; waiver or modification of these requirements may be provided by the county administrator or designee. The application should furnish sufficient information to clearly demonstrate compliance with zoning district standards and any precedent development order.~~

SECTION 4. Conflicts. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, as of the effective date of this Ordinance, except to the extent of any conflicts with the Tallahassee-Leon County Comprehensive Plan, as amended, which provisions shall prevail over any parts of this Ordinance which are inconsistent, either in whole or in part, with the Comprehensive Plan.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. Effective date. This ordinance shall be effective according to law.

1 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County,
2 Florida, this ____ day of _____, 2016.
3

4
5 LEON COUNTY, FLORIDA
6

7
8 BY: _____
9 BILL PROCTOR, CHAIRMAN
10 BOARD OF COUNTY COMMISSIONERS
11

12
13 ATTEST:
14 BOB INZER, CLERK OF THE COURT
15 AND COMPTROLLER
16 LEON COUNTY, FLORIDA
17

18
19 BY: _____
20

21 APPROVED AS TO FORM:
22 LEON COUNTY ATTORNEY'S OFFICE
23

24
25 BY: _____
26 HERBERT W.A. THIELE, ESQ.
27 COUNTY ATTORNEY
28
29

**DEVELOPMENT SUPPORT & ENVIRONMENTAL MANAGEMENT DEPARTMENT
FEE SCHEDULE
REVISED MAY 16, 2016**



**EFFECTIVE DATES:
DEVELOPMENT SERVICES & ENVIRONMENTAL SERVICES - OCTOBER 1, 2008
BUILDING PLANS REVIEW & INSPECTION - 1/23/07**

**DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
THE RENAISSANCE CENTER, 2ND FLOOR
435 NORTH MACOMB STREET
TALLAHASSEE, FL 32301
(850) 606-1300**

Fee Category	Fee
Administration	
Copy of Chapter 10, Code of Laws	\$60
Copy of Land Development Regulations Policies and Procedures	\$12
DEVELOPMENT SERVICES FEES	
Zoning	
Letter of Zoning Certification	\$90
Residential Compliance Certificate (RCC)	\$45
Permitted Use Verification (PUV)	\$242
Revision to PUV	\$60
Project Status Determination for Single Family/Manufactured Housing/Other Development Orders	\$120
Board of Adjustment and Appeals Variance Request	\$300
(+ Direct Notice and Legal Advertisement Fee)	\$660
Planned Unit Development (PUD)	Refer to Type D Site Plan for Fees
Major Modification to PUD Concept Plan	\$4,800 (+ direct notice fee of \$2,640)
Minor Modification to PUD Concept Plan	\$1,500
Concurrency Management	
Residential	\$156 first dwelling unit + \$24/additional dwelling unit
Non-residential	\$228 first 1,000 sq. ft. + \$48/additional 1,000 sq. ft.
Extension of Concurrency Certificate (2 Years)	20% of original fee
Revision of Approved Concurrency Certificate	50% of original certificate fee, not to exceed \$600
Other Jurisdiction Concurrency Application Review	\$90
Concurrency Review with Comp. Plan Amendment Proposal	(See concurrency review fees)
Subdivisions, Site and Development Plans	
Sketch Plan (required for pre-application)	Type A, Limited Partition and all others \$600
Subdivision Exemptions	
Boundary Settlement	\$756
Conveyance to Government and Franchise	\$540
Creation of Equal or Larger Parcels	\$756
Corrective Instruments	\$540
Additional Dwelling Unit without Subdivision (per unit)	\$228
Prior Improperly Subdivided Lots (Letter of Exception)	\$228
Unity of Title	\$156
Release of Unity of Title	\$132
Judicial Exception	\$300
Policy 2.1.9 Subdivision	\$900
Limited Partition Subdivision	\$3,828
One into Two Lot Subdivision	\$1,920
Type "A" Site and Development Plan (maximum of \$6,000, + \$950 direct notice fee)	
Non-Residential	\$2,436 + \$0.85/sq. ft. of building + \$950 direct notice fee
Residential	\$4,476 + \$96/dwelling unit + \$950 direct notice fee
Type "B" Site and Development Plan (maximum of \$12,000, + \$1,690 direct notice fee)	
Non-Residential	\$3,828 + \$0.56/building sq. ft. + \$1,690 direct notice fee
Residential	\$6,024 + \$78/dwelling unit + \$1,690 direct notice fee
Type "C" Site and Development Plan (maximum of \$12,000, + \$2,640 direct notice fee)	
Non-Residential	\$3,756 + \$0.55/building sq. ft. + \$2,640 direct notice fee
Residential	\$4,500 + \$48/dwelling unit + \$2,640 direct notice fee
Type "D" Site and Development Plan (maximum of \$6,000 + \$2,640 direct notice fee)	
Residential or Non-residential Final Plan	\$3,000 + \$2/dwelling unit or \$12/acre + \$2,640 direct notice fee
Administrative Staff Approval Process (ASAP)	\$600
Minor Modification to Approved Site and Development Plan	\$756
Major Modification to Approved Site and Development Plan	\$1,500
Substantial Change to Approved Site and Development Plan	See review fees
Request for Deviation from Development Standards	\$600
Request for Parking Standards Committee Review	\$600
Site and Development Plan Approval Extension (3 Year)	\$1,200
Additional (continued DRC meeting)	\$300
Notice of Intent to Appeal DRC Decision	\$90 + \$30 for each additional party

Fee Category	Fee
Plats	
Residential (Public Works)	\$360, + \$6 per dwelling unit
Non-residential Plat (Public Works)	\$360, + \$60 per acre in excess of 1.0 acres
Vacate and Abandonment of Recorded Plats	
Roads, Plats, or Utility/Drainage Easements	\$600
Direct Notice and Legal Advertisement Fee per Request (Public Works)	\$360
Address Assignment and Street Naming	
New Address Assignment	\$156
Address / City of Tallahassee (for utility setup)	\$156
Street Name Change Application	\$240 (+ direct notice fee of \$660)
Street Name Sign Fee (Public Works)	\$284
Land Use and Code Compliance Determinations	
Off-site Sign (Billboard) "Site Plan" Review	\$600
Modification to Approved Off-site Sign	\$480
Temporary Sign Application	\$60
Other Sign Permit Compliance Reviews	\$240
Temporary Use "Site Plan" Review	\$210
Alcoholic Beverage License Review	\$300
Annexation / De-annexation Review	\$600
Compliance Certification Letter	\$90
Developments of Regional Impact (DRI)	
DRI Application for Development Approval (ADA)	\$18,000
DRI Substantial Deviation	\$9,600
DRI Notice of Proposed Change (no substantial deviation)	\$6,000
Development Services Miscellaneous Fees	
Development Agreement	\$10,200
Revision to Approved Development Agreement	\$3,600
Regional Activity Center Designation	\$10,200
Other Jurisdiction Comp Plan Amendment Review (per amendment)	\$120
Notice of Claim of Vested Rights	\$360
Research Fee	\$90/hour
ENVIRONMENTAL SERVICES FEES	
Environmental Management Permit (EMP) Standard Form	
Residential Subdivisions (one dwelling unit per lot)	Base fee of \$2,388 for 1 st 5,000 sq. ft. of impervious area + \$0.13/sq. ft. over 5,000 sq. ft., with a max of \$90,000.
Non-residential and Others	Base fee of \$2,388 for 1 st 5,000 sq. ft. of impervious area + \$0.13/sq. ft. over 5,000 sq. ft., but less than 100,000 sq. ft., + a fee of \$0.24/sq. ft. for 100,000 sq. ft. and above.
EMP Short Form/Residential and Non-residential	
Short Form A	\$372
Short Form B – Low Intensity	Base fee of \$720 for 1 st 5,000 sq. ft. of disturbed area + \$0.02/sq. ft. in excess of 5,000 sq. ft.
Short Form B – High Intensity	Base fee of \$1,344 for 1 st 5,000 sq. ft. of disturbed area + \$0.01/sq. ft. over 5,000 sq. ft.
EMP Environmental Analysis	
Part 1 – Natural Features Inventory (NFI), without Flood Plain	\$1,584 base fee + \$28/acre over 5 acres
Part 1 – NFI with Floodplain	\$2,064 base fee + \$29/acre over 5 acres
NFI for Policy 2.1.9, Limited Partition and Judicial Subdivisions	\$1128
NFI – No Impact	\$180
Part 2 – Environmental Impact Analysis (EIA), without Floodplain	\$1,356 base fee, + \$24/acre over 5 acres
Part 2 – EIA with Floodplain	\$1,890 base fee, + \$30/acre over 5 acres
Part 2 – EIA with Floodplain and Off-site Stormwater Discharge	\$1,890 base fee, + \$36/acre over 5 acres
Amendments/Resubmittals/EMP Extension Requests	
Amendment to Approved EIA or EMP	50% of initial fee up to maximum of \$1,200
Request for Additional Information (RAI)*	
Request for EMP Extension	
Landscaping and Related Permits	
Landscape Permit	Base fee of \$780 for 1 st 5,000 sq. ft. of impervious area + \$0.01/sq. ft. over 5,000 sq. ft., but less than 50,000 sq. ft. + a fee of \$0.02/sq. ft. 50,000 sq. ft. and above

Fee Category	Fee
Tree Removal Permit	Base fee \$114 for first 100 trees + \$1.97/tree over 100
Vegetative Management Plan	\$120
EMP Inspections	
Follow-up Inspection (after unsatisfactory follow-up to violation inspection)	\$240
Repeat Final Inspection (after unsatisfactory environmental final inspection)	\$288
EMP Operating Permits	
Operating Permit (fee is not required for individual single family lots)	\$628
Operating Permit Renewal	\$120 if less than 5,000 sq. ft. impervious and no structures or filters; all others \$300
Communication Towers	
Communication Tower Bond	\$1,022
Communication Tower Bond Renewal	\$540
Communication Tower Bond Cancellation	\$360
Environmental Compliance Miscellaneous Fees	
General Utility Permit	\$14,190
Board of County Commissioners' Environmental Management Act Variance Request	\$1,440
Discovery Inspection Fee for No-permit Violations	\$120 - \$1,200
Research Fee	\$90/hour
BUILDING PLANS REVIEW & INSPECTION FEES	
Building Permits – New Construction and Additions	
City of Tallahassee Fire Plan Review Fee	\$0.02 per sq. ft. under roof
Industrial Permits	\$0.34 per sq. ft. under roof
Commercial Permits	\$0.51 per sq. ft. under roof
Residential Permits	\$0.48/sq. ft. under roof including porches, garages, carports and detached accessory structures
Plans Review Fees, Commercial (based on construction costs)	
\$50,000 - \$100,000	\$74.41
\$100,000.01 - \$500,000	\$104.43
\$500,000.01 - \$1 million	\$139.68
\$1,000,000.01 - \$2 million	\$211.47
\$2,000,000.01 - \$3 million	\$281.97
\$3,000,000.01 - \$5 million	\$348.54
Over \$5 million	\$706.22
Remodeling & Repair Work (based on cost of the building construction)	
\$1.00 - \$2,000	\$91.38
\$1,000.01 - \$15,000	\$212.78
\$15,000.01 - \$50,000	\$386.40 + \$15.60/thousand over \$15,000.01
\$50,000.01 - \$100,000	\$998.63 + \$14.10/thousand over \$50,000.01
\$100,000.01 - \$500,000	\$1644.80 + \$7.77/thousand over \$100,000.01
\$500,000.01 - \$1 million	\$5,305.15 + \$3.97/thousand over \$500,000.01
Electrical Permit Fees	
Electrical Permit Fee	\$62.66
Open Electrical Work	
For the wiring of ea. fixture, drop or receptacle device, or to ea. wall or pendant switch not attached to the fixture including fixtures, drops or receptacle devices and switches when installed at the same time as the wiring for branch circuits	\$0.90
Electric Signs	
For each electrically illuminated sign requiring less than 1,650 watts	\$32.40
For each electrically illuminated sign requiring more than 1,650 watts, but less than 3,350 watts	\$41.77
Fans	
For each ceiling fan, bath exhaust fan, kitchen range hood, or exhaust fan permanently attached to the branch circuit wiring	\$3.42
Light Fixtures	
For each lighting fixture, including drop lights, recessed lights, wall or flush receptacles or other receptive devices not having soldered joints	\$1.20
Motor Generators	
For each electrical motor of ¾ hp or less operating at 600 volts or less	\$6.03
For each electrical motor of over ¾ hp and not over 5 hp operating at 600 volts or less	\$13.07

Fee Category	Fee
Electrical Services	
Temporary Electric Service	\$32.64
Permanent Electric Service of 200 amps or less	\$15.66
Permanent electric service or panel of over 200 amps, but not over 400 amps	\$36.55
Permanent electric service or panel of over 400 amps, but not over 600 amps	\$48.30
Permanent electric service or panel of 600 amps, but not over 800 amps	\$62.66
For a permanent electric service or panel of over 800 amps, add for each 100 amps or fraction thereof over 800 amps	\$6.03
Gas Permit Fees	
Gas Permit Fee	\$73.10
Inspection of gas piping at one location (including both rough and final piping inspection)	\$73.10 for 1-4 outlets, inclusive; \$15.53 for each additional outlet
Inspection of conversion burners, floor furnaces, incinerators, boilers or control heating or air conditioning units	\$73.10 for one unit; \$15.53 for each additional unit
Inspection of vented wall furnaces and water heaters	\$34.70 for one unit; \$15.53 for each additional unit
Mechanical Permit Fees	
New construction with complete HVAC equipment and duct work	\$159.26 for each system
Existing buildings where additional mechanical work is done, or HVAC equipment change-outs are made	\$79.63
Plumbing Permit Fees	
Plumbing Permit Fee	\$91.38
For each plumbing fixture, floor drain or trap (including water and drainage piping)	\$8.51
Each House Sewer	\$8.51
Each Water Heater and/or Vent	\$8.51
Water Treatment Equipment	\$8.51
Repair or Alteration of Drainage or Vent Piping	\$8.51
Vacuum Breakers and Backflow Preventers (1-5)	\$8.51
Manufactured Home Fees	
Manufactured Home Permit (inclusive)	\$385.09
Swimming Pools	
In-Ground Pools	\$382.48
Above-Ground Pools	\$78.32
Solar Installations	
Solar Photovoltaic Systems	\$169.70
Solar Water Heating Systems	\$182.76
Miscellaneous Fees	
Abandoned Property Registration	\$150
Automated Permits	\$112.26
Building Re-Inspection Fee	\$65.27
Demolition Fees	\$197.12 for any building or structure
Driveway Connection Fee (Class I - Single Family Residence & Mobile Home)	\$185.00
Driveway Connection Fee (Class II)	\$500.00
Driveway Connection Fee (Class III & IV)	\$1,500.00
Moving any Building or Structure	\$436.00
State Notice of Commencement	\$5.00
State Surcharge Fee	3% of permit fee total, but not less than \$4
Temporary Facilities	\$74.41 for tents or temporary facilities for revivals, carnivals, etc., for periods not to exceed 30 days

* RAI – If a 3rd RAI is needed to address the same issue.



MEMORANDUM

TO: Ryan Culpepper, Development Services Director, Leon County Department of Development Support & Environmental Management

FROM: Jiwan Haley, Senior Planner, Tallahassee-Leon County Planning Department

DATE: April 19, 2016

SUBJECT: Consistency Review for Proposed Ordinance Amending Article VI and Article VII of Chapter 10 of the Leon County Land Development Code to Amend the Review Process for Accessory Dwelling Units

Summary of Proposed Ordinance

The Leon County Board of County Commissioners desires to provide accessory dwelling units as an alternative housing option and ensure the expedited review of applications. The proposed ordinance to the Leon County Land Development Code amends Chapter 10, Section 10-6.803(B), relating to accessory dwelling units. The ordinance also adds section 10-6.803(B)(5), relating to review procedures and conditions for accessory dwelling units. Section 10-7.402(7), relating to the review process for exceptions is also amended with the proposed ordinance. Specifically, the changes are as follows:

- Code of Laws of Leon County, Article VI, Chapter 10, Section 10-6.803(b)(2)(d) is amended to require that all dwelling units accessory to a single-family residential unit shall meet the applicable zoning district setbacks, rather than only the front yard setbacks.
- Code of Laws of Leon County, Article VI, Chapter 10, Section 10-6.803(b)(3)(c) is amended to require that accessory dwelling units be constructed utilizing similar architectural standards as utilized for the design and construction of the principal structure. This provision is not to be construed so as to limit an attached accessory dwelling unit from having its own entryway, porch, or to limit the quantity or location of window space.
- Code of Laws of Leon County, Article VI, Chapter 10, Section 10-6.803(b)(4)(e) is amended to require that within the Lake Protection and the residential preservation zoning districts and overlays, detached accessory dwelling units are subject to the following:

i) as a component of a new site and development plan:

<u>Lake Protection</u>	<u>3.0 acres minimum</u>
<u>Residential Preservation</u>	
• <u>Inside USA</u>	<u>0.3 acres minimum</u>
• <u>Outside USA</u>	<u>3.0 acres minimum</u>

ii) in conjunction with a previously developed, existing residential dwelling:

<u>Lake Protection</u>	<u>3.0 acres minimum</u>
<u>Residential Preservation</u>	
• <u>Inside USA</u>	<u>1.0 acres minimum</u>
• <u>Outside USA</u>	<u>3.0 acres minimum</u>

- Code of Laws of Leon County, Article VI, Chapter 10, Section 10-6.803(b)(4)(f) relating to accessory dwelling units being reviewed as components of new site and development plan application, is deleted.
- Code of Laws of Leon County, Article VI, Chapter 10, Section 10-6.803(b)(5) is added relating to review procedures and conditions for accessory dwelling units. The new section reads as follows:
 - *Review procedures and conditions for accessory dwelling units.* A proposed accessory dwelling unit shall require submittal of a Residential Compliance Certificate to determine eligibility. A proposed accessory dwelling unit shall be reviewed concurrently with the submittal of a building and environmental management permit. A complete building and environmental management permit shall include documentation demonstrating compliance with the applicable accessory dwelling unit requirements noted in this section. A notarized affidavit identifying the proposed structure as an accessory dwelling unit and outlining any conditions of approval shall be signed by the owner and recorded with the Leon County Clerk of Courts prior to issuance of the building and environmental management permit. Affidavits for detached ADUs shall include, at minimum, a condition that subdivision of the parcel for the benefit of creating a lot exclusively for the ADU shall be subject to the environmental and subdivision regulations of the LDC.

- Code of Laws of Leon County, Article VII, Chapter 10, Section 10-7.402(7)(a) is amended by revising the chart in this section, which specifies appropriate criteria for approval, applicable review process, notice requirements and other applicable substantive or procedural requirements. The chart for accessory dwelling unit development without subdivision is amended as follows:

Proposed Use or Development	Criteria for Approval	PUV or RCC Required	Review Required for Approval	Notice Requirements	Public Meeting Requirements	Application Content Requirements
Accessory dwelling unit without subdivision	Approved plat or site plan, otherwise as required in the Land Development Code	PUV RCC required	ASAPP PSD	Ad for PUV RCC	Pre-submittal (optional)	Site plan for ASAP; Scaled sketch plan; documentation demonstrating compliance with Sec. 10-6.803; Notarized affidavit for accessory dwelling unit shall be recorded prior to issuance of building permit. Project specific environment permits as applicable.

- Code of Laws of Leon County, Article VII, Chapter 10, Section 10-7.402(7)(c)(1) relating to all ASAP applications for accessory dwelling units demonstrating compliance with subsection 10-6.803(b), is deleted.

Consistency Determination

In 2008, the Leon County Board of County Commissioners adopted amendments to the Leon County Land Development Code (LDC) to further clarify Accessory Dwelling Units (ADU). Since the adoption of these amendments, the County has processed a number of accessory dwelling units, both detached and attached. However, over the last several years, staff has oftentimes encountered procedural issues resulting in potential duplication of work and increased review fees for the applicant. In addition, the development community has voiced their concerns regarding the review and approval process time for ADUs. Staff concluded the proposed Ordinance amending the LDC to facilitate improvements to the ADU permit and review process is necessary to resolve these issues.

Planning Department staff has reviewed the proposed changes in relation to the Comprehensive Plan goals, objectives, and policies and finds the proposed ordinance consistent with the Plan. While the Comprehensive Plan does not extend to this level of detail on accessory uses, the proposed ordinance supports and furthers the goals, objectives and policies of the Land Use

Element. Objective 1.4 of the Land Use Element requires Leon County to “Maintain a set of specific and detailed Land Development Regulations, which implement and are consistent with the goals, objectives and policies of the Tallahassee-Leon County Comprehensive Plan.”

The ordinance is also consistent with Policy 1.4.10: [L] of the *Tallahassee-Leon County Comprehensive Plan* which states the following:

“The land development regulations shall provide for zoning districts which shall indicate which land uses are allowed, prohibited, or conditional-with-specified constraints consistent with the criteria set forth in the narrative intent of the future land use categories, the land use development matrix which is intended to be a pictorial representation of existing policies in the Comprehensive Plan, and the Goals, Objectives, and Policies of the Comprehensive Plan.”

The proposed ordinance provides clarity to the review and permitting processes, provides accessory dwelling units as an alternative housing option, and establishes an expedited review of applications for accessory dwelling units in Leon County zoning districts.

The ordinance is also consistent with Goal 1[JH] and Policy 1.2.1[JH] of the Joint Housing Element of the Tallahassee-Leon County Comprehensive Plan. According to Goal 1, local government is required “To the greatest extent possible, coordinate and leverage available resources to maximize the production and preservation of affordable housing and the quality of life for the residents of Tallahassee-Leon County.” Policy 1.2.1 [JH] states the following:

“The Tallahassee-Leon County Planning Department shall ensure that there is sufficient lands designated on the adopted Future Land use Map for residential uses within the Urban Service Area to accommodate the housing needs for existing and future residents, including very low, low, and moderate income households through the year 2030.”

While the purpose of the proposed ordinance is to provide a more efficient review and permitting process, it may lead to an increase in housing that is more affordable by increasing the amount of density permitted on properties throughout Leon County.

According to Sect.10-2.323(5) of the Leon County Land Development Code, the Planning Commission is responsible for the “Review of proposed development codes and regulations and amendments and make recommendations to the governing bodies as to the consistency of the proposals with the adopted Comprehensive Plan.”

If you have any questions about the review, please contact Planning Department staff at 891-6400.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of County Commissioners of Leon County, Florida (the "County") will conduct a public hearing on Tuesday, June 14, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider adoption of an ordinance entitled to wit:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING SECTION 10-6.803(B), RELATING TO ACCESSORY DWELLING UNITS; ADDING SECTION 10-6.803(B)(5), RELATING TO REVIEW PROCEDURES AND CONDITIONS FOR ACCESSORY DWELLING UNITS; AMENDING SECTION 10-7.402(7), RELATING TO REVIEW PROCESS FOR EXCEPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

All interested parties are invited to present their comments at the public hearing at the time and place set out above.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Copies of the ordinance may be inspected at the following locations during regular business hours:

Leon County Courthouse
301 S. Monroe St., 5th Floor Reception Desk
Tallahassee, FL 32301

and

Leon County Clerk's Office
315 S. Calhoun Street, Room 750
Tallahassee, Florida 32301

Advertise: June 3, 2016

F00-00016

**Leon County
Board of County Commissioners**

Notes for Agenda Item #19

Leon County Board of County Commissioners

Cover Sheet for Agenda #19

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Herbert W.A. Thiele, County Attorney



Title: First and Only Public Hearing Regarding a Proposed Resolution Adopting Inventory List of County-Owned Properties Appropriate for Affordable Housing

County Administrator Review and Approval:	Vincent S. Long, County Administrator
County Attorney Review and Approval:	Herbert W.A. Thiele, County Attorney
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Wanda Hunter, Assistant County Administrator Scott Ross, Director, Office of Financial Stewardship Eryn Calabro, Director, Office of Human Services & Community Partnerships
Lead Staff/ Project Team:	Lamarr Kemp, Director, Housing Services Michael Battle, Real Estate Specialist Dan Rigo, Assistant County Attorney

Fiscal Impact:

This item has no fiscal impact to the County

Staff Recommendation:

Option #1: Conduct the first and only public hearing and adopt the Resolution Adopting Inventory List of County Property Appropriate for Use as Affordable Housing (Attachment #1), and authorize the Chairman to execute.

Report and Discussion

Background:

Section 125.379, Florida Statutes, requires Florida counties to prepare an inventory, no less than every three years, of county-owned real property within its jurisdiction that is appropriate for use as affordable housing and, following a public hearing, to adopt a Resolution (Attachment #1) that includes an inventory list of such properties (“Affordable Housing Parcels”). As provided in the statute, the Affordable Housing Parcels identified in the Resolution may then be offered for sale without the requirement of a published notice calling for bid, but subject to the following limitations:

- the proceeds of such sales shall be used to purchase properties for the development of affordable housing or to increase the County’s fund earmarked for affordable housing;
- the sales may include a restriction that requires the development of such Affordable Housing Parcels as permanent affordable housing;
- the sales may be by donation to a nonprofit housing organization for the construction of permanent affordable housing; or
- alternatively, the Affordable Housing Parcels may be made available by the County for use in the production and preservation of permanent affordable housing, including, but not limited to, the lease of such Affordable Housing Parcels pursuant to any of the County’s affordable housing programs.

These statutory limitations have been included in the proposed new Real Estate Policy presented to the Board this same day for consideration in the General Business portion of the Board’s June 14, 2016 agenda. The proposed Real Estate Policy includes a new Article 11, Disposition of Affordable Housing Parcels, which streamlines the process for the County Administrator’s designated real estate staff to sell or lease these Affordable Housing Parcels. It also includes the provision for the Housing Finance Authority (“HFA”) to have the right of first refusal to cooperate financially with the sale or lease of such Affordable Housing Parcels, with all proceeds remaining after deducting any direct costs incurred by the County being paid to the HFA for use in its affordable housing programs.

The Board established its first inventory list in July 2013 with the adoption of Resolution R13-42 which included 11 Affordable Housing Parcels, two of which have since been disposed of by donation to Big Bend Habitat for Humanity. The remaining nine Affordable Housing Parcels, along with location maps, are shown in Attachment #2 and are recommended again for adoption as Affordable Housing Parcels.

In preparing the list of new properties in the County’s inventory to recommend for adoption as Affordable Housing Parcels, the County’s Housing Director performed an evaluation and determined those deemed to be appropriate for use as affordable housing. The list of the 23 new properties recommended for adoption as Affordable Housing Parcels, along with location maps, has been provided as Attachment #3. The nine properties remaining from the 2013 inventory list, together with the 23 new properties, results in a combined total of 32 properties recommended for adoption as Affordable Housing Parcels.

Analysis:

For purposes of determining the suitability of a property for affordable housing use, the statute provides that the term *affordable housing* means housing for which the monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for any households with persons qualifying as *extremely-low-income persons*, *very-low-income persons*, *low-income persons*, or *moderate-income persons*. Those italicized terms are further defined as follows:

- *Extremely-low-income person* means one or more natural persons or a family whose total annual household income does not exceed 30 percent of the median annual adjusted gross income for households within the state. The Florida Housing Finance Corporation may adjust this amount annually by rule to provide that in lower income counties, extremely low income may exceed 30 percent of area median income and that in higher income counties, extremely low income may be less than 30 percent of area median income.
- *Very-low-income person* means one or more natural persons or a family, not including students, the total annual adjusted gross household income of which does not exceed 50 percent of the median annual adjusted gross income for households within the state, or 50 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.
- *Low-income person* means one or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 80 percent of the median annual adjusted gross income for households within the state, or 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.
- *Moderate-income person* means one or more natural persons or a family, the total annual adjusted gross household income of which is less than 120 percent of the median annual adjusted gross income for households within the state, or 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

Based on the Housing Director's evaluation, the combined lists and location maps of the 32 County-owned properties recommended for adoption as Affordable Housing Parcels have been attached to the proposed Resolution (Attachment #1). The Board's adoption of the Resolution, in conjunction with the new Real Estate Policy, will help promote the County's affordable housing programs by streamlining the process by which these Affordable Housing Parcels will make their way back to the market and on to the tax rolls. In addition, it will encourage the HFA's affordable housing programs by offering the opportunity to cooperate with the County in selling and leasing these Affordable Housing Parcels.

The notice of this public hearing has been appropriately advertised, and a copy of the advertisement request for notice of publication is attached (Attachment #4).

Options:

1. Conduct the first and only public hearing and adopt the Resolution Adopting Inventory List of County Property Appropriate for Use as Affordable Housing (Attachment #1), and authorize the chairman to execute.
2. Conduct the first and only public hearing and do not adopt the Resolution Adopting Inventory List of County Property Appropriate for Use as Affordable Housing.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Resolution Adopting Inventory List of County Property Appropriate for Use as Affordable Housing
2. Inventory list and location maps of Affordable Housing Parcels remaining from inventory list adopted in July 2013.
3. Inventory list and location maps of new Affordable Housing Parcels to be added to inventory list
4. Notice of Public Hearing

RESOLUTION: 16-_____

**RESOLUTION ADOPTING INVENTORY LIST OF COUNTY PROPERTY
APPROPRIATE FOR USE AS AFFORDABLE HOUSING
PURSUANT TO FLA. STAT. §125.379**

WHEREAS, pursuant to Section 125.379, Florida Statutes (2015), the County must prepare an inventory list every three years of all its real property owned in fee simple that is appropriate for use as affordable housing, including the address and legal description of each such property and whether it is vacant or improved ; and

WHEREAS, the Leon County Board of County Commissioners (the “Board”) must review such inventory list at a public hearing and may revise it at the conclusion of the public hearing; and

WHEREAS, the Board previously held such a public hearing on July 9, 2013, after which it adopted Resolution R13-42 which attached a list of 11 properties deemed to be appropriate for use as affordable housing (“Affordable Housing Parcels”), two of which have since been disposed of by donation to a nonprofit housing organization for the construction of permanent affordable housing; and

WHEREAS, the remaining nine Affordable Housing Parcels from the July 9, 2013 inventory list, along with location maps, are shown in Exhibit “A” attached hereto; and

WHEREAS, an inventory list of new properties, as shown in Exhibit “B” attached hereto, which have been added to the County’s inventory since July 2013 and have been also deemed to be Affordable Housing Parcels has been prepared for presentation to the Board for its review at a public hearing at the regularly scheduled Board meeting on June 14, 2016; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, assembled in regular session this 14th day of June, 2016, that, pursuant to Section

125.379, Florida Statutes (2015), the Board having reviewed at a public hearing the inventory lists attached hereto as Exhibit "A" and Exhibit "B" (collectively the "Affordable Housing Property List"), which includes all County properties owned in fee simple that are deemed to be Affordable Housing Parcels, and the Board having considered any and all comments of those in attendance at such public hearing and having made such revisions as deemed appropriate, the Board hereby adopts the Affordable Housing Property List and hereby directs that the properties on such list be disposed of in accordance with Section 125.379, Florida Statutes (2015).

Passed and adopted on this 14th day of June, 2016.

LEON COUNTY, FLORIDA

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

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

BY: _____

APPROVED AS TO FORM:
Leon County Attorney's Office

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

Exhibit "A"
Current Affordable Housing Parcels Remaining from
Approved List of July 2013

Parcel	Location	Parcel ID	Legal Description	Notes
1	JOE LOUIS ST	212664 P0030	SPRING VALLEY LOT 3 BLOCK P DB 144/401	Affordable Housing parcel 7 - Purchased from LOLA in 2013; Currently a vacant residential lot
2	Calloway St	212635 R0150	GRIFFIN COLLEGE HEIGHTS ADDITION LOT 15 BLOCK R DB 263/155 OR 858/747 1310/429 OR 1315/2397	Affordable Housing parcel 7 - Purchased from LOLA in 2013; Currently a vacant residential lot
3	VOLUSIA ST	212664 O0030	SPRING VALLEY LOT 3 BLOCK O DB 130/157 #83-173PR #2002-CP-72	Affordable Housing parcel 7 - Purchased from LOLA in 2013; Currently a vacant residential lot
4	2109 HOLTON ST	410127 R0030	BOND SOUTH LOT 3 BLOCK R OR 1161/103 1250/2088 1770/	Affordable Housing parcel 7 - Purchased from LOLA in 2013; Currently a vacant residential lot
5	Lester Hackley Rd	1116200930000	16 1N 1E 1.00 A IN NW 1/4 OF NE 1/4 DB 252/146 OR 44/541 1577/40 OR 1634/1768	Affordable Housing parcel 2 - Purchased off of LOLA - Questionable Ingress & Egress from a public ROW; currently vacant
6	Sams Ln	1425200450000	25 2N 1E .57 A IN NE 1/4 OF NE 1/4 OR 1070/2109 1072/351	Affordable Housing parcel 1 - Purchased off of LOLA - Questionable Ingress & Egress from a public ROW; Contains 1 Mobile Home containing 1,248 base SF & 192 aux SF; Use: 0200 - MOBILE HOMES Zoned; RP-Residential Preservation; currently vacant
7	OAK CREST BLVD - Lot 75	4124550000750	OAK CREST LOT 75 DB 207/351 1412/1059	March 2013 - Escheated to the County due too delinquent taxes; Undevelopable due too size and being located in a subdivision w/o County or City maintained roads; currently vacant
8	OAK CREST BLVD - Lot 76	4124550000760	OAK CREST LOT 76 DB 207/351 1412/1059	March 2013 - Escheated to the County due too delinquent taxes; Undevelopable due too size and being located in a subdivision w/o County or City maintained roads; currently vacant
9	HAZELWOOD RD	4124550001440	OAK CREST LOT 144 DB 207/351	March 2013 - Escheated to the County due too delinquent taxes; Undevelopable due too size and being located in a subdivision w/o County or City maintained roads; currently vacant

Exhibit "A"
Current Affordable Housing Parcels Remaining from Approved List of July 2013
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Exhibit "A"
Current Affordable Housing Parcels Remaining from Approved List of July 2013
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Exhibit "A"
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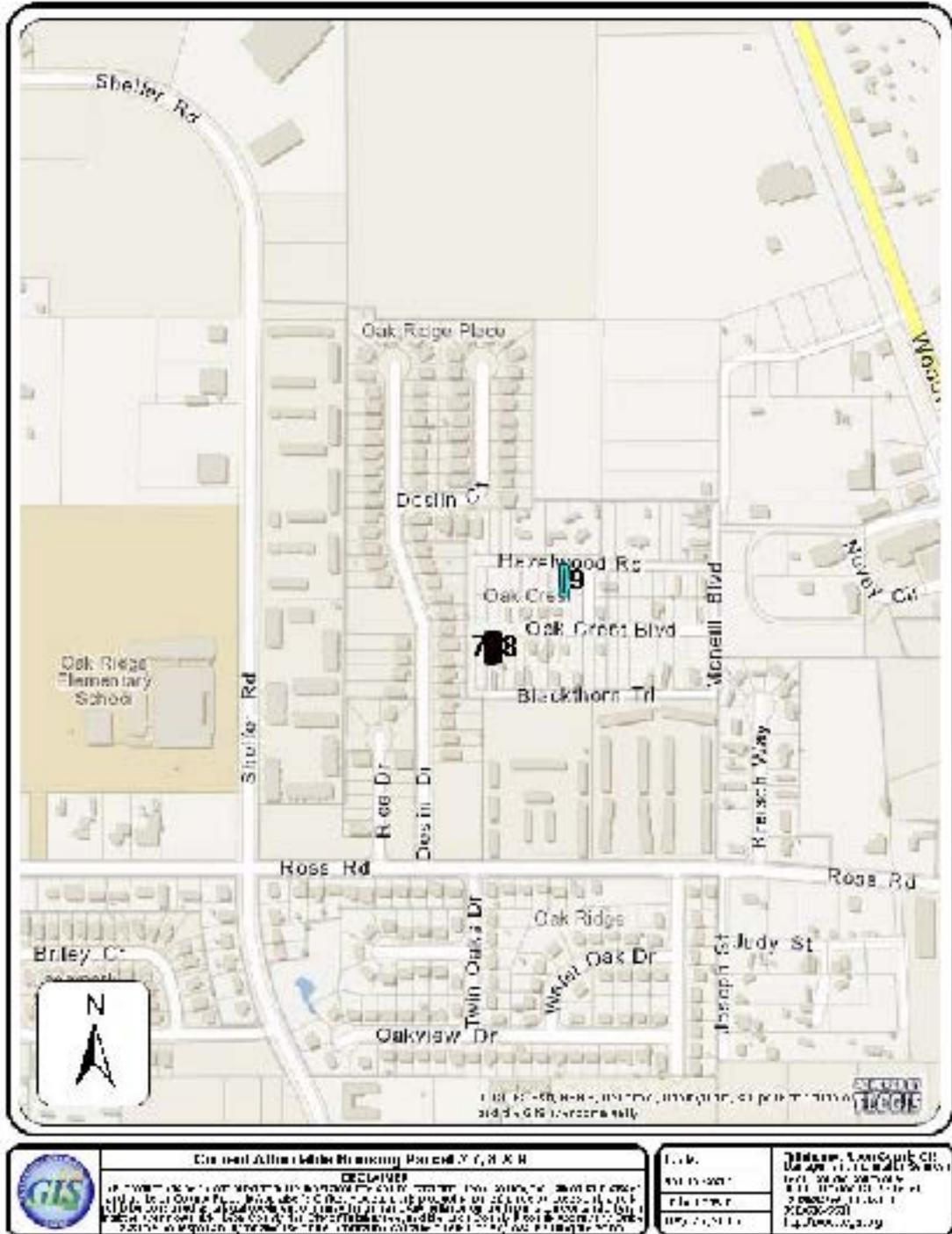


Exhibit "B"
Parcels to be added to Affordable Housing List
on June 14, 2016

Parcel	Location	Parcel ID	Legal Description	Notes
1	4060 MORGAN RD	412406 A0240	CROWN RIDGE ESTATES UNREC UNIT IV 24 1S 1W .30 A LOT 24 BLOCK A OR 1588/2100 2167/2289	Escheated Tax Deed; Tax Deed File 6464 of 2008; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
2	4046 MORGAN RD	412406 A0270	CROWN RIDGE ESTATES UNREC UNIT IV 24 1S 1W LOT 27 BLOCK A OR 1133/1914 # 94-9PR OR 1701/228 3351/1403 #05-CP-676	Escheated Tax Deed; Tax Deed File - 4131 of 2007; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
3	3548 SUNDOWN RD	411480 E0130	SUNSHINE MOBILE HOME NEIGHBORHOOD LOT 13 BLOCK E OR 1249/1176 1300/246 1303/1123 OR 1418/81 2318/2340	Escheated Tax Deed; Tax Deed File 6312 of 2008; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
4	1820 DEER TREE DR	213107 B0070	DEERTREE HILLS 31 1N 1W LOT 7 BLOCK B OR 1460/2050	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
5	823 SUNDOWN LN	411480 D0100	SUNSHINE MOBILE HOME NEIGHBORHOOD LOT 10 BLOCK D OR 1255/1406 2026/1326	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
6	Red Arrow Rd	3107203070000	7 1S 1E .114 A IN SE 1/4 OF NW 1/4 OR 1380/302	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
7	Flipper St & Palm Beach St	410127 O0070	BOND SOUTH LOT 7 BLOCK O DB 131/432 1768/2079 A M REDDICK-94-617PR	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
8	MOSS COVE LN	4124550000200	OAK CREST LOTS 20 & 21 OR 880/64	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
9	5667 CARIBOU LN	213107 A0060	DEERTREE HILLS 31 1N 1W LOT 6 BLOCK A OR 751/195 924/823	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
10	4037 BISHOP RD	412305 A0110	CROWN RIDGE ESTATES UNREC UNIT 23 1S 1W LOT 11 BLOCK A OR 1514/1751	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
11	4033 BISHOP RD	412305 A0120	CROWN RIDGE ESTATES UNREC UNIT 23 1S 1W LOT 12 BLOCK A OR 1067/1078 1485/1401 1530/2275	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
12	4043 BUSTER RD	4123060000110	CROWN RIDGE ESTATES UNREC UNIT III 23 1S 1W LOT 11 OR 1118/346 1701/228 #94-9PR	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
13	2997 LILLY RD	4123060000190	CROWN RIDGE ESTATES UNREC UNIT III 23 1S 1W LOT 19 OR 1112/1857 1861 OR 1241/720 722 OR 1613/2230 2043/2199	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant

Exhibit "B"
Parcels to be added to Affordable Housing List on June 14, 2016
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Parcel	Location	Parcel ID	Legal Description	Notes
14	SPRINGHAWK LOOP	470214 A0020	SPRINGHILL ACRES UNREC 2 2S 2W .55 AC LOT 2 BLOCK A OR 1428/1672	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
15	HAZELWOOD RD	4124550001680	OAK CREST LOTS 168 & 169 DB 128/8	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
16	HAZELWOOD RD	4124550001310	OAK CREST LOTS 131 & 132 DB 105/234	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
17	OAK CREST BLVD	4124550000540	OAK CREST LOTS 54 & 55 DB 72/205	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
18	209 OAK CREST BLVD	4124550000640	OAK CREST LOTS 64 DB 123/47 OR 655/123	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
19	1905 Rhodes Cemetery Road	3308200030000	8 2S 1E 4.34 A IN SE 1/4 OF NE 1/4 OR 882/60 1490/1230	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
20	723 FrankieLane Dr	223650 B0160	TOWERS SUB LOT 16 BLOCK B OR 1022/2120	Property is currently vacant
21	7234 Dykes RD	3208510000130	PARKWAY HEIGHTS LOT 13 OR 1221/72	Property is currently vacant
22	114 OSCEOLA ST	410144 J0100	FLA A & M ADD LOT 10 BLOCK J OR 1037/833	Donation - Wells Fargo Bank via Quit Claim Deed; Currently vacant with a 1,056 Sq Ft residential structure
23	278 OAKVIEW DR	412457 C0110	OAK RIDGE SOUTH LOT 11 BLOCK C OR 1617/1900	Donation - U. S. Bank, NA via Quit Claim Deed; Currently vacant with a 952 Sq Ft residential structure

Exhibit "B"
Parcels to be added to Affordable Housing List on June 14, 2016
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Parcels to be added to Affordable Housing List on June 14, 2016
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	Parcel #s: 15, 16, 17 & 18 Date: 06/06/16	Prepared by: Not To Scale Date Drawn: 06/06/16	GIS Department 11111 Highway 100 Suite 200 Jacksonville, FL 32218 904.763.1234
	This information is provided for informational purposes only. It is not intended to be used for legal or financial purposes. The user assumes all responsibility for the use of this information.		

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Parcels to be added to Affordable Housing List on June 14, 2016
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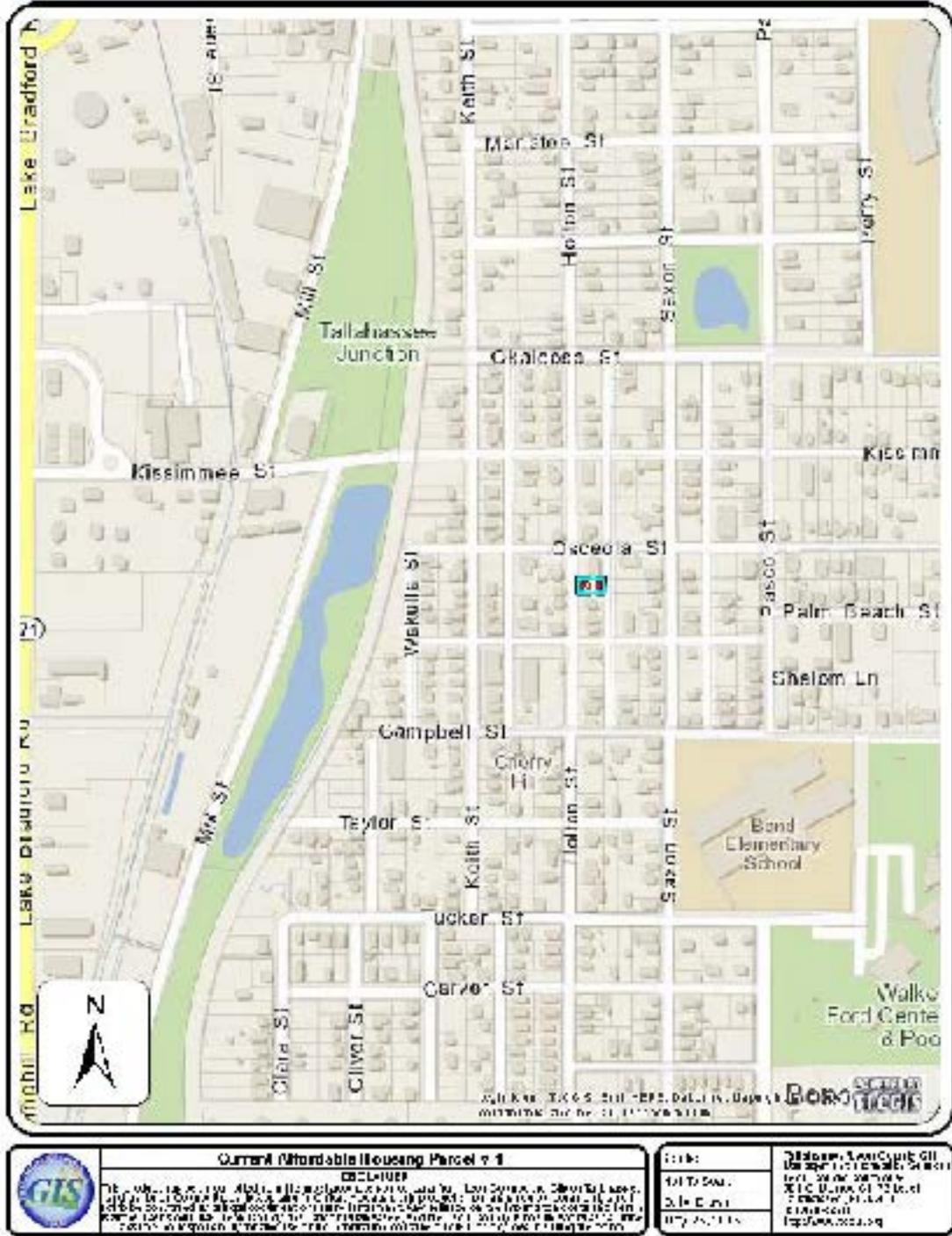
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Current Affordable Housing Parcels Remaining from Approved List of July 2013
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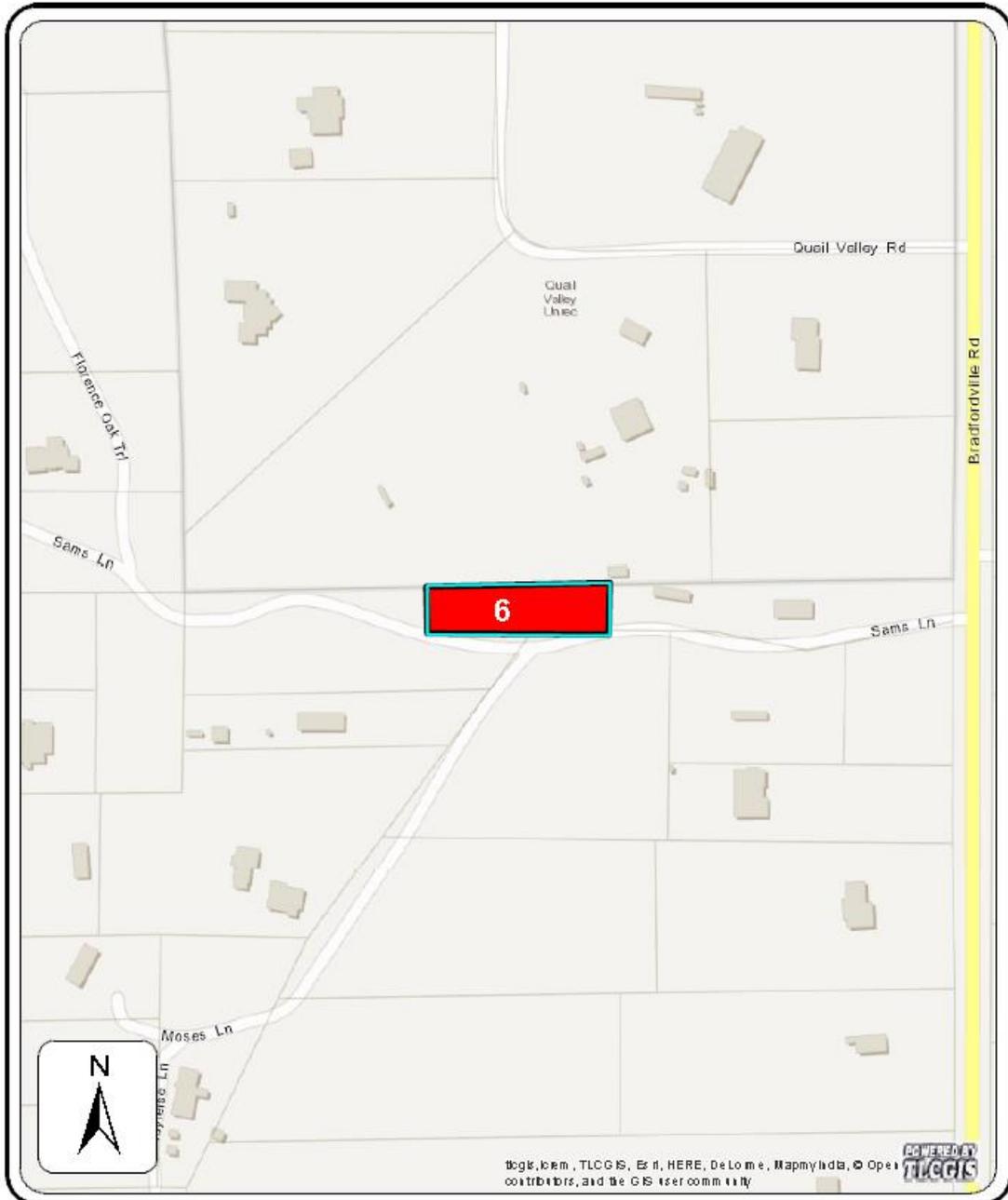
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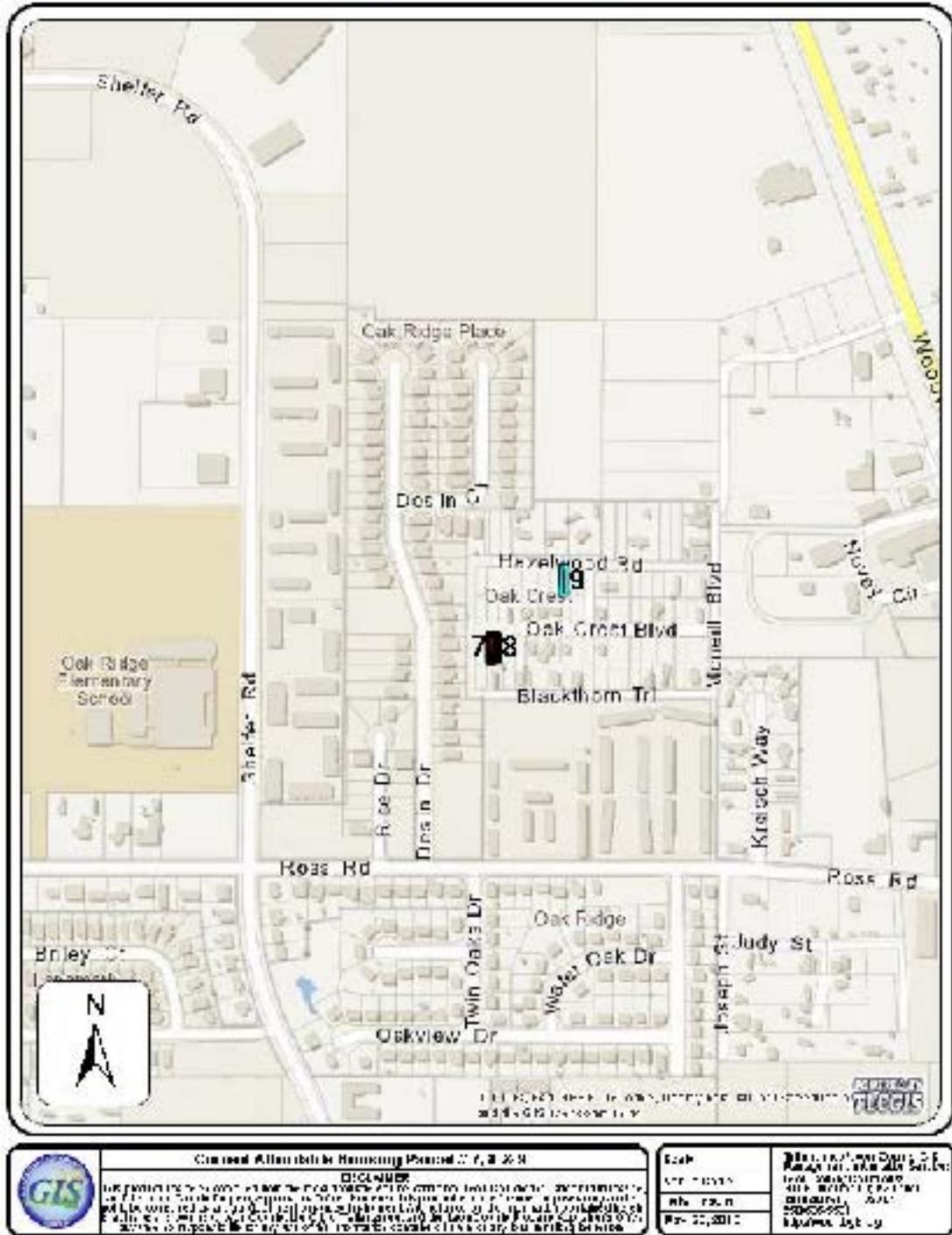


Current Affordable Housing Parcels Remaining from Approved List of July 2013
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	Current Affordable Housing Parcel # 6 <small>DISCLAIMER</small> This product has been compiled from the most accurate source data from Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office assume no responsibility for any use of the information contained herein or any loss resulting therefrom.	Scale: Not To Scale Date Drawn: May 26, 2016	Tallahassee Leon County GIS Registration & Information Services Leon County Courthouse 301 S. Monroe St. 3rd Level Tallahassee, FL 32301 850/905-6501 http://www.tdogis.org
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Current Affordable Housing Parcels Remaining from Approved List of July 2013
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Current Affordable Housing Parcel 718, 719
DISCLAIMER
 This map was prepared by the City of Oak Ridge, Tennessee, and is provided for informational purposes only. The City of Oak Ridge does not warrant the accuracy or completeness of the information shown on this map. The City of Oak Ridge is not responsible for any errors or omissions on this map. The City of Oak Ridge is not responsible for any damages or losses resulting from the use of this map. The City of Oak Ridge is not responsible for any legal actions taken against it as a result of the use of this map.

Scale
 1" = 100 feet
 1/4" = 25 feet
 1/8" = 12.5 feet
 1/16" = 6.25 feet

Map Date
 06/06/2016
Map Author
 GIS Department
Map Title
 Current Affordable Housing Parcels

Parcels to be added to Affordable Housing List on June 14, 2016

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2	4046 MORGAN RD	412406 A0270	CROWN RIDGE ESTATES UNREC UNIT IV 24 1S 1W LOT 27 BLOCK A OR 1133/1914 # 94-9PR OR 1701/228 3351/1403 #05-CP-676	Escheated Tax Deed; Tax Deed File - 4131 of 2007; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
3	3548 SUNDOWN RD	411480 E0130	SUNSHINE MOBILE HOME NEIGHBORHOOD LOT 13 BLOCK E OR 1249/1176 1300/246 1303/1123 OR 1418/81 2318/2340	Escheated Tax Deed; Tax Deed File 6312 of 2008; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
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12	4043 BUSTER RD	4123060000110	CROWN RIDGE ESTATES UNREC UNIT III 23 1S 1W LOT 11 OR 1118/346 1701/228 #94-9PR	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordale Housing found suitable; Property is currently vacant
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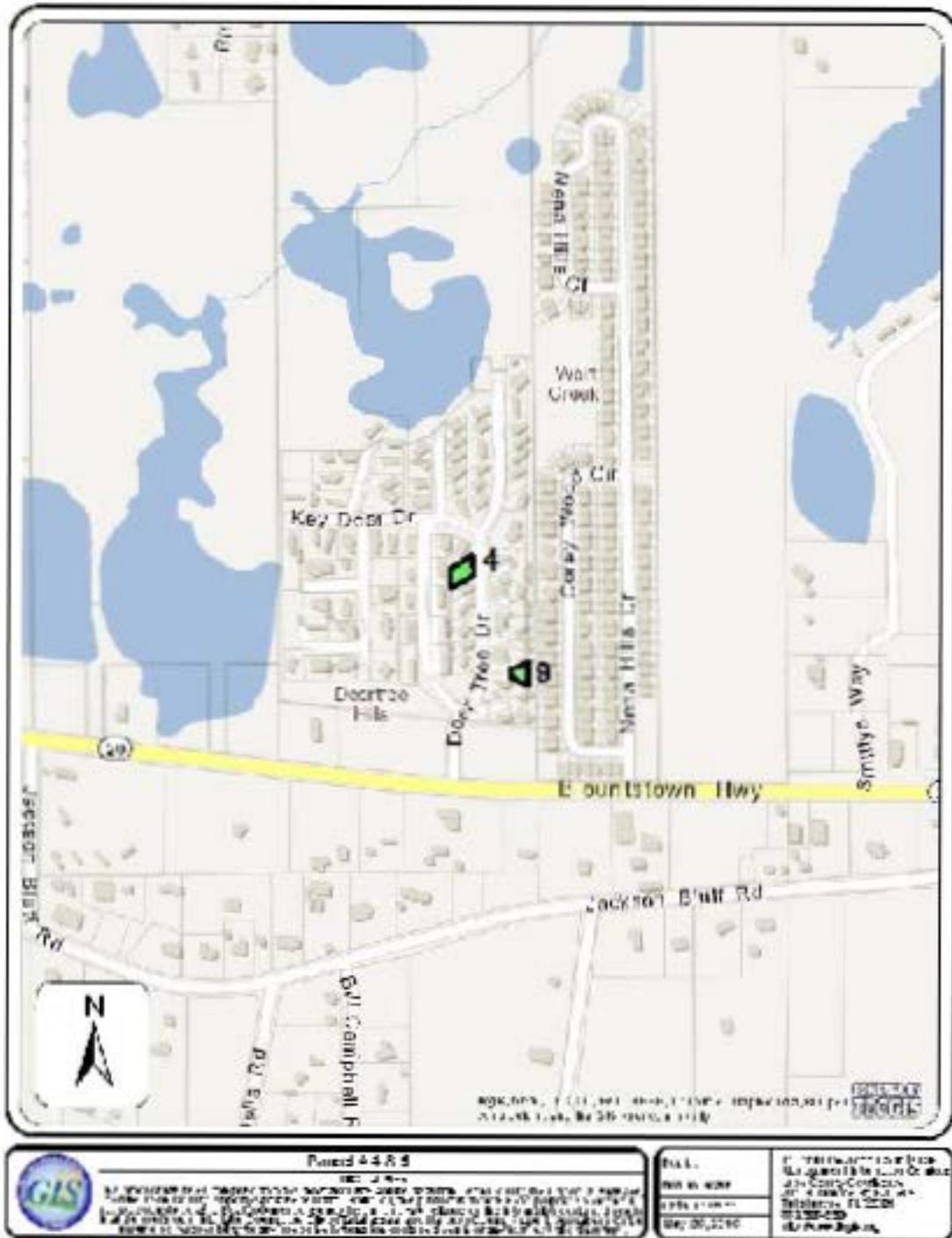
Parcels to be added to Affordable Housing List on June 14, 2016
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15	HAZELWOOD RD	4124550001680	OAK CREST LOTS 168 & 169 DB 128/8	Escheated Tax Deed; May 2016 reviewed by Housing Services for Affordable Housing found suitable; Property is currently vacant
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22	114 OSCEOLA ST	410144 J0100	FLA A & M ADD LOT 10 BLOCK J OR 1037/833	Donation - Wells Fargo Bank via Quit Claim Deed; Currently vacant with a 1,056 Sq Ft residential structure
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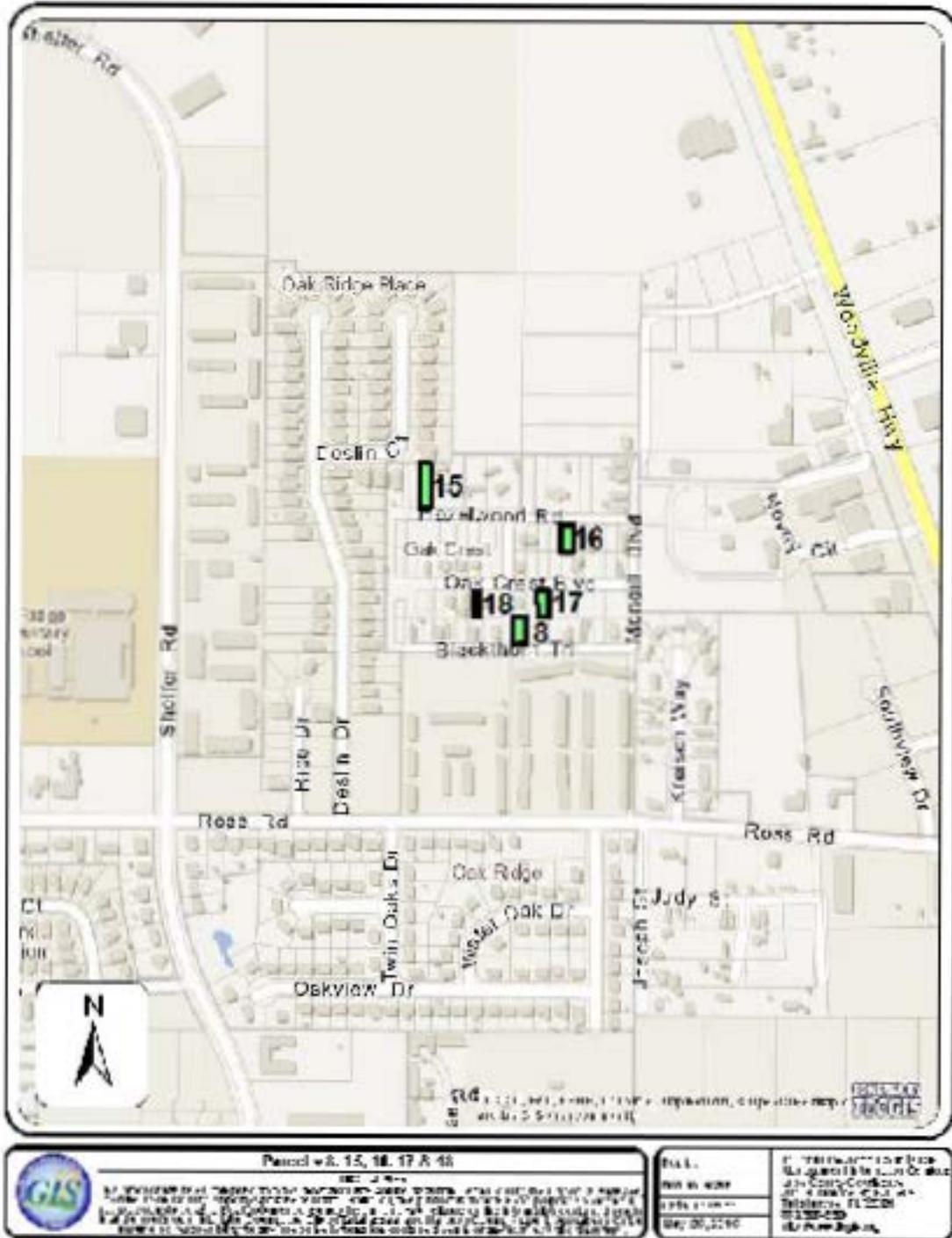
Parcels to be added to Affordable Housing List on June 14, 2016
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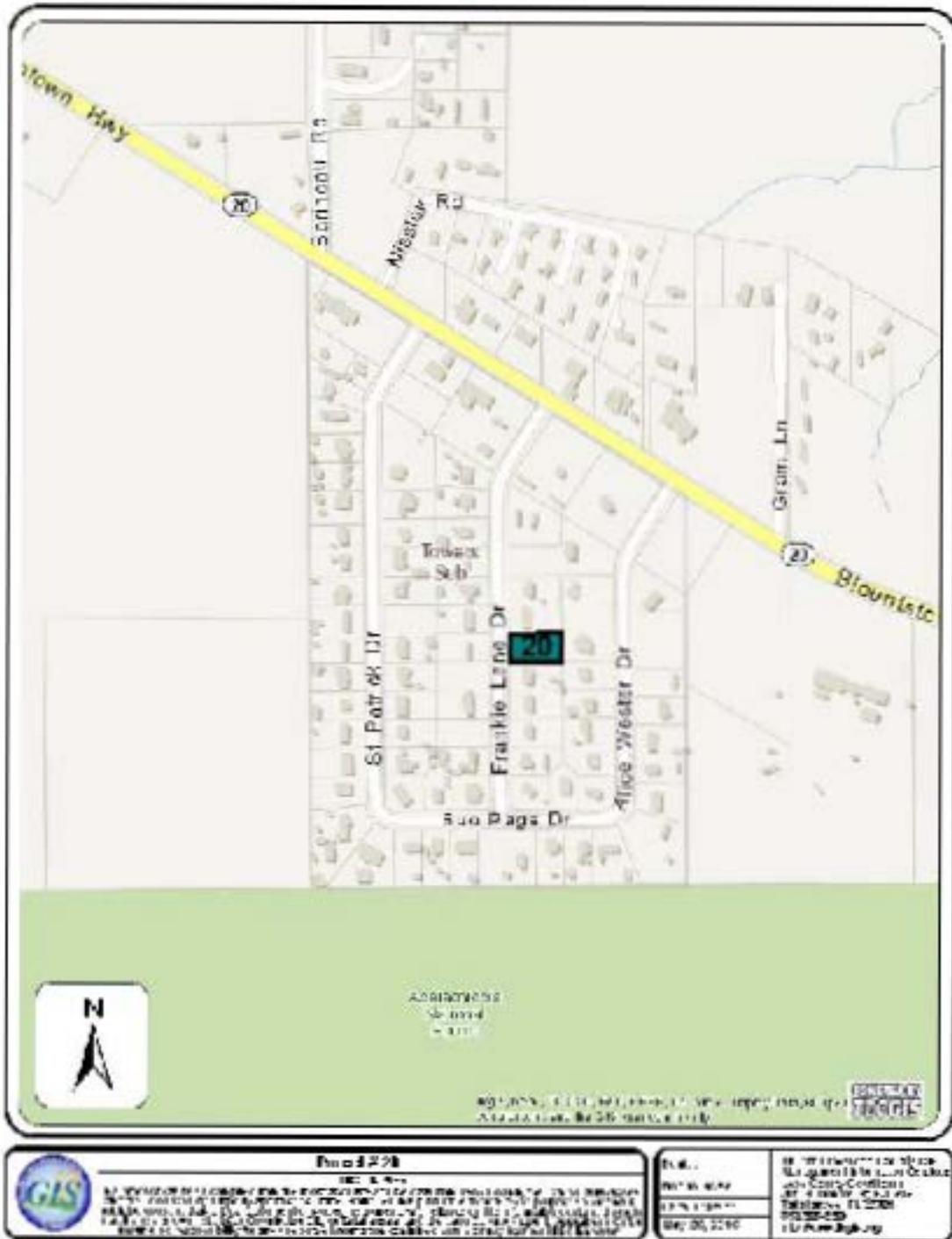
Parcels to be added to Affordable Housing List on June 14, 2016
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Parcels to be added to Affordable Housing List on June 14, 2016
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NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of County Commissioners of Leon County, Florida (the "County") will conduct a public hearing on Tuesday, June 14, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider the adoption of a resolution, in accordance with Section 125.379, Florida Statutes, that approves the list of County-owned properties which would be appropriate for use as affordable housing.

All interested parties are invited to present their comments at the public hearing at the time and place set out above. Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay service.

Copies of the resolution may be inspected at the following locations during regular business hours:

Leon County Courthouse
301 S. Monroe St., 5th Floor Reception Desk
Tallahassee, FL 32301

and

Leon County Clerk's Office
315 S. Calhoun Street, Room 426
Tallahassee, Florida 32301

Advertise: June 7, 2016

**Leon County
Board of County Commissioners**

Notes for Agenda Item #20

Leon County Board of County Commissioners

Cover Sheet for Agenda #20

June 14, 2016

To: Honorable Chairman and Members of the Board

From: Herbert W.A. Thiele, County Attorney 

Title: First and Only Public Hearing to Consider the Recommended Order of the Special Master on the Site and Development Plan Application for the Residential Condominiums on Blountstown Highway

County Administrator Review and Approval:	Herbert W.A. Thiele, County Attorney
Lead Staff/ Project Team:	Patrick T. Kinni, Deputy County Attorney Jessica M. Icerman, Assistant County Attorney

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Enter a Final Order accepting the Special Master's Recommended Order's Findings of Fact and Conclusions of Law and authorize the County Administrator to execute in a form approved by the County Attorney.

Report and Discussion

Background:

This Public Hearing is being held to consider the Recommended Order entered by the Special Master (Attachment #1) on the site and development plan application for the Residential Condominiums on Blountstown Highway. Pursuant to Sections 10-7.403(h), 10-7.414, and 10-7.415 of the Leon County Code of Laws, a challenge to a site and development plan application is first referred to the Division of Administrative Hearings (“DOAH”) for a quasi-judicial hearing. The Administrative Law Judge, sitting as a Special Master, enters a Recommended Order on the site and development plan application to the Board. The Recommended Order contains Findings of Fact and Conclusions of Law and a recommendation to approve, approve with conditions, or deny the site and development plan application.

By way of background, on January 12, 2016, the County received a site and development plan application filed by Floresta, LLC, regarding a proposed project called the Residential Condominiums on Blountstown Highway (“Project”). The site and development plan application qualifies for a Type “A” review.

Under a Type “A” review, the Application Review Committee, comprised of technical staff, reviews the site and development plan application for compliance with the Leon County Code of Laws. The Application Review Committee then renders a recommendation to the County Administrator or designee recommending approval, approval with conditions, or denial of the application. The County Administrator’s designee, David McDevitt, Director of Development Support and Environmental Management, then renders a Written Preliminary Decision approving, approving with conditions, or denying the site and development plan application. The Written Preliminary Decision becomes final 15 days after it is rendered unless it is timely challenged.

On January 27, 2016, the County held a duly noticed Application Review Meeting, whereby the Application Review Committee convened to review the application for the Project and receive public comment. The Application Review Committee recommended to Mr. McDevitt approval of the site and development plan application for the Project with the conditions outlined in the Application Review Meeting Staff Report (“Staff Report”). Subsequently, on February 2, 2016, the County issued a Notice of Application Deficiency Letter. The Notice of Application Deficiency Letter outlined many of the conditions raised in the Staff Report. The Notice of Application Deficiency Letter did not impose any additional conditions.

On February 5, 2016, the County, through Mr. McDevitt, issued the Written Preliminary Decision, approving the Project subject to the conditions outlined in the Staff Report presented at the Application Review Meeting on January 27, 2016, and reiterated within the Notice of Application Deficiency Letter dated February 2, 2016.

On February 17, 2016, the Petitioners, consisting of Wolf Creek Homeowners' Association, J.P. Lepez, Carol Smith, Michael Urban and Elizabeth Urban, timely filed a Notice of Intent to File a Petition for Formal Proceedings Before a Hearing Officer. On March 7, 2016, the Petitioners filed a Petition for Formal Proceedings. The appeal was referred to DOAH for the assignment of a Special Master pursuant to Section 10-7.414(A) of the Leon County Code of Laws. Administrative Law Judge D.R. Alexander was assigned to handle this appeal.

A Final Hearing occurred on April 27, 2016. The Parties—Petitioners, Floresta, LLC, and Leon County—stipulated that certain exhibits be entered into evidence and agreed that no testimony of witnesses would be required at the Final Hearing, therefore, no testimony by the Parties was provided. However, the Special Master heard public comments at the Final Hearing per Section 10-7.414(J)(v)(d).

On May 25, 2016, the Special Master entered a Recommended Order recommending the Board enter a Final Order approving the Project, subject to confirming that the Applicant's revised site plan satisfies all conditions imposed by the County on February 5, 2016 (in the Written Preliminary Decision).

Analysis:

This Public Hearing is being held to consider the Recommended Order entered by the Special Master (Attachment #1) and enter a Final Order on the site and development plan application for the Residential Condominiums on Blountstown Highway. Section 10-7.415 provides for the structure of this Public Hearing. Public comment on the Recommended Order shall be taken prior to the argument by the Parties and shall be limited to three minutes per person. All Parties that participated at the Final Hearing at DOAH and County staff shall be limited to a total of 20 minutes to present oral argument. The Chairman may grant additional time for good cause shown. In summary, the presentation shall be as follows:

- **Public comment**
 - Limited to three minutes per person
- **Oral Argument by Petitioners** (Wolf Creek Homeowners' Association, J.P. Lepez, Carol Smith, Michael Urban, and Elizabeth Urban)
 - Represented by Timothy Perry, Esq., Oertel, Fernandez, Bryant & Atkinson, P.A.
 - Limited to 20 minutes
- **Oral Argument by Respondent-Applicant** (Floresta, LLC)
 - Represented by Claude Walker, Esq.
 - Limited to 20 minutes
- **Oral Argument by Respondent-Leon County Development Support and Environmental Management**
 - Limited to 20 minutes

Section 10-7.415(E) of the Leon County Code of Laws requires this hearing to be limited to the matters of record and arguments based on the record (Attachment #2). No new evidence shall be presented at the hearing.

Pursuant to Section 10-7.415(H), the Board may not change the Findings of Fact in the Recommended Order unless the Findings of Fact are not supported by competent substantial evidence in the record before the Special Master. The Board may modify the Conclusions of Law in the Recommended Order if it finds that the Special Master's application or interpretation of law is erroneous. The Board may make reasonable legal interpretations of the Tallahassee-Leon County 2030 Comprehensive Plan and the Leon County Land Development Code without regard to whether the Special Master's interpretation is labeled as a finding of fact or a conclusion of law. The decision of the Board ultimately approves, approves with conditions, or denies the site and development plan application.

All Parties have the right to submit written exceptions to the Recommended Order. Petitioners have filed Exceptions to the Recommended Order pursuant to Section 10-7.414(K) of the Leon County Code of Laws (Attachment #3).

On May 31, 2016, the public hearing was noticed in the Tallahassee Democrat (Attachment #4).

Options:

1. Enter a Final Order accepting the Special Master's Recommended Order's Findings of Fact and Conclusions of Law and authorize the County Administrator to execute in a form approved by the County Attorney.
2. Board direction.

Recommendation:

Option #1.

Attachments:

1. Recommended Order
2. Record of Appeal
3. Petitioners' Exceptions to the Recommended Order
4. Notice of Public Hearing

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

WOLF CREEK HOMEOWNERS
ASSOCIATION, INC.; J.P. LEPEZ;
CAROL SMITH; MICHAEL URBAN;
AND ELIZABETH URBAN,

Case No. 16-1278

Petitioners,

vs.

LEON COUNTY DEPARTMENT OF
DEVELOPMENT SUPPORT AND
ENVIRONMENTAL MANAGEMENT AND
FLORESTA, LLC,

Respondents.

RECOMMENDED ORDER

This case was heard by D. R. Alexander, the assigned
Administrative Law Judge of the Division of Administrative
Hearings (DOAH), on April 27, 2016, in Tallahassee, Florida.

APPEARANCES

For Petitioners: Timothy J. Perry, Esquire
Oertel, Fernandez, Bryant
& Atkinson, P.A.
Post Office Box 1110
Tallahassee, Florida 32302-1110

For Respondent: Patrick T. Kinni, Esquire
(County) Jessica M. Icerman, Esquire
Leon County Attorney's Office
301 South Monroe Street, Room 202
Tallahassee, Florida 32301-1861

For Respondent: Claude Ridley Walker, Esquire
(Floresta) Suite 155
2073 Summit Lake Drive
Tallahassee, Florida 32317-7949

STATEMENT OF THE ISSUE

The issue is whether Leon County Project ID No. LSP160001, conditionally approved on February 5, 2016, is consistent with the Leon County Land Development Code (Code) and the Tallahassee-Leon County 2030 Comprehensive Plan (Plan).

PRELIMINARY STATEMENT

On February 5, 2016, the Director of the Department of Development Support and Environmental Management (Department) issued a letter approving, with conditions, a site and development plan submitted by Floresta, LLC (Floresta), which would allow the construction of the first phase of a single-family residential (condominium) project, consisting of 24 units, to be developed on 4.09 acres of the total parcel on Blountstown Highway just west of Capital Circle Northwest, Leon County (County).

Petitioners, Wolf Creek Homeowners Association, Inc. (Association), an association of homeowners in a subdivision adjacent to the project, and J.P. Lepez, Carol Smith, Michael Urban, and Elizabeth Urban, who reside adjacent to or near the project, timely filed their Petition for Formal Proceeding (Petition) contending that the project was inconsistent with

certain provisions within the Code and Plan. Pursuant to a contract, the County transmitted the matter to DOAH to appoint a special master to conduct a quasi-judicial hearing.

At the hearing, the parties agreed that no witnesses would be called by any party, and that the matter would be submitted on a stipulated record consisting of County Exhibits 1, 2, 3a through 3g, 4 through 7, 8a through 8e, and 9 through 19. Those exhibits have been accepted in evidence. Exhibits 1 through 18 make up the original application file, while Exhibit 19 is a copy of speaker cards. The parties have also stipulated to certain facts in their Pre-hearing Stipulation. Pursuant to section 10-7.414(J)(v)d. of the Code, six members of the public offered comments, all in opposition to the project. Official recognition was taken of those Code and Plan provisions that are cited in the Petition or relied upon by the parties in their post-hearing filings. As required by section 10-7.414(J)(viii) of the Code, a copy of this Recommended Order is being sent to all members of the public who participated at the hearing.

A transcript of the hearing was not prepared. Petitioners and the County filed proposed recommended orders (PROs), which have been considered in the preparation of this Recommended Order.

FINDINGS OF FACT

A. The Parties

1. Floresta is a limited liability corporation that proposes to develop property located at 5044 Blountstown Highway (State Road 20), approximately one-half mile west of the intersection of Capital Circle Northwest and State Road 20.

2. The Association is comprised of residents of the Wolf Creek Subdivision (Subdivision), and numbers around 200 residential town homes on State Road 20 just west of the proposed development. The parties agree that a substantial number of members of the Association would otherwise have standing to bring this action in their own right.

3. J.P. Lepez lives in the Subdivision directly adjacent to, and west of, the development proposed by Floresta.

4. Michael and Elizabeth Urban reside in Deer Tree Hills Condominium Community adjacent to, and west of, the Subdivision, and in close proximity to the proposed development.

5. Carol Smith resides just south of Deer Tree Hills Condominium Community on the opposite side of Blountstown Highway, and in close proximity to the proposed development.

B. The Approval Process

6. On January 12, 2016, the County received a site and development plan application filed by Floresta regarding a proposed project called the Residential Condominiums on

Blountstown Highway, a principal arterial roadway. The application consisted of an application; a permitted use verification; an applicant's affidavit of ownership and designation of agent; a school impact analysis form; an application for concurrency determination; a natural features inventory approval; a site plan narrative; a site and development plan; a concept utility plan; a concept water and sewer plan; and fire flow calculations. The applicant also submitted an environmental impact analysis application, consisting of the application, an environmental impact analysis narrative, a proposed conservation easement, a conservation easement management and maintenance plan, a stormwater analysis, and an environmental impact analysis plan. See Ex. 3a.-g., 4, 8a.-e., 9, 13, 14, and 16.

7. The project is Phase I of a multi-phase development. Floresta proposes to develop around 4.09 acres of the total 33.52-acre parcel. As explained in more detail in the site plan narrative prepared by Floresta's consultant on January 13, 2016:

The residential condominium project is limited to the front +/- 4 acres along Blountstown Highway and will include the entry drive with guest parking, a stormwater pond and 24 residential units.

Each unit is a small footprint unit for low-income residents. It is anticipated that not all residents will rely upon a vehicle for transportation and therefore not all units will have driveways. Units will range

in size, but will be less than 500 gsf [gross square feet], single story dwellings. The units will be placed within the identified area and located among the existing trees of the property to retain a wooded development. Future phases of construction may include community buildings and additional units based on market conditions.

Ex. 3g. Because of the small size of the units -- gross square footage represents the overall footprint of the building -- they were referred to at times by members of the public as "tiny homes." Petitioners' PRO alleges that information obtained at a public meeting conducted by the County on January 27, 2016, revealed that the project will in all likelihood function as a homeless shelter. While no County or Floresta representative testified to confirm or deny this fact, testimony by public commenters suggest this may be true, and their testimony was not challenged by Respondents at hearing.

8. The project is located on a parcel zoned R-3, Single- and Two-Family Residential. It is designated Urban Residential 2 on the Future Land Use Map of the Plan. The R-3 zoning and Urban Residential 2 Future Land Use category allow for a wide range of single-family dwelling units, including single-family detached dwellings, single-family attached dwellings, two-family dwellings, and zero-lot line single-family detached dwellings. See § 10-6.637, L.D.C.; Land Use Element Policy 2.2.24(L). The project consists of

small condominium units as single-family detached dwellings. These are a permitted use in the R-3 zoning district and in the Urban Residential 2 Future Land Use category.

9. Because the project is located on a parcel zoned R-3 and consists of 24 units, it qualifies for a Type "A" review under section 10-7.402 of the Code.

10. Under Type A review, an applicant can select from two development review tracks. See § 10-7.402(5), L.D.C. The project was reviewed under the concept plan approval track. This review track option is intended to expedite the review process by reducing the requirement for permitting-level information while providing assurance that the development entitlements reflected on the concept plan can be realized on the subject site. See § 10-7.402(5)(a), L.D.C. An applicant is still required to complete the environmental permitting process for the project prior to construction. A point of entry is available to third parties to challenge any state, but not County, environmental permit required for the project.

11. Under Type A review, an Application Review Committee (Committee), composed of City and County technical staff, reviews the site and development plan application for compliance with the applicable regulations. See § 10-7.403(e), L.D.C. The Committee then renders a recommendation to the County Administrator or designee recommending approval, approval with

conditions, or denial of the application. Id. The County Administrator or designee renders a Written Preliminary Decision. Id. That decision becomes final unless an appeal is timely filed. See § 10-7.403(h), L.D.C. For this project, the County's Administrator's designee is the Director of the Department.

12. On January 27, 2016, the County held a noticed Application Review Meeting, whereby the Committee convened to review the application for the project and receive public comment. Pursuant to section 10-7.403(g), notice of the public hearing was mailed at least seven calendar days prior to the meeting to all property owners within 600 feet of the proposed project. The notice euphemistically described the project as a 24-unit "Residential Condominium Project." Although Petitioners assert the notice was misleading, they attended the January 27 meeting, and they were given an opportunity to present witnesses, introduce evidence, and to otherwise participate in the instant case. No evidence of prejudice was shown.

13. At the meeting, the Committee presented a staff report, which included memoranda from the Tallahassee-Leon County Planning Department, Leon County Environmental Services Department, City of Tallahassee Utilities Department, City of Tallahassee Fire Department, and Leon County Public Works Department. See Ex. 7. The staff report and each memorandum

included comments regarding deficiencies in the application that the applicant must address in order for the project to be consistent with the Code and Plan.

14. County and City staff determined, however, that the deficiencies were "minor" in nature and agreed to recommend approval of the site and development plan with the condition that the applicant must correct the deficiencies identified in the staff report. See § 10-7.403(f), L.D.C., which allows approval of a Type A application, with conditions. Because they considered the deficiencies to be minor, the staff took the position they did not require a substantial, or even moderate, alteration in the layout or geometry of the site plan. Some of the deficiencies are related to notes that are required to be added to the site plan simply for clarification purposes.

15. On February 2, 2016, the County, through a Department Planner II, issued a Notice of Application Deficiency Letter (Notice). See Ex. 2. The Notice outlined many of the conditions raised in the staff report. The Notice did not impose any additional conditions.

16. On February 5, 2016, the Director of the Department issued a Written Preliminary Decision, approving the project subject to the conditions outlined in the staff report presented at the meeting on January 27, 2016. See Ex. 1. The approval required the applicant to submit a revised site and development

plan demonstrating compliance with all conditions within 90 days, or by May 6, 2016. It further cautioned that unless a timely extension was requested by the applicant, a failure to comply with that requirement by the May 6 deadline would render the approval expired. The revised site and development plan was not made a part of the record, and the staff's final compliance determination was not disclosed at hearing. Under the County's approval process, an administrative challenge to the staff's final determination is not available to third parties.

17. On February 17, 2016, Petitioners timely filed a Notice of Intent to File a Petition for Formal Proceedings Before a Hearing Officer. See Ex. 17.

18. On March 7, 2016, Petitioners timely filed their Petition for Formal Proceeding (Petition). Except for one ground voluntarily dismissed at hearing, the Petition alleged that the application was inconsistent with the Code and Plan for the same reasons cited in the staff report dated January 27, 2016, and reiterated in the Notice issued on February 2, 2016.

C. Petitioners' Objections

19. Petitioners' PRO asserts generally that any one of the conditions noted by the staff constitutes grounds for denial of the application. However, based upon the exhibits and testimony of members of the public, in their PRO, they focus on only four items regarding the project.

i. Setbacks

20. Petitioners first allege that the project is inconsistent with development standards for the R-3 zoning district. See § 10-6.637, L.D.C. Development standards for single-family detached dwellings in zoning district R-3 are found in the site data table of section 10-6.637 and require a minimum lot or site size of 5,000 square feet (or 0.11 acres); minimum lot widths of 50 feet; minimum lot depths of 100 feet; minimum front setbacks of 20 feet; minimum side-interior lot setbacks of 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no setback shall be less than five feet; minimum side-corner lot setbacks of 15 feet; minimum rear lot setbacks of 25 feet; and no building exceeding three stories in height.

21. In assessing whether the applicant complied with these standards, the staff made the following comments on the project's compliance with setbacks and building height and size requirements:

Finding #4: The project appears to meet the applicable building setbacks, height and size requirements; however, please annotate the height of the building (in feet) in the site data table alongside the minimal requirements. Please clarify that the setbacks provided in the site data table are the perimeter setbacks for the development. The applicant will need to also provide the proposed setback between structures to

ensure compliance with the Florida Building Code requirements.

Ex. 7, p. 000004. This comment became a condition of approval in the Department's Notice to ensure that Floresta was meeting those requirements.

22. As a condition, Floresta was required, no later than May 6, 2016, to "clarify" that the setbacks in the site data table are the perimeter setbacks for the development and provide the proposed setback for each structure. Also, the County relies on note 14 of Sheet 6.0 of the plan, which indicates a front setback of 20 feet, a side interior setback of 15 feet, and a rear setback of 25 feet. See Ex. 4. These distances satisfy the Code requirements. Because the units are one-story in height, they do not exceed the three-story limitation. As an added condition, the County required Floresta to provide the setbacks between each structure.

23. Petitioners contend that the County failed to fully apply the R-3 zoning district's building standards for single-family detached dwellings found in section 10-6.637. Specifically, they assert that the 24 units are listed on the site plan as having a total area of approximately 39,000 square feet, or 1,625 square feet per dwelling. They also contend that the lot geometry is not shown and therefore the site and development plan is not consistent with the minimum lot widths,

depths, and setbacks required by the Code. Even if lot geometry were shown, they contend that the 39,000 square feet allotted is insufficient to provide for lots for 24 single-family detached dwellings that meet the minimum required lot width of 50 feet and lot depth of 100 feet.

24. The project involves a condominium development with the creation of individual units on a single lot. See Ex. 3g., p. 4. Therefore, the County asserts that the minimum lot sizes found in section 10-6.637 are inapplicable. This is a reasonable interpretation of the Code. Also, due to a typographical error in the staff report, it initially appeared that rear setbacks were not provided. However, the rear setbacks are actually shown on Note 14 of Sheet 6.0 of the site plan. See Ex. 4. Subject to the above conditions, the project is consistent with the requirements of the Code.

ii. Parking Requirements

25. Petitioners also contend that the project fails to comply with parking requirements, as the project will have 24 units, but only 18 regular parking spaces and two handicapped parking spaces are proposed. Section 10-7.545 requires that developments in the R-3 zoning district have between 85 percent and 100 percent of the parking standard in schedule 6-2 of the section. Because the schedule requires that conventional

detached homes have 1.5 parking spaces per unit, Petitioners assert that 30.6 parking spaces are required.

26. The applicant does not anticipate that all residents will have automobiles. Because the project will serve low-income residents, this is a logical assumption. The applicant also proposes grass parking to be located closer to each unit. Section 10-7.545(a) allows a deviation from the range of required parking established in Schedule 6-2 upon approval or an approval with conditions from the Parking Standards Committee (Committee). See Ex. 1, p. 000007. That Committee is comprised of the Planning Director, the Department Director, and the Public Works Director, or their designees. As a condition, the applicant will be required to secure approval from the Committee before final approval for the project is given. Id. Subject to Floresta's compliance with this condition, which cannot be administratively challenged by Petitioners, the site plan is consistent with the Code.

iii. Transportation Infrastructure

27. Petitioners contend that there is a lack of adequate transportation infrastructure in the area. They also point out that there are no sidewalks on State Road 20, and there is no bus stop adjacent to the project. Therefore, residents or guests in the project will have to walk east along State Road 20 in order to find a bus stop.

28. As a condition of approval, the County required the applicant to extend a stub out from the parking lot to the property line for future interconnection. See Ex. 1, p. 0000010. Mobility Element 1.4.1 requires vehicular, pedestrian, and bicycle interconnection between adjacent, compatible development. The applicant's site plan includes sidewalks within and connecting to the facilities along State Road 20. See Ex. 4; Ex. 1, p. 0000010. Also, a Preliminary Certificate of Concurrence was issued for the project, and a final certificate will be issued upon final site plan approval. See Ex. 1, p. 000005. Subject to compliance with these conditions, the site plan is consistent with the Code.

iv. Compatibility

29. For obvious reasons, Petitioners' greatest concern is the intrusion of former homeless persons into the units immediately adjacent to their properties. (By definition, once a person resides in a home, he/she is no longer homeless.) On this issue, they assert that the project is inconsistent with section 10-7.505, which requires that each development shall be designed to be as compatible as practical with nearby development. Petitioners argue that the tiny house community being proposed is not compatible with the "typical" single-family homes found around the project site.

30. The parcel on the west side of the project is also zoned R-3. The parcels on the east side of the project are zoned OA-1 (Airport Vicinity District) and CP (Commercial Parkway District). The OA-1 district does not permit residential uses due to the noise levels from aircraft exceeding the thresholds identified by the Federal Aviation Administration and the State as being compatible with certain land use types. See § 10-6.645, L.D.C. The CP district permits general commercial and community facilities. See § 10-6.649, L.D.C.

31. The project proposes a Type "D" 50-foot buffer on both the eastern and western borders of the property. A Type "D" buffer is the most restrictive buffer provided in the Code. See § 10-7.522, L.D.C.

32. Respondents agree that the project is "small footprint housing for low-income residents." However, there is no prohibition in the Code that restricts low-income housing from occurring in any residential zoning district. Also, the Plan and Code do not regulate the size of dwelling units, outside of minimum housing standards found in the Florida Building Code. While Petitioners' objections are genuine and well-intentioned, there is nothing in the existing Code or Plan that prevents the introduction of extremely small low-income housing units into a residential district, assuming all other requirements are met. The project is compatible with the surrounding area.

D. Public Comments

33. Six members of the public presented comments at the hearing. The public commenters either live in or own typical single-family homes adjacent to or near the project, or operate a commercial business near the project. The undersigned has rejected the County's assertion in its PRO that the comments should be disregarded because a transcript was not prepared.

34. One commenter, who owns a business on State Road 20 less than a quarter mile from the project, is concerned that State Road 20 is inadequate to handle more traffic. He also is concerned with the tiny house development feature of the project and noted that one-half of the project is located within the flood zone.

35. Another commenter who resides in the Subdivision with her disabled daughter expressed concern that low-income housing units occupied by homeless persons sent from the Kearney Center, a nearby homeless shelter, will result in a substantial loss in value to her property and increase safety issues for her daughter who remains home alone during the day while she is at work. Like other commenters, she complained that State Road 20 is already overburdened with traffic without adding another development to the area.

36. A third commenter is also concerned with the level of traffic on State Road 20. During morning rush hours, he cannot

turn left onto State Road 20 to go into town and fears the project will cause a further deterioration of traffic conditions.

37. A fourth commenter, who lives in another county, has owned a condominium in the Subdivision since 2007, first used by her daughter while going to college, and now rented. She complained that the notice of the public meeting was misleading as it indicated a condominium project would be built on the parcel, and not tiny homes for former homeless persons. She is concerned that the current level of traffic on State Road 20 will be exacerbated, and that the value of her condominium will be negatively impacted.

38. A fifth commenter who resides in the Subdivision complained that the notice of the public meeting was misleading and vague, and led her to believe that a traditional or multi-story condominium project would be constructed on the parcel, rather than a cluster of tiny homes. She also expressed concerns that a large, low-income population in the neighborhood will raise safety issues for existing residents.

39. The final commenter resides near the project and owns a bail bond business on West Pensacola Street, a mile or so east of the project site and near the Kearney Center. Based upon her experience operating a bail bond business near the Kearney Center, she testified that the number of arrests in that area of

town has "skyrocketed" since the shelter opened. She added that there has been an adverse impact on businesses located near the Kearney Center because its residents simply hang out in the area during the day. She fears that an influx of former homeless persons into the tiny homes will lead to a similar increase in the crime rate around the project site. The commenter also serves as a part-time volunteer at the Kearney Center several days a week and noted that no background checks, identification checks, or drug checks are performed on persons entering the shelter. She is concerned that no checks will be performed on the persons who will occupy the tiny homes. She added that many of the shelter residents are drug addicts and do not want to work. If they move into the tiny homes, she believes they will simply hang around the project site and create safety issues for residents in the neighboring properties. She intends to sell her home if the project is approved.

CONCLUSIONS OF LAW

40. There is no dispute by the parties that all Petitioners have standing to file this appeal.

41. The burden is on the landowner who is seeking site plan approval to demonstrate that the application complies with the reasonable procedural requirements of the applicable ordinance and that the use sought is consistent with the applicable comprehensive plan and code requirements. See, e.g.,

Alvey v. City of North Miami Bch., 41 Fla. L. Weekly D1028 (Fla. 3d DCA, April 27, 2016), citing Bd. of Cnty. Comm'rs of Brevard Cnty. v. Snyder, 627 So. 2d 469, 472 (Fla. 1993). As such, Floresta has the burden of demonstrating that the project was properly approved with conditions, and that its project complies with all applicable requirements. Fla. Dep't of Transp. v. J.W.C. Co., Inc., 396 So. 2d 778, 787 (Fla. 1st DCA 1981).

42. Section 10-7.407 provides that the County shall determine the following in deciding whether to approve, approve with conditions, or deny a site and development plan application:

- a. Whether the applicable zoning standards and requirements in Article VI of Code have been met;
- b. Whether the applicable provisions of the Environmental Management Act in Article IV of the Code have been met; and
- c. Whether the requirements of chapter 10 of the Code and other applicable regulations or ordinances which impose specific requirements on-site and development plans and development have been met.

43. Pursuant to section 10-7.108, all proposed development must be consistent with the adopted Plan.

44. The County is permitted to approve a site and development plan with conditions pursuant to section 10-7.403(f). There is no evidence that the conditions imposed by

the County are inadequate or will not correct all deficiencies in the original application.

45. A preponderance of the evidence demonstrates that upon satisfaction of all conditions in the Department's Written Preliminary Decision dated February 5, 2016, the project is consistent with and meets all zoning, Code, and Plan requirements and should be approved.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is

RECOMMENDED that the Leon County Board of County Commissioners enter a final order approving the project, subject to confirming that the applicant's revised site plan satisfies all conditions imposed by the County on February 5, 2016.

DONE AND ENTERED this 25th day of May, 2016, in Tallahassee, Leon County, Florida.



D. R. ALEXANDER
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
Division of Administrative Hearings
this 25th day of May, 2016.

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NOTICE OF RIGHT TO SUBMIT EXCEPTIONS

All parties have the right to submit written exceptions within ten calendar days of the date of this Recommended Order. Any exceptions to this Recommended Order should be filed with the clerk of the Board of County Commissioners. See § 10.7.414(K), Land Development Code.

EXHIBITS

Exhibit

Written Preliminary Decision dated February 5, 2016..... 1

Notice of Application Deficiency #1 dated February 2, 2016.....2

Site and Development Plan Application

 Application for Site and Development Plan Review dated January 12, 2016..... 3a

 Permitted Use Verification, Certificate Number VC150155..... 3b

 Applicant’s Affidavit of Ownership & Designation of Agent 3c

 School Impact Analysis Form dated January 12, 2016 3d

 Application for Concurrency Determination dated January 11, 2016..... 3e

 Natural Features Inventory Approval with Conditions dated January 11, 20163f

 Site Plan Narrative dated January 13, 2016..... 3g

Site and Development Plan submitted January 12, 20164

Notice of Application Review Meeting.....5

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Application Review Meeting Report for January 27, 2016 Meeting 7

Environmental Impact Analysis Application

 Environmental Impact Analysis Application dated January 12, 2016 8a

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 Proposed Conservation Easement 8c

 Conservation Easement Management and Maintenance Plan..... 8d

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Comments submitted from Hosey to Hood dated January 14, 2016 15

Fire Flow Calculations dated January 25, 2016 16

Notice of Intent to File a Petition for Formal Proceedings before a Hearing Officer 17

Legal Notice of Final Hearing on April 27-28, 2016 18

Exhibit 1

Written Preliminary Decision dated February 5, 2016



Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Commissioners

BILL PROCTOR
District 1

JANE G. SAULS
District 2

JOHN DAILEY
District 3

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District 4

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District 5

MARY ANN LINDLEY
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NICK MADDOX
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DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
Development Services Division
435 N. Macomb Street, 2nd Floor
Tallahassee, Florida 32301-1019
Phone Number (850) 606-1300

February 5, 2016

Floresta, LLC
c/o Tom O' Steen, P.E.
Moore Bass Consulting, Inc.
805 Gadsden Street
Tallahassee, FL 32311

RE: Residential Condominiums on Blountstown Highway
Type "A" Site and Development Plan, CPA Track
Written Preliminary Decision - Approval with Conditions
Leon County Project ID No.: LSP160001
Tax Parcel Identification Number: 21-31-20-007-0030

Dear Mr. O' Steen:

This letter is to notify you that the Leon County Department of Development Support and Environmental Management (DSEM) has approved the above-referenced site and development plan, subject to the conditions outlined in the Development Services Staff Report (Attachment #1) presented at the January 27, 2016 Application Review Meeting (ARM) and within the Notice of Application Deficiency Letter (Attachment #2) dated February 2, 2016. The review process for this application was completed in accordance with the DSEM procedures for Type "A" Site and Development Plans (Section 10-7.403 of the Leon County Land Development Code).

Subsequent to the action of the County Administrator or designee to approve a Type "A" site and development plan subject to conditions, the applicant shall furnish for review and verification by the County, a revised site and development plan application demonstrating compliance with all conditions. The revised site and development plan shall be submitted to the County Administrator or designee within 90 days of the date of approval entity's action; however, the applicant may, upon demonstration of good faith effort and hardship that is not self-created, be granted a 90-day extension by the County Administrator or designee. Subsequent 90-day extensions may be requested and granted based on the same criteria. Failure to comply with these time limits shall render the site and development plan application approval expired.

Please submit one (1) hard copy of the revised site and development plan with signature block and upload a digital set to Project Dox. If you have any questions about the

Residential Condominiums on Blountstown Highway (LSP160001),
Type "A" Site and Development Plan, CPA Track
February 5, 2016
Page 2

information contained in this letter, please contact the Project Manager (Nancy Garcia). After the revised site and development plan has been received by this office, it will be provided to the County Administrator or designee for signature. After signature, a copy will be digitally uploaded into the Project Dox system for access by all interested parties. Please be advised that the site and development plan should only reflect changes that may be necessary to satisfy the above-referenced conditions. In all other regards, the plan should be identical to the site and development plan originally submitted for review.

Pursuant to Section 10-7.403 of the Leon County Land Development Code, the written preliminary decision of the County Administrator or designee shall become the final decision 15 calendar days after it is rendered unless a person who qualifies as a party, as defined in Section 10-7.414, and who had filed written comments with the DSEM prior to the adjournment of the ARM at which the decision was rendered files a Notice of Intent to file an appeal of a decision on a site and development plan application. Subsequent to the filing of a Notice of Intent, a Petition must be filed within 30 calendar days from the date of rendition of the County Administrator or designee's decision. Petitions shall be made in writing and filed at the DSEM, and shall include the project name, application number, a description of the facts upon which the decision is challenged and all allegations of inconsistency with the Comprehensive Plan and land development regulations and any argument in support thereof. Failure to file both a Notice of Intent and a Petition is jurisdictional and will result in a waiver of the hearing. Hearings before a special master will be conducted in accordance with the procedures outlined in Section 10-7.414 and 10-7.415.

This conditional approval was based on the information presented at the ARM on January 27, 2016, and is intended to meet the procedural requirements of the Leon County Code of Laws. As such, it does not waive any other applicable local, state, or federal regulations.

If you have any questions, please do not hesitate to contact Nancy Garcia of our office at (850) 606-1300 or send email to "GarciaN@leoncountyfl.gov."

Sincerely,



David McDevitt
Department of Development Support & Environmental Management Director

- Attachments:
1. Development Services Staff Report from the January 27, 2016 ARM Meeting Outlining Conditions of Approval
 2. Notice of Application Deficiency #1, dated February 2, 2016

cc: ProjectDox File LSP160001
J.P. Lepez, P.O. Box 1576, Tallahassee, FL 32302
Carol Smith, 5229 Blountstown Highway, Tallahassee, FL 32304
Mike Urban, 1931 Sika Deer Drive, Tallahassee, FL 32307



LEON COUNTY
DEPARTMENT OF DEVELOPMENT SUPPORT &
ENVIRONMENTAL MANAGEMENT
DEVELOPMENT SERVICES DIVISION

APPLICATION REVIEW MEETING

January 27, 2016 @ 1:30 p.m.

RECOMMENDATION: TBD AT MEETING

PROJECT NAME: Proposed Residential Condominiums on Blountstown Highway
PROJECT ID #.: LSP160001
PARCEL I.D. NUMBER: 21-31-20-007-0030
PROJECT ACREAGE: 4.09 +/- acres (33.52 +/- total acreage)
LEVEL OF REVIEW: Type "A" Site Plan, CPA Track
PROPERTY OWNER: Ameris Bank
7915 Baymeadows Way, Suite 300
Jacksonville, FL 32256

APPLICANT: Floresta, LLC
2073 Summit Lake Drive, Suite 155
Tallahassee, FL 32317

OWNER'S AGENT: Tom O'Steen
Moore Bass Consulting, Inc.
805 N. Gadsden Street
Tallahassee, FL 32303

ZONING DISTRICT: Single-and-Two Family Residential (R-3)
FUTURE LAND USE: Urban Residential 2 (UR-2)
DENSITY/INTENSITY: 5.8 du/acre (24 units total)
LOCATION: 5044 Blountstown Highway
ROADWAY ACCESS: Blountstown Highway (Principle Arterial Roadway)
Private Access Easements

UTILITY PROVIDER: City of Tallahassee Utilities
APPROVAL BODY: County Administrator or designee

PROJECT SUMMARY: The project consists of a Phase I of a single-family residential (condominium) project to be developed on 4.09 acres of the total parcel. This initial phase of this project will consist of 24 single-family m units. Future phases of construction may include community buildings and additional dwelling units based on market conditions. The parcel is located inside the Urban Service Area (USA) and is zoned Single-and-Two Family Residential (R-3). The parcel has an Urban Residential 2 (UR-2) future land use designation, according to the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan. The development will access Blountstown Highway, a Principal Arterial Roadway. A Permitted Use Verification certificate (VC150155R) was issued as 'Eligible' for the development on January 13, 2016.

DEVELOPMENT SERVICES STAFF REVIEW:

Article VII. Subdivision and Site and Development Plan Regulations:

Site and Development Plan Criteria, Article VII, Section 10-7.407:

The Leon County Land Development Code requires that a site and development plan comply with three general standards those include:

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

Division 1. Subdivision and Site and Development Plan Regulations

Compliance and Consistency with Comprehensive Plan (Sec. 10-7.108 and Sec. 10-7.109)

- (a) All proposed subdivisions or development shall be designed to be consistent with the adopted Comprehensive Plan, as amended.
- (b) All proposed subdivisions or development shall be designed to comply with at least the county zoning, building regulations, concurrency, and environmental management ordinances, and such other applicable land development regulations, ordinances, and policies, for the area in which the proposed subdivisions or development shall be located.
- (c) In accordance with this article and other applicable requirements of the local Comprehensive Plan and county ordinances, land, proposed subdivision or site and development plans shall be suitable for the characteristics of the underlying land. Sites where topographic features, flooding potential, drainage, soil type or other site specific features are likely to harm neighboring landowners, future users of the subject property, natural resources or public infrastructure demand, shall not be developed and/or subdivided, unless adequate methods of mitigation or correction of the harm area formulated by the developer and accepted by the county.
- (d) Any applicant subdividing land shall record an approved final plat in accordance with the requirements of this chapter.
- (e) The adequacy of necessary public or private facilities and services for traffic and pedestrian access and circulation, solid waste, waste water disposal, potable water supply, storm water management, parks and recreation and similar public facilities and services, shall be considered in the review of all subdivision or development site and development plan proposals to assure the concurrency requirements of the local Comprehensive Plan and county ordinances are met.
- (f) Unless installation of a required improvement is waived pursuant to Division 6, no final plat or certified survey shall be recorded until a site and development plan, as required by this article, has been approved, the required infrastructure or development improvements which are applicable to the subject parcel or parcels are completed or an appropriate surety instrument, as approved in advance by the County Attorney, is posted, in accordance with the requirements of this article, and the terms and conditions of any applicable development order have been fulfilled.
- (g) Where applicable, no parcel shall be approved for platting for any purpose unless it is suitable for a use permitted by Article VI. No parcel shall be approved for development unless it is consistent with the local Comprehensive Plan and contains an adequate development site, both in size for the use intended and in its relationship to abutting land uses.

DEVELOPMENT SERVICES STAFF FINDINGS:

COMPREHENSIVE PLAN

The subject site is located within an area designated (Policy 2.2.24) on the Future Land Use Map of the City of Tallahassee-Leon County Comprehensive Plan. According to Policy 2.2.24 of the Land Use Element, the major function of the Urban Residential 2 designation is to promote infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure.

Finding #1: A Comprehensive Plan consistency determination shall be obtained from the Tallahassee-Leon County Planning Department. Please refer to the attached memorandum from the Tallahassee-Leon County Planning Department (Attachment #1).

ARTICLE III. CONCURRENCY

According to Section 10-3.105(a) of the LDC, no final development order can be issued until such time it is determined that there is sufficient available capacity of concurrency facilities to meet level of service standards for the existing population, vested development, and for the proposed development. All proposed development (except vested development) shall undergo a concurrency review. In the event the proposed development trips deficient segments of a roadway facility, for example, that applicant has the option of entering into a proportionate fair share agreement to mitigate associated impacts. Additional information on mitigation of impacts and the criteria established for mitigation is set forth in the Concurrency Policies and Procedures Manual.

Finding #2: An Application for Concurrency Review was submitted prior to site plan submittal and a Preliminary Certificate of Concurrency (LCM160001) has been issued for this project. A final certificate of concurrency will be issued upon site plan approval. Please contact Ryan Guffey, AICP, Concurrency Manager at 606-1386 with any questions related to concurrency management.

ARTICLE IV. ENVIRONMENTAL MANAGEMENT

The application must comply with the regulations and standards set out in the following sections of Article IV: [Topographic alterations (Section 10-4.327); Stormwater management facilities (Section 10-4.301); Protected Trees (Section 10-4.362); Tree Protection Requirements (Section 10-4.363); Pre-Development Reviews (Section 10-4.202); Natural Area Requirements (Section 10-4.345)].

Finding #3: A Natural Features Inventory (LEA150065) was approved with conditions on January 11, 2016. An Environmental Impact Analysis (EIA) (LEA160002) has been filed and is currently under review. An Environmental Management Permit (EMP) is required for this project prior to construction. EMP shall be completed and approved within 1 year of issuance of site plan approval.

Please refer to comments from the Environmental Services Division (Attachment #2) as they relate to the sections above and any other provisions set forth in Article IV of the Land Development Code. Please note, a markup layer has been added to ProjectDox addressing many of the comments outlined within the memorandum.

Single-and-Two Family Residential (R-3) Zoning District (Section 10-6.637, Land Development Code)
The R-3 district is intended to be located in areas designated Bradfordville Mixed Use, Urban Residential, Urban Residential 2, or Suburban on the Future Land Use Map which contain or are anticipated to contain a wide range of single-family and two-family housing types. The maximum gross density allowed for new residential development in the R-3 district is eight dwelling units per acre; a minimum density of four dwelling units per acre is required when applied to the Urban Residential future land use category.

Development Standards	Required	Provided
Front yard setback	20 feet	20 feet
Side interior yard setback	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet
Rear yard setback	25 feet	Not specified
Maximum Building Height	3 stories	height in feet not specified

Finding #4: The project appears to meet the applicable building setbacks, height and size requirements; however, please annotate the height of the building (in feet) in the site data table alongside the minimal requirements. Please clarify that the setbacks provided in the site data table are the perimeter setbacks for the development. The applicant will need to also provide the proposed setback between structures to ensure compliance with the Florida Building Code requirements.

General Layout and Design Standards (Section 10-7.502).

The proposed site plan shall comply with the general layout and design standards of this section. These design standards pertain to streets, driveways, lots and lot designs, stormwater management areas, pedestrian and bikeways and facilities, proposed utility locations including easements, public/private street designations, utility systems and protection of natural features. Within the urban services area, multifamily development shall be designed to require vehicular and pedestrian cross access to adjacent commercial, office, multifamily, recreation and community facility uses.

Finding #5: The development has additional means of ingress/egress along the western property line as per the easement recorded in OR Bk 2482, Pg 167. The development shall be designed to provide interconnection that extends to undeveloped or partially developed land that is adjacent to the development site. The proposed roadway interconnection stub-out in the parking lot shall be constructed to extend to the property line to provide for interconnection of future development.

General Principles of Design Relating to Impacts on Nearby Owners (Section 10-7.505)

Developments shall be designed to be as compatible as practical with nearby residences. The standards included in this section identify design approaches that can be incorporated to facilitate compatibility. Preferred design alternatives are listed at the end of this report.

Finding #6: Please provide a landscape sheet as part of the site plan set that meets the intent of this section by providing vegetative screens and buffers to parking and waste collection areas. Preservation of existing trees and vegetation should be retained in these areas.

Finding #7: It is recommended that the dumpster location be relocated to accommodate a more feasibly accessible location for future residents. Additionally, it is recommended that the applicant explore location options so not to aesthetically impair the entrance of the development.

Finding #8: A lighting plan for the development has not been provided. Please show the height, type and style of lighting being proposed for the development on a separate site plan sheet. Dark-sky friendly fixtures are preferred in which the source of illumination is concealed. General ground lighting such as spot or flood lights are discouraged.

Buffer Zone Standards (Section 10-7.522).

A buffer zone is a landscaped strip along parcel boundaries that serve a buffering and screening function between uses and zoning districts, provides an attractive boundary of the parcel or use. The width and degree of vegetation required depends on the nature of the adjoining uses. The buffer matrix in this section of the code is utilized to determine the type of buffer. A buffer fence shall be required in addition to minimum landscaping standards, when residential uses are adjacent to existing non-residential uses, in this case offices.

Finding #9: The proposed development has provided a 30-foot Type "D" Buffer along the western and eastern property lines adjacent to the existing single-family uses. The existing ingress/egress easement along the western property line seems to be in direct conflict with the proposed Type "D" buffer. As noted in finding #6, preservation of existing trees and vegetation should be retained in these areas and augmented where necessary. Please refer to additional comments from Environmental Services and Public Works.

Public Water Supply, Sanitary Sewer and Electrical Services (Sections 10-7.523 - 10-7.526).

The proposal is located within the City of Tallahassee utility area. The site plan indicates that electrical utilities will be underground and that design will be provided by the City of Tallahassee.

Finding #10: The applicant shall obtain approval of the proposed utility service plan from the City of Tallahassee. A copy of the approval must be on file with Development Services prior to site and development plan approval. Please refer to comments from City of Tallahassee Water Resource Engineering Division (Attachment #3).

Fire Protection Facilities (Section 10-527).

All development within the USA shall be required to provide fire protections by means of hydrant placement and fire flow in accordance with the requirements and specifications of the City of Tallahassee.

Finding #11: The applicant shall obtain approval of the proposed fire protection facilities from the City of Tallahassee Fire Department prior to site plan approval. Please refer to comments from Gary Donaldson of the City of Tallahassee Fire Department (Attachment #4).

General requirements for sidewalks with new development (Sections 10-7.529).

New development within the urban services area (USA) should be designed and constructed to implement a pedestrian mobility system that facilitates access to residential development, business establishments, community facilities and other non-residential land uses, and, provides safe and convenient linkage between developments and between the public and private street system.

Finding #12: Sheet 3.0 of the site plan shows a proposed 5 feet sidewalk along the southern portion of the subject property. The proposed sidewalk shall be designed to connect the existing sidewalk along Blountstown Highway.

Number of Off-Street Parking Spaces (Section 10-7.545) – Includes Schedule 6-2.

The number of off-street parking spaces required for single-family detached dwelling units is 1.5 spaces/ unit for single-family dwellings proposing 1, 2 and 3 bedrooms. Any deviation from the range of required parking established within Schedule 6-2 would require approval or approval with conditions by the parking standards committee.

Finding #13: The applicant has provided a parking standards request for 18 regular spaces and 2 ADA accessible spaces to be reviewed and approved by the Parking Standards Committee. The applicant has indicated that not all residents will have vehicles for personal use. Additionally, grass parking will be available located closer to the units, reducing the impervious footprint. The applicant shall receive an approved or approved with conditions parking standard request prior to site plan approval.

Finding #14: Please provide a traffic circulation plan for the site showing vehicular ingress/egress throughout the development. The legend provided on Sheet 3.0 of the site plan makes note of a symbol for proposed vehicular circulation, however, the symbols appear to be missing within the sheet.

Please refer to any additional comments from Public Works (Attachment #5).

Residential Signs [Section 10-9.201(14)].

Specific sign codes (i.e. size and height), are reviewed for compliance with Article XII (signs) at the time of permitting. However, to ensure adequate visibility for motorists, bicyclists and pedestrians, the location of the subdivision sign shall be included on the plan sheets. One permanent sign may be located per entrance and one per exit to a single-family residential development provided that the requirements of this section are met. The location of the signage does not exempt the signs from permitting. The physical location shown on the site plan is for location purposes only. The signs must meet the criteria established in Article IX, Section 10-9.201, and Leon County Land Development Code.

Finding #15: The applicant has not provided any information regarding the location of signage for the development. A sign location shall be specified on the site plan and shall not be placed in a location that shall obstruct vision at points of intersection. Please also note that off-site subdivision signs are not allowed.

Aquifer Protection (Article X, Div. 1)

This article is intended to protect and maintain the quality and quantity of groundwater in the county by providing criteria for regulating the use, handling, production, storage and disposal of regulated substances.

Finding #16: The project shall receive approval from the Aquifer Protection Division prior to site plan approval.

ARTICLE XI. UNIFORM STREET NAMING AND PROPERTY NUMBERING SYSTEM

This article is intended to provide for the assignment and approval of street names, subdivision names, and for providing for a uniform numbering system for the assignment of address numbers to properties in the interest of public health, safety and welfare.

Finding #17: The project shall receive approval from the Addressing Program Coordinator prior to site plan approval.

Type "A" Review (Section 10-7.403).

According to Section 10-7.402 of the LDC, the application qualifies for review as a Type "A" site and development plan. The applicant has chosen the Conceptual Plan Approval (CPA) Tract. A determination of completeness shall be made within 14 calendar days after receipt and shall specify any additional information and level of detail required in order to meet the requirements of this section.

Finding #18: The CPA review track option is intended to expedite the review process by reducing the requirement for permitting level information while providing the applicant the assurance that the development entitlements reflected on the concept plan can be realized on the subject site. The CPA review track shall include approval of an environmental impact analysis (EIA) in support of the proposed development project. An Environmental Management Permit (EMP) shall be completed and approved within 1 year of issuance of site plan approval.

Technical Site Plan Deficiencies [Section 10-7.402(8)(b)2].

Finding #19: Please make the requested revisions outlined in the Findings above and in the attached memorandums from other reviewing agency staff. Additionally, please review the site plan markups from reviewing staff on ProjectDox. Please contact the Project Manager if you need assistance viewing these markups.

Finding #20: Please revise the cover sheet (Sheet 1.0) to reflect the project number for this project (LSP160001).

Finding #21: Please revise the project name to read "Blountstown Highway Condominiums".

RESPONSES FROM ARM MAILOUT NOTIFICATION:

The application was advertised in the Tallahassee Democrat on Monday, January 18, 2016. Additionally, a total of 292 notices were distributed through regular mail to property owners within 600 feet and neighborhood and business associations (registered with County) within one mile of the proposal site. As of January 26, 2016 at 5:00 PM, thirteen (13) notices were returned as 'undeliverable'. Two calls were received from a property owner who inquired about the meeting to be held for this project.

ATTACHMENTS:

1. Tallahassee-Leon County Planning Department Memorandum from Susan Poplin, Senior Planner
2. Environmental Services Review Memorandum from Charley Schwartz, PE, Senior Environmental Engineer
3. City of Tallahassee Utilities Memorandum from Justin Hosey, Water Resource Engineering Division
4. Tallahassee Fire Department Memorandum from Gary Donaldson
5. Public Works Memorandum from Kimberly Wood, PE, Chief of Engineering Coordination



MEMORANDUM

Attachment # 1
Page 1 of 1

Submitted to ProjectDox on January 26, 2016

TO: Nancy Garcia, Leon County Development Support and Environmental Management
FROM: Susan Poplin, Senior Planner, Tallahassee-Leon County Planning Department
DATE: January 22, 2016
SUBJECT: Blountstown Highway Residential Condominium – Type A Site Plan Concept Plan Approval (CPA); Leon County Application Review Meeting January 27, 2016

APPLICANT: Floresta, LLC
AGENT: Tom O'Steen, Moore Bass Consultants, Inc. – 222-5678
PARCEL ID: 21-31-20-007-0030
ZONING: Single and Two-Family Residential (R-3)
FUTURE LAND USE: Urban Residential 2 (UR-2)

Findings

1. The proposed project is for the first phase of a residential condominium project on 33.52 acres approximately ½ mile west of the intersection of Capital Circle Northwest and Blountstown Highway. Phase I consists of 24 dwelling units to be development on 4.09 acres. The parcel total is 33.52 acres. The applicant indicates that the project will be served by central water and sewer from the City.
2. The proposed project is consistent with the density and intensity of the Urban Residential 2 Future Land Use Map Category of the *Tallahassee-Leon County Comprehensive Plan*.
3. The Mobility Element of the *Tallahassee-Leon County Comprehensive Plan* requires that development provide full accommodations of pedestrian access and movement, including sidewalks and enhanced crossings, [Mobility Element Policies 1.1.8(a-b), 1.2.3 and 1.4.3], and requires vehicular, pedestrian, and bicycle interconnections between adjacent, compatible development [Mobility Element Policies 1.4.1 and 1.4.3]. The application includes sidewalks within and connecting to the facilities along Blountstown Road. The application also includes a parking lot with a stub out to a buffer area. The potential interconnection must be extended to the property line to support and achieve the Mobility Element objective for interconnections.
4. The Conservation Element of the *Tallahassee-Leon County Comprehensive Plan* requires that wetlands and floodplains be regulated as conservation or preservation, and that wetland function be preserved [Conservation Policies 1.3.1, 1.3.2, 1.3.4, 1.3.6, 2.2.1 and 2.2.2 and Land Use Element Policy 2.2.26, Table 6]. The first phase of development does not contain areas of wetlands and floodplains, and thus no conservation areas on a site plan are proposed at this time. The application includes an environmental features impact map that shows the existing conservation easement on the property as well as the location of wetlands, floodplains and slopes.

Planning Department Recommendations

The Planning Department recommends proposed Type A site plan for Phase I of the Blountstown Highway residential condominium project (LSP160001) be approved subject to the condition that the proposed roadway interconnection stub-out in the parking lot be extended to the property line.

Leon County, Department of Development Support
& Environmental Management

MEMORANDUM

TO: Nancy Garcia
Development Services Planner II

FROM: Charley Schwartz *CS* Senior Environmental Engineer
Katy Collins Environmental Review Specialist

DATE: January 25, 2016

RE: Proposed Residential Condominiums on Blountstown Highway
LSP160001 – Type "A" Concept Plan Approval Track
January 27, 2016 Application Review Meeting
Parcel ID: 21-31-20-007-0030

We have conducted a review of the referenced project for its consistency with stormwater, landscaping, and other environmental protection requirements found in Section 10 of the Leon County Land Development Code (LDC). Recommendations, comments, and information necessary for the review process include, but are not limited to, the subsequent. All other requirements of the code, although not mentioned hereon, are still applicable.

Environmental Review Processes Requirements:

- A Natural Features Inventory (NFI) was approved with condition(s) on January 11, 2016, reference LEA150065. The NFI approval condition requires any archaeological and historical sites identified on the property shall be protected in accordance with the recommendations of the Florida Department of State, Division of Historic Resources.
- An Environmental Impact Analysis (EIA) is required for the Concept Plan Approval Track. The EIA application (LEA160002) has been received but not approved. Comments within this Memorandum also apply to the EIA submittal unless otherwise noted. Any additional EIA comments will be provided to the applicant under separate cover.
- An Environmental Management Permit (EMP) is required for this project prior to construction.
- An As-Built and an Operating Permit are also required prior to final inspection.

Project construction cannot commence until an EMP is issued.

Recommendations, Comments, and Required Information:

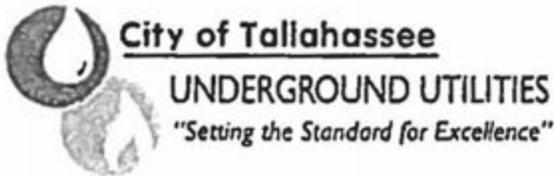
A markup layer has been added to Projectdox addressing many of the comments outlined below.

1. Sheet 1.0: Cover Sheet – Add a Conceptual Landscape Sheet to the plans and identify the sheet location in the Sheet Index. See also "Conceptual Landscape Sheet" Comments provided below.
2. Sheet 2.0: Overall Existing Conditions Map – Address the following comments:
 - a. Ensure the items depicted are consistent with the approved NFI.
 - b. Label all existing conservation easements.
 - c. Add a complete legend (see approved NFI map).
3. Sheet 2.1: Project Area Existing Conditions Map – Identify any protected trees and existing improvements/features that might conflict with the proposed discharge pipe connection to the existing FDOT inlet structure.
4. Sheet 3.0: Geometry Plan – Address the following comments:
 - a. The minimum natural area requirement for the site is 25% (only 21% is proposed). Additional natural area shall be designated to meet the site minimum.
 - b. Provide a detail for the Type "D" Buffer Plantings (see also "Conceptual Landscape Sheet" Comments).
 - c. A minimum of four separate landscape islands shall be shown in the parking area each with a minimum area of 400 sf.

- d. Provide more information regarding land use and improvements within the residential unit area [ex. Max amount impervious, Max amount semi-pervious (ex. trails, LID parking, etc.), Min amount undisturbed woods, Min amount other landscaping] . Ensure all numbers identified are consistent within the plans and the supporting stormwater calculations.
 - e. Provide general placement guidance for utilities, units, pedestrian corridors and parking to ensure conflicts avoided/minimized and stormwater problems avoided.
5. Sheet 4.0: Grading Plan – Address the following comments:
- a. Identify side slopes of the stormwater pond. If slopes are steeper than 4:1 provide required fencing and fence screening.
 - b. All developed areas shall be routed to a SWMF. The north development area does not drain to the proposed SWMF. It appears additional access drive area near the connection with Public ROW can be captured and routed to the SWMF.
 - c. If parking is proposed for units in the Unit Area clarify how vehicles will access. Drainage swales are proposed between the road and Unit Area.
 - d. Identify the location of the emergency overflow weir and evaluate the flow path to the receiving water or drainage feature.
 - e. Suggestion: Suggest routing parking drainage to proposed swale to minimize potential erosion of northern slopes of pond.
6. Sheet 5.0: Environmental Features Impact Map – See Sheet 2.0 Comments.
7. Sheet 6.0: Concept Utility Plan – Ensure potential utility conflicts are evaluated.
8. Conceptual Landscape Plan – The additional sheet shall address the following comments:
- a. Provide a Minimum Planting Density Detail for the Type "D" Buffers. Add a note that existing healthy native vegetation shall be preserved and augmented as necessary to meet minimum planting density. Note that work within the critical root protection zone of existing trees to remain shall be conducted under the supervision of a certified arborist.
 - b. Identify areas that are tabulated as natural area (25% of site minimum) and landscape area.
 - c. Specify minimum requirements for proposed canopy coverage tree plantings (ex. canopy or understory trees, pavement setback, offset from underground utilities, etc.).
 - d. Add a note that additional landscape details to be provided in the EMP but shall meet minimum standards specified within the Site Plan / EIA.
 - e. Show that the project meets the tree mitigation requirements (ex. Credit/Debits or 40 trees per developed acre).
9. Conservation Easement – As part of the EMP, provide an executed conservation easement for the additional natural area and vegetation management plan for all natural areas.
10. Stormwater Analysis – Revisions to the Stormwater Analysis are necessary. Specific changes will be outlined in the EIA Notice of Application Deficiency letter to be provided under separate cover.

General Comments:

It should be noted that non-inclusion in this letter of a Leon County Land Development Regulation\Requirement does not constitute exemption from compliance with the requirement.



Attachment # 3
Page 1 of 1

MEMORANDUM

TO: Nancy Garcia, Planner, Leon County
FROM: Bruce Kessler, Water Resources Engineering
On behalf of Justin Hosey, P.E.
Development Review Manager
DATE: January 27, 2016
SUBJECT: **Proposed Residential Condominium Project (LSP160001)**

I. Project Description:

The proposed project is located on Blountstown Highway (31-31-20-007-0030). Phase I consists of 24 dwelling units to be developed on 4.09 acres.

II. Standards of Review:

- 1) Water Resources Engineering reviews utility concept plans for compliance with, the *Water and Sewer Agreement*, *The City of Tallahassee Design Specifications for Water and Sewer*, *Florida Department of Environmental Protection (FDEP) F.A.C. Section 62-555*, *The American Water Works Associations Manual of Practice "M31"*, *FDEP F.A.C. Section 62-604*, and *FDEP MOP 9*, as well as sound engineering practice.

III. Findings of Fact:

- 1) Water and sewer are available to the site.
- 2) Connection to water and sewer is required.

IV. Condition of Approval:

- 1) Water Resources Engineering has reviewed the "Water and Sewer Concept Plan" and have issued comments to the engineering of record.
- 2) A "Letter of Agreement" will be required prior to construction.



TALLAHASSEE FIRE DEPARTMENT SITE PLAN REQUIREMENTS

Project Name: Residential Condominiums on Blountstown Hwy.
Parcel ID # 21-31-20-007-0030
LSP 160001
AGENT: Moore Bass, Inc.
PLANNER: Nancy Garcia
MEETING DATE: January 27, 2016

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

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

1. Must meet NFF (needed fire flow) as determined by AWWA Manual M31, using NFPA 1 Method. Please provide needed fire flow calculations to the Tallahassee Fire Department representative and to Water Utilities Engineering and Inspections at this time. Please use the Required Fire Flow Information form (NFPA 1, 18.4.1.1, Fifth Edition of the Florida Fire Prevention Code) to provide fire flow calculations. The Fire Flow form is located on the Growth Management Department page within the City of Tallahassee's web page (www.tal.gov) in the "Applications and Forms" section. If hydrants are existing the following is required. After the NFF is determined, the existing fire hydrant(s) shall be flowed to determine its GPM. If the GPM meets or exceeds the NFF, no additional hydrants are required. If it does not meet the NFF, additional hydrant(s) are required.
2. Every building constructed shall be accessible to fire department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus (32 tons) and having a minimum clearance of 13 feet, 6 inches, angle of approach and departure not exceeding 1 ft. drop in 20 ft. (0.3 drop in 6 m.) or the design limitations of the Fire Department apparatus, subject to Fire Department approval. The site plans' Geometry Plan (Sheet 3.0) includes an area containing 24 residential units with no specific location and orientation of buildings. Final determination of any additional Fire Department access requirements cannot be established until the individual units are identified and located on the site plan.

Board of County Commissioners
Interoffice-Memorandum

Date: January 26, 2016

To: Nancy Garcia, Planner II

From: Kimberly A. Wood, P.E., Chief of Engineering Coordination

Subject: Proposed Residential Condominiums on Blountstown Highway - LSP1601

The information submitted for review is not sufficient for a thorough review at this time. The following comments are for the applicant's information and may be revised as more information becomes available.

1. Existing conditions sheets should clearly delineate the limits of the Conservation Easement.
2. The existing 15 foot ingress/egress utility easement appears to conflict with the proposed 50 foot buffer, how will the plantings be protected if utilization of the easement becomes necessary.
3. Any and all work proposed within FDOT right of way must receive conceptually approval from FDOT prior to conceptual siteplan approval. This also includes the proposed right of way to FDOT?
4. Plans must be revised to include dimensions of all proposed improvements, including but not limited to all sidewalks, bike spaces, etc.
5. Plans must identify what the proposed driving area is, driveway or private road? Typical sections of vehicular use area must be included in the plans.
6. Please provide justification for proposed right turn into development.
7. Please show locations and information on any proposed retaining walls.
8. The grading of the SWMF is encroaching into the proposed 50 foot buffer.



Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

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County Administrator

HERBERT W.A. THIELE
County Attorney

DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
Development Services Division
435 N. Macomb Street, 2nd Floor
Tallahassee, Florida 32301
Phone Number (850) 606-1300

February 2, 2016

Floresta, LLC
c/o Tom O'Steen, P.E.
Moore Bass Consulting, Inc.
805 Gadsden Street
Tallahassee, FL 32311

RE: Notice of Application Deficiency #1
Proposed Residential Condominiums on Blountstown Highway.
Type "A" Site and Development Plan, CPA Track
Tax Parcel Identification Number(s): 21-31-20-007-0030
Project Number: LSP160001

Dear: Mr. O' Steen

Staff has completed a review of your Type "A" Site and Development Plan. Development Services requests the following revisions and amendments to continue processing your application. Please also refer to findings and conditions from other departments, agencies and divisions included as attachments to this letter.

1. Environmental Impact Analysis (EIA) – The applicant shall receive an approved EIA in support of the proposed development project. An Environmental Management Permit (EMP) shall be completed and approved within 1 year of issuance of site plan approval.
[Environmental Services Comment]
2. Any proposed improvements made along Blountstown Highway must be conceptually approved by the Florida Department of Transportation (FDOT) prior to site plan approval.
[Environmental Services & Development Services Comment]
3. The applicant shall receive an approved or approved with conditions parking standard request prior to site plan approval.
[Development Services Comment]
4. Please annotate the height of the building (in feet) in the site data table alongside the minimal requirements. Please clarify that the setbacks provided in the site data table are the perimeter setbacks for the development. The applicant will need to also provide the proposed setback between structures to ensure compliance with the Florida Building Code requirements.
[Development Services Comment]
5. The development shall be designed to provide interconnection that extends to undeveloped or partially developed land that is adjacent to the development site.
[Development Services Comment]

6. Please show the height, type and style of lighting being proposed (if any) for the development on a separate site plan sheet.
[Development Services Comment]
7. Please provide a landscape sheet as part of the site plan set that meets the intent of this section by providing vegetative screens and buffers to parking and waste collection areas. Preservation of existing trees and vegetation should be retained in these areas.
[Development Services Comment]
8. It is recommended that the dumpster location be relocated to accommodate a more feasibly accessible location for future residents. Additionally, it is recommended that the applicant explore location options so not to aesthetically impair the entrance of the development.
[Development Services Comment]
9. A lighting plan for the development has not been provided. Please show the height, type and style of lighting being proposed for the development on a separate site plan sheet. Dark-sky friendly fixtures are preferred in which the source of illumination is concealed. General ground lighting such as spot or flood lights are discouraged.
[Development Services Comment]
10. The existing ingress/egress easement along the western property line seems to be in direct conflict with the proposed Type "D" buffer. Please add a note which states that the existing easement is to be abandoned.
[Development Services Comment]
11. Please provide a traffic circulation plan for the site showing vehicular ingress/egress throughout the development. The legend provided on Sheet 3.0 of the site plan makes note of a symbol for proposed vehicular circulation, however, the symbols appear to be missing within the sheet.
[Development Services Comment]
12. The applicant has not provided any information regarding the location of signage for the development. A sign location shall be specified on the site plan and shall not be placed in a location that shall obstruct vision at points of intersection. Please also note that off-site subdivision signs are not allowed.
[Development Services Comment]
13. Please revise the cover sheet (Sheet 1.0) to reflect the project number for this project (LSP160001).
[Development Services Comment]
14. Please revise the project name to read "Blountstown Highway Condominiums".
[Development Services Comment]

A revised site and development plan addressing the conditions shall be submitted to the Department of the Development Support and Environmental Management within 30 days of the date of notice of application deficiency letter. In the event that the applicant fails to submit the required additional information within 30 calendar days of the application deficiency, the county

administrator or designee shall consider the application to be withdrawn. The county administrator or designee may grant extensions up to 30 days at the request of the applicant; provided any such request for extension is received prior to the expiration of the relevant time period.

Please contact Nancy Garcia at (850) 606-1300 or send e-mail to "GarciaN@leoncountyfl.gov". if you have any questions regarding this approval.

Sincerely,



Nancy Garcia
Planner II
Development Services

Attachments: Reports from other departments, agencies or divisions

Board of County Commissioners
Interoffice-Memorandum

Date: January 26, 2016

To: Nancy Garcia, Planner II

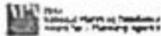
From: Kimberly A. Wood, P.E., Chief of Engineering Coordination

Subject: Proposed Residential Condominiums on Blountstown Highway - LSP1601

The information submitted for review is not sufficient for a thorough review at this time. The following comments are for the applicant's information and may be revised as more information becomes available.

1. Existing conditions sheets should clearly delineate the limits of the Conservation Easement.
2. The existing 15 foot ingress/egress utility easement appears to conflict with the proposed 50 foot buffer, how will the plantings be protected if utilization of the easement becomes necessary.
3. Any and all work proposed within FDOT right of way must receive conceptually approval from FDOT prior to conceptual siteplan approval. This also includes the proposed right of way to FDOT?
4. Plans must be revised to include dimensions of all proposed improvements, including but not limited to all sidewalks, bike spaces, etc.
5. Plans must identify what the proposed driving area is, driveway or private road? Typical sections of vehicular use area must be included in the plans.
6. Please provide justification for proposed right turn into development.
7. Please show locations and information on any proposed retaining walls.
8. The grading of the SWMF is encroaching into the proposed 50 foot buffer.

MEMORANDUM



Submitted to ProjectDox on January 26, 2016

TO: Nancy Garcia, Leon County Development Support and Environmental Management
FROM: Susan Poplin, Senior Planner, Tallahassee-Leon County Planning Department
DATE: January 22, 2016
SUBJECT: Blountstown Highway Residential Condominium – Type A Site Plan Concept Plan Approval (CPA); Leon County Application Review Meeting January 27, 2016

APPLICANT: Floresta, LLC
AGENT: Tom O'Steen, Moore Bass Consultants, Inc. – 222-5678
PARCEL ID: 21-31-20-007-0030
ZONING: Single and Two-Family Residential (R-3)
FUTURE LAND USE: Urban Residential 2 (UR-2)

Findings

1. The proposed project is for the first phase of a residential condominium project on 33.52 acres approximately ½ mile west of the intersection of Capital Circle Northwest and Blountstown Highway. Phase I consists of 24 dwelling units to be development on 4.09 acres. The parcel total is 33.52 acres. The applicant indicates that the project will be served by central water and sewer from the City.
2. The proposed project is consistent with the density and intensity of the Urban Residential 2 Future Land Use Map Category of the *Tallahassee-Leon County Comprehensive Plan*.
3. The Mobility Element of the Tallahassee-Leon County Comprehensive Plan requires that development provide full accommodations of pedestrian access and movement, including sidewalks and enhanced crossings, [Mobility Element Policies 1.1.8(a-b), 1.2.3 and 1.4.3], and requires vehicular, pedestrian, and bicycle interconnections between adjacent, compatible development [Mobility Element Policies 1.4.1 and 1.4.3]. The application includes sidewalks within and connecting to the facilities along Blountstown Road. The application also includes a parking lot with a stub out to a buffer area. The potential interconnection must be extended to the property line to support and achieve the Mobility Element objective for interconnections.
4. The Conservation Element of the *Tallahassee-Leon County Comprehensive Plan* requires that wetlands and floodplains be regulated as conservation or preservation, and that wetland function be preserved [Conservation Policies 1.3.1, 1.3.2, 1.3.4, 1.3.6, 2.2.1 and 2.2.2 and Land Use Element Policy 2.2.26, Table 6]. The first phase of development does not contain areas of wetlands and floodplains, and thus no conservation areas on a site plan are proposed at this time. The application includes an environmental features impact map that shows the existing conservation easement on the property as well as the location of wetlands, floodplains and slopes.

Planning Department Recommendations

The Planning Department recommends proposed Type A site plan for Phase I of the Blountstown Highway residential condominium project (LSP160001) be approved subject to the condition that the proposed roadway interconnection stub-out in the parking lot be extended to the property line.

Leon County, Department of Development Support
& Environmental Management

MEMORANDUM

TO: Nancy Garcia
Development Services Planner II

FROM: Charley Schwartz (C13) Senior Environmental Engineer
Katy Collins Environmental Review Specialist

DATE: January 25, 2016

RE: Proposed Residential Condominiums on Blountstown Highway
LSP160001 – Type "A" Concept Plan Approval Track
January 27, 2016 Application Review Meeting
Parcel ID: 21-31-20-007-0030

We have conducted a review of the referenced project for its consistency with stormwater, landscaping, and other environmental protection requirements found in Section 10 of the Leon County Land Development Code (LDC). Recommendations, comments, and information necessary for the review process include, but are not limited to, the subsequent. All other requirements of the code, although not mentioned hereon, are still applicable.

Environmental Review Processes Requirements:

- A Natural Features Inventory (NFI) was approved with condition(s) on January 11, 2016, reference LEA150065. The NFI approval condition requires any archaeological and historical sites identified on the property shall be protected in accordance with the recommendations of the Florida Department of State, Division of Historic Resources.
- An Environmental Impact Analysis (EIA) is required for the Concept Plan Approval Track. The EIA application (LEA160002) has been received but not approved. Comments within this Memorandum also apply to the EIA submittal unless otherwise noted. Any additional EIA comments will be provided to the applicant under separate cover.
- An Environmental Management Permit (EMP) is required for this project prior to construction.
- An As-Built and an Operating Permit are also required prior to final inspection.

Project construction cannot commence until an EMP is issued.

Recommendations, Comments, and Required Information:

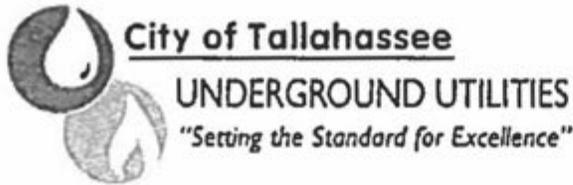
A markup layer has been added to Projectdox addressing many of the comments outlined below.

1. Sheet 1.0: Cover Sheet – Add a Conceptual Landscape Sheet to the plans and identify the sheet location in the Sheet Index. See also "Conceptual Landscape Sheet" Comments provided below.
2. Sheet 2.0: Overall Existing Conditions Map – Address the following comments:
 - a. Ensure the items depicted are consistent with the approved NFI.
 - b. Label all existing conservation easements.
 - c. Add a complete legend (see approved NFI map).
3. Sheet 2.1: Project Area Existing Conditions Map – Identify any protected trees and existing improvements/features that might conflict with the proposed discharge pipe connection to the existing FDOT inlet structure.
4. Sheet 3.0: Geometry Plan – Address the following comments:
 - a. The minimum natural area requirement for the site is 25% (only 21% is proposed). Additional natural area shall be designated to meet the site minimum.
 - b. Provide a detail for the Type "D" Buffer Plantings (see also "Conceptual Landscape Sheet" Comments).
 - c. A minimum of four separate landscape islands shall be shown in the parking area each with a minimum area of 400 sf.

- d. Provide more information regarding land use and improvements within the residential unit area [ex. Max amount impervious, Max amount semi-pervious (ex. trails, LID parking, etc.); Min amount undisturbed woods, Min amount other landscaping] . Ensure all numbers identified are consistent within the plans and the supporting stormwater calculations.
 - e. Provide general placement guidance for utilities, units, pedestrian corridors and parking to ensure conflicts avoided/minimized and stormwater problems avoided.
5. Sheet 4.0: Grading Plan – Address the following comments:
- a. Identify side slopes of the stormwater pond. If slopes are steeper than 4:1 provide required fencing and fence screening.
 - b. All developed areas shall be routed to a SWMF. The north development area does not drain to the proposed SWMF. It appears additional access drive area near the connection with Public ROW can be captured and routed to the SWMF.
 - c. If parking is proposed for units in the Unit Area clarify how vehicles will access. Drainage swales are proposed between the road and Unit Area.
 - d. Identify the location of the emergency overflow weir and evaluate the flow path to the receiving water or drainage feature.
 - e. Suggestion: Suggest routing parking drainage to proposed swale to minimize potential erosion of northern slopes of pond.
6. Sheet 5.0: Environmental Features Impact Map – See Sheet 2.0 Comments.
7. Sheet 6.0: Concept Utility Plan – Ensure potential utility conflicts are evaluated.
8. Conceptual Landscape Plan – The additional sheet shall address the following comments:
- a. Provide a Minimum Planting Density Detail for the Type "D" Buffers. Add a note that existing healthy native vegetation shall be preserved and augmented as necessary to meet minimum planting density. Note that work within the critical root protection zone of existing trees to remain shall be conducted under the supervision of a certified arborist.
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 - d. Add a note that additional landscape details to be provided in the EMP but shall meet minimum standards specified within the Site Plan / EIA.
 - e. Show that the project meets the tree mitigation requirements (ex. Credit/Debits or 40 trees per developed acre).
9. Conservation Easement – As part of the EMP, provide an executed conservation easement for the additional natural area and vegetation management plan for all natural areas.
10. Stormwater Analysis – Revisions to the Stormwater Analysis are necessary. Specific changes will be outlined in the EIA Notice of Application Deficiency letter to be provided under separate cover.

General Comments:

It should be noted that non-inclusion in this letter of a Leon County Land Development Regulation\Requirement does not constitute exemption from compliance with the requirement.



MEMORANDUM

TO: Nancy Garcia, Planner, Leon County
FROM: Bruce Kessler, Water Resources Engineering
On behalf of Justin Hosey, P.E.
Development Review Manager
DATE: January 27, 2016
SUBJECT: Proposed Residential Condominium Project (LSP160001)

I. Project Description:

The proposed project is located on Blountstown Highway (31-31-20-007-0030). Phase I consists of 24 dwelling units to be developed on 4.09 acres.

II. Standards of Review:

- 1) Water Resources Engineering reviews utility concept plans for compliance with, *the Water and Sewer Agreement, The City of Tallahassee Design Specifications for Water and Sewer, Florida Department of Environmental Protection (FDEP) F.A.C. Section 62-555, The American Water Works Associations Manual of Practice "M31", FDEP F.A.C. Section 62-604, and FDEP MOP 9, as well as sound engineering practice.*

III. Findings of Fact:

- 1) Water and sewer are available to the site.
- 2) Connection to water and sewer is required.

IV. Condition of Approval:

- 1) Water Resources Engineering has reviewed the "Water and Sewer Concept Plan" and have issued comments to the engineering of record.
- 2) A "Letter of Agreement" will be required prior to construction.



TALLAHASSEE FIRE DEPARTMENT SITE PLAN REQUIREMENTS

Project Name: Residential Condominiums on Blountstown Hwy.
Parcel ID # 21-31-20-007-0030
LSP 160001
AGENT: Moore Bass, Inc.
PLANNER: Nancy Garcia
MEETING DATE: January 27, 2016

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

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

1. Must meet NFF (needed fire flow) as determined by AWWA Manual M31, using NFPA 1 Method. Please provide needed fire flow calculations to the Tallahassee Fire Department representative and to Water Utilities Engineering and Inspections at this time. Please use the Required Fire Flow Information form (NFPA 1, 18.4.1.1, Fifth Edition of the Florida Fire Prevention Code) to provide fire flow calculations. The Fire Flow form is located on the Growth Management Department page within the City of Tallahassee's web page (www.talgov.com) in the "Applications and Forms" section. If hydrants are existing the following is required. After the NFF is determined, the existing fire hydrant(s) shall be flowed to determine its GPM. If the GPM meets or exceeds the NFF, no additional hydrants are required. If it does not meet the NFF, additional hydrant(s) are required.
2. Every building constructed shall be accessible to fire department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus (32 tons) and having a minimum clearance of 13 feet, 6 inches, angle of approach and departure not exceeding 1 ft. drop in 20 ft. (0.3 drop in 6 m.) or the design limitations of the Fire Department apparatus, subject to Fire Department approval. The site plans' Geometry Plan (Sheet 3.0) includes an area containing 24 residential units with no specific location and orientation of buildings. Final determination of any additional Fire Department access requirements cannot be established until the individual units are identified and located on the site plan.



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

Exhibit 2

Notice of Application Deficiency #1 dated February 2, 2016



Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

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At-Large

NICK MADDOX
At-Large

VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
Development Services Division
435 N. Macomb Street, 2nd Floor
Tallahassee, Florida 32301
Phone Number (850) 606-1300

February 2, 2016

Floresta, LLC
c/o Tom O'Steen, P.E.
Moore Bass Consulting, Inc.
805 Gadsden Street
Tallahassee, FL 32311

RE: Notice of Application Deficiency #1
Proposed Residential Condominiums on Blountstown Highway,
Type "A" Site and Development Plan, CPA Track
Tax Parcel Identification Number(s): 21-31-20-007-0030
Project Number: LSP160001

Dear: Mr. O' Steen

Staff has completed a review of your Type "A" Site and Development Plan. Development Services requests the following revisions and amendments to continue processing your application. Please also refer to findings and conditions from other departments, agencies and divisions included as attachments to this letter.

1. Environmental Impact Analysis (EIA) – The applicant shall receive an approved EIA in support of the proposed development project. An Environmental Management Permit (EMP) shall be completed and approved within 1 year of issuance of site plan approval.
[Environmental Services Comment]
2. Any proposed improvements made along Blountstown Highway must be conceptually approved by the Florida Department of Transportation (FDOT) prior to site plan approval.
[Environmental Services & Development Services Comment]
3. The applicant shall receive an approved or approved with conditions parking standard request prior to site plan approval.
[Development Services Comment]
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[Development Services Comment]
5. The development shall be designed to provide interconnection that extends to undeveloped or partially developed land that is adjacent to the development site.
[Development Services Comment]

6. Please show the height, type and style of lighting being proposed (if any) for the development on a separate site plan sheet.
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[Development Services Comment]
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[Development Services Comment]
12. The applicant has not provided any information regarding the location of signage for the development. A sign location shall be specified on the site plan and shall not be placed in a location that shall obstruct vision at points of intersection. Please also note that off-site subdivision signs are not allowed.
[Development Services Comment]
13. Please revise the cover sheet (Sheet 1.0) to reflect the project number for this project (LSP160001).
[Development Services Comment]
14. Please revise the project name to read "Blountstown Highway Condominiums".
[Development Services Comment]

A revised site and development plan addressing the conditions shall be submitted to the Department of the Development Support and Environmental Management within 30 days of the date of notice of application deficiency letter. In the event that the applicant fails to submit the required additional information within 30 calendar days of the application deficiency, the county

administrator or designee shall consider the application to be withdrawn. The county administrator or designee may grant extensions up to 30 days at the request at the applicant; provided any such request for extension is received prior to the expiration of the relevant time period.

Please contact Nancy Garcia at (850) 606-1300 or send e-mail to "GarciaN@leoncountyfl.gov". if you have any questions regarding this approval.

Sincerely,



Nancy Garcia
Planner II
Development Services

Attachments: Reports from other departments, agencies or divisions

Board of County Commissioners
Interoffice-Memorandum

Date: January 26, 2016

To: Nancy Garcia, Planner II

From: Kimberly A. Wood, P.E., Chief of Engineering Coordination

Subject: Proposed Residential Condominiums on Blountstown Highway - LSP1601

The information submitted for review is not sufficient for a thorough review at this time. The following comments are for the applicant's information and may be revised as more information becomes available.

1. Existing conditions sheets should clearly delineate the limits of the Conservation Easement.
2. The existing 15 foot ingress/egress utility easement appears to conflict with the proposed 50 foot buffer, how will the plantings be protected if utilization of the easement becomes necessary.
3. Any and all work proposed within FDOT right of way must receive conceptually approval from FDOT prior to conceptual siteplan approval. This also includes the proposed right of way to FDOT?
4. Plans must be revised to include dimensions of all proposed improvements, including but not limited to all sidewalks, bike spaces, etc.
5. Plans must identify what the proposed driving area is, driveway or private road? Typical sections of vehicular use area must be included in the plans.
6. Please provide justification for proposed right turn into development.
7. Please show locations and information on any proposed retaining walls.
8. The grading of the SWMF is encroaching into the proposed 50 foot buffer.

MEMORANDUM



Submitted to ProjectDox on January 26, 2016

TO: Nancy Garcia, Leon County Development Support and Environmental Management
FROM: Susan Poplin, Senior Planner, Tallahassee-Leon County Planning Department
DATE: January 22, 2016
SUBJECT: Blountstown Highway Residential Condominium – Type A Site Plan Concept Plan Approval (CPA); Leon County Application Review Meeting January 27, 2016

APPLICANT: Floresta, LLC
AGENT: Tom O'Steen, Moore Bass Consultants, Inc. – 222-5678
PARCEL ID: 21-31-20-007-0030
ZONING: Single and Two-Family Residential (R-3)
FUTURE LAND USE: Urban Residential 2 (UR-2)

Findings

1. The proposed project is for the first phase of a residential condominium project on 33.52 acres approximately ½ mile west of the intersection of Capital Circle Northwest and Blountstown Highway. Phase I consists of 24 dwelling units to be development on 4.09 acres. The parcel total is 33.52 acres. The applicant indicates that the project will be served by central water and sewer from the City.
2. The proposed project is consistent with the density and intensity of the Urban Residential 2 Future Land Use Map Category of the *Tallahassee-Leon County Comprehensive Plan*.
3. The Mobility Element of the Tallahassee-Leon County Comprehensive Plan requires that development provide full accommodations of pedestrian access and movement, including sidewalks and enhanced crossings, [Mobility Element Policies 1.1.8(a-b), 1.2.3 and 1.4.3], and requires vehicular, pedestrian, and bicycle interconnections between adjacent, compatible development [Mobility Element Policies 1.4.1 and 1.4.3]. The application includes sidewalks within and connecting to the facilities along Blountstown Road. The application also includes a parking lot with a stub out to a buffer area. The potential interconnection must be extended to the property line to support and achieve the Mobility Element objective for interconnections.
4. The Conservation Element of the *Tallahassee-Leon County Comprehensive Plan* requires that wetlands and floodplains be regulated as conservation or preservation, and that wetland function be preserved [Conservation Policies 1.3.1, 1.3.2, 1.3.4, 1.3.6, 2.2.1 and 2.2.2 and Land Use Element Policy 2.2.26, Table 6]. The first phase of development does not contain areas of wetlands and floodplains, and thus no conservation areas on a site plan are proposed at this time. The application includes an environmental features impact map that shows the existing conservation easement on the property as well as the location of wetlands, floodplains and slopes.

Planning Department Recommendations

The Planning Department recommends proposed Type A site plan for Phase I of the Blountstown Highway residential condominium project (LSP160001) be approved subject to the condition that the proposed roadway interconnection stub-out in the parking lot be extended to the property line.

Leon County, Department of Development Support
& Environmental Management

MEMORANDUM

TO: Nancy Garcia
Development Services Planner II

FROM: Charley Schwartz *crs* Senior Environmental Engineer
Katy Collins
Environmental Review Specialist

DATE: January 25, 2016

RE: Proposed Residential Condominiums on Blountstown Highway
LSP160001 – Type "A" Concept Plan Approval Track
January 27, 2016 Application Review Meeting
Parcel ID: 21-31-20-007-0030

We have conducted a review of the referenced project for its consistency with stormwater, landscaping, and other environmental protection requirements found in Section 10 of the Leon County Land Development Code (LDC). Recommendations, comments, and information necessary for the review process include, but are not limited to, the subsequent. All other requirements of the code, although not mentioned hereon, are still applicable.

Environmental Review Processes Requirements:

- A Natural Features Inventory (NFI) was approved with condition(s) on January 11, 2016, reference LEA150065. The NFI approval condition requires any archaeological and historical sites identified on the property shall be protected in accordance with the recommendations of the Florida Department of State, Division of Historic Resources.
- An Environmental Impact Analysis (EIA) is required for the Concept Plan Approval Track. The EIA application (LEA160002) has been received but not approved. Comments within this Memorandum also apply to the EIA submittal unless otherwise noted. Any additional EIA comments will be provided to the applicant under separate cover.
- An Environmental Management Permit (EMP) is required for this project prior to construction.
- An As-Built and an Operating Permit are also required prior to final inspection.

Project construction cannot commence until an EMP is issued.

Recommendations, Comments, and Required Information:

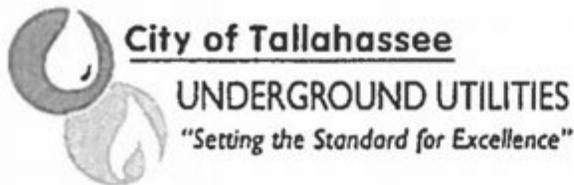
A markup layer has been added to Projectdox addressing many of the comments outlined below.

1. Sheet 1.0: Cover Sheet – Add a Conceptual Landscape Sheet to the plans and identify the sheet location in the Sheet Index. See also "Conceptual Landscape Sheet" Comments provided below.
2. Sheet 2.0: Overall Existing Conditions Map – Address the following comments:
 - a. Ensure the items depicted are consistent with the approved NFI.
 - b. Label all existing conservation easements.
 - c. Add a complete legend (see approved NFI map).
3. Sheet 2.1: Project Area Existing Conditions Map – Identify any protected trees and existing improvements/features that might conflict with the proposed discharge pipe connection to the existing FDOT inlet structure.
4. Sheet 3.0: Geometry Plan – Address the following comments:
 - a. The minimum natural area requirement for the site is 25% (only 21% is proposed). Additional natural area shall be designated to meet the site minimum.
 - b. Provide a detail for the Type "D" Buffer Plantings (see also "Conceptual Landscape Sheet" Comments).
 - c. A minimum of four separate landscape islands shall be shown in the parking area each with a minimum area of 400 sf.

- d. Provide more information regarding land use and improvements within the residential unit area (ex. Max amount impervious, Max amount semi-pervious (ex. trails, LID parking, etc.); Min amount undisturbed woods, Min amount other landscaping) . Ensure all numbers identified are consistent within the plans and the supporting stormwater calculations.
 - e. Provide general placement guidance for utilities, units, pedestrian corridors and parking to ensure conflicts avoided/minimized and stormwater problems avoided.
5. Sheet 4.0: Grading Plan – Address the following comments:
- a. Identify side slopes of the stormwater pond. If slopes are steeper than 4:1 provide required fencing and fence screening.
 - b. All developed areas shall be routed to a SWMF. The north development area does not drain to the proposed SWMF. It appears additional access drive area near the connection with Public ROW can be captured and routed to the SWMF.
 - c. If parking is proposed for units in the Unit Area clarify how vehicles will access. Drainage swales are proposed between the road and Unit Area.
 - d. Identify the location of the emergency overflow weir and evaluate the flow path to the receiving water or drainage feature.
 - e. Suggestion: Suggest routing parking drainage to proposed swale to minimize potential erosion of northern slopes of pond.
6. Sheet 5.0: Environmental Features Impact Map – See Sheet 2.0 Comments.
7. Sheet 6.0: Concept Utility Plan – Ensure potential utility conflicts are evaluated.
8. Conceptual Landscape Plan – The additional sheet shall address the following comments:
- a. Provide a Minimum Planting Density Detail for the Type "D" Buffers. Add a note that existing healthy native vegetation shall be preserved and augmented as necessary to meet minimum planting density. Note that work within the critical root protection zone of existing trees to remain shall be conducted under the supervision of a certified arborist.
 - b. Identify areas that are tabulated as natural area (25% of site minimum) and landscape area.
 - c. Specify minimum requirements for proposed canopy coverage tree plantings (ex. canopy or understory trees, pavement setback, offset from underground utilities, etc.).
 - d. Add a note that additional landscape details to be provided in the EMP but shall meet minimum standards specified within the Site Plan / EIA.
 - e. Show that the project meets the tree mitigation requirements (ex. Credit/Debits or 40 trees per developed acre).
9. Conservation Easement – As part of the EMP, provide an executed conservation easement for the additional natural area and vegetation management plan for all natural areas.
10. Stormwater Analysis – Revisions to the Stormwater Analysis are necessary. Specific changes will be outlined in the EIA Notice of Application Deficiency letter to be provided under separate cover.

General Comments:

It should be noted that non-inclusion in this letter of a Leon County Land Development Regulation Requirement does not constitute exemption from compliance with the requirement.



MEMORANDUM

TO: Nancy Garcia, Planner, Leon County
FROM: Bruce Kessler, Water Resources Engineering
On behalf of Justin Hosey, P.E.
Development Review Manager
DATE: January 27, 2016
SUBJECT: Proposed Residential Condominium Project (LSP160001)

I. Project Description:

The proposed project is located on Blountstown Highway (31-31-20-007-0030). Phase I consists of 24 dwelling units to be developed on 4.09 acres.

II. Standards of Review:

- 1) Water Resources Engineering reviews utility concept plans for compliance with, *the Water and Sewer Agreement, The City of Tallahassee Design Specifications for Water and Sewer, Florida Department of Environmental Protection (FDEP) F.A.C. Section 62-555, The American Water Works Associations Manual of Practice "M31", FDEP F.A.C. Section 62-604, and FDEP MOP 9, as well as sound engineering practice.*

III. Findings of Fact:

- 1) Water and sewer are available to the site.
- 2) Connection to water and sewer is required.

IV. Condition of Approval:

- 1) Water Resources Engineering has reviewed the "Water and Sewer Concept Plan" and have issued comments to the engineering of record.
- 2) A "Letter of Agreement" will be required prior to construction.



TALLAHASSEE FIRE DEPARTMENT SITE PLAN REQUIREMENTS

Project Name: Residential Condominiums on Blountstown Hwy.
Parcel ID # 21-31-20-007-0030
LSP 160001
AGENT: Moore Bass, Inc.
PLANNER: Nancy Garcia
MEETING DATE: January 27, 2016

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

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

1. Must meet NFF (needed fire flow) as determined by AWWA Manual M31, using NFPA 1 Method. Please provide needed fire flow calculations to the Tallahassee Fire Department representative and to Water Utilities Engineering and Inspections at this time. Please use the Required Fire Flow Information form (NFPA 1, 18.4.1.1, Fifth Edition of the Florida Fire Prevention Code) to provide fire flow calculations. The Fire Flow form is located on the Growth Management Department page within the City of Tallahassee's web page (www.talgov.com) in the "Applications and Forms" section. If hydrants are existing the following is required. After the NFF is determined, the existing fire hydrant(s) shall be flowed to determine its GPM. If the GPM meets or exceeds the NFF, no additional hydrants are required. If it does not meet the NFF, additional hydrant(s) are required.
2. Every building constructed shall be accessible to fire department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus (32 tons) and having a minimum clearance of 13 feet, 6 inches, angle of approach and departure not exceeding 1 ft. drop in 20 ft. (0.3 drop in 6 m.) or the design limitations of the Fire Department apparatus, subject to Fire Department approval. The site plans' Geometry Plan (Sheet 3.0) includes an area containing 24 residential units with no specific location and orientation of buildings. Final determination of any additional Fire Department access requirements cannot be established until the individual units are identified and located on the site plan.

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

Exhibit 3a

Application for Site and Development Plan Review
dated January 12, 2016

D-4



**DEPARTMENT OF DEVELOPMENT
SUPPORT & ENVIRONMENTAL
MANAGEMENT**

**APPLICATION FOR
SITE AND DEVELOPMENT PLAN REVIEW**

Leon County
Board of County Commissioners

Department of Development
Support & Environmental
Management
435 North Macomb St., 2nd Floor
Tallahassee, FL 32301

Phone#: (850) 606-1300
Fax#: (850) 606-1301
Website: www.leonpermits.org

Level of Site Plan:
 Type A Development
 Type B Development
 Type C Development
 Type D Development

Review Process :
 Concept Plan Approval (CPA)
 Final Design Plan Approval (FDPA)
 Planned Unit Development (PUD)

This application must be completed and returned with all attachments referenced in items below to the Leon County Development Support and Environmental Management (DSEM) Department, 435 North Macomb Street, 2nd Floor, Tallahassee, FL, 32301. The completed application will be used by DSEM staff to review your development proposal for consistency with the Comprehensive Plan and demonstrations of compliance with the County Land Development Regulations prior to approval, approval with conditions or denial of the application.

Application for: Application Review Meeting () Development Review Committee () Planned Unit Development ()

Project Name: Proposed Residential Condominiums on Blountstown Highway

1. Applicant

Name: Floresta, LLC	Address: 2073 Summit Lake Drive, Ste 155	Phone#: Fax#:
City: Tallahassee, FL 32317	State:	Zip:
Email Address:		

2. Agent/Representative

Name: Moore Bass Consulting, Inc. (Tom O'Steen)	Address: 805 North Gadsden Street	Phone#: 850-222-5678 Fax#: 850-681-2349
City: Tallahassee, FL 32303	State:	Zip:
Email Address: tosteen@moorebass.com ; jjohnston@moorebass.com		

3. Property Owner

Name: Ameris Bank	Address: 7915 Baymeadows Way, Suite 300	Phone#: Fax#:
City: Jacksonville, FL 32256	State:	Zip:
Email Address:		

4. Property Information:

Future Land Use Designation: Suburban	Zoning Designation: R-3
Property Tax I.D. #'s: 21-31-20-007-0030	

Acreage of Property (consistent with legal description and boundary survey): 33.52
Type of Proposed Development and Nature of Request (be as specific as possible): see narrative

5. Project Information:

Type of Proposed Development and Nature of Request (be as specific as possible): see narrative	
Number of existing residential units: 0	
Number of existing non-residential buildings/structures: 0	
Proposed number of non-residential buildings/structures: 0	Total area of buildings/structures (s.f.):
Proposed number of residential dwelling units: 24	Type of residential unit(s): condominium
Does the proposal include subdivision of the property? NO	If yes, number of proposed lots:
Proposed impervious surface area (s.f.): 32,215	
Proposed building/structure height: 1 story (some with lofts)	

6. Other Information:

Variances/Vested Rights Claim/Approved Deviations from Development Standards, existing or applied for, on the subject property (describe and attach appropriate documentation):
Utility Providers: Sanitary Sewage Disposal: <input type="checkbox"/> On-site Septic System(s) <input checked="" type="checkbox"/> City of Tallahassee <input type="checkbox"/> Talquin Electric Cooperative <input type="checkbox"/> Other* Water Supplied By: <input type="checkbox"/> On-site Potable Well(s) <input checked="" type="checkbox"/> City of Tallahassee <input type="checkbox"/> Talquin Electric Cooperative <input type="checkbox"/> Other* Electric Provider: <input checked="" type="checkbox"/> City of Tallahassee <input type="checkbox"/> Talquin Electric Cooperative <input type="checkbox"/> Other* * Please specify: _____

8. CPA Site Plan Checklist:

One (1) original set of plans (signed and sealed) are needed for agenda submittal in addition to the electronic plan uploaded to Project Dox, including:

- Completed site and development plan application for the Application Review Meeting
- Affidavit of Ownership and Designation of Agent form
- Permitted Use Verification (PUV) determined 'Eligible' or 'Conditional'
- Completed application for Concurrency Management Determination
- Completed School Impact Analysis Form (for residential projects only)
- Approved Natural Features Inventory (NFI)
- Environmental Impact Analysis (EIA) – EIA application submittal required at the time of ARM submittal
- Site and development plans for review under the CPA track shall include the following:
(The specific submittal requirements outlined below may be waived by the County Administrator or designee if the applicant provides adequate documentation as to the inapplicability to the proposed development)
 - 1) Title block containing the following:
 - i. Name of proposed development.
 - ii. Date of preparation.
 - iii. Scale of the site and development plan, both written and graphic.
 - 2) A signed and sealed boundary survey and legal description (by a professional surveyor licensed to practice in the State of Florida).
 - 3) Tax identification number(s) for parcel(s) that are the subject of the application.
 - 4) Total acreage of the parcel(s) that are subject of application.
 - 5) A vicinity map with north arrow.
 - 6) Names, addresses and telephone numbers of all owners of the parcel(s), developers, optionees and agents.
 - 7) Location of proposed land uses, open space, conservation or preservation areas and all other natural features (as identified with the NFI).
 - 8) Location and type of known hazardous materials, hazardous wasteland, and underground storage tanks.
 - 9) An itemized list of proposed land uses.
 - 10) The minimum and maximum number of allowable residential units (and calculated gross density) and/or non-residential development intensity (as measured in gross building square footage).
 - 11) Development and design standards including, but not limited to: lot dimensions and size, building setbacks, building heights, dimensions of internal streets, sidewalks and any other transportation facilities, and buffering
 - 12) A circulation diagram or illustrative plan showing vehicular and pedestrian movements, including location and dimensions of access points, sidewalks, any special engineering features, and traffic control devices, if any
 - 13) Proposed covenants, grants, easements, dedications, and restrictions to be imposed on the land, buildings, and/or structure, including proposed easements for public utilities and instruments relating to the use and maintenance of common natural areas, open spaces, private streets, and other private infrastructure shall be furnished with an application.
 - 14) Proposed build-out date of the infrastructure for the development in its entirety, and if the development will be built in phases, a development scheduled and proposed build out date for each phase. The proposed phasing schedule should also be noted graphically on the plan.

Exhibit 3b

Permitted Use Verification, Certificate Number VC150155

Printed: 12-09-2015

**LEON COUNTY
PERMITTED USE VERIFICATION
CERTIFICATE NUMBER: VC150155**

ISSUED TO:

Name: MOORE BASS CONSULTING INC
Address: 805 N GADSDEN ST TALLAHASSEE FL , 32308

Phone #: (850) 222-5678

Project Acreage: 33.52
Zoning District.: R-3
Parcel Tax ID#.: 21-31-20-007-0030

Status: CONDITIONAL
260 Condominium Units (130 Phase I)

-----COMMENTS-----

1: Parcel/Zoning Information:

The referenced parcel is located in the R-3 (Single-and-Two Family Residential District) zoning district (Section 10-6.637 of the Land Development Code)(LDC) and is designated Suburban on the Future Land Use Map of the Tallahassee/Leon County Comprehensive Plan (Policy 2.2.22). The referenced property is located inside the Urban Service Area (USA) and is subject to the City/County Water and Sewer Agreement. According to the Leon County Property Appraiser's database, the referenced parcel consists of approximately 33.52 acres (+/-) and is currently vacant. The proposal will require connection to central sanitary sewer and potable water systems. The subject site is accessed via Blountstown Highway, a Principal Arterial roadway.

The R-3 district is intended to be located in areas designated Urban Residential-2 on the Future Land Use Map which contain or are anticipated to contain a wide range of single-family and two-family housing types. The maximum gross residential density allowed is eight (8) dwelling units per acre; a minimum density of four (4) dwelling units per acre is required when applied to the Urban Residential future land use category.

Review Process:

The applicant is requesting to develop the above referenced parcel into a 260 unit single-family detached condominium complex. Pursuant to Section 10-1.101 of the LDC, condominium is defined as a development composed of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements. According to Section 10-6.637 of the LDC, single-family residential dwelling units are principal permitted uses within the zoning district. The proposed development will be phased, with Phase I consisting of 130 units to be developed on 16 acres. Phase I of the development shall be subject to the Type "B" site plan review requirements of Section 10-7.403 of the LDC. Phase II will consist of 130 additional single-family units and the associated infrastructure for a total of 260. The overall gross residential density for the proposed development is 7.7 dwelling units per acre, which is consistent with the R-3 zoning district.

A pre-submittal meeting, free of charge, is highly encouraged prior to submission of an application for subdivision to help ensure there are no unanticipated delays during site plan submittal and review of the project. This meeting offers an opportune time to discuss requirements in greater detail and address any complex issues associated with the proposal prior to filing an application. To set up a 'pre-submittal' meeting please contact Development Services at 606-1300.

For proposals that require Type "B" review, the applicant will have the option to choose one of two review tracks; Concept Plan Approval (CPA) or Final Design Plan Approval (FDPA). The CPA review track option is intended to expedite the review process by reducing the requirement for permitting level information while providing the applicant the assurance that the development entitlements reflected on the concept plan can be realized on the subject site. The FDPA review track option is intended to expedite the review process by providing for the concurrent review of a proposed project's subdivision or site and development plan and associated environmental permit. More information on both tracks can be found at the Development Services website: http://leonpermits.org/Permits/forms/SitePlanApp-Combined_2track.pdf. For assistance in determining which review track may be most suitable for your proposal, please contact the Development Services 'Project Manager' at 850-606-1300.

Printed: 12-08-2015

**LEON COUNTY
PERMITTED USE VERIFICATION
CERTIFICATE NUMBER: VC150155**

Leon County accepts and reviews site and development plan applications submitted electronically. One hard copy (original) set of application materials and plans, with all necessary professional seals and signatures, is required - in addition to the electronic submittal. Please be informed that site and development plans have requisites that must be satisfied prior to making an application. For assistance with electronic filing, contact Development Services at 850-606-1300.

Environmental:

According to Leon County Geographic Information Systems (GIS) data, the site is encumbered by significant slopes (10% - 20% grades), wetlands and flood plain, which are identified by the Comprehensive Plan and Land Development Code as "conservation" or "preservation" areas. The subject property is located in the Gum Creek West Watershed and the Lake Munson Drainage Basin. Development within "conservation" or "preservation" areas is severely restricted and/or prohibited. The Type "B" application for site and development plan review must demonstrate compliance with applicable stormwater code provisions set forth in Article IV of the LDC. Additionally, Leon County Conservation Easements have been recorded on the referenced parcel, descriptions of the Conservation Easements can be located in the Leon County Clerk of the Courts Official Records Book 3847, Page 1674.

A minimum of 50 percent of significant (ten percent to 20 percent slope) grade areas must be left undisturbed if located adjacent to or within 100 feet of wetlands, waterbodies, watercourses, floodways, floodplains, karst features or special development zones. This requirement may be met by preserving 50 percent of each individual area or 50 percent of the total grade areas.

A Natural Features Inventory (NFI) is required for the proposed condominium complex, which will help verify the presence and significance of any environmental features that may be present. The NFI shall be approved by the Environmental Services Division prior to filing for a Type "B" application. An Environmental Management Permit (EMP) will also be required to analyze and mitigate stormwater impacts as a result of the improvements, and shall be submitted for concurrent review with the subdivision proposal. Whenever possible, Low Impact Development (LID) techniques such as rain gardens, bio-retention swales are encouraged to allow stormwater infiltration to occur as close to the source as possible. A decentralized stormwater management design which disperses stormwater facilities across the site rather than to a centralized treatment facility is encouraged. Landscape vegetation shall be incorporated around the perimeter of the stormwater facility, which at maturity will conceal required fencing.

General Layout & Design:

The proposed development shall have legal access to a publicly dedicated street (Sec. 10-7.502, LDC). Legal access shall mean the right, created by fee simple ownership, insurable right of access, deed, or easement recorded in the public records providing for perpetual ingress to and egress rights from the premises to a public or private street.

Applications for development shall demonstrate compliance with the "General Layout and Design Standards" set forth in Section 10-7.502 of the LDC. Sidewalks are required for new development, expansion or re-development (public or private) inside the USA. Sidewalks will be required along the frontage road, any other private/public road frontage adjoining the development and maybe required along any roads constructed within the proposed development. Applications for development must also demonstrate compliance with applicable interconnection provisions. The proposed development is required by Section 10-7.502 to dedicate right-of-way that extends to undeveloped or partially developed land that is adjacent to the development site. Right-of-way shall be provided to the property line to provide for interconnection of future development. The right-of-way shall be provided in locations that will not prevent adjacent properties from developing with the applicable standards in this section, as determined by the Development Review Committee (DRC).

The proposed development will be required to demonstrate compliance with Landscape Buffer standards, as outlined in Section 10-7.522 of the LDC. Landscape buffers are generally required between incompatible uses at the perimeter of any existing and proposed development. Buffers are intended to provide a screening function between adjacent compatible and incompatible land uses. Landscape Buffer Standards are set forth in Section 10-7.522 of the LDC. The intensity of plantings and the widths of the required buffers are determined by the existing land use.

Concurrency:

Printed: 12-08-2015

**LEON COUNTY
PERMITTED USE VERIFICATION
CERTIFICATE NUMBER: VC150155**

The application shall demonstrate compliance with concurrency requirements of the Land Development Code (Article III of the LDC). No final development order can be issued unless there is sufficient, available capacity to meet the level of service standards for the existing population, vested development, and for the proposed development. A final development order and final certificate of concurrency cannot be issued without documentation from the Leon County School Board that school concurrency has been satisfied. If you have any further questions, please contact the Concurrency Management Planner with Development Services at 850-606-1300.

Permitted Use Verifications are not development order approvals. This determination shall not be construed to grant exemption from any other development regulation or permitting requirement as may otherwise be applicable. This review does not include an analysis of environmental constraints. All environmental constraints on-site shall be addressed in a manner consistent with the Conservation Element of the Comprehensive Plan and the County Environmental Management regulations, Article IV of the Land Development Code.

-----CONDITIONS-----

Subject to the following sequence of reviews and required approvals:

- 1: Pre-submittal Meeting (free of charge; highly encouraged): Contact Development Services at 606-1300.
- 2: Development may be subject to City/County Water & Sewer Agreement. Contact City Utilities at 891-6101
- 3: Natural Features Inventory (NFI; shall be approved prior to submitting a Type "B" application): Contact Environmental Services at 850-606-1300
- 4: Type B Review FDPA Track or CPA Track: Contact Development Services at 850-606-1300
- 5: Environmental Management Permit (EMP): Contact Environmental Services at 850-606-1300
 - a. FDPA Track - EMP shall be submitted concurrently with Type "B" application
 - b. CPA Track - EMP shall be submitted subsequent to Type "B" application approval
- 6: Concurrency Certificate: Contact Concurrency Mgt at 850-606-1300
- 7: Building Permit: Contact Building Plans Review and Inspection at 850-606-1300

Submittal requirements are pursuant to the Leon County Zoning, Site and Development Plan and Subdivision Procedures and Information Manual for the Process identified above.

Subsequent permitting and site plan review may limit the ability to construct above described development. This certificate is exclusive to the terms and conditions herein and is valid under the 2010 Comprehensive Plan and the Leon County Land Development Regulations in effect at the time of issuance. Amendments to the 2010 Comprehensive Plan or to the Land Development Regulations may alter the terms and conditions of this certificate.

No Permitted Use Verification Application and/or Permitted Use Verification Certificate shall be the basis for any claims of estoppel or vesting as against any land development regulations or zoning regulations, which may be adopted on or after the date of the Permitted Use Verification Application and/or the Permitted Use Verification Certificate.

Date: 12/08/2015
Revised N Version: 0
Previous PUV#: _____

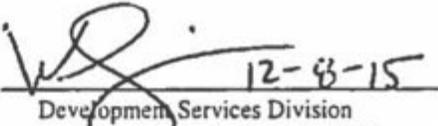

 12-8-15
 Development Services Division
 Development Support and Environmental Management

Exhibit 3c

Applicant's Affidavit of Ownership & Designation of Agent

Approved as to form:
Leon County Attorney's Office
Suite 217, 301 South Monroe St.
Tallahassee, FL 32303



Applicant's Affidavit of Ownership & Designation of Agent

Leon County
Board of County Commissioners

Department of Development Support &
Environmental Management
435 North Macomb St.
Tallahassee, FL 32301

Phone#: (850) 606-1300
Fax#: (850) 606-1301

E-1

Application is hereby made to obtain approvals and permit(s) to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction and development of land in this jurisdiction.

Section 10-4.201. Permit requirements

Section 10-4.201(a) of Leon County Code of Laws states:

- (a) *Environmental management permit.* Prior to engaging in any development activity, and prior to removing, damaging, or destroying any protected tree, the person proposing to engage in such activity and the owner of the land on which such activity is proposed to occur shall first apply for and obtain an environmental management permit, or a right-of-way placement permit, general permit, or silviculture permit, where appropriate pursuant to subsections(c), (d), or (e). For purpose of applying for and obtaining a permit, the term "owner" shall include the following: fee simple owner; easement holder; life tenant; tenant with a written lease specifically authorizing the tenant to secure permits; and federal, state, and local governmental entities and utilities with rights to entry, easements or other interests in real property.

Section 10-7.107 Compliance

Section 10-7.107(a) & (b) of Leon County Code of Laws states:

- (a) No subdivision of any lot, tract, or parcel of land shall be effected, no street, sanitary sewer, septic tank, wells, storm sewer, water main, or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel, or the common use of occupants of buildings abutting thereon, nor site development commenced, except in strict accordance with the provisions of this article and applicable Florida Statutes.
- (b) No person, developer, applicant or any other legal entity or association shall create a subdivision of land or develop any lot within a previously approved subdivision or undertake development on a parcel anywhere in the unincorporated area of the county except in conformity with this article. No subdivision shall be platted or recorded unless such subdivision meets all the applicable county ordinances, and those of any applicable laws of the state, and has been approved in accordance with the requirements of this article.

In order for this application to be considered complete, the applicant must sign and date this affidavit of ownership in the presence of a Notary Public.

Deed Restrictions and Covenants

Prior to pursuing an environmental permit application, applicants should review any Deed Restrictions and/or Covenants which may apply to a particular site. Applicants should be aware that Deed Restrictions or Covenants are private civil issues and therefore are not enforced or reviewed by the County.

Based on this information, I hereby acknowledge that I have been advised that I should seek out and obtain information on my own to identify if there are any Deed Restrictions and/or Covenants on the use of the site associated with this permit application. _____ Owner's Initials

Public Record Information

Chapter 119, Florida Statutes, Section 119.071(4)(c)(d) Subparagraphs 1-8 exempt the public release of select information pertaining to the name, address, and phone numbers of certain public employees, e.g. law enforcement personnel, their spouses and children. Do you or your spouse fall into one of these protected categories? Yes _____ No .

If so, do you want the exempt information that is included on this application withheld from the public, or from any official public record request? Yes _____ No .

The authenticity of the request to withhold this specific information from the public as specified in Chapter 119, Florida Statutes is subject to verification by this Department. _____ Owner's (s')Initials

Exhibit 3d

School Impact Analysis Form dated January 12, 2016

SCHOOL IMPACT ANALYSIS FORM

Site and Development Plan
FOR RESIDENTIAL PROJECTS ONLY

<p>Project Name: Proposed Residential Condominiums on Blountstown Highway</p> <p>Agent Name: Moore Bass Consulting, Inc.</p> <p>Applicant Name: Floresta, LLC</p> <p>Address: 2073 Summit Lake Dr., Ste 155</p>	<p>Date: 1-12-16</p> <p>Telephone: 850-222-5678</p> <p>Fax: 850-681-2349</p> <p>Email: jjohnston@moorebass.com; bhood@moorebass.com</p>									
<p>① Location of the proposed project:</p> <p><i>Tax ID #:</i> 21-31-20-007-0030</p> <p><i>Property address:</i> 5044 Blountstown Highway, Tallahassee, FL</p> <p><i>Related Application(s) [if applicable]:</i> Leon County Type A Site Plan</p> <p><i>Level of Review [See PUV, if Applicable]:</i> Type A CPA Track</p>										
<p>② Future Land Use Map category and Zoning designation:</p> <p><i>Future Land Use Map category:</i> Suburban</p> <p><i>Zoning district:</i> R-3</p>										
<p>③ Development Specifics:</p> <p><i>Number of proposed dwelling units:</i> <u>24</u></p> <p><i>Type(s) of dwelling units, (provide # for each type, e.g. single family & multi-family):</i></p> <p style="margin-left: 40px;"><u>Single-family residential condominium</u></p> <p><i>Base square footage of dwelling units:</i> <u>300 sf</u></p>										
<p>Leon County Schools staff use only:</p>										
<p>④ School concurrency service areas (attendance zones) in which property is located.</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: center; width: 33%;"><i>Elementary:</i></th> <th style="text-align: center; width: 33%;"><i>Middle:</i></th> <th style="text-align: center; width: 33%;"><i>High:</i></th> </tr> </thead> <tbody> <tr> <td>Present capacity _____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Post Development capacity _____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table> <p>Is additional coordination with Leon County Schools necessary? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		<i>Elementary:</i>	<i>Middle:</i>	<i>High:</i>	Present capacity _____	_____	_____	Post Development capacity _____	_____	_____
<i>Elementary:</i>	<i>Middle:</i>	<i>High:</i>								
Present capacity _____	_____	_____								
Post Development capacity _____	_____	_____								

This form is required by §8.3 of the Public School Concurrency and Facility Planning Interlocal Agreement as adopted on September 1, 2006 by the City of Tallahassee, Leon County, and Leon County School Board. Pursuant to §6.4 of the Agreement, the City or County will transmit the School Impact Analysis Form to a designated employee of the School Board for review at the same time the application is submitted to all departments for review.



Exhibit 3e

Application for Concurrency Determination dated January 11, 2016

LCM# _____



APPLICATION FOR CONCURRENCY DETERMINATION
Leon County Growth and Environmental Management
435 North Macomb Street
Tallahassee, Florida 32301
(850) 606-1300

INSTRUCTIONS: Attached is the application necessary to obtain either a Conditional Certification of Concurrency and/or a Certificate of Concurrency in Leon County. A Policy and Procedures Manual has been prepared in conjunction with this application which defines the concurrency requirements of the Comprehensive Plan and which outlines the concurrency review process. The applicant should read the Leon County Concurrency Policies and Procedures Manual prior to the completion of this application in order to fully understand the procedures that must be followed during a concurrency review.

STATEMENT AND SIGNATURE: I, Tom O'Steen, the undersigned owner or authorized representative of Residential Condominium hereby request a Concurrency Determination for the project described in the attached application. I certify that all information submitted with and pursuant to this application is true and correct to the best of my knowledge and belief.

1-11-16
Date

Tom O'Steen
Signature
805 N. Gadsden Street
Street
Tallahassee
City
FL 32303
State Zip

PROJECT INFORMATION

1. APPLICANT/AGENT INFORMATION:

Name Address Phone Number Facsimile Number
Moore Bass Consulting, Inc. 805 N. Gadsden Street, Tallahassee, FL 32303 850-222-5678 (agent)
Floresta, LLC, 2073 Summit Lake Dr., Ste 155, Tallahassee, FL 32317

E-Mail Address of Primary Contact: johnston@moorebass.com; tosteen@moorebass.com

2. NAME OF PROJECT: Include the current name of the proposed project (subdivision if applicable) and any previous names the project has been known as: Proposed Residential Condominiums on Blountstown Highway

3. PARCEL IDENTIFICATION NUMBER(S): 21-31-20-007-0030

Is property located in the Urban Services Area (USA)? Yes No

4. DEVELOPMENT REVIEW: Indicate which Site and Development Plan Review Process the proposed project is undertaking (Limited Partition or Type A, B, C, D; Refer to the PUV Certificate for Reference): Type A (CPA Track)

5. PROPOSED PROJECT INFORMATION:

A. Provide a location map including project narrative and site plan (to scale) which clearly depicts the following:

1. Adjacent Streets, Adjacent Driveways, Internal Streets, and Project Access Points including Lane Geometry and Signage
2. Potable Water and Sanitary Sewer Systems serving site
3. Stormwater Facilities
4. Existing and Proposed Structures and Buildings
5. Recreation/Open Space

B. Present on-site land uses with number of units or square footage: vacant

C. Zoning: R-3

D. Future Land Use Designation: Suburban

E. Indicate the type and size of development proposed for this site:

Type: Single Family Multi-Family Industrial Commercial Institutional

Size: 24 units/ SQFT/UNITS/LOTS/ACRES

F. In the following table, show the project timeline beginning with the submittal date of the Development Order (DO) application and ending with the expected project build out date (month and year)

DO Submittal	Anticipated Completion of DO	Anticipated Build Out Date

6. WATER AND SANITARY SEWER SERVICE (CITY UTILITIES ONLY):

A. Waiver of Reservation of Water/Sewer Capacity: For projects located within the USA, the applicant may request to waive concurrency review for City water and sewer until a building permit is issued or tap approval, whichever is first (Section 2.2.0 Leon County's Concurrency Management System Policies and Procedures Manual).

Please indicate if you wish to waive reservation of water and sewer system capacity:

Waive (Requires Documentation) Do Not Waive N/A

B. Potable Water Source: City Talquin Well

C. Sanitary Sewer Provider: City Talquin Septic

7. CONCURRENCY DETERMINATION REVIEW FEES

RESIDENTIAL SECTION

(Complete this section only if there is a residential component to the project.)

A. The application review fee for the first residential unit is \$156.00 \$ 156.00

B. Multiply each additional unit by \$24.00 and enter that amount. \$ 552.00

C. Add items 1 and 2 for the total residential fee and enter that amount. \$ _____

COMMERCIAL SECTION

(Complete this section only if there is a commercial component to the project.)

D. The application review fee for first 1,000 square feet (or less) is \$228.00 ~~\$ 228.00~~

E. Multiply each additional 1,000 square feet by \$48.00 and enter that amount ~~\$ _____~~

F. Add items 4 and 5 for the total commercial fee and enter that amount. ~~\$ _____~~

TOTAL CONCURRENCY REVIEW FEE

(Add totals from the residential and commercial sections.)

7. Add items C and F for the total review fee and enter that amount. \$ 708.00

STOP: IF THIS PROJECT IS EXPECTED TO GENERATE LESS THAN 100 TRIPS (AS IDENTIFIED BY THE LEON COUNTY CONCURRENCY MANAGEMENT SECTION), NO ADDITIONAL INFORMATION IS REQUIRED. OTHERWISE, COMPLETE THE LARGE PROJECT TRANSPORTATION IMPACT ANALYSIS APPLICATION.

Revised Sept 10, 2008

G:\Development Services\Brian W\Special Projects\concurrency_changes\application_for_concurrency_determination.doc

Exhibit 3f

Natural Features Inventory Approval with Conditions
dated January 11, 2016



Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Commissioners

BILL PROCTOR
District 1

JANE G. SAULS
District 2

JOHN DAILEY
District 3

BRYAN DESLOGE
District 4

KRISTIN DOZIER
District 5

MARY ANN LINDLEY
At-Large

NICK MADDOX
At-Large

VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

Department of Development Support
& Environmental Management
Division of Environmental Services
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, FL 32301-1019
(850) 606-1300

January 11, 2016

Moore Bass Consulting, Inc.
c/o Tom O'Steen
805 N. Gadsden Street
Tallahassee, FL 32303

RE: Natural Features Inventory –Ref No.: LEA150065
Approved with Conditions
Project: Residential Condominiums on Blountstown Hwy
Parcel No.: 21-31-20-007-0030

Dear Mr. O'Steen:

We have completed our review of the above referenced application initially received on December 7, 2015 and last supplemented on January 8, 2016. The Natural Features Inventory (NFI) application is approved with the following conditions.

1. Any archaeological and historical sites identified on the property shall be protected in accordance with the recommendations of the Florida Department of State, Division of Historic Resources (DHR), Compliance Review Section, as specified in the Leon County Land Development Code (LDC), Section 10-4.202(a)(2)b.7.

As indicated by the Florida Department of State, more particularly DHR, in their December 3, 2015 letter (attached): In the event that unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.

However, in the event that fortuitous finds, prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, or other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project area, all activities

"People Focused. Performance Driven."

Project: Residential Condominiums on Blountstown Hwy
Project No.: LEA150065
NFI Approval with Conditions Letter
Page 2 of 2

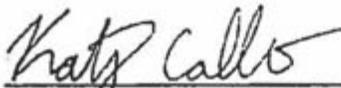
involving subsurface disturbance in the immediate vicinity of such discoveries should cease. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at 850-245-6333 or 800-847-7278, as well as this Department. Project activities shall not resume without verbal and/or written authorization.

General Comments:

Non-inclusion in this letter of a Leon County Land Development Regulation/Requirement does not constitute exemption from compliance with the requirement. All the required information for any separate Building Permit Application, and/or Environmental Management Permit Application shall be provided at that time.

Please contact me at (850) 606-1371 with any questions you may have concerning this NFI approved with conditions.

Sincerely,



Katy Collins
Environmental Review Specialist

cc: Ameris Bank, 7915 Baymeadows Way, Suite 300, Jacksonville, FL 32256

Attachments: NFI Summary
Boundary and Topographic Survey
Natural Features Inventory Map
DHR Letter dated 12/3/2015

ATTACHMENT I

NATURAL FEATURES INVENTORY SUMMARY

Land Use Application Type: NFI Review Date: January 11, 2016

Project Name: Residential Condos on Blountstown Hwy Parcel No.: 21-31-20-007-0030

Site acreage: Approximately 33.52 acres Project No.: LEA 150065

Refer to site plans received: Boundary Survey

GENERAL DESCRIPTION OF PROPOSAL: The site is a currently vacant and mostly wooded lot. Residential housing is proposed for the site.

GENERAL VEGETATION DESCRIPTION: An approximate 2.05 acre wetland is located at the northern end of the 33.52 acre parcel. This wetland contains laurel oak (*Quercus laurifolia*), red maple (*Acer rubrum*), magnolia (*magnolia virginiana*), ash (*Fraxinus caroliniana*), pond cypress (*Taxodium ascendens*), swamp chestnut (*Quercus michauxii*), fetterbush (*Lyonia lucida*), Virginia willow (*Itea virginiana*), and Virginia chain fern (*Woodwardia virginica*).

Physiography: Tallahassee Red Hills

Drainage Basin: Lake Munson

Watershed: Gum Creek West

ITEM	APPLICABLE COMMENTS
A. Sensitive Features	
1. closed basins	N
2. water bodies	N
3. watercourses	Y
4. wetlands	Y
5. flood prone areas	Y
6. grades 10-20%	Y
7. grades >20%	Y
8. high qual. success. forest	N
9. native forest	N
10. listed species	N
11. karst features	N
12. special dev. zones A, B	N
13. canopy roads	N
14. archeological/ historical	N
15. wells	N
16. protected trees	Y
a. quality indiv., tree clusters	N
b. perimeter setback	N

Project Name: Residential Condominiums on Blountstown Hwy
Project No.: LEA150065
NFI Summary
Page 2 of 2

B. Drainage

- | | |
|------------------------|---|
| 1. stormwater mgmt. | Y |
| 2. discharge available | Y |

COMMENTS:

1. Based on the Soil Survey of Leon County, Florida, the majority of the site consists of Lakeland fine sand, 0 to 5 percent slopes (hydrologic group "A"). The northernmost portion of the site where the wetland is located contains Plummer Fine Sand (hydrologic group "B/D").

COMPLETED BY: Katy Collins

January 11, 2016



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

Mr. Tom O'Steen
Moore Bass Consulting
805 N. Gadsden Street
Tallahassee, Florida 32303

December 03, 2015

RE: DHR Project File No.: 2015-5798/ Received by DHR: December 02, 2015
Project: *Kearney Center Housing - 5044 Blountstown Highway*
County: Leon

Dear Mr. O'Steen,

In accordance with the procedures contained in the City of Tallahassee / Leon County's Natural Features Inventory requirements, we reviewed the referenced property for possible impact to cultural resources (any prehistoric or historic district, site, building, structure, or object) listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical, archaeological, or architectural value.

It is the opinion of this office that the proposed project is unlikely to affect historic properties. However, unexpected finds may occur during ground disturbing activities, and we request that the permit, if issued, should include the following special condition regarding inadvertent discoveries:

- If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.

For any questions concerning our comments, please contact Mary Berman, Historic Sites Specialist, by phone at 850.245.6333 or by electronic mail at Mary.Berman@dos.myflorida.com.

Sincerely,

Robert F. Bendus, Director
Division of Historical Resources
and State Historic Preservation Officer



Division of Historical Resources
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6333 • 850.245.6439 (Fax) dos.myflorida.com/historical/
Promoting Florida's History and Culture VivaFlorida.org



Exhibit 3g

Site Plan Narrative dated January 13, 2016



Land Use Planning • Engineering Design • Environmental Permitting • Landscape Architecture • Surveying

Proposed Residential Condominiums on Blountstown Highway
Type A – Site Plan Narrative
Tax ID No. 21-31-20-007-0030
MBC #554.096

January 13, 2016

GENERAL

The proposed project site is a tract totaling 33.52+/- acres located on the north side of Blountstown Highway. The property lies in Section 31, Township 01 North, Range 01 West. The site is currently vacant and mostly wooded. The residential condominium project is limited to the front +/- 4 acres along Blountstown Highway and will include the entry drive with guest parking, a stormwater pond and 24 residential units.

Each unit is a small footprint unit for low-income residents. It is anticipated that not all residents will rely upon a vehicle for transportation and therefore not all units will have driveways. Units will range in size, but will be less than 500 gsf, single story dwellings. The units will be placed within the identified area and located among the existing trees of the property to retain a wooded development. Future phases of construction may include community buildings and additional units based on market conditions.

Coordination with the Leon County Building Official has verified the Florida Building Code regulations for these structures.

PARKING

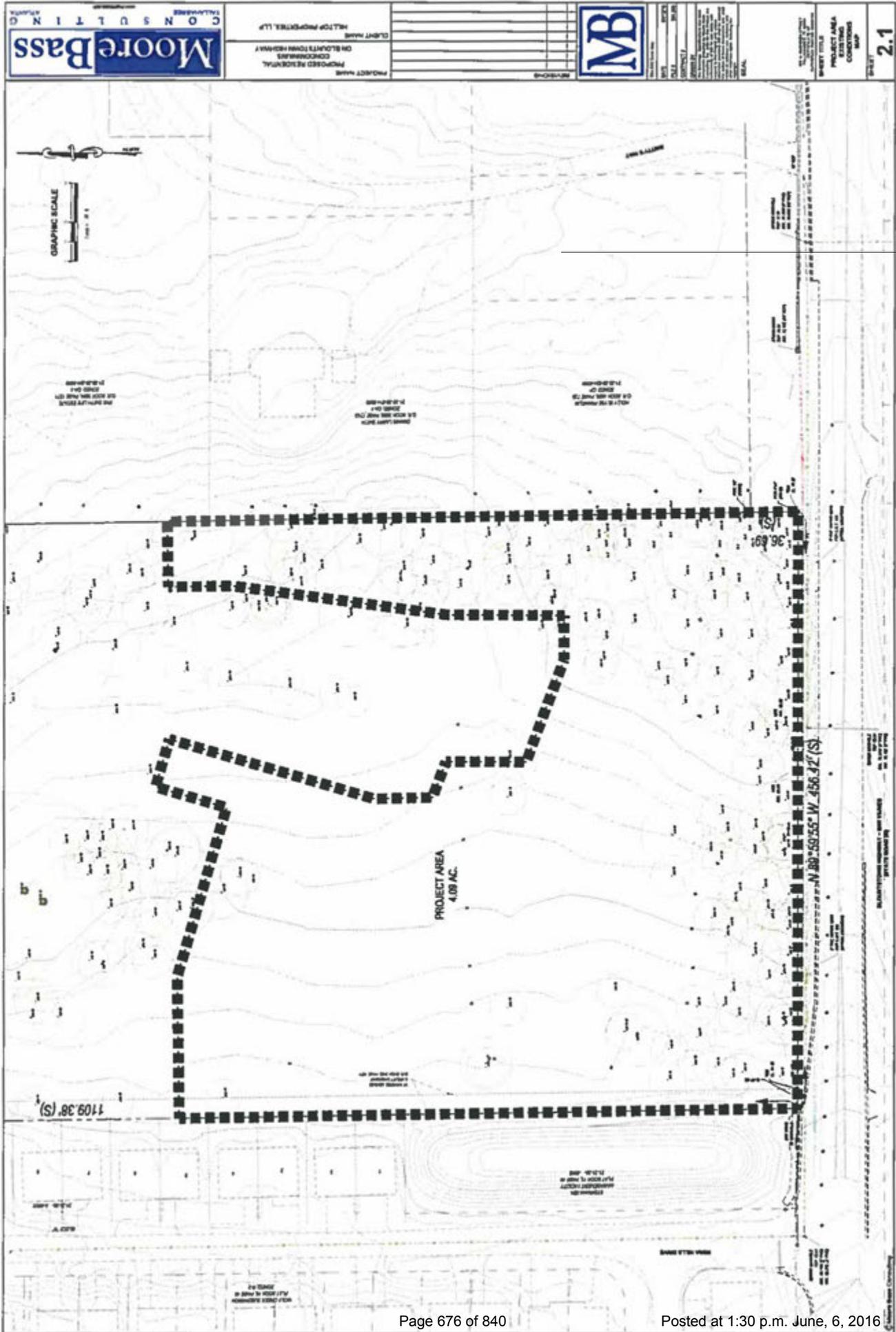
As noted, not all residents will have vehicles for personal use, however a combined resident / guest parking area is provided that contains 18 regular parking spaces and 2 handicapped parking spaces. The remainder will be grass parking located closer to the units and to reduce the impervious footprint. These grass spaces will be identified with railroad ties off of the paved driveway. Bicycle "parking" will be provided for each unit and will occur on the covered porches of the individual units.

A deceleration lane in the west-bound lane of Blountstown Highway will be constructed that connects to the proposed project driveway. This turn-lane and driveway have been coordinated with the FDOT who holds jurisdiction for Blountstown Highway.

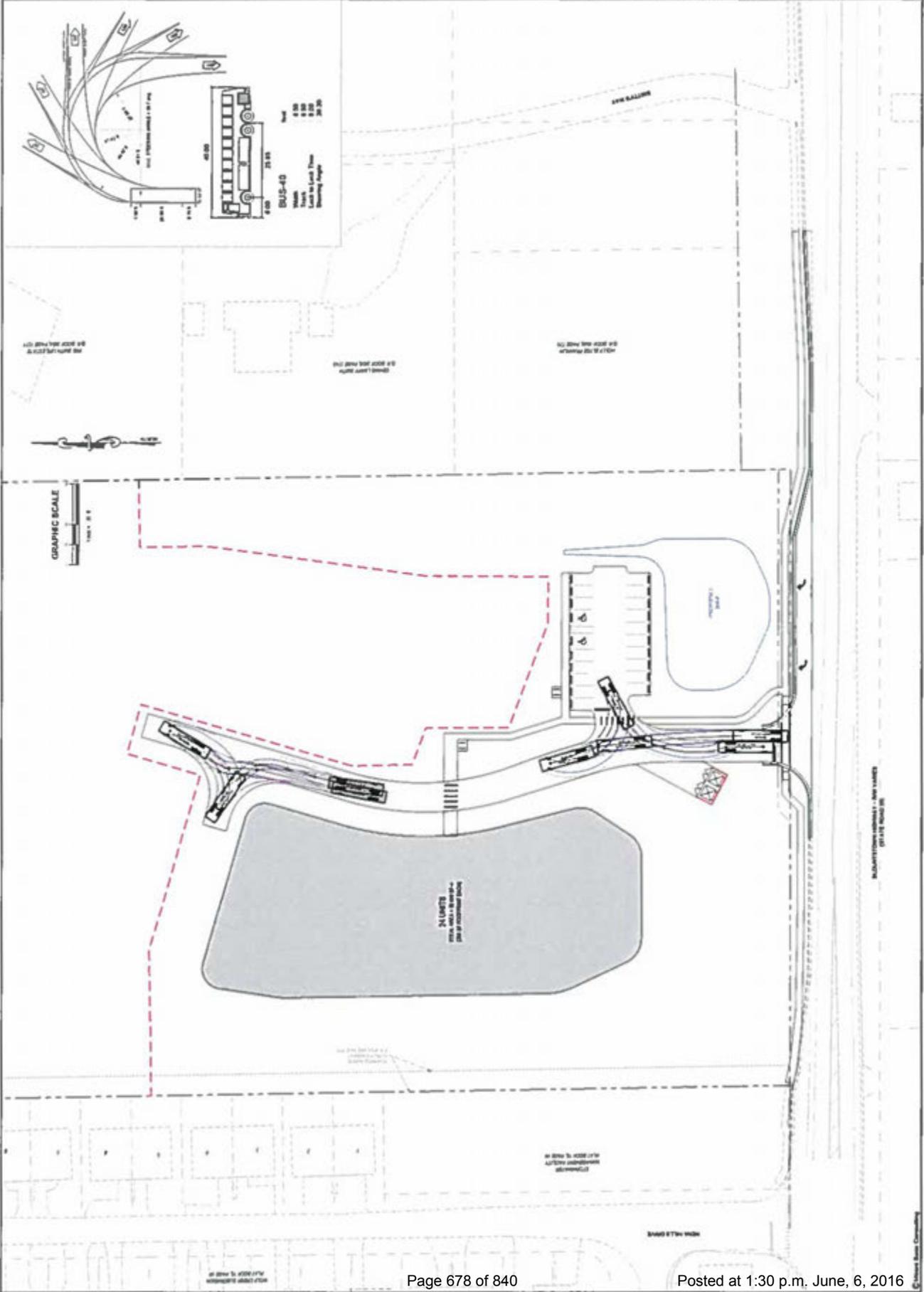
The driveway will be designed to Leon County standards and will terminate past the community parking lot to allow for a "T" turnaround for emergency vehicles and garbage trucks.

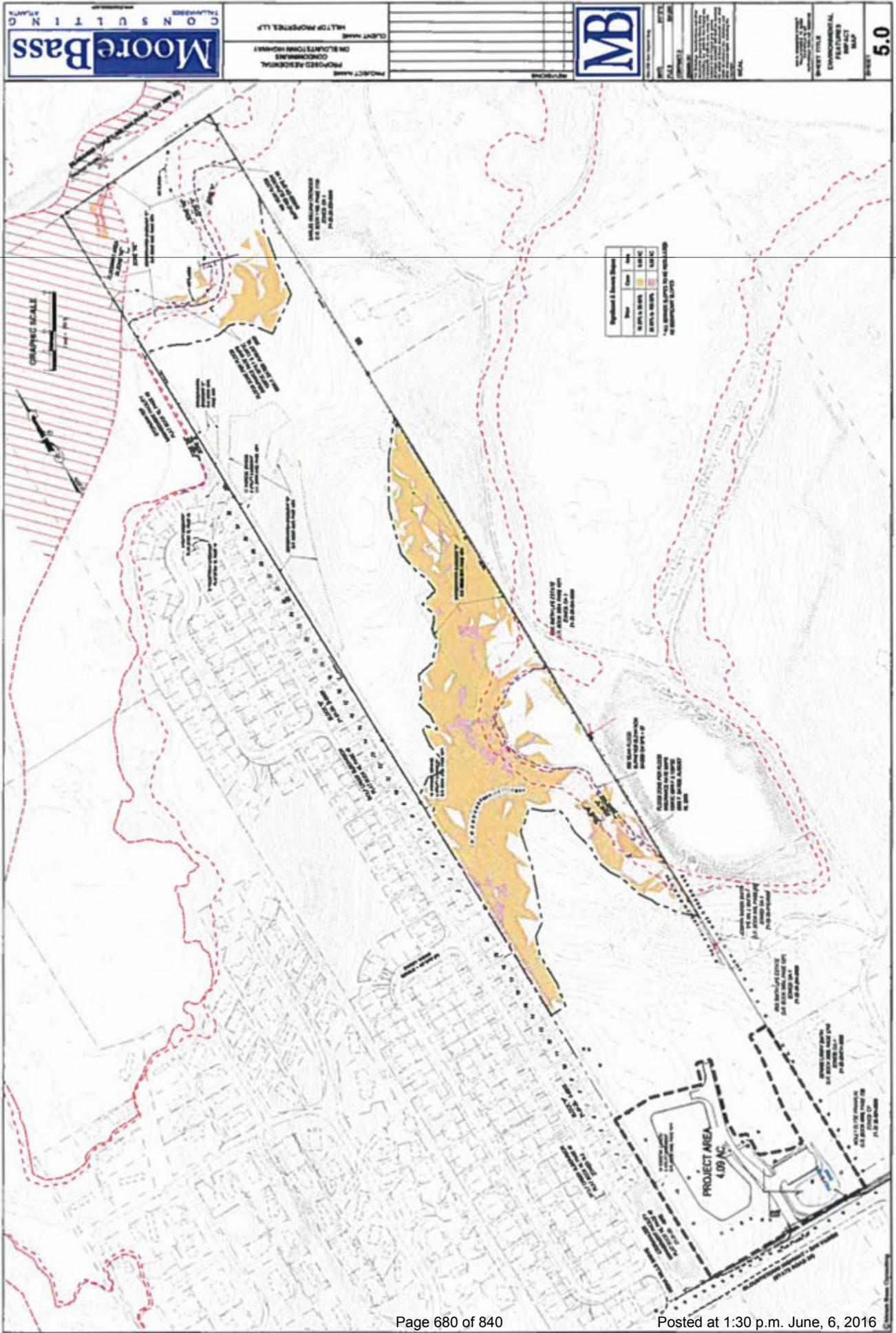
Exhibit 4

Site and Development Plan submitted January 12, 2016



	PROJECT NAME PROPOSED RESIDENTIAL CONDOMINIUM ON BLUFFVIEW ROAD, N.W.		SHEET NO. 3.1
	CLIENT NAME HILTOP PROPERTIES, L.P.		SHEET TITLE CIRCULATION PLAN





Moore Bass CONSULTING TALLAHASSEE ATLANTA	PROJECT NAME PHOENIX RESIDENTIAL CONDOMINIUM ON BLOUNT/TOWN HOMES	CLIENT NAME HILTON HORTON, LLC	MB	DATE 11/11/15	SCALE AS SHOWN
				SHEET NO. 6.0	

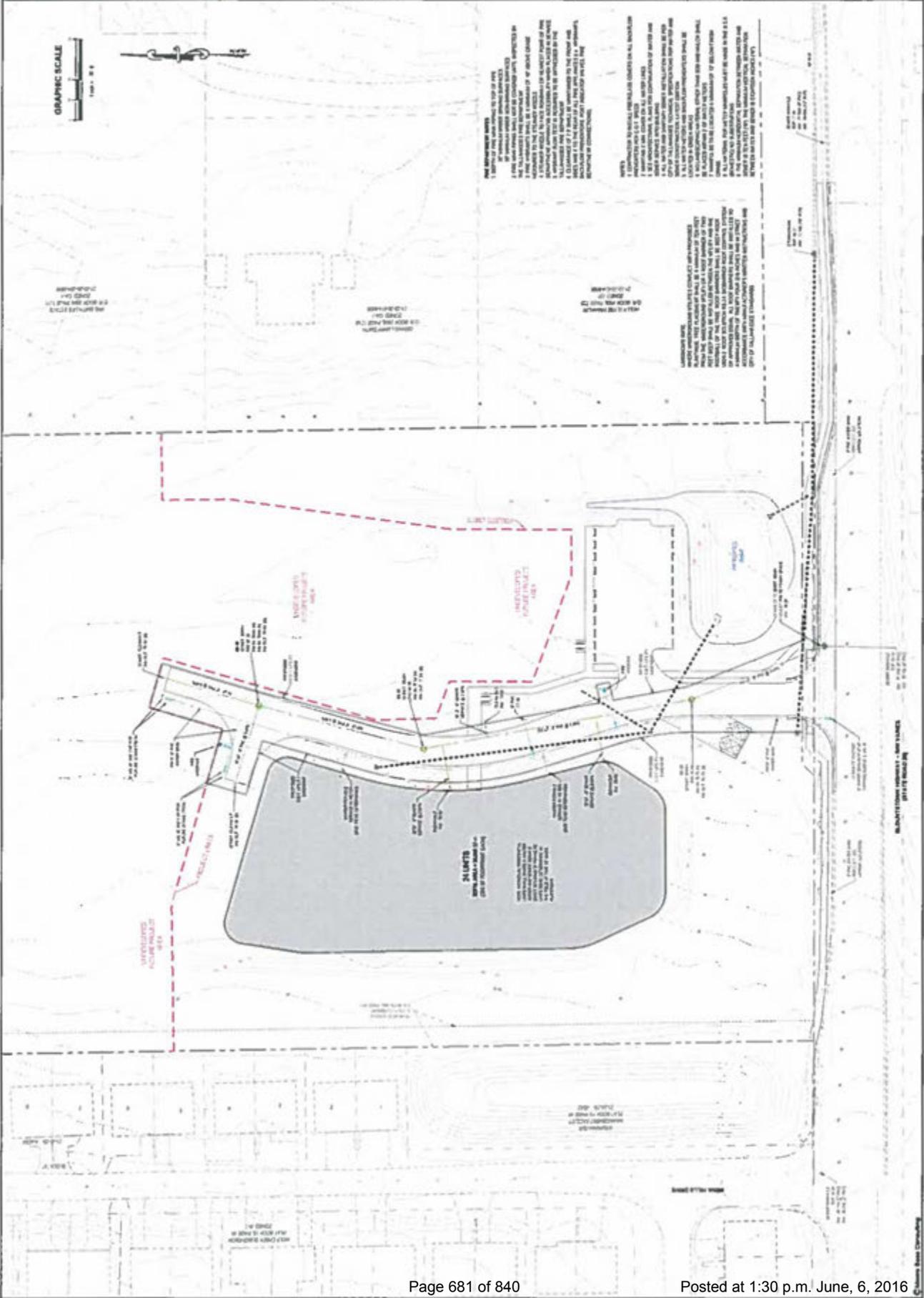


Exhibit 5

Notice of Application Review Meeting



**LEON COUNTY
NOTICE OF AN APPLICATION REVIEW MEETING
FOR A PROJECT REQUIRING TYPE "A" LEVEL SITE PLAN REVIEW**

An Application Review Meeting for a Type "A" level site and development plan has been scheduled with the Leon Department of Development Support and Environmental Management, Development Services Division. You are being notified of this meeting because you own property within 600 feet of the proposed development, or you are the representative of a homeowners' association in close proximity to the proposed development. Staff from several departments will be present at this meeting to discuss the merits and any issues associated with the proposed development.

(Project location map on reverse side)

SUMMARY OF PROPOSAL

Project Name:	Residential Condominium Project, Blountstown Highway
Review Track:	Type "A", Concept Plan Approval (CPA) Track
Project Location:	5044 Blountstown Highway
Project Area:	4.09 acres (Total parcel acreage: 33.52 acres)
Parcel ID:	21-31-20-007-0030
Existing Zoning District:	Single Detached, Attached and Two Family Residential (R-3)
Future Land Use Designation:	Urban Residential (UR-2)
Project Description:	This project consists of Phase I of a residential condominium project of 24 dwelling units. Future phases of construction may include community buildings and additional units based on market conditions.
Gross Density:	5.8 dwelling units per acre (for project area)
Applicant:	Floresta, LLC
Applicant's Agent:	Tom O'Steen, P.E., Moore Bass Consulting, Inc.
Agent's Phone Number:	850-222-5678

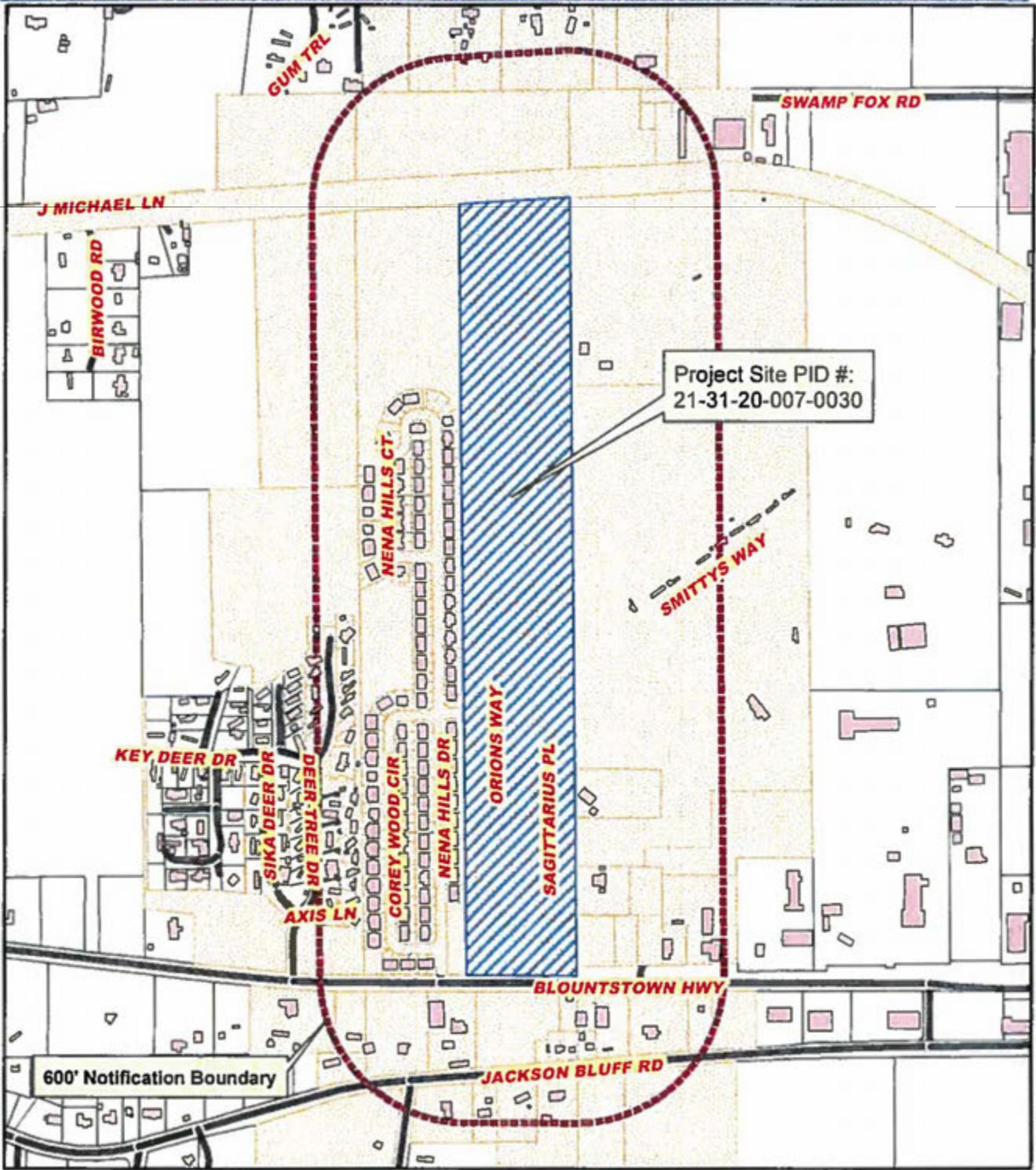
The Application Review Meeting for this project will be held on Wednesday, January 27, 2016 at 1:30 p.m. the Department of Development Support and Environmental Management, Renaissance Center, 2nd Floor, 435 N. Macomb Street. You are being notified at this time to give you an opportunity to contact the applicant, agent, or County staff to discuss the project prior to the Application Review Meeting. The scheduled meeting is the first and potentially the only meeting that will occur with County staff. This meeting is open to public attendance and public testimony will be taken prior to adjournment. The public is encouraged to provide written comments to staff prior to the meeting.

The application will be subject to administrative review and not subject to quasi-judicial provisions. In compliance with Section 10-7.403 of the Land Development Code, failure to provide written comments to Leon County Department of Development Support and Environmental Management prior to adjournment of the meeting may disqualify a person from petitioning for a formal proceeding after the meeting. Citizens who qualify as an aggrieved or adversely affected party, as defined in Section 10-7.414 of the Land Development Code, have the ability to appeal the decision of the County. The appeals process is outlined in Section 10-7.403(h) of the Land Development Code (Ch.10 Leon County Code of Laws).

In accordance with Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Leon County Community and Media Relations at 606-5300, or Leon County Facilities Management at 606-5000. Written or oral requests for special accommodations shall be provided at least 48 hours prior to the meeting. 7-1-1 (TDD and Voice), via Florida Relay Service.

The application and proposed plans will be available for review at the Department of Development Support and Environmental Management Department, Renaissance Center, 2nd Floor, 435 N. Macomb Street. If you have any questions regarding this application, please contact Nancy Garcia at (850) 606-1300. You may also e-mail comments to GarcianN@leoncountyfl.gov.

**PROPOSED RESIDENTIAL CONDOMINIUM PROJECT, BLOUNTSTOWN HWY
TYPE 'A' SITE AND DEVELOPMENT PLAN, CPA TRACK (LSP160001)**



600' Notification Boundary

- Buildings
- Site
- Notification Area
- Noticed Parcels
- Roads
- Parcels

PROPOSED RESIDENTIAL CONDOMINIUM PROJECT
Location: 5044 Blountstown Highway
Map Produced By: Nancy Garcia, Planner II
01/14/2016

0 305 610 Feet



**Guidelines for Public Participation
In
Type "A", "B", and Type "C" Application Review Meetings (ARM)
& Type "D" Pre-Application Meetings**

We welcome all interested parties to our application review staff meetings. Our goal is to provide a forum for early input on proposed projects that will lead to the best possible development in Leon County. We encourage the disclosure of as much information at this meeting so that appropriate changes can occur at this early stage of the planning process.

During this meeting, staff will advise applicants, or agents, about various procedures, requirements, and issues they may encounter during the project review process. Staff will focus on compliance with the Leon County Land Development Code. Any major problems that could lead to project denial should be identified at this meeting. The public is encouraged to comment at this meeting to state any objection to the project. After this meeting, the applicant can decide whether to proceed, and how to proceed. The proposed project will require additional reviews before receiving any development approvals or permits.

At this early point in the review process, plans can be modified to accommodate any special concerns. We hope that all participants will approach this meeting in a positive way, and will think in terms of resolution, mediation, and compromise. Every attempt should be made to address problems early, rather than end up in appeals, which are costly to all.

To make the best use of everyone's time, we will adhere to the following procedures:

1. Due to space limitations, we can only seat the applicant, their representatives, and review staff at the conference table. Additional chairs are provided for other attendees. The applicant will have the option of introducing the project, or it will be introduced by a staff member. Review staff will present reports, make comments and ask questions of the applicant and their representative.
2. Public comment will be heard after the staff review period is completed. To be on the list to speak, turn in a speaker's card to the meeting facilitator before or during the staff review period for project. Speakers will be recognized in the order the cards are submitted. Each speaker will have three (3) minutes to make comment unless one speaker is representing a group of persons present at the meeting. In that case, the meeting facilitator will set a reasonable amount of time for that speaker based on the number of represented person present, and the merit of the speaker's request.
3. Our meeting time is limited because of other time demands on reviewing staff. We accept public comment with the goal of identifying problems and concerns. We may not have time at this meeting to actually find the solutions. If you have specific questions that have not been answered at the conclusion of the meeting, please call the Department of Development Support and Environmental Management, 850-606-1300, and ask for the Development Services Service Advisor. That person will assist in making arrangements for you to meet with appropriate individuals and to get additional information.
4. Staff can only recommend project approval or denial based on the Leon County Land Development Code, as adopted by the Board of County Commissioners. Therefore, we encourage you to comment on issues that address code requirements or potential violations. We also ask that you submit a written summary of your comments at the end of the meeting or within five (5) days after the meeting, so they can be made part of the file and considered carefully by all those involved with the project.

Exhibit 6

Comments submitted by Petitioners

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date: 1/27/16 *email appeal info.*
NAME: J P Leper
ADDRESS: P.O. Box 1576
CITY, STATE, ZIP: Tall., FL 32302
PHONE CONTACT: (H) 850-443-4057 (W)
NAME OF PROJECT: Roundtown Hwy.

Comments (optional): ~~AZ~~ jpl@capital.com

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

*email
appeal
info*

Date: 1/27/16

NAME: CAROL Smith

ADDRESS: 5229 Blountstown Hwy

CITY, STATE, ZIP: Tallahassee FLA 32304

PHONE CONTACT: (H) 850-321-1594 (W) _____

NAME OF PROJECT: Proposed Res. Condo on Blountstown Hwy

Comments (optional): C. SNARY smitn@gmail.com

may
hard
copy.

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019

SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date:

1/27/16

NAME:

MIKE URBAN

ADDRESS:

1931 Sika Deer Dr

CITY, STATE, ZIP:

TALL, FL 32307

PHONE CONTACT: (H)

850-575-6645 (W) Sam

NAME OF PROJECT:

proposed Residential Condominium
Project - Blountstown Hwy

Comments (optional):

Project seeking approval for
4.09 acre but asks all 33.52 acre
be approved

Leon County, Development Support and Environmental Management
435 N. Macomb Street, 2nd Floor, Renaissance Center
Tallahassee, FL 32301-1019
SPEAKER'S CARD - APPLICATION REVIEW MEETING

Date: _____
NAME: Claude Walker
ADDRESS: 2073 Summit Lake Dr
CITY, STATE, ZIP: Tallahassee FL
PHONE CONTACT: (H) N/A (W) 219-8216
NAME OF PROJECT: Blountstown Hwy

Comments (optional): _____

J.P. Lepez
P.O. Box 1576
Tallahassee, FL 32302

Board of County Commissioners
Dept. Of Development Support and Environmental Management
Development Services Division
435 N. Macomb Street
Tallahassee, FL 32301

January 27, 2016

RE: Residential Condominium Project, Blountstown Highway, Parcel ID #21-31-20-007-0030

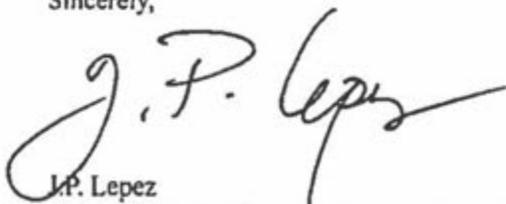
Dear Sir or Madame:

As per the instructions on your Summary of Proposal I am providing written comment regarding this project's proposal. As the owner of 1965 Nena Hills Drive, which is directly adjacent to this property, I am adversely affected by this project. As well, I am asking the governmental agency processing this application to consider the following:

- That such development affects 200 homeowners in the neighboring Wolf Creek subdivision and other smaller communities.
- That notice of such development was very short for these homeowners adversely affected (less than two weeks).
- That details of the project and the type of proposed housing has been obfuscated and that any proposals dealing with specialized housing that may affect property values should be advertised openly.
- That traffic issues on this portion of Blountstown Highway be examined and studied appropriately.
- That Wolf Creek already presents a large run-off and flooding problem due to the subdivision's hasty construction which would only be exacerbated by new development.
- That a large black bear population that has been inhabiting this parcel and the parcels surrounding it due to the construction of Capital Circle NW will be further problematic should deforestation occur.

I ask that the Department please deny or delay decision of such project until further details of the project can be provided to the many homeowners directly affected. As well, that they may have an opportunity to opine on the matter.

Sincerely,



J.P. Lepez
Licensed Florida Community Association Manager

Exhibit 7

Application Review Meeting Report for January 27, 2016 Meeting



LEON COUNTY
DEPARTMENT OF DEVELOPMENT SUPPORT &
ENVIRONMENTAL MANAGEMENT
DEVELOPMENT SERVICES DIVISION

APPLICATION REVIEW MEETING

January 27, 2016 @ 1:30 p.m.

RECOMMENDATION: TBD AT MEETING

PROJECT NAME: Proposed Residential Condominiums on Blountstown Highway
PROJECT ID #.: LSP160001
PARCEL I.D. NUMBER: 21-31-20-007-0030
PROJECT ACREAGE: 4.09 +/- acres (33.52 +/- total acreage)
LEVEL OF REVIEW: Type "A" Site Plan, CPA Track
PROPERTY OWNER: Ameris Bank
7915 Baymeadows Way, Suite 300
Jacksonville, FL 32256

APPLICANT: Floresta, LLC
2073 Summit Lake Drive, Suite 155
Tallahassee, FL 32317

OWNER'S AGENT: Tom O'Steen
Moore Bass Consulting, Inc.
805 N. Gadsden Street
Tallahassee, FL 32303

ZONING DISTRICT: Single-and-Two Family Residential (R-3)
FUTURE LAND USE: Urban Residential 2 (UR-2)
DENSITY/INTENSITY: 5.8 du/acre (24 units total)
LOCATION: 5044 Blountstown Highway
ROADWAY ACCESS: Blountstown Highway (Principle Arterial Roadway)
Private Access Easements

UTILITY PROVIDER: City of Tallahassee Utilities
APPROVAL BODY: County Administrator or designee

PROJECT SUMMARY: The project consists of a Phase I of a single-family residential (condominium) project to be developed on 4.09 acres of the total parcel. This initial phase of this project will consist of 24 single-family m units. Future phases of construction may include community buildings and additional dwelling units based on market conditions. The parcel is located inside the Urban Service Area (USA) and is zoned Single-and-Two Family Residential (R-3). The parcel has an Urban Residential 2 (UR-2) future land use designation, according to the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan. The development will access Blountstown Highway, a Principal Arterial Roadway. A Permitted Use Verification certificate (VC150155R) was issued as 'Eligible' for the development on January 13, 2016.

DEVELOPMENT SERVICES STAFF REVIEW:

Article VII. Subdivision and Site and Development Plan Regulations:

Site and Development Plan Criteria, Article VII, Section 10-7.407:

The Leon County Land Development Code requires that a site and development plan comply with three general standards those include:

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

Division 1. Subdivision and Site and Development Plan Regulations

Compliance and Consistency with Comprehensive Plan (Sec. 10-7.108 and Sec. 10-7.109)

- (a) All proposed subdivisions or development shall be designed to be consistent with the adopted Comprehensive Plan, as amended.
- (b) All proposed subdivisions or development shall be designed to comply with at least the county zoning, building regulations, concurrency, and environmental management ordinances, and such other applicable land development regulations, ordinances, and policies, for the area in which the proposed subdivisions or development shall be located.
- (c) In accordance with this article and other applicable requirements of the local Comprehensive Plan and county ordinances, land, proposed subdivision or site and development plans shall be suitable for the characteristics of the underlying land. Sites where topographic features, flooding potential, drainage, soil type or other site specific features are likely to harm neighboring landowners, future users of the subject property, natural resources or public infrastructure demand, shall not be developed and/or subdivided, unless adequate methods of mitigation or correction of the harm area formulated by the developer and accepted by the county.
- (d) Any applicant subdividing land shall record an approved final plat in accordance with the requirements of this chapter.
- (e) The adequacy of necessary public or private facilities and services for traffic and pedestrian access and circulation, solid waste, waste water disposal, potable water supply, storm water management, parks and recreation and similar public facilities and services, shall be considered in the review of all subdivision or development site and development plan proposals to assure the concurrency requirements of the local Comprehensive Plan and county ordinances are met.
- (f) Unless installation of a required improvement is waived pursuant to Division 6, no final plat or certified survey shall be recorded until a site and development plan, as required by this article, has been approved, the required infrastructure or development improvements which are applicable to the subject parcel or parcels are completed or an appropriate surety instrument, as approved in advance by the County Attorney, is posted, in accordance with the requirements of this article, and the terms and conditions of any applicable development order have been fulfilled.
- (g) Where applicable, no parcel shall be approved for platting for any purpose unless it is suitable for a use permitted by Article VI. No parcel shall be approved for development unless it is consistent with the local Comprehensive Plan and contains an adequate development site, both in size for the use intended and in its relationship to abutting land uses.

DEVELOPMENT SERVICES STAFF FINDINGS:

COMPREHENSIVE PLAN

The subject site is located within an area designated (Policy 2.2.24) on the Future Land Use Map of the City of Tallahassee-Leon County Comprehensive Plan. According to Policy 2.2.24 of the Land Use Element, the major function of the Urban Residential 2 designation is to promote infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure.

Finding #1: A Comprehensive Plan consistency determination shall be obtained from the Tallahassee-Leon County Planning Department. Please refer to the attached memorandum from the Tallahassee-Leon County Planning Department (Attachment #1).

ARTICLE III. CONCURRENCY

According to Section 10-3.105(a) of the LDC, no final development order can be issued until such time it is determined that there is sufficient available capacity of concurrency facilities to meet level of service standards for the existing population, vested development, and for the proposed development. All proposed development (except vested development) shall undergo a concurrency review. In the event the proposed development trips deficient segments of a roadway facility, for example, that applicant has the option of entering into a proportionate fair share agreement to mitigate associated impacts. Additional information on mitigation of impacts and the criteria established for mitigation is set forth in the Concurrency Policies and Procedures Manual.

Finding #2: An Application for Concurrency Review was submitted prior to site plan submittal and a Preliminary Certificate of Concurrency (LCM160001) has been issued for this project. A final certificate of concurrency will be issued upon site plan approval. Please contact Ryan Guffey, AICP, Concurrency Manager at 606-1386 with any questions related to concurrency management.

ARTICLE IV. ENVIRONMENTAL MANAGEMENT

The application must comply with the regulations and standards set out in the following sections of Article IV: [Topographic alterations (Section 10-4.327); Stormwater management facilities (Section 10-4.301); Protected Trees (Section 10-4.362); Tree Protection Requirements (Section 10-4.363); Pre-Development Reviews (Section 10-4.202); Natural Area Requirements (Section 10-4.345)].

Finding #3: A Natural Features Inventory (LEA150065) was approved with conditions on January 11, 2016. An Environmental Impact Analysis (EIA) (LEA160002) has been filed and is currently under review. An Environmental Management Permit (EMP) is required for this project prior to construction. EMP shall be completed and approved within 1 year of issuance of site plan approval.

Please refer to comments from the Environmental Services Division (Attachment #2) as they relate to the sections above and any other provisions set forth in Article IV of the Land Development Code. Please note, a markup layer has been added to ProjectDox addressing many of the comments outlined within the memorandum.

Single-and-Two Family Residential (R-3) Zoning District (Section 10-6.637, Land Development Code)
The R-3 district is intended to be located in areas designated Bradfordville Mixed Use, Urban Residential, Urban Residential 2, or Suburban on the Future Land Use Map which contain or are anticipated to contain a wide range of single-family and two-family housing types. The maximum gross density allowed for new residential development in the R-3 district is eight dwelling units per acre; a minimum density of four dwelling units per acre is required when applied to the Urban Residential future land use category.

Development Standards	Required	Provided
Front yard setback	20 feet	20 feet
Side interior yard setback	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet
Rear yard setback	25 feet	Not specified
Maximum Building Height	3 stories	height in feet not specified

Finding #4: The project appears to meet the applicable building setbacks, height and size requirements; however, please annotate the height of the building (in feet) in the site data table alongside the minimal requirements. Please clarify that the setbacks provided in the site data table are the perimeter setbacks for the development. The applicant will need to also provide the proposed setback between structures to ensure compliance with the Florida Building Code requirements.

General Layout and Design Standards (Section 10-7.502).

The proposed site plan shall comply with the general layout and design standards of this section. These design standards pertain to streets, driveways, lots and lot designs, stormwater management areas, pedestrian and bikeways and facilities, proposed utility locations including easements, public/private street designations, utility systems and protection of natural features. Within the urban services area, multifamily development shall be designed to require vehicular and pedestrian cross access to adjacent commercial, office, multifamily, recreation and community facility uses.

Finding #5: The development has additional means of ingress/egress along the western property line as per the easement recorded in OR Bk 2482, Pg 167. The development shall be designed to provide interconnection that extends to undeveloped or partially developed land that is adjacent to the development site. The proposed roadway interconnection stub-out in the parking lot shall be constructed to extend to the property line to provide for interconnection of future development.

General Principles of Design Relating to Impacts on Nearby Owners (Section 10-7.505)

Developments shall be designed to be as compatible as practical with nearby residences. The standards included in this section identify design approaches that can be incorporated to facilitate compatibility. Preferred design alternatives are listed at the end of this report.

Finding #6: Please provide a landscape sheet as part of the site plan set that meets the intent of this section by providing vegetative screens and buffers to parking and waste collection areas. Preservation of existing trees and vegetation should be retained in these areas.

Finding #7: It is recommended that the dumpster location be relocated to accommodate a more feasibly accessible location for future residents. Additionally, it is recommended that the applicant explore location options so not to aesthetically impair the entrance of the development.

Finding #8: A lighting plan for the development has not been provided. Please show the height, type and style of lighting being proposed for the development on a separate site plan sheet. Dark-sky friendly fixtures are preferred in which the source of illumination is concealed. General ground lighting such as spot or flood lights are discouraged.

Buffer Zone Standards (Section 10-7.522).

A buffer zone is a landscaped strip along parcel boundaries that serve a buffering and screening function between uses and zoning districts, provides an attractive boundary of the parcel or use. The width and degree of vegetation required depends on the nature of the adjoining uses. The buffer matrix in this section of the code is utilized to determine the type of buffer. A buffer fence shall be required in addition to minimum landscaping standards, when residential uses are adjacent to existing non-residential uses, in this case offices.

Finding #9: The proposed development has provided a 30-foot Type "D" Buffer along the western and eastern property lines adjacent to the existing single-family uses. The existing ingress/egress easement along the western property line seems to be in direct conflict with the proposed Type "D" buffer. As noted in finding #6, preservation of existing trees and vegetation should be retained in these areas and augmented where necessary. Please refer to additional comments from Environmental Services and Public Works.

Public Water Supply, Sanitary Sewer and Electrical Services (Sections 10-7.523 - 10-7.526).

The proposal is located within the City of Tallahassee utility area. The site plan indicates that electrical utilities will be underground and that design will be provided by the City of Tallahassee.

Finding #10: The applicant shall obtain approval of the proposed utility service plan from the City of Tallahassee. A copy of the approval must be on file with Development Services prior to site and development plan approval. Please refer to comments from City of Tallahassee Water Resource Engineering Division (Attachment #3).

Fire Protection Facilities (Section 10-527).

All development within the USA shall be required to provide fire protections by means of hydrant placement and fire flow in accordance with the requirements and specifications of the City of Tallahassee.

Finding #11: The applicant shall obtain approval of the proposed fire protection facilities from the City of Tallahassee Fire Department prior to site plan approval. Please refer to comments from Gary Donaldson of the City of Tallahassee Fire Department (Attachment #4).

General requirements for sidewalks with new development (Sections 10-7.529).

New development within the urban services area (USA) should be designed and constructed to implement a pedestrian mobility system that facilitates access to residential development, business establishments, community facilities and other non-residential land uses, and, provides safe and convenient linkage between developments and between the public and private street system.

Finding #12: Sheet 3.0 of the site plan shows a proposed 5 feet sidewalk along the southern portion of the subject property. The proposed sidewalk shall be designed to connect the existing sidewalk along Blountstown Highway.

Number of Off-Street Parking Spaces (Section 10-7.545) – Includes Schedule 6-2.

The number of off-street parking spaces required for single-family detached dwelling units is 1.5 spaces/ unit for single-family dwellings proposing 1, 2 and 3 bedrooms. Any deviation from the range of required parking established within Schedule 6-2 would require approval or approval with conditions by the parking standards committee.

Finding #13: The applicant has provided a parking standards request for 18 regular spaces and 2 ADA accessible spaces to be reviewed and approved by the Parking Standards Committee. The applicant has indicated that not all residents will have vehicles for personal use. Additionally, grass parking will be available located closer to the units, reducing the impervious footprint. The applicant shall receive an approved or approved with conditions parking standard request prior to site plan approval.

Finding #14: Please provide a traffic circulation plan for the site showing vehicular ingress/egress throughout the development. The legend provided on Sheet 3.0 of the site plan makes note of a symbol for proposed vehicular circulation, however, the symbols appear to be missing within the sheet.

Please refer to any additional comments from Public Works (Attachment #5).

Residential Signs [Section 10-9.201(14)].

Specific sign codes (i.e. size and height), are reviewed for compliance with Article XII (signs) at the time of permitting. However, to ensure adequate visibility for motorists, bicyclists and pedestrians, the location of the subdivision sign shall be included on the plan sheets. One permanent sign may be located per entrance and one per exit to a single-family residential development provided that the requirements of this section are met. The location of the signage does not exempt the signs from permitting. The physical location shown on the site plan is for location purposes only. The signs must meet the criteria established in Article IX, Section 10-9.201, and Leon County Land Development Code.

Finding #15: The applicant has not provided any information regarding the location of signage for the development. A sign location shall be specified on the site plan and shall not be placed in a location that shall obstruct vision at points of intersection. Please also note that off-site subdivision signs are not allowed.

Aquifer Protection (Article X, Div. 1)

This article is intended to protect and maintain the quality and quantity of groundwater in the county by providing criteria for regulating the use, handling, production, storage and disposal of regulated substances.

Finding #16: The project shall receive approval from the Aquifer Protection Division prior to site plan approval.

ARTICLE XI. UNIFORM STREET NAMING AND PROPERTY NUMBERING SYSTEM

This article is intended to provide for the assignment and approval of street names, subdivision names, and for providing for a uniform numbering system for the assignment of address numbers to properties in the interest of public health, safety and welfare.

Finding #17: The project shall receive approval from the Addressing Program Coordinator prior to site plan approval.

Type "A" Review (Section 10-7.403).

According to Section 10-7.402 of the LDC, the application qualifies for review as a Type "A" site and development plan. The applicant has chosen the Conceptual Plan Approval (CPA) Tract. A determination of completeness shall be made within 14 calendar days after receipt and shall specify any additional information and level of detail required in order to meet the requirements of this section.

Finding #18: The CPA review track option is intended to expedite the review process by reducing the requirement for permitting level information while providing the applicant the assurance that the development entitlements reflected on the concept plan can be realized on the subject site. The CPA review track shall include approval of an environmental impact analysis (EIA) in support of the proposed development project. An Environmental Management Permit (EMP) shall be completed and approved within 1 year of issuance of site plan approval.

Technical Site Plan Deficiencies [Section 10-7.402(8)(b)2].

Finding #19: Please make the requested revisions outlined in the Findings above and in the attached memorandums from other reviewing agency staff. Additionally, please review the site plan markups from reviewing staff on ProjectDox. Please contact the Project Manager if you need assistance viewing these markups.

Finding #20: Please revise the cover sheet (Sheet 1.0) to reflect the project number for this project (LSP160001).

Finding #21: Please revise the project name to read "Blountstown Highway Condominiums".

RESPONSES FROM ARM MAILOUT NOTIFICATION:

The application was advertised in the Tallahassee Democrat on Monday, January 18, 2016. Additionally, a total of 292 notices were distributed through regular mail to property owners within 600 feet and neighborhood and business associations (registered with County) within one mile of the proposal site. As of January 26, 2016 at 5:00 PM, thirteen (13) notices were returned as 'undeliverable'. Two calls were received from a property owner who inquired about the meeting to be held for this project.

ATTACHMENTS:

1. Tallahassee-Leon County Planning Department Memorandum from Susan Poplin, Senior Planner
2. Environmental Services Review Memorandum from Charley Schwartz, PE, Senior Environmental Engineer
3. City of Tallahassee Utilities Memorandum from Justin Hosey, Water Resource Engineering Division
4. Tallahassee Fire Department Memorandum from Gary Donaldson
5. Public Works Memorandum from Kimberly Wood, PE, Chief of Engineering Coordination



MEMORANDUM

Attachment # 1
Page 1 of 1

Submitted to ProjectDox on January 26, 2016

TO: Nancy Garcia, Leon County Development Support and Environmental Management
FROM: Susan Poplin, Senior Planner, Tallahassee-Leon County Planning Department
DATE: January 22, 2016
SUBJECT: Blountstown Highway Residential Condominium – Type A Site Plan Concept Plan Approval (CPA); Leon County Application Review Meeting January 27, 2016

APPLICANT: Floresta, LLC
AGENT: Tom O'Steen, Moore Bass Consultants, Inc. – 222-5678
PARCEL ID: 21-31-20-007-0030
ZONING: Single and Two-Family Residential (R-3)
FUTURE LAND USE: Urban Residential 2 (UR-2)

Findings

1. The proposed project is for the first phase of a residential condominium project on 33.52 acres approximately ½ mile west of the intersection of Capital Circle Northwest and Blountstown Highway. Phase I consists of 24 dwelling units to be development on 4.09 acres. The parcel total is 33.52 acres. The applicant indicates that the project will be served by central water and sewer from the City.
2. The proposed project is consistent with the density and intensity of the Urban Residential 2 Future Land Use Map Category of the *Tallahassee-Leon County Comprehensive Plan*.
3. The Mobility Element of the *Tallahassee-Leon County Comprehensive Plan* requires that development provide full accommodations of pedestrian access and movement, including sidewalks and enhanced crossings, [Mobility Element Policies 1.1.8(a-b), 1.2.3 and 1.4.3], and requires vehicular, pedestrian, and bicycle interconnections between adjacent, compatible development [Mobility Element Policies 1.4.1 and 1.4.3]. The application includes sidewalks within and connecting to the facilities along Blountstown Road. The application also includes a parking lot with a stub out to a buffer area. The potential interconnection must be extended to the property line to support and achieve the Mobility Element objective for interconnections.
4. The Conservation Element of the *Tallahassee-Leon County Comprehensive Plan* requires that wetlands and floodplains be regulated as conservation or preservation, and that wetland function be preserved [Conservation Policies 1.3.1, 1.3.2, 1.3.4, 1.3.6, 2.2.1 and 2.2.2 and Land Use Element Policy 2.2.26, Table 6]. The first phase of development does not contain areas of wetlands and floodplains, and thus no conservation areas on a site plan are proposed at this time. The application includes an environmental features impact map that shows the existing conservation easement on the property as well as the location of wetlands, floodplains and slopes.

Planning Department Recommendations

The Planning Department recommends proposed Type A site plan for Phase I of the Blountstown Highway residential condominium project (LSP160001) be approved subject to the condition that the proposed roadway interconnection stub-out in the parking lot be extended to the property line.

Leon County, Department of Development Support
& Environmental Management

MEMORANDUM

TO: Nancy Garcia
Development Services Planner II

FROM: Charley Schwartz *cms* Senior Environmental Engineer
Katy Collins
Environmental Review Specialist

DATE: January 25, 2016

RE: Proposed Residential Condominiums on Blountstown Highway
LSP160001 – Type "A" Concept Plan Approval Track
January 27, 2016 Application Review Meeting
Parcel ID: 21-31-20-007-0030

We have conducted a review of the referenced project for its consistency with stormwater, landscaping, and other environmental protection requirements found in Section 10 of the Leon County Land Development Code (LDC). Recommendations, comments, and information necessary for the review process include, but are not limited to, the subsequent. All other requirements of the code, although not mentioned hereon, are still applicable.

Environmental Review Processes Requirements:

- A Natural Features Inventory (NFI) was approved with condition(s) on January 11, 2016, reference LEA150065. The NFI approval condition requires any archaeological and historical sites identified on the property shall be protected in accordance with the recommendations of the Florida Department of State, Division of Historic Resources.
- An Environmental Impact Analysis (EIA) is required for the Concept Plan Approval Track. The EIA application (LEA160002) has been received but not approved. Comments within this Memorandum also apply to the EIA submittal unless otherwise noted. Any additional EIA comments will be provided to the applicant under separate cover.
- An Environmental Management Permit (EMP) is required for this project prior to construction.
- An As-Built and an Operating Permit are also required prior to final inspection.

Project construction cannot commence until an EMP is issued.

Recommendations, Comments, and Required Information:

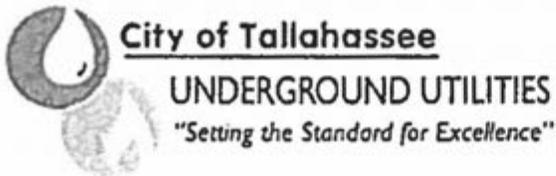
A markup layer has been added to Projectdox addressing many of the comments outlined below.

1. Sheet 1.0: Cover Sheet – Add a Conceptual Landscape Sheet to the plans and identify the sheet location in the Sheet Index. See also "Conceptual Landscape Sheet" Comments provided below.
2. Sheet 2.0: Overall Existing Conditions Map – Address the following comments:
 - a. Ensure the items depicted are consistent with the approved NFI.
 - b. Label all existing conservation easements.
 - c. Add a complete legend (see approved NFI map).
3. Sheet 2.1: Project Area Existing Conditions Map – Identify any protected trees and existing improvements/features that might conflict with the proposed discharge pipe connection to the existing FDOT inlet structure.
4. Sheet 3.0: Geometry Plan – Address the following comments:
 - a. The minimum natural area requirement for the site is 25% (only 21% is proposed). Additional natural area shall be designated to meet the site minimum.
 - b. Provide a detail for the Type "D" Buffer Plantings (see also "Conceptual Landscape Sheet" Comments).
 - c. A minimum of four separate landscape islands shall be shown in the parking area each with a minimum area of 400 sf.

- d. Provide more information regarding land use and improvements within the residential unit area (ex. Max amount impervious, Max amount semi-pervious (ex. trails, LID parking, etc.), Min amount undisturbed woods, Min amount other landscaping) . Ensure all numbers identified are consistent within the plans and the supporting stormwater calculations.
 - e. Provide general placement guidance for utilities, units, pedestrian corridors and parking to ensure conflicts avoided/minimized and stormwater problems avoided.
5. Sheet 4.0: Grading Plan – Address the following comments:
- a. Identify side slopes of the stormwater pond. If slopes are steeper than 4:1 provide required fencing and fence screening.
 - b. All developed areas shall be routed to a SWMF. The north development area does not drain to the proposed SWMF. It appears additional access drive area near the connection with Public ROW can be captured and routed to the SWMF.
 - c. If parking is proposed for units in the Unit Area clarify how vehicles will access. Drainage swales are proposed between the road and Unit Area.
 - d. Identify the location of the emergency overflow weir and evaluate the flow path to the receiving water or drainage feature.
 - e. Suggestion: Suggest routing parking drainage to proposed swale to minimize potential erosion of northern slopes of pond.
6. Sheet 5.0: Environmental Features Impact Map – See Sheet 2.0 Comments.
7. Sheet 6.0: Concept Utility Plan – Ensure potential utility conflicts are evaluated.
8. Conceptual Landscape Plan – The additional sheet shall address the following comments:
- a. Provide a Minimum Planting Density Detail for the Type "D" Buffers. Add a note that existing healthy native vegetation shall be preserved and augmented as necessary to meet minimum planting density. Note that work within the critical root protection zone of existing trees to remain shall be conducted under the supervision of a certified arborist.
 - b. Identify areas that are tabulated as natural area (25% of site minimum) and landscape area.
 - c. Specify minimum requirements for proposed canopy coverage tree plantings (ex. canopy or understory trees, pavement setback, offset from underground utilities, etc.).
 - d. Add a note that additional landscape details to be provided in the EMP but shall meet minimum standards specified within the Site Plan / EIA.
 - e. Show that the project meets the tree mitigation requirements (ex. Credit/Debits or 40 trees per developed acre).
9. Conservation Easement – As part of the EMP, provide an executed conservation easement for the additional natural area and vegetation management plan for all natural areas.
10. Stormwater Analysis – Revisions to the Stormwater Analysis are necessary. Specific changes will be outlined in the EIA Notice of Application Deficiency letter to be provided under separate cover.

General Comments:

It should be noted that non-inclusion in this letter of a Leon County Land Development Regulation Requirement does not constitute exemption from compliance with the requirement.



MEMORANDUM

TO: Nancy Garcia, Planner, Leon County
FROM: Bruce Kessler, Water Resources Engineering
On behalf of Justin Hosey, P.E.
Development Review Manager
DATE: January 27, 2016
SUBJECT: **Proposed Residential Condominium Project (LSP160001)**

I. Project Description:

The proposed project is located on Blountstown Highway (31-31-20-007-0030). Phase I consists of 24 dwelling units to be developed on 4.09 acres.

II. Standards of Review:

- 1) Water Resources Engineering reviews utility concept plans for compliance with, *the Water and Sewer Agreement, The City of Tallahassee Design Specifications for Water and Sewer, Florida Department of Environmental Protection (FDEP) F.A.C. Section 62-555, The American Water Works Associations Manual of Practice "M31", FDEP F.A.C. Section 62-604, and FDEP MOP 9, as well as sound engineering practice.*

III. Findings of Fact:

- 1) Water and sewer are available to the site.
- 2) Connection to water and sewer is required.

IV. Condition of Approval:

- 1) Water Resources Engineering has reviewed the "Water and Sewer Concept Plan" and have issued comments to the engineering of record.
- 2) A "Letter of Agreement" will be required prior to construction.



TALLAHASSEE FIRE DEPARTMENT SITE PLAN REQUIREMENTS

Project Name: Residential Condominiums on Blountstown Hwy.
Parcel ID # 21-31-20-007-0030
LSP 160001
AGENT: Moore Bass, Inc.
PLANNER: Nancy Garcia
MEETING DATE: January 27, 2016

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

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

1. Must meet NFF (needed fire flow) as determined by AWWA Manual M31, using NFPA 1 Method. Please provide needed fire flow calculations to the Tallahassee Fire Department representative and to Water Utilities Engineering and Inspections at this time. Please use the Required Fire Flow Information form (NFPA 1, 18.4.1.1, Fifth Edition of the Florida Fire Prevention Code) to provide fire flow calculations. The Fire Flow form is located on the Growth Management Department page within the City of Tallahassee's web page (www.tal.gov) in the "Applications and Forms" section. If hydrants are existing the following is required. After the NFF is determined, the existing fire hydrant(s) shall be flowed to determine its GPM. If the GPM meets or exceeds the NFF, no additional hydrants are required. If it does not meet the NFF, additional hydrant(s) are required.
2. Every building constructed shall be accessible to fire department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus (32 tons) and having a minimum clearance of 13 feet, 6 inches, angle of approach and departure not exceeding 1 ft. drop in 20 ft. (0.3 drop in 6 m.) or the design limitations of the Fire Department apparatus, subject to Fire Department approval. The site plans' Geometry Plan (Sheet 3.0) includes an area containing 24 residential units with no specific location and orientation of buildings. Final determination of any additional Fire Department access requirements cannot be established until the individual units are identified and located on the site plan.

Board of County Commissioners
Interoffice-Memorandum

Date: January 26, 2016

To: Nancy Garcia, Planner II

From: Kimberly A. Wood, P.E., Chief of Engineering Coordination

Subject: Proposed Residential Condominiums on Blountstown Highway - LSP1601

The information submitted for review is not sufficient for a thorough review at this time. The following comments are for the applicant's information and may be revised as more information becomes available.

1. Existing conditions sheets should clearly delineate the limits of the Conservation Easement.
2. The existing 15 foot ingress/egress utility easement appears to conflict with the proposed 50 foot buffer, how will the plantings be protected if utilization of the easement becomes necessary.
3. Any and all work proposed within FDOT right of way must receive conceptually approval from FDOT prior to conceptual siteplan approval. This also includes the proposed right of way to FDOT?
4. Plans must be revised to include dimensions of all proposed improvements, including but not limited to all sidewalks, bike spaces, etc.
5. Plans must identify what the proposed driving area is, driveway or private road? Typical sections of vehicular use area must be included in the plans.
6. Please provide justification for proposed right turn into development.
7. Please show locations and information on any proposed retaining walls.
8. The grading of the SWMF is encroaching into the proposed 50 foot buffer.

Exhibit 8a

Environmental Impact Analysis Application dated January 12, 2016

Development Support & Environmental Mgmt. 435 North Macomb Street Renaissance Center, 2 nd Floor Tallahassee, FL 32301 (850) 606-1300	
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E - 2

Environmental Impact Analysis

Fee: \$1,356 base + \$24 an acre over 5 acres - with floodplain \$1,890 base +\$30 per acre over 5 acres.

Applicant Name: Moore Bass Consulting, Inc. (Tom O'Steen) Date: 1-12-16
 Project Name: Proposed Residential Condominiums on Blounts Parcel No. 21-31-20-007-0030
 Location: 5044 Blountstown Hwy Acreage: 33.52 Floodplain: Yes No

- A. Provide a conceptual development plan showing all of the following items, if applicable:
 - The sq. ft. dedicated to landscape islands
 - 40% plan-view canopy coverage of paved parking areas
 - Preservation of at least 10% of pre-development vegetation
 - 20' wide front perimeter landscaping before vehicular use area
 - The sq. ft. of vehicular use area
 - Proposed Project limits
 - Existing & proposed wells
- NA Show any proposed impacts to Canopy Road Tree Protection Zones, and demonstrate compliance with Sections 10-4.363(f), and 10-4.206(b), and 10-6.707
- NA Show any special development zones and quantify impacts to those zones (See Sections 10-4.301 and 10-4.323).

Acres of Special Development Zone	Acres Proposed for Development	% of Spec. Development Zone Proposed for Development
Zone A	NA	
Zone B		

Best Management Practices must be shown on the site plan for all properties within Special Development Zones.

- B. Provide a narrative description of the following project features that apply:
 - Type of development and proposed changes to existing structures
 - Indicate whether there are any current environmental management permits on the site and how the proposed project relates to the existing permits.
 - Show compliance with Section 10-4.325 -Active Karst Feature
- C. Address wet season water table at pond location.
- D. Provide a 2-foot contour map on which is drawn the path of stormwater discharge traced from the site's stormwater facilities to the downstream receiving water body or watercourse of a capacity 40 times greater than the site's storage volume or discharge rate. These maps should be based on current Tallahassee/Leon County contour maps, available for inspection at City Growth and County Development Support & Environmental Management Offices. Maps are available for purchase from the Tallahassee-Leon County Geographic Information Services Department at 606-5500.
- E. The stormwater discharge shall not cause flooding or other adverse impacts for the downstream areas. If a site is greater than 2 acres and its discharge is greater than 2.5% of the flow in the conveyance structure at the discharge point for the critical storm, provide one of the following:

Conveyance Analysis. An analysis shall be completed to show that no adverse impacts occur downstream. The analysis shall include all storms up to and including the 25 year frequency. If there are flooding problems within the analysis area defined above, then an analysis of the storms up to and including the 100 year frequency may be required; or

~~NA~~ Restricted Discharge. The stormwater management facility shall be designed such that post development discharge is restricted to the critical duration two (2) year pre-development discharge rate for all duration and return frequencies up to and including the twenty-five (25) year, twenty-four (24) hour storm event. The total required detention volume shall again be available within ninety (90) hours following a rainfall event.

For some sites, if there is an immediate downstream flooding problem, then an analysis of the downstream impacts may be necessary regardless of the discharge flow rate or size of project. Flooding problems may require the extent of the analysis to be moved further downstream and/or a continuous analysis be performed based on actual rainfall data.

F. Provide calculations, topographic maps, and/or plans of record sufficient to demonstrate that anticipated rates of flow and volume increases can be handled downstream without causing adverse impacts to wetlands, water courses, waterbodies, and stormwater conveyances. Also, provide preliminary calculations to verify pond meets stormwater water quality and recovery requirements.

G. If a retention pond is proposed, provide the following information:
 Substantiate preliminary percolation rates.

~~NA~~ H. Verify all newly proposed lots have sufficient buildable area outside of environmental constraints and special development zone (SDZ) restrictions. Sufficient buildable area shall be considered ½ acre of contiguous area if the site has environmental constraints and/or SDZ restrictions, or the allowable zoning density if there are no site constraints.

I. Attach a separate sheet, at the same scale as the site plan, that shows the results of the approved Natural Features Inventory. Include graphic depictions and associated narrative of how impacts to sensitive environmental features have been avoided or offset, in accordance with the Table of Standards for the Protection of Natural Features (see Section 10-4.202(a)(2)c.). If any flood zone grade changes are proposed, show compliance with the restrictions in Section 10-4.327(3). For sites that include species of special concern, threatened species, or endangered species, include a habitat suitability assessment. Include a protection and management plan approved by Federal or State agencies of jurisdiction.

Natural Feature	Acreage	Proposed Mitigation
Significant Grades	6.00	NA
Severe Grades (regulated as signifi	0.55	NA
Wetlands	2.05	NA
Floodplains	3.86	NA

Development Support and Environmental Management • Leon County • Environmental Compliance Division

Exhibit 8b

Environmental Impact Analysis Narrative dated January 12, 2016



Land Use Planning • Engineering Design • Environmental Permitting • Landscape Architecture • Surveying

**Environmental Impact Analysis
for
Proposed Residential Condominiums on Blountstown Highway**

Tax ID No. 21-31-20-007-0030
MBC #554.096

January 12, 2016

GENERAL

The proposed site is a tract totaling 33.52+/- acres located on Blountstown Highway. The property lies in Section 31, Township 01 North, Range 01 West. The site is currently vacant and mostly wooded. The site is encumbered by an existing conservation easement, which is shown on the boundary survey. The easement is recorded in the public records of Leon County FL in Book 3847, page 1674. It is believed that the easement was recorded as part of the Star Pointe subdivision, which was never constructed. The exact purpose of the easement is not clear but it is presumed to be for slope preservation associated with a prior development plan.

Natural features as identified in the approved natural features inventory are described below. All of the regulated features lie within the northern portion of the project. The project area occurs on only the southernmost 4.09 acres of the site and as such, does not impact any of the regulated features.

Stormwater runoff from the project area will be collected in a series of swales and inlets and conveyed to a proposed stormwater management facility to be located adjacent to Blountstown Highway. See included stormwater analysis for additional information.

NATURAL FEATURES INVENTORY

Vegetative Communities

The site can be described using the Florida Land Use, Cover and Forms Classification System as Hardwood Forested Uplands - Mixed Hardwoods, FLUCCS Designation 1112:

This is a hardwood community in which no single species or species group appears to achieve a 66 percent dominance of the canopy. This class of hardwoods includes any combination of large and small hardwood tree species none of which can be identified as dominating the canopy. (FLUCCS)

Drainage Area

The site is located within the Gum Creek West Watershed, part of the Lake Munson Basin.

Waterbodies

The site does not contain any waterbodies.

EIA Narrative
Proposed Residential Condominium on Blountstown Highway
January 12, 2016
Page 2 of 2

Watercourses

There is a small area of watercourse located on the northwestern most portion of the property. The water course passes through a culvert beneath the railroad tracks on the north end of the site.

Wetlands

Wetlands were located on the northernmost portion of the project as delineated by Cardno in a report dated December 15, 2015, previously submitted with the NFI application (LEA150065).

Floodplain

The site contains 100 year floodplain associated with the wetlands on the northern part of the project. There is also an area of flood plain located near the eastern property line approximately midway along the length of the line. Flood plain is shown per FIRM 12073C 0278 F and 12073C 0286 F, dated: AUGUST 18, 2009.

Floodways

The site contains a floodway in the northwest corner of the property.

Grades/Slopes

Significant and severe slopes within 100 feet of wetlands and floodplain and slopes contiguous to that line are delineated on the NFI map. The majority of the slopes are significant. Severe slopes only exist in very small areas within the significant slopes. We request that these small pockets of severe slopes be regulated as significant.

Soils

The soil survey indicates that a majority the site consists of Lakeland Fine Sand (021)(hydrologic soil group A). The northern most section contains a pocket of Plummer Fine Sand Fine Sand (041) (hydrologic soil group B/D). This is graphically identified on the Natural Features Inventory map.

Karst Features

There are no known karst features on this site. We reviewed the online Tallahassee-Leon County GIS Natural Features Inventory Map for karst features. There were none indicated. In addition, field survey indicated a small depression near the middle of the site along the eastern edge. Ardaman and Associates were hired to explore the depression. They walked the entire depression and did not observe any holes in the ground or any other indication of active karst.

Wells/Groundwater

No wells or areas susceptible to groundwater are identified. If further detailed survey work provides evidence of these features, then appropriate measures will be taken.

Tree Tagging

All regulated on-site trees have been field located and are reflected on the Natural Features Inventory map.

Listed Species

To the best of our knowledge, there are no known habitats of endangered, threatened or species of special concern located on this site. Please see report from Cardno, dated December 15, 2015.

Special Development Area

The site does not contain any special development zones.

Cultural Resource Assessment

A cultural resource assessment has been provided.

Exhibit 8c

Proposed Conservation Easement

CONSERVATION EASEMENT

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby made and entered into on this _____ day of _____, 2016, by _____ hereinafter referred to as the "Grantor," to LEON COUNTY, FLORIDA, a political subdivision of the State of Florida, whose mailing address is Board of County Commissioners, 301 South Monroe Street, Tallahassee, Florida 32301, hereinafter referred to as the "Grantee."

WITNESSETH:

For and in consideration of the mutual promises and other good and valuable consideration as set forth herein, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant to the Grantee, its successors and assigns, a perpetual Conservation Easement in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit "A", which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

The following activities are prohibited within this easement, pursuant to Section 704.06, Florida Statutes:

1. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures above or on the ground.
2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.
3. Removal or destruction of trees, shrubs, or other vegetation, except for invasive exotic vegetation.
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.
5. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife conservation habitat preservation.
7. Acts or uses detrimental to such retention of land or water areas.
8. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

Removal or pruning of hazardous, diseased or insect infested trees may be permitted upon prior approval from the Leon County Department of Development Support and Environmental Management.

Notwithstanding the foregoing, the Grantor shall be permitted to perform the activities set forth in the *Residential Condominiums on Blountstown Highway Conservation Easement Management &*

Maintenance Plan, maintained in the records of Leon County Department of Development Support and Environmental Management, and as may be amended from time to time.

It is understood that the granting of this easement entitles the Grantee to enter the above-described land in a reasonable manner and at reasonable times to assure compliance with the conditions of this easement.

Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whosoever claimed by, through or under it, that it has good rights and lawful authority to grant this easement and that the same is unencumbered. Where the context of this easement requires, allows or permits, the same shall include the successors or assigns of the parties.

The easement granted hereby shall run with the land and shall enure to the benefit of the Grantee and its successors and assigns.

IN WITNESS WHEREOF, Grantor has caused these covenants to be executed and its seal to be affixed hereto on the day and year first above written.

GRANTOR

(Name of Corporation Typewritten)

(Signature of Officer or Agent)

(Print Name and Title of Officer or Agent)

WITNESSES:

(Sign)

(Print Name)

(Sign)

(Print Name)

Exhibit 8d

Conservation Easement Management and Maintenance Plan

Residential Condominiums on Blountstown Highway
Conservation Easement Management & Maintenance Plan

Notice: This plan does not necessarily provide exemption from any other applicable local, state, or federal regulations.

A. The following activities are allowed within the conservation easement area:

1. Eradication of invasive and nuisance plant species through the application of herbicides or by physical removal of such plants. Physical removal of invasive or nuisance species must be done with hand tools unless otherwise approved by Leon County Department of Development Support and Environmental Management, Division of Environmental Services. Disturbed soil areas must be mulched. Herbicides must be applied in accordance with the manufacturer's labeling. At a minimum, invasive species that are identified on the Leon County's List of Invasive Exotic Plants (see attached list) must be controlled. Other nuisance native species that may be controlled include grapevine (*Vitis* spp.), catbriar (*Smilax* spp.), and poison ivy (*Toxicodendron* spp.). Other nuisance species listed by private, state, or federal entities may also be removed after approval from Leon County Department of Development Support and Environmental Management, Division of Environmental Services, or its successor.
2. Any other activities specifically authorized by an Environmental Management Permit issued by the Leon County Department of Development Support and Environmental Management, Division of Environmental Services, or its successor.
3. Limited clearing and pruning of vegetation necessary to establish nature trails or pedestrian pathways used for passive recreation purposes. The location of these trails or pathways must be located so as to avoid impacts to native trees and other desirable native vegetation to the greatest extent practicable. Location and design of trails must be approved by Leon County Department of Development Support and Environmental Management, Division of Environmental Services, or its successor.
4. Maintenance activities necessary to properly maintain the nature trails or pedestrian pathways.
5. Removal or pruning of hazardous, diseased or insect infested trees may be permitted upon prior approval from the Leon County Department of Development Support and Environmental Management, Division of Environmental Services, or its successor. However, if the tree(s) presents an imminent danger, it may be removed immediately. Photos should be taken to document the condition of the tree prior to removal.
6. Planting of native species that are adapted to local site conditions. Any proposed planting of additional vegetation shall first be submitted to the Leon County Department of Development Support and Environmental Management, Division of Environmental Services, or its successor, for review and approval.

B. General Maintenance of the Conservation Easement Area:

Efforts shall be made to maintain and manage the conservation Easement area such that the average percent cover accounted for by invasive plant species does not exceed 1% (one percent). Immediately following a maintenance event, the average percent cover by invasive and nuisance plant species should be as close to 0 percent as possible.

Exhibit 8e

Stormwater Analysis dated January 12, 2015

Proposed Residential Condominiums on Blountstown Highway

Environmental Impact Analysis Stormwater Analysis

Date: January 12, 2016

Ben B. Hood, P.E. #69167



805 North Gadsden Street - Tallahassee, Florida 32303 - (850) 222-5678
MBC Job No. 14-027 Contract No. 554.070

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- 1) Narrative
- 2) Basin Curve Number and Time of Concentration Calculations
- 3) SWMF Treatment Calculations
- 4) Model Results Summary
- 5) ICPR Stormwater Model
- 6) Geotechnical Report
- 7) Drainage Basin Maps



1. Narrative



PROPOSED RESIDENTIAL CONDOMINIUMS ON BLOUNTSTOWN HIGHWAY

STORMWATER NARRATIVE

MBC Project No. 554.096
January 12, 2016

GENERAL

The subject site is located on the north side of Blountstown Highway approximately 2,700 feet west of Capital Circle. The proposed project is 24 unit residential condominium. The subject site is 33.52 acres. However, the "project area" occurs only on the southernmost portion of the project adjacent to Blountstown Highway and is 4.09 acres.

Stormwater:

The site is located within the Gum Creek West Watershed, part of the Lake Munson Basin. The site is generally wooded with the dominate soil type Lakeland Fine Sand (021)(hydrologic soil group A). The northern most section contains a pocket of Plummer Fine Sand Fine Sand (041) (hydrologic soil group B/D).

In the pre-development condition the site can be divided into five sub-basins, as depicted on the pre-development drainage map. However, because the project is limited to only the southern 4 acres of the site, only two of the basins are impacted. Basin "Pre Hwy 20" is the southernmost portion of the site which drains generally to an existing inlet located within the northern FDOT right of way of Blountstown Highway, just east of the site. Basin "Pre East Lake" drains to a pond offsite on the adjacent property to the east.

In the post development condition, runoff from the project area will be collected in a series of swales and inlets and conveyed to a proposed stormwater management facility to be located adjacent to Blountstown Highway. The proposed pond is a dry retention facility with the capacity to treat runoff in accordance with Leon County regulations (75% of runoff from the first 3.0 inches of rainfall). Leon County Code requires that treatment volume of on-line dry retention systems to be recovered within 72 hours. Volume recovery will be through natural percolation. A double ring infiltrometer test performed by Ardaman and Associates yielded an infiltration rate of 6.5 inched per hour. *A design rate of 6.5 feet per day (factor of safety of 2) was used in the stormwater mode allowing the pond to recover its entire volume well within the allowed time frame.* It should be noted based on the sandy nature of the site (see included geotechnical report), that the facility is almost full retention. In fact, only the 25 year, 8 and 24 hour and the 100 year, 4, 8 and 24 hour storms provide



Bannerman Commercial South Side SWMF
MBC #554.070

any discharge at all. Even in these cases, the discharge is very small. To accommodate these events, the facility will be equipped with a control structure that will connect to the drainage system within Blountstown Highway, ultimately tying to the existing inlet east of the site. ICPR modeling indicates that pre versus post rate attenuation is provided for critical duration storms up to and including the 100 year events while maintaining a minimum of 1 foot of free board.

The facility is sized to provide capacity for all currently proposed impervious areas as well as 0.15 acres of future impervious area associated with an anticipated 5,000 sf community center (not part of this application).

CONCLUSION

The calculations indicate that water quality treatment in accordance with Leon County and NFWMD standards is being provided for both the project area. The ICPR modeling results. Soil infiltration rates as determined by testing by Ardaman and Associates indicates that the facility will recover it's volume as required by code. Therefore, there will be no adverse impacts on the downstream conveyances and the site complies with the requirements of Leon County and the Northwest Florida Water Management District.



2. Basin Curve Number and Time of Concentration Calculations



Moore Bass CONSULTING		Project: Blountstown Condo		Created 1/12/2006	
MBC Job Number 554.096		Compiled By: BH		Revised	

Basin: Pre HWY 20 - Calculate Weighted Curve Number					
Soil Types	Land Type	Acres +/-	Cn	Ac * Cn	
Type A Soils	Woods (Fair)	2.76	30	82.8	
Varies	Paved parking lots, roofs, driveways, etc.	0.00	98	0	
Total Ac / Weighted Cn		2.76		82.8	

Calculate Time of Concentration					
Segment A - Sheet Flow: Overland					
Surface Description		Woods			
Manning's n (Table T-1 FDOT Hydrology Handbook)		0.45			
Flow length (L) (total <= 100')		100 LF			
Two-Yr 24-Hr Rainfall, P2 (NWFWMO Handbook Fig. 2.7-1)		4.5 Inches			
Land Slope, (s)		0.020 Ft / Ft			
Tc segment T1 = ((0.007 * (n * L) ^{0.8}) / ((P ² * 0.5) * (s * 0.4))) * 60		13 Min			
Segment B - Shallow Concentrated Flow					
Surface Description (Paved or Unpaved)		Unpaved			
Flow Length, L		430 LF			
Watercourse Slope, s		0.026 Ft / Ft			
Average Velocity, V (from Figure 3-1 TR-55)		2.70 Ft / s			
Tc segment T2 = L / (60 * V)		3 Min			
Tc Total (Min. 10 minutes) =		22 Min			

Basin: Pre East Lake - Calculate Weighted Curve Number					
Soil Types	Land Type	Acres +/-	Cn	Ac * Cn	
Type A Soils	Woods (Fair)	9.87	30	296.1	
Varies	Paved parking lots, roofs, driveways, etc.	0.00	98	0	
Total Ac / Weighted Cn		9.87		296.1	

Calculate Time of Concentration					
Segment A - Sheet Flow: Overland					
Surface Description		Woods			
Manning's n (Table T-1 FDOT Hydrology Handbook)		0.45			
Flow length (L) (total <= 100')		100 LF			
Two-Yr 24-Hr Rainfall, P2 (NWFWMO Handbook Fig. 2.7-1)		4.5 Inches			
Land Slope, (s)		0.055 Ft / Ft			
Tc segment T1 = ((0.007 * (n * L) ^{0.8}) / ((P ² * 0.5) * (s * 0.4))) * 60		13 Min			
Segment B - Shallow Concentrated Flow					
Surface Description (Paved or Unpaved)		Unpaved			
Flow Length, L		465 LF			
Watercourse Slope, s		0.064 Ft / Ft			
Average Velocity, V (from Figure 3-1 TR-55)		4.10 Ft / s			
Tc segment T2 = L / (60 * V)		3 Min			
Tc Total (Min. 10 minutes) =		16 Min			



Project Blountstown Condo
MBC Job Number: 554.096
Compiled By: BH

Created 1/12/2006
Revised

Basin Pre Depression - Calculate Weighted Curve Number					
Soil Types	Land Type		Acres +/-	Cn	Ac * Cn
Type A Soils	Woods (Fair)		6.35	35	223
Vaness	Paved parking lots, roofs, driveways, etc		0.00	58	0
Total Ac / Weighted Cn			6.35		223

Calculate Time of Concentration	
Segment A - Sheet Flow: Overland	
Surface Description	Woods
Manning's n (Table T-1 FDOT Hydrology Handbook)	0.45
Flow length (L) (total <= 100')	100 LF
Two-Yr 24-Hr Rainfall, P2 (NWFVMD Handbook Fig 2.7.1)	4.8 inches
Land Slope (s)	0.050 Ft / Ft
Tc segment T1 = $(0.007 \times (n \times L)^{0.5}) / ((P2^{0.5}) \times (s^{0.4})) \times 60$	13 Min
Segment B - Shallow Concentrated Flow	
Surface Description (Paved or Unpaved)	Unpaved
Flow Length, L	515 LF
Watercourse Slope, s	0.095 Ft / Ft
Average Velocity, V (from Figure 3-1 TR 55)	5.00 Ft / s
Tc segment T2 = $L / (60 \times V)$	2 Min
Tc Total (Min. 10 minutes) =	15 Min

Basin Pre East - Calculate Weighted Curve Number					
Soil Types	Land Type		Acres +/-	Cn	Ac * Cn
Type A Soils	Woods (Fair)		2.63	31	82
Vaness	Paved parking lots, roofs, driveways, etc		0.00	58	0
Total Ac / Weighted Cn			2.63		82

Calculate Time of Concentration	
Segment A - Sheet Flow: Overland	
Surface Description	Woods
Manning's n (Table T-1 FDOT Hydrology Handbook)	0.45
Flow length (L) (total <= 100')	100 LF
Two-Yr 24-Hr Rainfall, P2 (NWFVMD Handbook Fig 2.7.1)	4.8 inches
Land Slope (s)	0.060 Ft / Ft
Tc segment T1 = $(0.007 \times (n \times L)^{0.5}) / ((P2^{0.5}) \times (s^{0.4})) \times 60$	12 Min
Segment B - Shallow Concentrated Flow	
Surface Description (Paved or Unpaved)	Unpaved
Flow Length, L	163 LF
Watercourse Slope, s	0.127 Ft / Ft
Average Velocity, V (from Figure 3-1 TR 55)	5.00 Ft / s
Tc segment T2 = $L / (60 \times V)$	6 Min
Tc Total (Min. 10 minutes) =	12 Min

Basin Pre RailRoad - Calculate Weighted Curve Number					
Soil Types	Land Type		Acres +/-	Cn	Ac * Cn
Type A Soils	Woods (Fair)		9.75	30	293
Type A Soils	Wetland Marsh		2.05	38	78
Vaness	Paved parking lots, roofs, driveways, etc		0.00	58	0
Total Ac / Weighted Cn			11.80		371

Calculate Time of Concentration	
Segment A - Sheet Flow: Overland	
Surface Description	Woods
Manning's n (Table T-1 FDOT Hydrology Handbook)	0.45
Flow length (L) (total <= 100')	100 LF
Two-Yr 24-Hr Rainfall, P2 (NWFVMD Handbook Fig 2.7.1)	4.8 inches
Land Slope (s)	0.060 Ft / Ft
Tc segment T1 = $(0.007 \times (n \times L)^{0.5}) / ((P2^{0.5}) \times (s^{0.4})) \times 60$	12 Min
Segment B - Shallow Concentrated Flow	
Surface Description (Paved or Unpaved)	Unpaved
Flow Length, L	554 LF
Watercourse Slope, s	0.054 Ft / Ft
Average Velocity, V (from Figure 3-1 TR 55)	3.77 Ft / s
Tc segment T2 = $L / (60 \times V)$	2 Min
Tc Total (Min. 10 minutes) =	14 Min



Project **Blountstown Condo**
MBC Job Number: **654.096**
Compiled By: **BH**

Created **1/12/2016**
Revised

Basin	Post SWMF #1	- Calculate Weighted Curve Number		
Soil Types	Land Type	Acres +/-	Cn	Ac * Cn
Type A Soils	Open Space	0.92	35	36
Type A Soils	Woods (Fair)	0.92	38	33
Varies	Paved parking lots, roofs, driveways, etc.	0.47	93	48
Varies	Residential Building (24 units @ 375 sf each)	0.20	98	20
Varies	Misc. Imperv Allowance for Future Projects	0.15	98	15
Varies	SWMF Water	0.11	100	11
Total Ac / Weighted Cn		2.75		58.0

Basin	Post Hwy 20	- Calculate Weighted Curve Number		
Soil Types	Land Type	Acres +/-	Cn	Ac * Cn
Type A Soils	Woods (Fair)	1.06	35	35
Varies	Paved parking lots, roofs, driveways, etc.	0.00	93	0
Total Ac / Weighted Cn		1.06		35.0

Basin	Post East Lake	- Calculate Weighted Curve Number		
Soil Types	Land Type	Acres +/-	Cn	Ac * Cn
Type A Soils	Woods (Fair)	8.74	38	315
Varies	Paved parking lots, roofs, driveways, etc.	0.07	93	7
Total Ac / Weighted Cn		8.81		36.5

Calculate Time of Concentration	
Segment A - Sheet Flow: Overland	
Surface Description	Woods
Manning's n (Table T-1 FDOT Hydrology Handbook)	0.45
Flow length (L) (total <= 100')	100 LF
Two-Yr 24-Hr Rainfall, P2 (NFWMD Handbook Fig. 2.7-1)	4.8 inches
Land Slope, (s)	0.055 Ft / Ft
Tc segment Tt = $(0.007 \times (n \times L)^{0.8}) / ((P2^{0.5}) \times (s^{0.4})) \times 60$	13 Min
Segment B - Shallow Concentrated Flow	
Surface Description (Paved or Unpaved)	Unpaved
Flow Length, L	465 LF
Watercourse Slope, s	0.064 Ft / Ft
Average Velocity, V (from Figure 3-1 TR-55)	4.13 Ft / s
Tc segment Tt = $L / (60 \times V)$	2 Min
Tc Total (Min. 10 minutes) =	15 Min

3. SWMF Calculations



Moore Bass Consulting

Project: **Blountstown Condo**
 MBC Job Number: **554.096**
 Compiled By: **BH**
SWMF #1

Created: **1/12/2016**
 Revised:
 Revised:

Stage-Storage Table

Stage (feet)	Area (sf)	Area (ac)	Inc. Vol. (cf)	Sum Vol. (cf)
77	2300	0.053	0	0
78	3131	0.072	2716	2716
79	4089	0.094	3610	6326
80	5190	0.119	4640	10965
81	6458	0.148	5824	16789
82	8153	0.187	7306	24095
83	10248	0.235	9201	33295

Treatment Volume - On-line Retention

Basin Data	
Basin Area =	2.76 Ac
Impervious Area =	0.89 Ac
Pervious Area =	1.87 Ac
Runoff Coeff. (imperv. C=0.95, perv. C = 0.20)	0.443
Treatment Volume Calculation - Leon County	
Required Treatment (75% of 3" rainfall) =	2.25 in
Required Treatment Volume =	9978 cf
Treatment Elevation =	80.01

4. Model Results Summary





C O N S U L T I N G

Project: Blountstown Condo
MBC Job Number: 554.096
Compiled By: BH

Date: 1/12/2016
Rev:

Pre & Post Development Comparison - Highway 20

Using ICPR3 to compute runoff flow rates.

SIMULATION	PRE FLOW (cfs)	POST FLOW (cfs)	PRE-POST DIFF (cfs)	STAGE	SWMF #1 FREEBOARD 83
002yr-001hr	0.00	0.00	0.00	77.15	5.85
002yr-002hr	0.00	0.00	0.00	77.52	5.48
002yr-004hr	0.00	0.00	0.00	77.92	5.08
002yr-008hr	0.03	0.01	(0.02)	78.24	4.76
002yr-024hr	0.04	0.01	(0.02)	77.63	5.37
005yr-001hr	0.00	0.00	0.00	77.55	5.45
005yr-002hr	0.00	0.00	0.00	78.16	4.84
005yr-004hr	0.11	0.04	(0.07)	78.90	4.10
005yr-008hr	0.24	0.09	(0.15)	79.70	3.30
005yr-024hr	0.14	0.06	(0.09)	79.65	3.35
010yr-001hr	0.00	0.00	0.00	77.95	5.06
010yr-002hr	0.07	0.03	(0.04)	78.71	4.29
010yr-004hr	0.32	0.12	(0.19)	79.56	3.44
010yr-008hr	0.42	0.16	(0.26)	80.45	2.56
010yr-024hr	0.23	0.09	(0.14)	80.79	2.21
025yr-001hr	0.01	0.00	(0.01)	78.48	4.52
025yr-002hr	0.21	0.08	(0.13)	79.37	3.63
025yr-004hr	0.70	0.27	(0.43)	80.49	2.51
025yr-008hr	0.87	0.34	(0.54)	81.41	1.60
025yr-024hr	0.33	0.32	(0.01)	81.42	1.58
100yr-001hr	0.27	0.11	(0.17)	79.24	3.76
100yr-002hr	0.62	0.24	(0.38)	80.52	2.48
100yr-004hr	1.37	0.68	(0.68)	81.58	1.42
100yr-008hr	1.83	1.23	(0.60)	81.99	1.01
100yr-024hr	0.63	0.90	0.27	81.91	1.09
SCS-002yr-024hr	0.03	0.01	(0.02)	78.23	4.77
SCS-025yr-024hr	1.60	0.61	(0.98)	81.46	1.54

Min. Freeboard Provided = 1.01



Project: Blountstown Condo
 MBC Job Number: 554.096
 Compiled By: BH

Date: 1/12/2016
 Rev:

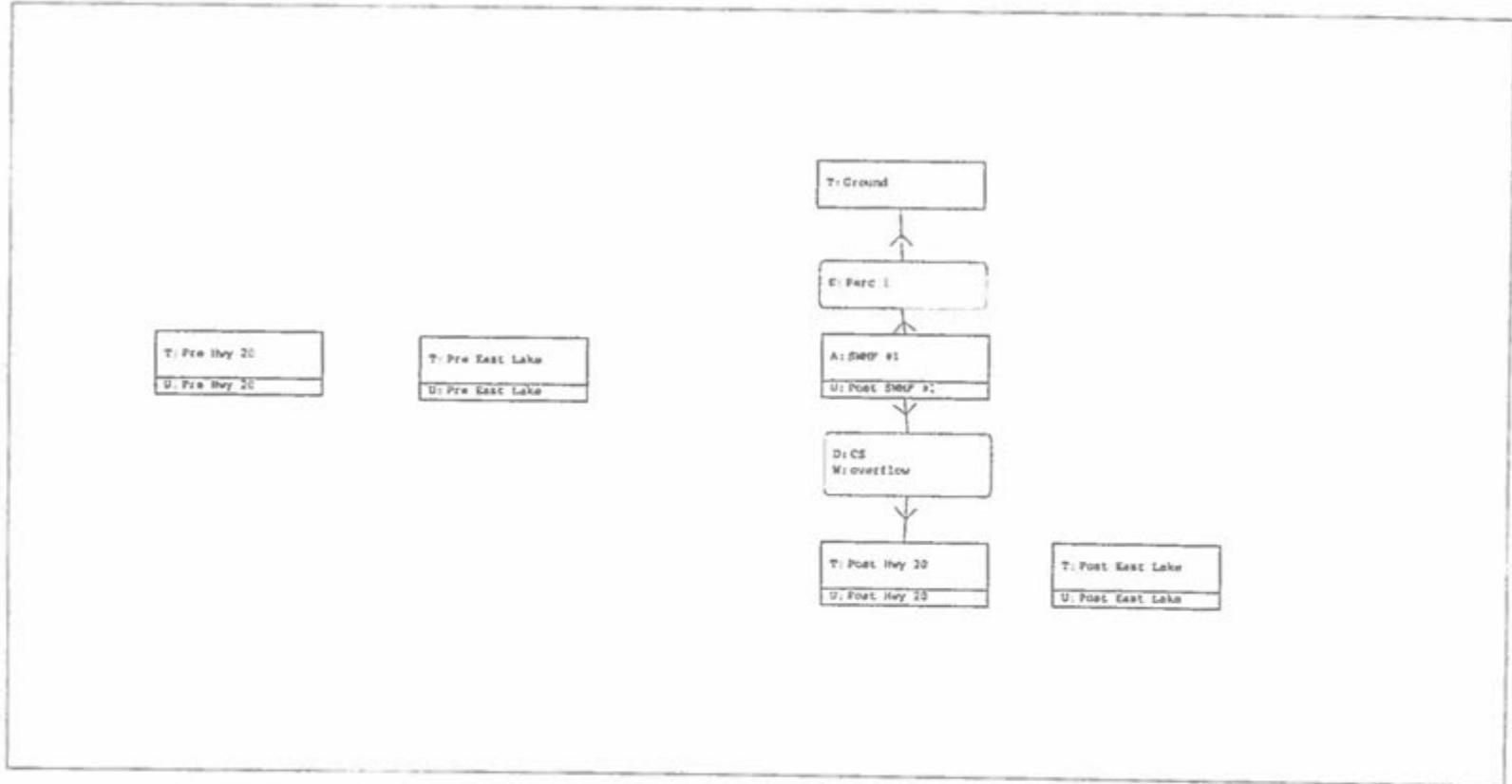
Pre & Post Development Comparison -East Lake					
Using ICPR3 to compute runoff flow rates.					
SIMULATION	PRE FLOW (cfs)	POST FLOW (cfs)	PRE-POST DIFF (cfs)		
002yr-001hr	0.00	0.00	0.00		
002yr-002hr	0.00	0.00	0.00		
002yr-004hr	0.00	0.00	0.00		
002yr-008hr	0.11	0.11	0.01		
002yr-024hr	0.14	0.13	(0.00)		
005yr-001hr	0.00	0.00	0.00		
005yr-002hr	0.01	0.03	0.02		
005yr-004hr	0.47	0.51	0.04		
005yr-008hr	0.92	0.90	(0.03)		
005yr-024hr	0.52	0.49	(0.03)		
010yr-001hr	0.00	0.00	0.00		
010yr-002hr	0.26	0.28	0.02		
010yr-004hr	1.26	1.24	(0.02)		
010yr-008hr	1.56	1.47	(0.08)		
010yr-024hr	0.83	0.76	(0.06)		
025yr-001hr	0.04	0.08	0.05		
025yr-002hr	0.79	0.79	(0.00)		
025yr-004hr	2.66	2.52	(0.14)		
025yr-008hr	3.61	3.47	(0.14)		
025yr-024hr	1.19	1.11	(0.08)		
100yr-001hr	1.30	1.37	0.08		
100yr-002hr	2.27	2.25	(0.03)		
100yr-004hr	5.06	4.71	(0.35)		
100yr-008hr	7.29	6.82	(0.47)		
100yr-024hr	2.28	2.09	(0.19)		
SCS-002yr-024hr	0.10	0.10	0.00		
SCS-025yr-024hr	6.99	6.66	(0.33)		

5. ICPR Stormwater Model



Blountstown Condo

- Nodes**
 A Stage/Area
 V Stage/Volume
 T Time/Stage
 M Manhole
- Basins**
 O Overland Flow
 U SCS Unit CN
 S SBUH CN
 Y SCS Unit CA
 Z SBUH GA
- Links**
 P Pipe
 W Weir
 C Channel
 D Drop Structure
 B Bridge
 R Rating Curve
 H Breach
 E Percolation
 F Filter
 X Exfil Trench



Date: 01/12/16
 Node Diagram

Interconnected Channel and Pond Routing Model (ICPR) ©2002 Streamline Technologies, Inc.

Blountstown Condo

*** Basing *****

Name: Post East Lake Node: Post East Lake Status: Onsite
Group: BASE Type: SCS Unit Hydrograph CN

Unit Hydrograph: Uh484 Peaking Factor: 484.0
Rainfall File: Storm Duration(hrs): 0.00
Rainfall Amount(in): 0.000 Time of Conc(min): 15.00
Area(ac): 8.810 Time Shift(hrs): 0.00
Curve Number: 36.50 Max Allowable Q(cfs): 999999.000
DCIA(%): 0.00

Name: Post Hwy 20 Node: Post Hwy 20 Status: Onsite
Group: BASE Type: SCS Unit Hydrograph CN

Unit Hydrograph: Uh484 Peaking Factor: 484.0
Rainfall File: Storm Duration(hrs): 0.00
Rainfall Amount(in): 0.000 Time of Conc(min): 22.00
Area(ac): 1.060 Time Shift(hrs): 0.00
Curve Number: 36.00 Max Allowable Q(cfs): 999999.000
DCIA(%): 0.00

Name: Post SWMF #1 Node: SWMF #1 Status: Onsite
Group: BASE Type: SCS Unit Hydrograph CN

Unit Hydrograph: Uh484 Peaking Factor: 484.0
Rainfall File: Storm Duration(hrs): 0.00
Rainfall Amount(in): 0.000 Time of Conc(min): 10.00
Area(ac): 2.760 Time Shift(hrs): 0.00
Curve Number: 58.00 Max Allowable Q(cfs): 999999.000
DCIA(%): 0.00

Name: Pre East Lake Node: Pre East Lake Status: Onsite
Group: BASE Type: SCS Unit Hydrograph CN

Unit Hydrograph: Uh484 Peaking Factor: 484.0
Rainfall File: Storm Duration(hrs): 0.00
Rainfall Amount(in): 0.000 Time of Conc(min): 15.00
Area(ac): 9.870 Time Shift(hrs): 0.00
Curve Number: 36.00 Max Allowable Q(cfs): 999999.000
DCIA(%): 0.00

Name: Pre Hwy 20 Node: Pre Hwy 20 Status: Onsite
Group: BASE Type: SCS Unit Hydrograph CN

Unit Hydrograph: Uh484 Peaking Factor: 484.0
Rainfall File: Storm Duration(hrs): 0.00
Rainfall Amount(in): 0.000 Time of Conc(min): 22.00
Area(ac): 2.760 Time Shift(hrs): 0.00
Curve Number: 36.00 Max Allowable Q(cfs): 999999.000
DCIA(%): 0.00

*** Nodes *****

Name: Ground Base Flow(cfs): 0.000 Init Stage(ft): 0.000
Group: BASE Warn Stage(ft): 0.000
Type: Time/Stage

Time(hrs)	Stage(ft)
0.00	0.000
9999999.00	0.000

Date: 01/12/16
Input Data

Blountstown Condo

Suction Head(in): 4.000
Layer Thickness(ft): 18.000

Num Cells 2 to 3: 45

Conductivity based on Ardaman DRI of 6.5"/hr (13 ft/day) w/ FS of 2

=====
=== Hydrology Simulations ===
=====

Name: 002yr-001hr
Filename: C:\Projects\2yr-1hr.R32

Override Defaults: Yes
Storm Duration(hrs): 1.00
Rainfall File: Fdot-1
Rainfall Amount(in): 2.30

Time(hrs)	Print Inc(min)
2.000	2.00

Name: 002yr-002hr
Filename: C:\Projects\2yr-2hr.R32

Override Defaults: Yes
Storm Duration(hrs): 2.00
Rainfall File: Fdot-2
Rainfall Amount(in): 3.00

Time(hrs)	Print Inc(min)
3.000	2.00

Name: 002yr-004hr
Filename: C:\Projects\2yr-4hr.R32

Override Defaults: Yes
Storm Duration(hrs): 4.00
Rainfall File: Fdot-4
Rainfall Amount(in): 3.50

Time(hrs)	Print Inc(min)
5.000	2.00

Name: 002yr-008hr
Filename: C:\Projects\2yr-8hr.R32

Override Defaults: Yes
Storm Duration(hrs): 8.00
Rainfall File: Fdot-8
Rainfall Amount(in): 4.20

Time(hrs)	Print Inc(min)
9.000	2.00

Name: 002yr-024hr
Filename: C:\Projects\2yr-24hr.R32

Override Defaults: Yes
Storm Duration(hrs): 24.00
Rainfall File: Fdot-24
Rainfall Amount(in): 4.70

Time(hrs)	Print Inc(min)
25.000	2.00

Name: 005yr-001hr
Filename: C:\Projects\5yr-1hr.R32

Override Defaults: Yes
Storm Duration(hrs): 1.00
Rainfall File: Fdot-1
Rainfall Amount(in): 2.80

Time(hrs)	Print Inc(min)
-----------	----------------

Date: 01/12/16
Input Data

Blountstown Ccndo

2.000 2.00

Name: 005yr-002hr
Filename: C:\Projects\5yr-2hr.R32

Override Defaults: Yes
Storm Duration(hrs): 2.00
Rainfall File: Fdot-2
Rainfall Amount(in): 3.60

Time(hrs) Print Inc(min)

3.000 2.00

Name: 005yr-004hr
Filename: C:\Projects\5yr-4hr.R32

Override Defaults: Yes
Storm Duration(hrs): 4.00
Rainfall File: Fdot-4
Rainfall Amount(in): 4.40

Time(hrs) Print Inc(min)

5.000 2.00

Name: 005yr-008hr
Filename: C:\Projects\5yr-8hr.R32

Override Defaults: Yes
Storm Duration(hrs): 8.00
Rainfall File: Fdot-8
Rainfall Amount(in): 5.50

Time(hrs) Print Inc(min)

9.000 2.00

Name: 005yr-024hr
Filename: C:\Projects\5yr-24hr.R32

Override Defaults: Yes
Storm Duration(hrs): 24.00
Rainfall File: Fdot-24
Rainfall Amount(in): 6.40

Time(hrs) Print Inc(min)

25.000 2.00

Name: 010yr-001hr
Filename: C:\Projects\10yr-1hr.R32

Override Defaults: Yes
Storm Duration(hrs): 1.00
Rainfall File: Fdot-1
Rainfall Amount(in): 3.20

Time(hrs) Print Inc(min)

2.000 2.00

Name: 010yr-002hr
Filename: C:\Projects\10yr-2hr.R32

Override Defaults: Yes
Storm Duration(hrs): 2.00
Rainfall File: Fdot-2
Rainfall Amount(in): 4.10

Time(hrs) Print Inc(min)

3.000 2.00

Name: 010yr-004hr
Filename: C:\Projects\10yr-4hr.R32

Date: 01/12/16
Input Data

Blountstown Condo

Override Defaults: Yes
Storm Duration(hrs): 4.00
Rainfall File: Fdot-4
Rainfall Amount(in): 5.00

Time(hrs)	Print	Inc(min)
5.000		2.00

Name: 010yr-008hr
Filename: C:\Projects\10yr-8hr.R32

Override Defaults: Yes
Storm Duration(hrs): 8.00
Rainfall File: Fdot-8
Rainfall Amount(in): 6.20

Time(hrs)	Print	Inc(min)
9.000		2.00

Name: 010yr-024hr
Filename: C:\Projects\10yr-24hr.R32

Override Defaults: Yes
Storm Duration(hrs): 24.00
Rainfall File: Fdot-24
Rainfall Amount(in): 7.50

Time(hrs)	Print	Inc(min)
25.000		2.00

Name: 025yr-001hr
Filename: C:\Projects\25yr-1hr.R32

Override Defaults: Yes
Storm Duration(hrs): 1.00
Rainfall File: Fdot-1
Rainfall Amount(in): 3.70

Time(hrs)	Print	Inc(min)
2.000		2.00

Name: 025yr-002hr
Filename: C:\Projects\25yr-2hr.R32

Override Defaults: Yes
Storm Duration(hrs): 2.00
Rainfall File: Fdot-2
Rainfall Amount(in): 4.70

Time(hrs)	Print	Inc(min)
3.000		2.00

Name: 025yr-004hr
Filename: C:\Projects\25yr-4hr.R32

Override Defaults: Yes
Storm Duration(hrs): 4.00
Rainfall File: Fdot-4
Rainfall Amount(in): 5.90

Time(hrs)	Print	Inc(min)
5.000		2.00

Name: 025yr-008hr
Filename: C:\Projects\25yr-8hr.R32

Override Defaults: Yes
Storm Duration(hrs): 8.00
Rainfall File: Fdot-8
Rainfall Amount(in): 7.40

Date: 01/12/16
Input Data

Blountstown Condo

Time(hrs)	Print Inc(min)
9.000	2.00

Name: 025yr-024hr
Filename: C:\Projects\25yr-24hr.R32

Override Defaults: Yes
Storm Duration(hrs): 24.00
Rainfall File: Fdot-24
Rainfall Amount(in): 8.50

Time(hrs)	Print Inc(min)
25.000	2.00

Name: 100yr-001hr
Filename: C:\Projects\100yr-1hr.R32

Override Defaults: Yes
Storm Duration(hrs): 1.00
Rainfall File: Fdot-1
Rainfall Amount(in): 4.40

Time(hrs)	Print Inc(min)
2.000	2.00

Name: 100yr-002hr
Filename: C:\Projects\100yr-2hr.R32

Override Defaults: Yes
Storm Duration(hrs): 2.00
Rainfall File: Fdot-2
Rainfall Amount(in): 5.80

Time(hrs)	Print Inc(min)
3.000	2.00

Name: 100yr-004hr
Filename: C:\Projects\100yr-4hr.R32

Override Defaults: Yes
Storm Duration(hrs): 4.00
Rainfall File: Fdot-4
Rainfall Amount(in): 7.20

Time(hrs)	Print Inc(min)
5.000	2.00

Name: 100yr-008hr
Filename: C:\Projects\100yr-8hr.R32

Override Defaults: Yes
Storm Duration(hrs): 8.00
Rainfall File: Fdot-8
Rainfall Amount(in): 8.90

Time(hrs)	Print Inc(min)
9.000	2.00

Name: 100yr-024hr
Filename: C:\Projects\100yr-24hr.R32

Override Defaults: Yes
Storm Duration(hrs): 24.00
Rainfall File: Fdot-24
Rainfall Amount(in): 10.90

Time(hrs)	Print Inc(min)
25.000	2.00

Name: SCS-002yr-024hr

Date: 01/12/16
Input Date

Blountstown Condo

Start Time(hrs): 0.000 End Time(hrs): 5.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

5.000 2.000
Group Run

BASE Yes

Name: 002yr-008hr Hydrology Sim: 002yr-008hr
Filename: C:\Projects\2yr-8hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 9.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

9.000 2.000
Group Run

BASE Yes

Name: 002yr-024hr Hydrology Sim: 002yr-024hr
Filename: C:\Projects\2yr-24hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 25.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

25.000 2.000
Group Run

BASE Yes

Name: 005yr-001hr Hydrology Sim: 005yr-001hr
Filename: C:\Projects\5yr-1hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 2.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

2.000 2.000
Group Run

Date: 01/12/16
Input Data

Blountstown Condo

BASE Yes

Name: 005yr-002hr Hydrology Sim: 005yr-002hr
Filename: C:\Projects\5yr-2hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 3.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

3.000 2.000

Group Run

BASE Yes

Name: 005yr-004hr Hydrology Sim: 005yr-004hr
Filename: C:\Projects\5yr-4hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 5.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

5.000 2.000

Group Run

BASE Yes

Name: 005yr-008hr Hydrology Sim: 005yr-008hr
Filename: C:\Projects\5yr-8hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 9.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

9.000 2.000

Group Run

BASE Yes

Name: 005yr-024hr Hydrology Sim: 005yr-024hr
Filename: C:\Projects\5yr-24hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000

Date: 01/12/16
Input Data

Blountstown Condo

Start Time(hrs): 0.000
Min Calc Time(sec): 0.5000
Boundary Stages:

End Time(hrs): 25.00
Max Calc Time(sec): 60.0000
Boundary Flows:

Time(hrs) Print Inc(min)

25.000 2.000

Group Run

BASE Yes

Name: 010yr-001hr Hydrology Sim: 010yr-001hr
Filename: C:\Projects\10yr-1hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 2.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

2.000 2.000

Group Run

BASE Yes

Name: 010yr-002hr Hydrology Sim: 010yr-002hr
Filename: C:\Projects\10yr-2hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 3.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

3.000 2.000

Group Run

BASE Yes

Name: 010yr-004hr Hydrology Sim: 010yr-004hr
Filename: C:\Projects\10yr-4hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 5.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

5.000 2.000

Group Run

Date: 01/12/16
Input Data

Blountstown Condo

BASE Yes

Name: 010yr-008hr Hydrology Sim: 010yr-008hr
Filename: C:\Projects\10yr-8hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 9.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

9.000 2.000

Group Run

BASE Yes

Name: 010yr-024hr Hydrology Sim: 010yr-024hr
Filename: C:\Projects\10yr-24hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 25.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

25.000 2.000

Group Run

BASE Yes

Name: 025yr-001hr Hydrology Sim: 025yr-001hr
Filename: C:\Projects\25yr-1hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 2.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

2.000 2.000

Group Run

BASE Yes

Name: 025yr-002hr Hydrology Sim: 025yr-002hr
Filename: C:\Projects\25yr-2hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000

Date: 01/12/16
Input Data

Blountstown Condo

Start Time(hrs): 0.000 End Time(hrs): 3.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs)	Print Inc(min)
3.000	2.000
Group	Run
BASE	Yes

Name: 025yr-004hr Hydrology Sim: 025yr-004hr
Filename: C:\Projects\25yr-4hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 5.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs)	Print Inc(min)
5.000	2.000
Group	Run
BASE	Yes

Name: 025yr-008hr Hydrology Sim: 025yr-008hr
Filename: C:\Projects\25yr-8hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 9.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs)	Print Inc(min)
9.000	2.000
Group	Run
BASE	Yes

Name: 025yr-024hr Hydrology Sim: 025yr-024hr
Filename: C:\Projects\25yr-24hr.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 25.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs)	Print Inc(min)
25.000	2.000
Group	Run

Date: 01/12/16
Input Data

Blountstown Condo

BASE Yes

Name: 100yr-001hr Hydrology Sim: 100yr-001hr
 Filename: C:\Projects\100yr-1hr.I32

Execute: Yes Restart: No Patch: No
 Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
 Time Step Optimizer: 10.000
 Start Time(hrs): 0.000 End Time(hrs): 2.00
 Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
 Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

 2.000 2.000

Group Run

BASE Yes

Name: 100yr-002hr Hydrology Sim: 100yr-002hr
 Filename: C:\Projects\100yr-2hr.I32

Execute: Yes Restart: No Patch: No
 Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
 Time Step Optimizer: 10.000
 Start Time(hrs): 0.000 End Time(hrs): 3.00
 Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
 Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

 3.000 2.000

Group Run

BASE Yes

Name: 100yr-004hr Hydrology Sim: 100yr-004hr
 Filename: C:\Projects\100yr-4hr.I32

Execute: Yes Restart: No Patch: No
 Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
 Time Step Optimizer: 10.000
 Start Time(hrs): 0.000 End Time(hrs): 5.00
 Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
 Boundary Stages: Boundary Flows:

Time(hrs) Print Inc(min)

 5.000 2.000

Group Run

BASE Yes

Name: 100yr-008hr Hydrology Sim: 100yr-008hr
 Filename: C:\Projects\100yr-8hr.I32

Execute: Yes Restart: No Patch: No
 Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
 Time Step Optimizer: 10.000

Date: 01/12/16
 Input Data

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Start Time(hrs): 0.000	End Time(hrs): 9.00
Min Calc Time(sec): 0.5000	Max Calc Time(sec): 60.0000
Boundary Stages:	Boundary Flows:

Time(hrs)	Print Inc(min)
-----	-----
9.000	2.000
Group	Run
-----	-----
BASE	Yes

Name: 100yr-024hr Hydrology Sim: 100yr-024hr
 Filename: C:\Projects\100yr-24hr.I32

Execute: Yes	Restart: No	Patch: No
Alternative: No		
Max Delta Z(ft): 1.00	Delta Z Factor: 0.00500	
Time Step Optimizer: 10.000		
Start Time(hrs): 0.000	End Time(hrs): 25.00	
Min Calc Time(sec): 0.5000	Max Calc Time(sec): 60.0000	
Boundary Stages:	Boundary Flows:	

Time(hrs)	Print Inc(min)
-----	-----
25.000	2.000
Group	Run
-----	-----
BASE	Yes

Name: SCS-002yr-024hr Hydrology Sim: SCS-002yr-024hr
 Filename: C:\Projects\SCS-2yr-24hr.I32

Execute: Yes	Restart: No	Patch: No
Alternative: No		
Max Delta Z(ft): 1.00	Delta Z Factor: 0.00500	
Time Step Optimizer: 10.000		
Start Time(hrs): 0.000	End Time(hrs): 25.00	
Min Calc Time(sec): 0.5000	Max Calc Time(sec): 60.0000	
Boundary Stages:	Boundary Flows:	

Time(hrs)	Print Inc(min)
-----	-----
25.000	2.000
Group	Run
-----	-----
BASE	Yes

Name: SCS-025yr-024hr Hydrology Sim: SCS-025yr-024hr
 Filename: C:\Projects\SCS-25yr-24hr.I32

Execute: Yes	Restart: No	Patch: No
Alternative: No		
Max Delta Z(ft): 1.00	Delta Z Factor: 0.00500	
Time Step Optimizer: 10.000		
Start Time(hrs): 0.000	End Time(hrs): 25.00	
Min Calc Time(sec): 0.5000	Max Calc Time(sec): 60.0000	
Boundary Stages:	Boundary Flows:	

Time(hrs)	Print Inc(min)
-----	-----
25.000	2.000
Group	Run
-----	-----

Date: 01/12/16
 Input Data

Blountstown Condo

BASE Yes

Date: 01/12/16
Input Data

Blountstown Condo

Simulation	Basin	Group	Time Max hrs	Flow Max cfs	Volume in	Volume ft3
002yr-001hr	Post East Lake	BASE	0.00	0.000	0.000	0.000
002yr-002hr	Post East Lake	BASE	0.00	0.000	0.000	0.000
002yr-004hr	Post East Lake	BASE	4.10	0.001	0.000	0.773
002yr-008hr	Post East Lake	BASE	7.03	0.114	0.029	915.157
002yr-024hr	Post East Lake	BASE	21.00	0.133	0.080	2555.447
005yr-001hr	Post East Lake	BASE	0.00	0.000	0.000	0.000
005yr-002hr	Post East Lake	BASE	2.07	0.025	0.001	26.486
005yr-004hr	Post East Lake	BASE	3.07	0.514	0.046	1477.435
005yr-008hr	Post East Lake	BASE	5.03	0.895	0.210	6714.749
005yr-024hr	Post East Lake	BASE	19.00	0.486	0.419	13407.456
010yr-001hr	Post East Lake	BASE	0.00	0.000	0.000	0.000
010yr-002hr	Post East Lake	BASE	1.87	0.282	0.021	682.536
010yr-004hr	Post East Lake	BASE	3.07	1.235	0.122	3903.225
010yr-008hr	Post East Lake	BASE	5.03	1.473	0.367	11749.684
010yr-024hr	Post East Lake	BASE	19.00	0.764	0.754	24104.149
025yr-001hr	Post East Lake	BASE	0.97	0.084	0.003	88.174
025yr-002hr	Post East Lake	BASE	1.67	0.785	0.080	2555.466
025yr-004hr	Post East Lake	BASE	3.03	2.517	0.295	9442.108
025yr-008hr	Post East Lake	BASE	4.07	3.474	0.720	23027.521
025yr-024hr	Post East Lake	BASE	15.03	1.110	1.123	35909.255
100yr-001hr	Post East Lake	BASE	0.90	1.374	0.046	1477.472
100yr-002hr	Post East Lake	BASE	1.13	2.247	0.273	8722.026
100yr-004hr	Post East Lake	BASE	2.60	4.711	0.655	20934.567
100yr-008hr	Post East Lake	BASE	4.07	6.822	1.286	41125.392
100yr-024hr	Post East Lake	BASE	15.03	2.089	2.216	70860.981
SCS-002yr-024hr	Post East Lake	BASE	16.77	0.097	0.080	2555.466
SCS-025yr-024hr	Post East Lake	BASE	12.33	6.664	1.123	35909.363
002yr-001hr	Post Hwy 20	BASE	0.00	0.000	0.000	0.000
002yr-002hr	Post Hwy 20	BASE	0.00	0.000	0.000	0.000
002yr-004hr	Post Hwy 20	BASE	0.00	0.000	0.000	0.000
002yr-008hr	Post Hwy 20	BASE	7.09	0.011	0.022	85.590
002yr-024hr	Post Hwy 20	BASE	21.02	0.014	0.069	265.029
005yr-001hr	Post Hwy 20	BASE	0.00	0.000	0.000	0.000
005yr-002hr	Post Hwy 20	BASE	2.15	0.000	0.000	0.174
005yr-004hr	Post Hwy 20	BASE	3.18	0.043	0.038	144.751
005yr-008hr	Post Hwy 20	BASE	5.08	0.093	0.190	732.948
005yr-024hr	Post Hwy 20	BASE	19.02	0.055	0.391	1504.788
010yr-001hr	Post Hwy 20	BASE	0.00	0.000	0.000	0.000
010yr-002hr	Post Hwy 20	BASE	1.96	0.026	0.015	58.129
010yr-004hr	Post Hwy 20	BASE	3.13	0.121	0.107	412.647
010yr-008hr	Post Hwy 20	BASE	5.08	0.159	0.341	1310.418
010yr-024hr	Post Hwy 20	BASE	19.02	0.088	0.714	2748.061
025yr-001hr	Post Hwy 20	BASE	1.08	0.003	0.001	4.223
025yr-002hr	Post Hwy 20	BASE	1.76	0.081	0.067	256.634
025yr-004hr	Post Hwy 20	BASE	3.08	0.269	0.271	1041.670
025yr-008hr	Post Hwy 20	BASE	4.16	0.338	0.680	2618.000
025yr-024hr	Post Hwy 20	BASE	15.06	0.127	1.073	4128.765
100yr-001hr	Post Hwy 20	BASE	0.98	0.106	0.038	145.483
100yr-002hr	Post Hwy 20	BASE	1.47	0.239	0.246	945.923
100yr-004hr	Post Hwy 20	BASE	3.03	0.525	0.516	2368.703
100yr-008hr	Post Hwy 20	BASE	4.11	0.704	1.230	4733.779
100yr-024hr	Post Hwy 20	BASE	15.06	0.242	2.142	8241.369
SCS-002yr-024hr	Post Hwy 20	BASE	16.82	0.010	0.069	265.187
SCS-025yr-024hr	Post Hwy 20	BASE	12.37	0.614	1.073	4129.711
002yr-001hr	Post SWMF #1	BASE	0.80	0.827	0.090	896.847
002yr-002hr	Post SWMF #1	BASE	0.89	0.930	0.273	2739.791
002yr-004hr	Post SWMF #1	BASE	2.53	1.042	0.452	4532.212
002yr-008hr	Post SWMF #1	BASE	4.02	1.361	0.757	7581.251
002yr-024hr	Post SWMF #1	BASE	12.02	0.305	1.006	10082.202
005yr-001hr	Post SWMF #1	BASE	0.76	1.779	0.212	2127.465
005yr-002hr	Post SWMF #1	BASE	0.87	1.963	0.492	4931.692
005yr-004hr	Post SWMF #1	BASE	2.53	1.847	0.854	8552.222
005yr-008hr	Post SWMF #1	BASE	4.02	2.572	1.452	14544.505
005yr-024hr	Post SWMF #1	BASE	12.02	0.668	2.008	20120.167
010yr-001hr	Post SWMF #1	BASE	0.73	2.748	0.341	3413.959
010yr-002hr	Post SWMF #1	BASE	0.87	2.975	0.710	7111.425
010yr-004hr	Post SWMF #1	BASE	2.53	2.435	1.167	11694.088
010yr-008hr	Post SWMF #1	BASE	4.02	3.286	1.880	18836.652
010yr-024hr	Post SWMF #1	BASE	12.00	0.932	2.751	27565.457
025yr-001hr	Post SWMF #1	BASE	0.69	4.179	0.533	5343.907
025yr-002hr	Post SWMF #1	BASE	0.84	4.350	1.006	10082.226
025yr-004hr	Post SWMF #1	BASE	2.53	3.374	1.693	16957.479
025yr-008hr	Post SWMF #1	BASE	4.02	4.580	2.681	26864.076
025yr-024hr	Post SWMF #1	BASE	12.00	1.187	3.474	34809.491
100yr-001hr	Post SWMF #1	BASE	0.67	6.518	0.854	8552.282
100yr-002hr	Post SWMF #1	BASE	0.84	7.204	1.631	16343.935
100yr-004hr	Post SWMF #1	BASE	2.51	4.821	2.543	25475.231
100yr-008hr	Post SWMF #1	BASE	4.00	6.284	3.774	37812.350
100yr-024hr	Post SWMF #1	BASE	12.00	1.834	5.344	53545.009
SCS-002yr-024hr	Post SWMF #1	BASE	12.27	2.452	1.006	10082.226
SCS-025yr-024hr	Post SWMF #1	BASE	12.27	8.585	3.474	34809.554
002yr-001hr	Pre East Lake	BASE	0.00	0.000	0.000	0.000

Date: 01/12/16
Output Data - Basins

Blountstown Cendo

Simulation	Basin	Group	Time Max hrs	Flow Max cfs	Volume in	Volume ft3
002yr-002hr	Pre East Lake	BASE	0.00	0.000	0.000	0.000
002yr-004hr	Pre East Lake	BASE	0.00	0.000	0.000	0.000
002yr-008hr	Pre East Lake	BASE	7.03	0.108	0.023	806.570
002yr-024hr	Pre East Lake	BASE	21.00	0.136	0.069	2476.526
005yr-001hr	Pre East Lake	BASE	0.00	0.000	0.000	0.000
005yr-002hr	Pre East Lake	BASE	2.10	0.005	0.000	3.962
005yr-004hr	Pre East Lake	BASE	3.10	0.473	0.038	1370.059
005yr-008hr	Pre East Lake	BASE	5.03	0.921	0.191	6859.107
005yr-024hr	Pre East Lake	BASE	19.00	0.520	0.392	14037.667
010yr-001hr	Pre East Lake	BASE	0.00	0.000	0.000	0.000
010yr-002hr	Pre East Lake	BASE	1.87	0.257	0.016	578.820
010yr-004hr	Pre East Lake	BASE	3.07	1.258	0.108	3883.586
010yr-008hr	Pre East Lake	BASE	5.03	1.555	0.342	12251.827
010yr-024hr	Pre East Lake	BASE	19.00	0.826	0.715	25627.416
025yr-001hr	Pre East Lake	BASE	1.00	0.039	0.001	41.651
025yr-002hr	Pre East Lake	BASE	1.67	0.789	0.069	2476.546
025yr-004hr	Pre East Lake	BASE	3.03	2.660	0.273	9773.320
025yr-008hr	Pre East Lake	BASE	4.07	3.610	0.683	24457.051
025yr-024hr	Pre East Lake	BASE	15.03	1.194	1.074	38496.621
100yr-001hr	Pre East Lake	BASE	0.90	1.298	0.038	1370.098
100yr-002hr	Pre East Lake	BASE	1.17	2.273	0.251	9002.046
100yr-004hr	Pre East Lake	BASE	3.03	5.058	0.619	22183.918
100yr-008hr	Pre East Lake	BASE	4.07	7.291	1.234	44199.186
100yr-024hr	Pre East Lake	BASE	15.03	2.275	2.144	76824.481
SCS-002yr-024hr	Pre East Lake	BASE	16.77	0.097	0.069	2476.546
SCS-025yr-024hr	Pre East Lake	BASE	12.33	6.993	1.074	38496.738
002yr-001hr	Pre Hwy 20	BASE	0.00	0.000	0.000	0.000
002yr-002hr	Pre Hwy 20	BASE	0.00	0.000	0.000	0.000
002yr-004hr	Pre Hwy 20	BASE	0.00	0.000	0.000	0.000
002yr-008hr	Pre Hwy 20	BASE	7.09	0.029	0.022	222.857
002yr-024hr	Pre Hwy 20	BASE	21.02	0.037	0.069	690.076
005yr-001hr	Pre Hwy 20	BASE	0.00	0.000	0.000	0.000
005yr-002hr	Pre Hwy 20	BASE	2.15	0.000	0.000	0.454
005yr-004hr	Pre Hwy 20	BASE	3.18	0.113	0.038	376.898
005yr-008hr	Pre Hwy 20	BASE	5.08	0.243	0.190	1908.431
005yr-024hr	Pre Hwy 20	BASE	19.02	0.144	0.391	3918.126
010yr-001hr	Pre Hwy 20	BASE	0.00	0.000	0.000	0.000
010yr-002hr	Pre Hwy 20	BASE	1.96	0.067	0.015	151.355
010yr-004hr	Pre Hwy 20	BASE	3.13	0.316	0.107	1074.439
010yr-008hr	Pre Hwy 20	BASE	5.08	0.415	0.341	3412.032
010yr-024hr	Pre Hwy 20	BASE	19.02	0.229	0.714	7155.329
025yr-001hr	Pre Hwy 20	BASE	1.08	0.008	0.001	10.996
025yr-002hr	Pre Hwy 20	BASE	1.76	0.212	0.067	668.217
025yr-004hr	Pre Hwy 20	BASE	3.08	0.702	0.271	2712.273
025yr-008hr	Pre Hwy 20	BASE	4.16	0.880	0.680	6816.680
025yr-024hr	Pre Hwy 20	BASE	15.06	0.330	1.073	10750.368
100yr-001hr	Pre Hwy 20	BASE	0.98	0.275	0.038	378.804
100yr-002hr	Pre Hwy 20	BASE	1.47	0.622	0.246	2462.970
100yr-004hr	Pre Hwy 20	BASE	3.03	1.367	0.616	6167.567
100yr-008hr	Pre Hwy 20	BASE	4.11	1.834	1.230	12325.689
100yr-024hr	Pre Hwy 20	BASE	15.06	0.631	2.142	21458.660
SCS-002yr-024hr	Pre Hwy 20	BASE	16.82	0.026	0.069	690.488
SCS-025yr-024hr	Pre Hwy 20	BASE	12.37	1.598	1.073	10752.831

Date: 01/12/16
Output Data - Basins

Blountstown Condo

Name	Group	Simulation	Max Time Stage hrs	Max Stage ft	Warning Stage ft	Max Delta Stage ft	Max Surf Area ft2	Max Time Inflow hrs	Max Inflow cfs	Max T Outf
Ground	BASE	002yr-001hr	0.00	0.000	0.000	0.0000	0	0.67	0.478	0
Ground	BASE	002yr-002hr	0.00	0.000	0.000	0.0000	0	0.80	0.537	0
Ground	BASE	002yr-004hr	0.00	0.000	0.000	0.0000	0	1.98	0.399	0
Ground	BASE	002yr-008hr	0.00	0.000	0.000	0.0000	0	3.47	0.395	0
Ground	BASE	002yr-024hr	0.00	0.000	0.000	0.0000	0	11.35	0.225	0
Ground	BASE	005yr-001hr	0.00	0.000	0.000	0.0000	0	0.58	0.591	0
Ground	BASE	005yr-002hr	0.00	0.000	0.000	0.0000	0	0.72	0.569	0
Ground	BASE	005yr-004hr	0.00	0.000	0.000	0.0000	0	1.77	0.441	0
Ground	BASE	005yr-008hr	0.00	0.000	0.000	0.0000	0	3.22	0.424	0
Ground	BASE	005yr-024hr	0.00	0.000	0.000	0.0000	0	13.07	0.218	0
Ground	BASE	010yr-001hr	0.00	0.000	0.000	0.0000	0	0.55	0.541	0
Ground	BASE	010yr-002hr	0.00	0.000	0.000	0.0000	0	0.67	0.547	0
Ground	BASE	010yr-004hr	0.00	0.000	0.000	0.0000	0	1.67	0.461	0
Ground	BASE	010yr-008hr	0.00	0.000	0.000	0.0000	0	3.12	0.412	0
Ground	BASE	010yr-024hr	0.00	0.000	0.000	0.0000	0	13.09	0.228	0
Ground	BASE	025yr-001hr	0.00	0.000	0.000	0.0000	0	0.50	0.664	0
Ground	BASE	025yr-002hr	0.00	0.000	0.000	0.0000	0	0.62	0.517	0
Ground	BASE	025yr-004hr	0.00	0.000	0.000	0.0000	0	1.55	0.435	0
Ground	BASE	025yr-008hr	0.00	0.000	0.000	0.0000	0	4.07	0.375	0
Ground	BASE	025yr-024hr	0.00	0.000	0.000	0.0000	0	13.06	0.237	0
Ground	BASE	100yr-001hr	0.00	0.000	0.000	0.0000	0	0.47	0.600	0
Ground	BASE	100yr-002hr	0.00	0.000	0.000	0.0000	0	0.53	0.600	0
Ground	BASE	100yr-004hr	0.00	0.000	0.000	0.0000	0	1.40	0.458	0
Ground	BASE	100yr-008hr	0.00	0.000	0.000	0.0000	0	4.07	0.394	0
Ground	BASE	100yr-024hr	0.00	0.000	0.000	0.0000	0	12.42	0.250	0
Ground	BASESCS	002yr-024hr	0.00	0.000	0.000	0.0000	0	11.92	0.467	0
Ground	BASESCS	025yr-024hr	0.00	0.000	0.000	0.0000	0	12.38	0.382	0
Post East Lake	BASE	002yr-001hr	0.00	50.000	50.000	0.0000	0	0.00	0.000	0
Post East Lake	BASE	002yr-002hr	0.00	50.000	50.000	0.0000	0	0.00	0.000	0
Post East Lake	BASE	002yr-004hr	0.00	50.000	50.000	0.0000	0	4.11	0.001	0
Post East Lake	BASE	002yr-008hr	0.00	50.000	50.000	0.0000	0	7.03	0.114	0
Post East Lake	BASE	002yr-024hr	0.00	50.000	50.000	0.0000	0	21.00	0.133	0
Post East Lake	BASE	005yr-001hr	0.00	50.000	50.000	0.0000	0	0.00	0.000	0
Post East Lake	BASE	005yr-002hr	0.00	50.000	50.000	0.0000	0	2.07	0.024	0
Post East Lake	BASE	005yr-004hr	0.00	50.000	50.000	0.0000	0	3.07	0.514	0
Post East Lake	BASE	005yr-008hr	0.00	50.000	50.000	0.0000	0	5.04	0.895	0
Post East Lake	BASE	005yr-024hr	0.00	50.000	50.000	0.0000	0	19.00	0.486	0
Post East Lake	BASE	010yr-001hr	0.00	50.000	50.000	0.0000	0	0.00	0.000	0
Post East Lake	BASE	010yr-002hr	0.00	50.000	50.000	0.0000	0	1.87	0.281	0
Post East Lake	BASE	010yr-004hr	0.00	50.000	50.000	0.0000	0	3.07	1.235	0
Post East Lake	BASE	010yr-008hr	0.00	50.000	50.000	0.0000	0	5.03	1.473	0
Post East Lake	BASE	010yr-024hr	0.00	50.000	50.000	0.0000	0	19.01	0.764	0
Post East Lake	BASE	025yr-001hr	0.00	50.000	50.000	0.0000	0	0.97	0.084	0
Post East Lake	BASE	025yr-002hr	0.00	50.000	50.000	0.0000	0	1.66	0.785	0
Post East Lake	BASE	025yr-004hr	0.00	50.000	50.000	0.0000	0	3.03	2.516	0
Post East Lake	BASE	025yr-008hr	0.00	50.000	50.000	0.0000	0	4.07	3.473	0
Post East Lake	BASE	025yr-024hr	0.00	50.000	50.000	0.0000	0	15.03	1.110	0
Post East Lake	BASE	100yr-001hr	0.00	50.000	50.000	0.0000	0	0.90	1.374	0
Post East Lake	BASE	100yr-002hr	0.00	50.000	50.000	0.0000	0	1.13	2.247	0
Post East Lake	BASE	100yr-004hr	0.00	50.000	50.000	0.0000	0	2.60	4.711	0
Post East Lake	BASE	100yr-008hr	0.00	50.000	50.000	0.0000	0	4.07	6.820	0
Post East Lake	BASE	100yr-024hr	0.00	50.000	50.000	0.0000	0	15.03	2.088	0
Post East Lake	BASESCS	002yr-024hr	0.00	50.000	50.000	0.0000	0	16.78	0.097	0
Post East Lake	BASESCS	025yr-024hr	0.00	50.000	50.000	0.0000	0	12.33	6.660	0
Post Hwy 20	BASE	002yr-001hr	0.00	75.000	75.000	0.0000	0	0.00	0.000	0
Post Hwy 20	BASE	002yr-002hr	0.00	75.000	75.000	0.0000	0	0.00	0.000	0
Post Hwy 20	BASE	002yr-004hr	0.00	75.000	75.000	0.0000	0	0.00	0.000	0
Post Hwy 20	BASE	002yr-008hr	0.00	75.000	75.000	0.0000	0	7.06	0.011	0
Post Hwy 20	BASE	002yr-024hr	0.00	75.000	75.000	0.0000	0	21.03	0.014	0
Post Hwy 20	BASE	005yr-001hr	0.00	75.000	75.000	0.0000	0	0.00	0.000	0
Post Hwy 20	BASE	005yr-002hr	0.00	75.000	75.000	0.0000	0	2.14	0.000	0
Post Hwy 20	BASE	005yr-004hr	0.00	75.000	75.000	0.0000	0	3.17	0.043	0
Post Hwy 20	BASE	005yr-008hr	0.00	75.000	75.000	0.0000	0	5.07	0.093	0
Post Hwy 20	BASE	005yr-024hr	0.00	75.000	75.000	0.0000	0	19.03	0.055	0
Post Hwy 20	BASE	010yr-001hr	0.00	75.000	75.000	0.0000	0	0.00	0.000	0
Post Hwy 20	BASE	010yr-002hr	0.00	75.000	75.000	0.0000	0	1.96	0.026	0
Post Hwy 20	BASE	010yr-004hr	0.00	75.000	75.000	0.0000	0	3.10	0.121	0
Post Hwy 20	BASE	010yr-008hr	0.00	75.000	75.000	0.0000	0	5.06	0.159	0
Post Hwy 20	BASE	010yr-024hr	0.00	75.000	75.000	0.0000	0	19.01	0.088	0
Post Hwy 20	BASE	025yr-001hr	0.00	75.000	75.000	0.0000	0	1.07	0.003	0
Post Hwy 20	BASE	025yr-002hr	0.00	75.000	75.000	0.0000	0	1.76	0.081	0
Post Hwy 20	BASE	025yr-004hr	0.00	75.000	75.000	0.0000	0	3.07	0.268	0
Post Hwy 20	BASE	025yr-008hr	0.00	75.000	75.000	0.0000	0	4.13	0.336	0
Post Hwy 20	BASE	025yr-024hr	0.00	75.000	75.000	0.0000	0	21.07	0.316	0
Post Hwy 20	BASE	100yr-001hr	0.00	75.000	75.000	0.0000	0	0.97	0.105	0
Post Hwy 20	BASE	100yr-002hr	0.00	75.000	75.000	0.0000	0	1.47	0.239	0
Post Hwy 20	BASE	100yr-004hr	0.00	75.000	75.000	0.0000	0	3.13	0.684	0
Post Hwy 20	BASE	100yr-008hr	0.00	75.000	75.000	0.0000	0	5.12	1.226	0
Post Hwy 20	BASE	100yr-024hr	0.00	75.000	75.000	0.0000	0	19.04	0.899	0
Post Hwy 20	BASESCS	002yr-024hr	0.00	75.000	75.000	0.0000	0	16.80	0.010	0
Post Hwy 20	BASESCS	025yr-024hr	0.00	75.000	75.000	0.0000	0	12.40	0.613	0

Date: 01/12/16
Output Data - Nodes

Blountstown Condo

Name	Group	Simulation	Max Time Stage hrs	Max Stage Ft	Warning Stage ft	Max Delta Stage ft	Max Surf Area ft2	Max Time Inflow hrs	Max Inflow cfs	Max T Outf
Pre East Lake	BASE	002yr-001hr	0.00	50.000	50.000	0.0000	0	0.00	0.000	0
Pre East Lake	BASE	002yr-002hr	0.00	50.000	50.000	0.0000	0	0.00	0.000	0
Pre East Lake	BASE	002yr-004hr	0.00	50.000	50.000	0.0000	0	0.00	0.000	0
Pre East Lake	BASE	002yr-008hr	0.00	50.000	50.000	0.0000	0	7.03	0.108	0
Pre East Lake	BASE	002yr-024hr	0.00	50.000	50.000	0.0000	0	21.00	0.136	0
Pre East Lake	BASE	005yr-001hr	0.00	50.000	50.000	0.0000	0	0.00	0.000	0
Pre East Lake	BASE	005yr-002hr	0.00	50.000	50.000	0.0000	0	2.11	0.005	0
Pre East Lake	BASE	005yr-004hr	0.00	50.000	50.000	0.0000	0	3.10	0.473	0
Pre East Lake	BASE	005yr-008hr	0.00	50.000	50.000	0.0000	0	5.04	0.921	0
Pre East Lake	BASE	005yr-024hr	0.00	50.000	50.000	0.0000	0	19.00	0.520	0
Pre East Lake	BASE	010yr-001hr	0.00	50.000	50.000	0.0000	0	0.00	0.000	0
Pre East Lake	BASE	010yr-002hr	0.00	50.000	50.000	0.0000	0	1.87	0.257	0
Pre East Lake	BASE	010yr-004hr	0.00	50.000	50.000	0.0000	0	3.07	1.258	0
Pre East Lake	BASE	010yr-008hr	0.00	50.000	50.000	0.0000	0	5.03	1.555	0
Pre East Lake	BASE	010yr-024hr	0.00	50.000	50.000	0.0000	0	19.01	0.826	0
Pre East Lake	BASE	025yr-001hr	0.00	50.000	50.000	0.0000	0	1.00	0.039	0
Pre East Lake	BASE	025yr-002hr	0.00	50.000	50.000	0.0000	0	1.67	0.789	0
Pre East Lake	BASE	025yr-004hr	0.00	50.000	50.000	0.0000	0	3.03	2.660	0
Pre East Lake	BASE	025yr-008hr	0.00	50.000	50.000	0.0000	0	4.07	3.609	0
Pre East Lake	BASE	025yr-024hr	0.00	50.000	50.000	0.0000	0	15.03	1.194	0
Pre East Lake	BASE	100yr-001hr	0.00	50.000	50.000	0.0000	0	0.90	1.297	0
Pre East Lake	BASE	100yr-002hr	0.00	50.000	50.000	0.0000	0	1.17	2.273	0
Pre East Lake	BASE	100yr-004hr	0.00	50.000	50.000	0.0000	0	3.03	5.058	0
Pre East Lake	BASE	100yr-008hr	0.00	50.000	50.000	0.0000	0	4.07	7.289	0
Pre East Lake	BASE	100yr-024hr	0.00	50.000	50.000	0.0000	0	15.03	2.275	0
Pre East Lake	BASESCS	-002yr-024hr	0.00	50.000	50.000	0.0000	0	16.78	0.097	0
Pre East Lake	BASESCS	-025yr-024hr	0.00	50.000	50.000	0.0000	0	12.33	6.990	0
Pre Hwy 20	BASE	002yr-001hr	0.00	75.000	75.000	0.0000	0	0.00	0.000	0
Pre Hwy 20	BASE	002yr-002hr	0.00	75.000	75.000	0.0000	0	0.00	0.000	0
Pre Hwy 20	BASE	002yr-004hr	0.00	75.000	75.000	0.0000	0	0.00	0.000	0
Pre Hwy 20	BASE	002yr-008hr	0.00	75.000	75.000	0.0000	0	7.06	0.029	0
Pre Hwy 20	BASE	002yr-024hr	0.00	75.000	75.000	0.0000	0	21.03	0.037	0
Pre Hwy 20	BASE	005yr-001hr	0.00	75.000	75.000	0.0000	0	0.00	0.000	0
Pre Hwy 20	BASE	005yr-002hr	0.00	75.000	75.000	0.0000	0	2.14	0.000	0
Pre Hwy 20	BASE	005yr-004hr	0.00	75.000	75.000	0.0000	0	3.17	0.113	0
Pre Hwy 20	BASE	005yr-008hr	0.00	75.000	75.000	0.0000	0	5.07	0.241	0
Pre Hwy 20	BASE	005yr-024hr	0.00	75.000	75.000	0.0000	0	19.03	0.144	0
Pre Hwy 20	BASE	010yr-001hr	0.00	75.000	75.000	0.0000	0	0.00	0.000	0
Pre Hwy 20	BASE	010yr-002hr	0.00	75.000	75.000	0.0000	0	1.96	0.067	0
Pre Hwy 20	BASE	010yr-004hr	0.00	75.000	75.000	0.0000	0	3.10	0.315	0
Pre Hwy 20	BASE	010yr-008hr	0.00	75.000	75.000	0.0000	0	5.06	0.415	0
Pre Hwy 20	BASE	010yr-024hr	0.00	75.000	75.000	0.0000	0	19.01	0.229	0
Pre Hwy 20	BASE	025yr-001hr	0.00	75.000	75.000	0.0000	0	1.07	0.008	0
Pre Hwy 20	BASE	025yr-002hr	0.00	75.000	75.000	0.0000	0	1.76	0.212	0
Pre Hwy 20	BASE	025yr-004hr	0.00	75.000	75.000	0.0000	0	3.07	0.699	0
Pre Hwy 20	BASE	025yr-008hr	0.00	75.000	75.000	0.0000	0	4.13	0.874	0
Pre Hwy 20	BASE	025yr-024hr	0.00	75.000	75.000	0.0000	0	15.07	0.330	0
Pre Hwy 20	BASE	100yr-001hr	0.00	75.000	75.000	0.0000	0	0.97	0.273	0
Pre Hwy 20	BASE	100yr-002hr	0.00	75.000	75.000	0.0000	0	1.47	0.622	0
Pre Hwy 20	BASE	100yr-004hr	0.00	75.000	75.000	0.0000	0	3.03	1.366	0
Pre Hwy 20	BASE	100yr-008hr	0.00	75.000	75.000	0.0000	0	4.10	1.825	0
Pre Hwy 20	BASE	100yr-024hr	0.00	75.000	75.000	0.0000	0	15.06	0.630	0
Pre Hwy 20	BASESCS	-002yr-024hr	0.00	75.000	75.000	0.0000	0	16.80	0.026	0
Pre Hwy 20	BASESCS	-025yr-024hr	0.00	75.000	75.000	0.0000	0	12.40	1.596	0
SWMP #1	BASE	002yr-001hr	0.97	77.151	82.000	0.0050	2434	0.80	0.825	0
SWMP #1	BASE	002yr-002hr	2.06	77.522	82.000	-0.0049	2740	0.87	0.919	0
SWMP #1	BASE	002yr-004hr	3.63	77.924	82.000	0.0050	3073	2.53	1.042	1
SWMP #1	BASE	002yr-008hr	7.11	78.239	82.000	0.0050	3365	4.03	1.354	3
SWMP #1	BASE	002yr-024hr	21.07	77.632	82.000	-0.0046	2831	12.03	0.304	11
SWMP #1	BASE	005yr-001hr	1.02	77.551	82.000	0.0050	2765	0.73	1.777	0
SWMP #1	BASE	005yr-002hr	2.10	78.158	82.000	0.0050	3287	0.87	1.962	0
SWMP #1	BASE	005yr-004hr	3.73	78.902	82.000	0.0050	4001	2.53	1.846	1
SWMP #1	BASE	005yr-008hr	8.05	79.702	82.000	0.0050	4859	4.00	2.556	3
SWMP #1	BASE	005yr-024hr	22.07	79.651	82.000	0.0050	4804	12.00	0.667	13
SWMP #1	BASE	010yr-001hr	1.05	77.945	82.000	0.0050	3091	0.73	2.748	0
SWMP #1	BASE	010yr-002hr	2.11	78.712	82.000	0.0050	3618	0.87	2.973	0
SWMP #1	BASE	010yr-004hr	4.06	79.556	82.000	0.0050	4700	2.53	2.434	1
SWMP #1	BASE	010yr-008hr	8.09	80.445	82.000	0.0050	5746	4.00	3.272	3
SWMP #1	BASE	010yr-024hr	22.13	80.790	82.000	0.0050	6181	12.00	0.932	13
SWMP #1	BASE	025yr-001hr	1.07	78.477	82.000	0.0050	3594	0.70	4.175	0
SWMP #1	BASE	025yr-002hr	2.13	79.373	82.000	0.0050	4501	0.87	4.317	0
SWMP #1	BASE	025yr-004hr	4.08	80.493	82.000	0.0050	5806	2.53	3.373	1
SWMP #1	BASE	025yr-008hr	7.19	81.405	82.000	0.0050	7135	4.00	4.572	7
SWMP #1	BASE	025yr-024hr	21.12	81.420	82.000	0.0050	7161	12.00	1.187	21
SWMP #1	BASE	100yr-001hr	1.09	79.240	82.000	0.0050	4356	0.67	6.518	0
SWMP #1	BASE	100yr-002hr	2.15	80.521	82.000	0.0050	5842	0.83	7.107	0
SWMP #1	BASE	100yr-004hr	3.70	81.576	82.000	0.0050	7426	2.53	4.812	3
SWMP #1	BASE	100yr-008hr	5.30	81.993	82.000	0.0050	8134	4.00	6.284	5
SWMP #1	BASE	100yr-024hr	19.06	81.907	82.000	0.0050	7998	12.00	1.834	19
SWMP #1	BASESCS	-002yr-024hr	14.70	78.229	82.000	0.0050	3355	12.27	2.450	11
SWMP #1	BASESCS	-025yr-024hr	15.97	81.461	82.000	0.0050	7230	12.27	8.581	15

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Output Data - Nodes

Blountstown Condo

Name	Group	Simulation	Max Time Stage hrs	Max Stage ft	Warning Stage ft	Max Delta Stage ft	Max Surf Area ft ²	Max Time Inflow hrs	Max Inflow cfs	Max T Outf
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Date: 01/12/16
Output Data - Nodes

Blountstown Condo

Name	Group	Simulation	Max Time Flow hrs	Max Flow cfs	Max Delta Q cfs	Max Time US Stage hrs	Max US Stage ft	Max Time DS Stage hrs	Max DS Stage ft
CS	BASE	002yr-001hr	0.00	0.000	0.000	0.97	77.151	0.00	75.000
CS	BASE	002yr-002hr	0.00	0.000	0.000	2.06	77.522	0.00	75.000
CS	BASE	002yr-004hr	0.00	0.000	0.000	3.63	77.924	0.00	75.000
CS	BASE	002yr-008hr	0.00	0.000	0.000	7.11	78.239	0.00	75.000
CS	BASE	002yr-024hr	0.00	0.000	0.000	21.07	77.632	0.00	75.000
CS	BASE	005yr-001hr	0.00	0.000	0.000	1.02	77.551	0.00	75.000
CS	BASE	005yr-002hr	0.00	0.000	0.000	2.10	78.158	0.00	75.000
CS	BASE	005yr-004hr	0.00	0.000	0.000	3.73	78.902	0.00	75.000
CS	BASE	005yr-008hr	0.00	0.000	0.000	8.05	79.702	0.00	75.000
CS	BASE	005yr-024hr	0.00	0.000	0.000	22.07	79.651	0.00	75.000
CS	BASE	010yr-001hr	0.00	0.000	0.000	1.05	77.945	0.00	75.000
CS	BASE	010yr-002hr	0.00	0.000	0.000	2.11	78.712	0.00	75.000
CS	BASE	010yr-004hr	0.00	0.000	0.000	4.06	79.556	0.00	75.000
CS	BASE	010yr-008hr	0.00	0.000	0.000	8.09	80.445	0.00	75.000
CS	BASE	010yr-024hr	0.00	0.000	0.000	22.13	80.790	0.00	75.000
CS	BASE	025yr-001hr	0.00	0.000	0.000	1.07	78.477	0.00	75.000
CS	BASE	025yr-002hr	0.00	0.000	0.000	2.13	79.373	0.00	75.000
CS	BASE	025yr-004hr	0.00	0.000	0.000	4.08	80.493	0.00	75.000
CS	BASE	025yr-008hr	7.19	0.208	-0.002	7.19	81.405	0.00	75.000
CS	BASE	025yr-024hr	21.12	0.218	0.002	21.12	81.420	0.00	75.000
CS	BASE	100yr-001hr	0.00	0.000	0.000	1.09	79.240	0.00	75.000
CS	BASE	100yr-002hr	0.00	0.000	0.000	2.15	80.521	0.00	75.000
CS	BASE	100yr-004hr	3.70	0.350	-0.004	3.70	81.576	0.00	75.000
CS	BASE	100yr-008hr	5.30	0.792	-0.005	5.30	81.993	0.00	75.000
CS	BASE	100yr-024hr	19.06	0.691	-0.003	19.06	81.907	0.00	75.000
CS	BASESCS	002yr-024hr	0.00	0.000	0.000	14.70	78.229	0.00	75.000
CS	BASESCS	025yr-024hr	15.97	0.250	0.002	15.97	81.461	0.00	75.000
overflow	BASE	002yr-001hr	0.00	0.000	0.000	0.97	77.151	0.00	75.000
overflow	BASE	002yr-002hr	0.00	0.000	0.000	2.06	77.522	0.00	75.000
overflow	BASE	002yr-004hr	0.00	0.000	0.000	3.63	77.924	0.00	75.000
overflow	BASE	002yr-008hr	0.00	0.000	0.000	7.11	78.239	0.00	75.000
overflow	BASE	002yr-024hr	0.00	0.000	0.000	21.07	77.632	0.00	75.000
overflow	BASE	005yr-001hr	0.00	0.000	0.000	1.02	77.551	0.00	75.000
overflow	BASE	005yr-002hr	0.00	0.000	0.000	2.10	78.158	0.00	75.000
overflow	BASE	005yr-004hr	0.00	0.000	0.000	3.73	78.902	0.00	75.000
overflow	BASE	005yr-008hr	0.00	0.000	0.000	8.05	79.702	0.00	75.000
overflow	BASE	005yr-024hr	0.00	0.000	0.000	22.07	79.651	0.00	75.000
overflow	BASE	010yr-001hr	0.00	0.000	0.000	1.05	77.945	0.00	75.000
overflow	BASE	010yr-002hr	0.00	0.000	0.000	2.11	78.712	0.00	75.000
overflow	BASE	010yr-004hr	0.00	0.000	0.000	4.06	79.556	0.00	75.000
overflow	BASE	010yr-008hr	0.00	0.000	0.000	8.09	80.445	0.00	75.000
overflow	BASE	010yr-024hr	0.00	0.000	0.000	22.13	80.790	0.00	75.000
overflow	BASE	025yr-001hr	0.00	0.000	0.000	1.07	78.477	0.00	75.000
overflow	BASE	025yr-002hr	0.00	0.000	0.000	2.13	79.373	0.00	75.000
overflow	BASE	025yr-004hr	0.00	0.000	0.000	4.08	80.493	0.00	75.000
overflow	BASE	025yr-008hr	0.00	0.000	0.000	7.19	81.405	0.00	75.000
overflow	BASE	025yr-024hr	0.00	0.000	0.000	21.12	81.420	0.00	75.000
overflow	BASE	100yr-001hr	0.00	0.000	0.000	1.09	79.240	0.00	75.000
overflow	BASE	100yr-002hr	0.00	0.000	0.000	2.15	80.521	0.00	75.000
overflow	BASE	100yr-004hr	0.00	0.000	0.000	3.70	81.576	0.00	75.000
overflow	BASE	100yr-008hr	0.00	0.000	0.000	5.30	81.993	0.00	75.000
overflow	BASE	100yr-024hr	0.00	0.000	0.000	19.06	81.907	0.00	75.000
overflow	BASESCS	002yr-024hr	0.00	0.000	0.000	14.70	78.229	0.00	75.000
overflow	BASESCS	025yr-024hr	0.00	0.000	0.000	15.97	81.461	0.00	75.000
Perc 1	BASE	002yr-001hr	0.67	0.478	-0.134	0.97	77.151	0.00	0.000
Perc 1	BASE	002yr-002hr	0.80	0.537	0.114	2.06	77.522	0.00	0.000
Perc 1	BASE	002yr-004hr	1.98	0.399	0.036	3.63	77.924	0.00	0.000
Perc 1	BASE	002yr-008hr	3.47	0.395	0.034	7.11	78.239	0.00	0.000
Perc 1	BASE	002yr-024hr	11.35	0.225	0.006	21.07	77.632	0.00	0.000
Perc 1	BASE	005yr-001hr	0.58	0.591	0.175	1.02	77.551	0.00	0.000
Perc 1	BASE	005yr-002hr	0.72	0.569	0.142	2.10	78.158	0.00	0.000
Perc 1	BASE	005yr-004hr	1.77	0.441	0.054	3.73	78.902	0.00	0.000
Perc 1	BASE	005yr-008hr	3.22	0.424	0.055	8.05	79.702	0.00	0.000
Perc 1	BASE	005yr-024hr	13.07	0.218	-0.071	22.07	79.651	0.00	0.000
Perc 1	BASE	010yr-001hr	0.55	0.541	0.178	1.05	77.945	0.00	0.000
Perc 1	BASE	010yr-002hr	0.67	0.547	0.140	2.11	78.712	0.00	0.000
Perc 1	BASE	010yr-004hr	1.67	0.461	0.068	4.06	79.556	0.00	0.000
Perc 1	BASE	010yr-008hr	3.12	0.412	0.075	8.09	80.445	0.00	0.000
Perc 1	BASE	010yr-024hr	13.09	0.228	-0.104	22.13	80.790	0.00	0.000
Perc 1	BASE	025yr-001hr	0.50	0.664	0.241	1.07	78.477	0.00	0.000
Perc 1	BASE	025yr-002hr	0.62	0.517	0.136	2.13	79.373	0.00	0.000
Perc 1	BASE	025yr-004hr	1.55	0.435	0.067	4.08	80.493	0.00	0.000
Perc 1	BASE	025yr-008hr	4.07	0.375	0.014	7.19	81.405	0.00	0.000
Perc 1	BASE	025yr-024hr	13.06	0.237	-0.016	21.12	81.420	0.00	0.000
Perc 1	BASE	100yr-001hr	0.47	0.600	0.246	1.09	79.240	0.00	0.000
Perc 1	BASE	100yr-002hr	0.53	0.600	0.165	2.15	80.521	0.00	0.000
Perc 1	BASE	100yr-004hr	1.40	0.458	0.056	3.70	81.576	0.00	0.000
Perc 1	BASE	100yr-008hr	4.07	0.394	0.020	5.30	81.993	0.00	0.000
Perc 1	BASE	100yr-024hr	12.42	0.250	-0.060	19.06	81.907	0.00	0.000
Perc 1	BASESCS	002yr-024hr	11.92	0.467	-0.113	14.70	78.229	0.00	0.000
Perc 1	BASESCS	025yr-024hr	12.38	0.382	0.007	15.97	81.461	0.00	0.000

Date: 01/12/16
Output Data - Links

Blountstown Condo

Name	Group	Simulation	Max Time Flow hrs	Max Flow cfs	Max Delta Q cfs	Max Time US Stage hrs	Max US Stage ft	Max Time DS Stage hrs	Max DS Stage ft
------	-------	------------	-------------------------	--------------------	-----------------------	-----------------------------	-----------------------	-----------------------------	-----------------------

Date: 01/12/16
Output Data - Links

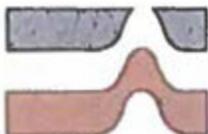
6. Geotechnical Report



7. Drainage Basin Maps



**Preliminary- Results of the Subsurface Soil Exploration
and Infiltration Testing Performed for Two (2)
Proposed Stormwater Management Facilities,
and Limited Evaluation of a Closed Depression
for the Kearney Housing Development,
North of Blountstown Highway (Highway 20),
Tallahassee, Leon County, Florida**



Ardaman & Associates, Inc.

January 8, 2016
113-15-40-1348

OFFICES

- Orlando** - 8008 S. Orange Avenue, Orlando, Florida 32809 - Phone (407) 855-3860
- Alexandria** - 3609 Mac Lee Drive, Alexandria, Louisiana 71302 - Phone (318) 443-2888
- Bartow** - 1525 Centennial Drive, Bartow, Florida 33830 - Phone (863) 533-0858
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- Cocoa** - 1300 N. Cocoa Blvd., Cocoa, Florida 32922 - Phone (321) 632-2503
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- Shreveport** - 7222 Greenwood Road, Shreveport, Louisiana 71119 - Phone (318) 636-3673
- Tallahassee** - 3175 West Tharpe Street, Tallahassee, Florida 32303 - Phone (850) 576-6131
- Tampa** - 3925 Coconut Palm Drive, Suite 115, Tampa, Florida 33619 - Phone (813) 620-3389
- West Palm Beach** - 2200 North Florida Mango Road, Suite 101, West Palm Beach, Florida 33409 - Phone (561) 687-8200

MEMBERS:
A.S.F.E.
American Concrete Institute
ASTM International
Florida Institute of Consulting Engineers



January 8, 2016
File No. 113-15-40-1348

Floresta, LLC,
Mr. Claude Walker- Manager, c/o Mr. J. Keith Dantin, P.E.
2073 Summit Lake Drive, Suite 155
Tallahassee, FL 32317

Attention: Mr. J. Keith Dantin, P.E.

Subject: Preliminary- Results of the Subsurface Soil Exploration and Infiltration Testing Performed for Two (2) Proposed Stormwater Management Facilities, and Limited Evaluation of a Closed Depression for the Kearney Housing Development, North of Blountstown Highway (Highway 20), Tallahassee, Leon County, Florida

Dear Mr. Dantin:

This report is considered "Preliminary" because we understand that the north pond may be redesigned, which would require additional exploration.

The Kearney Housing Development is proposed to be on the north side of Highway 20 (Blountstown Highway), approximately 0.5-miles west of Capital Circle SW. Based on the Moore Bass (MB) general grading plan for the development, we understand the project includes construction of two ponds, a 2 to 2.5 acre stormwater pond near the north end of the site and a smaller ¼ acre pond in the southeast corner of the site.

Based on the MB plan, the large pond bottom elevation will be approximately +67-feet, and the small pond bottom will be +79-feet. The large (north) pond will require up to about 9-feet of cut at the northwest end, and will require about 7-feet of fill along the eastern berm. The small (south) pond will require up to 5-feet of cut in the west end, and up to about 3-feet of fill along the southern and eastern berms. The slopes of the berms are proposed about 3H:1V to 5H:1V.

1.0 Scope of Service

Ardaman & Associates, Inc. performed four (4) Standard Penetration Test ("SPT"; ASTM D1586) borings to a depth of 30-feet below grade, and four (4) Double-Ring Infiltration ("DRI"; ASTM D3385) tests among the two proposed ponds at the Kearney Housing Development site, consisting of 3 SPT borings and 3 DRI's in the larger pond, and 1 SPT and DRI in the smaller pond. The DRI's were performed at approximate proposed pond bottom elevations, or 1 to 2-feet below pond bottom.

Ardaman also performed a reconnaissance of the depression near the northeast corner of the site to provide a preliminary observational opinion whether the depression appears to be an "active" or "inactive" karst feature.

The approximate locations of the test borings, DRI's, and reconnoitered depression are presented on the attached **Figure 1** on the *Test Boring Location Plan*.

2.0 Subsurface Exploration and Generalized Soil Conditions Encountered

Our interpretations of subsurface conditions encountered in the test borings are presented as *Soil Boring Profiles* on **Figure 2**. The *approximate* ground elevation is provided below each Test Hole

number, and the *approximate* depth of proposed pond bottom is denoted with a "red" line crossing each boring profile. These elevations and depths were estimated by Ardaman based on the MB grading plan, and therefore are approximate.

Laboratory testing was performed on selected soil samples, including: Natural Moisture (NM; ASTM D2216); Percent Passing the U.S. No. 200 Sieve Size (Percent Fines, -200; ASTM D1140); and full sieve analysis (Gradation; ASTM D421 and 422). The results of the lab tests are presented adjacent to the *Profiles* at the respective depths the samples were recovered from, and the gradation curves are presented in **Appendix A**.

The stratification lines on the *Profiles* represent the approximate boundaries between soil types, but the actual transitions may be more gradual than implied. This report does not address variations which occur away from the test borings. The nature and extent of such variations may not become evident until during the course of further exploration or construction. If any variations become evident, Ardaman must be contacted to provide additional evaluations.

Test holes TH-1 and TH-4 encountered medium to fine sands with silt to silty sand (Strata 1, 2, 3, and 4) to approximately 13 and 21.5-feet below grade, respectively. Test holes TH-2 and TH-3 encountered approximately 1 to 2-feet of medium to fine sand with silt followed by 10 and 20-feet of clayey fine sand (Strata 2A and 5), respectively.

The deeper portions of TH-1 encountered clayey to very clayey fine sand (Strata 6 and 7), from approximately 13 to 27-feet below grade, and then transitioned back to Stratum 4 from 27 to 30-feet. The deeper portions of TH-2 and 3 encountered Strata 3 and 4, at approximately 11.5 and 21.5-feet below grade, respectively. TH-4 encountered Stratum 5 from 21.5 to 30-feet below grade.

These conditions indicate variable subsurface conditions, considering that two of the three borings in the larger pond to the north encountered shallow clayey soils (i.e. "flow restrictive" soils) followed by medium to fine sand (i.e. "well-draining" soils) and the third boring encountered shallow medium to fine sands followed by clayey sands.

Groundwater was not apparent in Test Holes 1 through 3, but was encountered at approximately 24-feet below grade in TH-4. Groundwater may perch atop of the shallow clayey soils following rainfall events. Based on the date the borings were performed and considering rainfall this past year was below normal (but more than twice average for November), we estimate the *normal* seasonal high water table under pre-development conditions will be about 25-feet below grade at TH-1 through 3, and 20-feet below grade in TH-4. This estimate is not intended to apply to years with above average rainfall, or to post-development conditions.

3.0 Infiltration Test Results and Discussion

The DRI tests were performed in excavated pits near the four test borings, ranging from 4 to 7-feet below existing grade. Two of the DRI's were performed in the relatively flow-restrictive Stratum 2A at TH-2 and 3, while the other two DRI's were performed in the more well-draining Strata 2 and 3 at TH-1 and TH-4. The DRI plots of inner ring infiltration are provided in Appendix B, and the results are presented alongside the *Soil Boring Profiles* on Figure 1, at the respective depths performed.

The results indicate an unfactored inner ring infiltration rate of about 6.5-inches per hour in Strata 2 and 3 and about 0.2-inches per hour in Stratum 2A. We suggest applying a factor of safety of at least 2.0 to the DRI results.

Based on the test borings and DRI results performed in the northern pond, it appears this pond will excavate through at least two distinctly contrasting soil types, resulting in the bulk of the percolation



occurring in a relatively small portion of the pond near TH-1. Considering the DRI results, we estimate that the factored weighted average infiltration rate for the north pond is on the order of 0.9-inches per hour (1.8 feet per day, which includes a safety factor of 2.0).

If increasing the rate of pond recovery for the northern pond is desirable, we recommend considering reshaping the pond so that the larger portion is concentrated in the well-draining sands encountered at TH-1. Trenching and backfilling with sand also appears to be an option, particularly around TH-2. Additional subsurface data would be required for either of these two design changes.

Based on test boring TH-4 and the DRI-4 results, we estimate the infiltration rate for the southern pond to be 3.25-inches per hour (6.5-feet per day, which includes a safety factor of 2.0). TH-4 encountered well-draining sands in the top 21.5-feet, but given the variability in the north pond, we note that clayey layers may exist away from our borings, including at the smaller pond to the south.

During excavation of the south pond, if Strata 2A, 5, 6 or 7 are encountered, the infiltration rate for the south Pond will need to be modified. We recommend contacting Ardaman to observe the cut surface to classify and sample the pond bottom materials, and to provide further guidance, if needed.

We recommend performing a mounding/recovery analysis for each pond. We estimate: fillable porosity 25%; 2-inch suction head for Strata 2 and 3; 6-inch for Stratum 2A; seasonal high groundwater provided in Section 2.0, above. Stratum 5 is an aquitard; Strata 6 and 7 are aquacludes.

4.0 Earthwork Recommendations for the Construction of Berms

We understand that the portions of the northern and the southern pond berms will require filling for construction. The recommendations below for compaction and fill placement are intended for the berms only. The current grading plans do not indicate fill in the pond bottoms. If any fill is to be placed within the pond bottoms, it shall consist of "Select Fill", with less than 15% passing the U.S. No. 200 Sieve, such as Strata 2 and 3, and shall not be purposely compacted when placed.

1. The berm filling areas shall be stripped and grubbed of surface vegetation, then proof-rolled (not including the pond bottom) using appropriate compaction equipment for site and soil conditions. Adjust the moisture content of the soil, as necessary, to aid compaction. Sufficient passes shall be made to develop a minimum of 95% of the Modified Proctor maximum dry density (ASTM D1557) to a depth of 12-inches below the compacted surface. We recommend testing the proof-rolled surface for density, one test per 10,000 square feet.
2. If any areas "yield" during proof-rolling, they must be explored in test trenches to evaluate the condition of the soils. Should yielding result from excessive soil moisture, two corrective alternatives may be considered:
 - If the existing soils are silty or clayey sands (containing less than about 40% fines), harrow and air dry the soils until the moisture content is 2 to 3 percent below the optimum moisture content as determined from the Modified Proctor test; or
 - Replace the wet materials with "Select Fill" soils, as defined above.
3. Remove any materials, if determined to be deleterious, in areas that "yield" during proof-rolling operations, and replace with select fill, as defined above.
4. After satisfactory proof-rolling, filling may proceed in level lifts not exceeding 12-inches loose thickness. Each lift shall be compacted by repeated passes with a loaded dump truck or



similarly heavy equipment to achieve at least 95% Modified Proctor maximum dry density. We recommend testing each 12-inch lift for density per 10,000 square feet of fill. The filling and compaction operations shall continue until proposed elevations are achieved.

5. Fills used for construction of the built-up embankments shall consist of clayey soils, similar to Strata 2A and/or 5, but preferably with less than 35% passing the U.S. No. 200 sieve size. The purpose in using clayey soils along the berm is to inhibit seepage through the berm, resulting in unsightly saturation on the outside of the berm. We caution that as the percent passing the U.S. No. 200 sieve size increases, the workability and compactability decreases.

5.0 Embankment Slopes

Based on the soil types and density conditions encountered, it is our opinion that, *in general*, vegetated permanent cut slopes and berm slopes will be stable at 3H:1V.

Based on the MB grading plan, the slopes for the SWMF's appear to range from 3H:1V to about 5H:1V. Slopes of 3H:1V to 4H:1V will have a safety factor of at least 1.5. Based on the FDOT *Structures Design Guidelines*, a safety factor in excess of 1.5 for overall stability is appropriate. We estimate that the safety factor for slopes flatter than 4H:1V should be greater than 2.0.

Temporary slopes' steepness must meet the requirements of Osha 1926 Subpart P, Soil Types "B" and "C". Inspection, reclassification, and maintenance of slopes in excavations is the sub-contractor's responsibility, and shall be in accordance with Subpart P of 29 CFR 1926.650, 651, and 652.

6.0 Limited Karst Evaluation of Depression

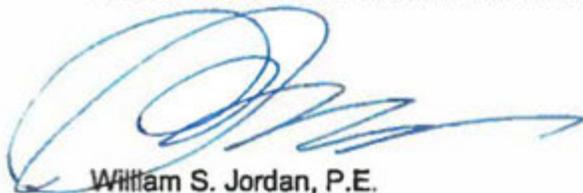
The undersigned Mr. William S. Jordan, P.E., traveled to the site on 12/24/15 and performed walk-over observations of the depression located near the northeast corner of the site, as indicated on Figure 1. Mr. Jordan traversed the depression along several lines, and did not observe indications of the depression being an "active" karst feature. Assessing karst potential was not included in our scope of services.

7.0 Closure

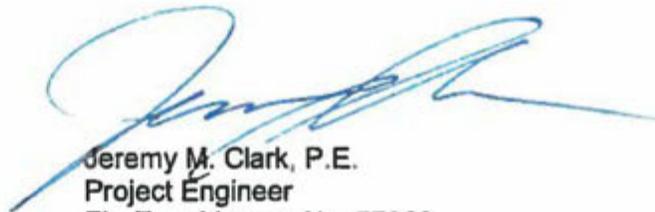
Our test boring did not encounter any conditions indicative of "karst" activity. However, the depths of the borings are not adequate to opine on the potential for the development of sinkhole features.

If you have any questions regarding the above or attached information, please do not hesitate to contact the undersigned.

Sincerely,
ARDAMAN & ASSOCIATES, INC.
Florida Certificate of Authorization Number 5950



William S. Jordan, P.E.
Senior Project Manager
Florida Eng. License No. 33026



Jeremy M. Clark, P.E.
Project Engineer
FL. Eng. License No. 77660

JMCWSJ/ms
C: Mr. Ben Hood, P.E.- Moore Bass Consulting, Inc., US Mail & email: bhood@moorebass.com



Ardaman & Associates, Inc.

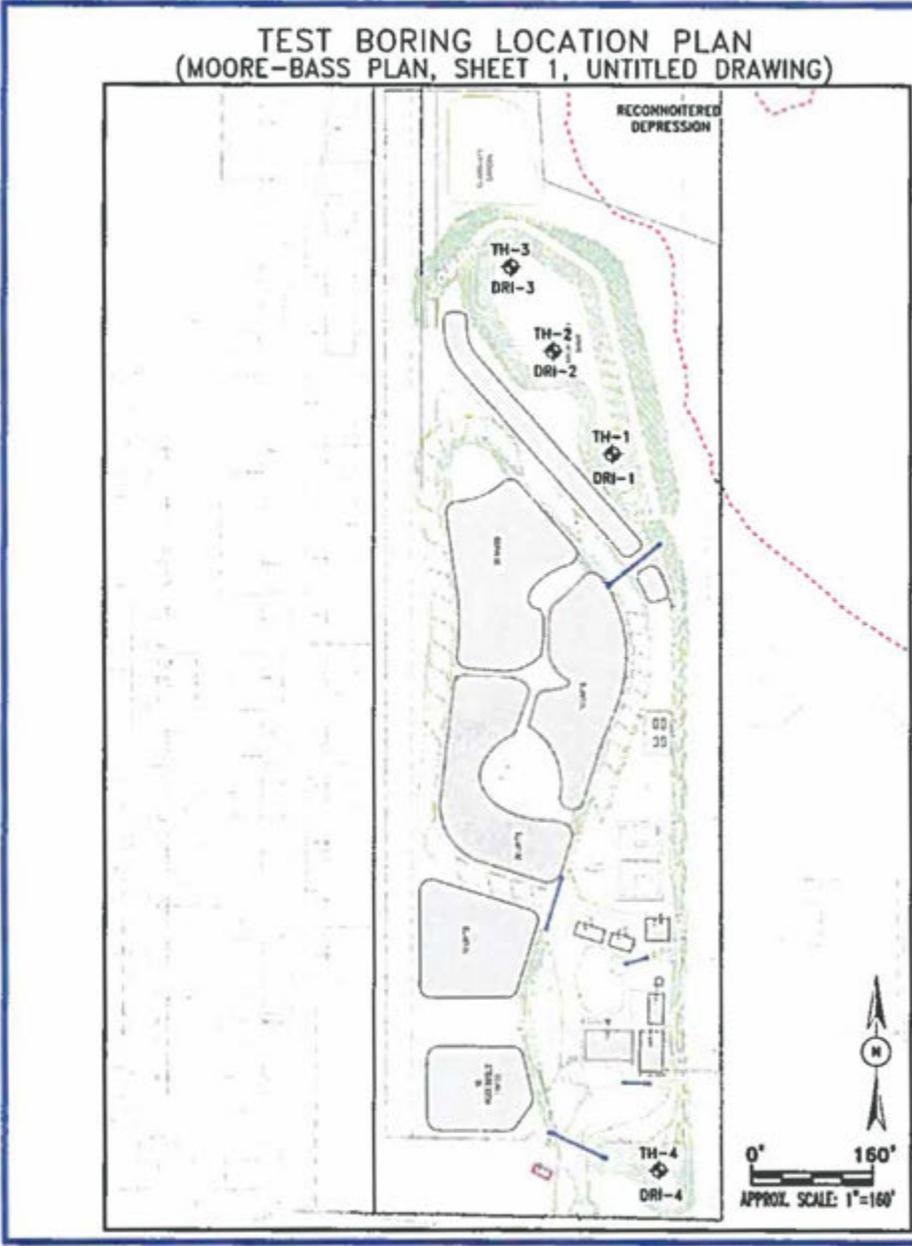


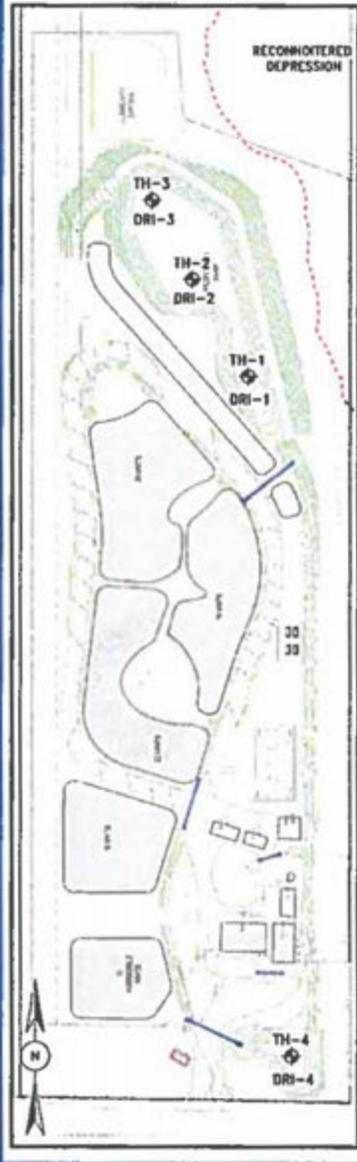
FIGURE LEGEND

⊕ TH/DRI APPROXIMATE STANDARD PENETRATION TEST (SPT) BORING AND DOUBLE RING INFILTROMETER (DRI) LOCATION. DRI'S PERFORMED IN NEARBY PIT.

 Ardoman & Associates, Inc. 3075 W. Orange Street Tallahassee, Florida 32303 (904) 576-8131	
SITE AND TEST BORING LOCATION PLANS SWMP FOR KEANEY HOUSING TALLAHASSEE, LEON COUNTY, FLORIDA	
PREPARED BY: WAINET (13-000) DATE: 08/01/2013 PROJECT: KEANEY HOUSING SWMP	DRAWN BY: JORDAN (13-000) DATE: 08/01/2013 PROJECT: KEANEY HOUSING SWMP
SHEET NO.: 113-15-40-1348	DESIGNER: W.S. JORDAN, P.E.

Page 159 of 205
Attachment #2

TEST BORING LOCATION PLAN
NOT-TO-SCALE



ENGINEERING CLASSIFICATION

I. GRANULAR MATERIALS			
RELATIVE DENSITY	SAFETY HAMMER SPT N-VALUE	AUTO HAMMER SPT N-VALUE	
VERY LOOSE	0 TO 4	0 TO 3	
LOOSE	4 TO 10	3 TO 8	
MEDIUM DENSE	10 TO 30	8 TO 24	
DENSE	30 TO 50	24 TO 49	
VERY DENSE	>50	>40	

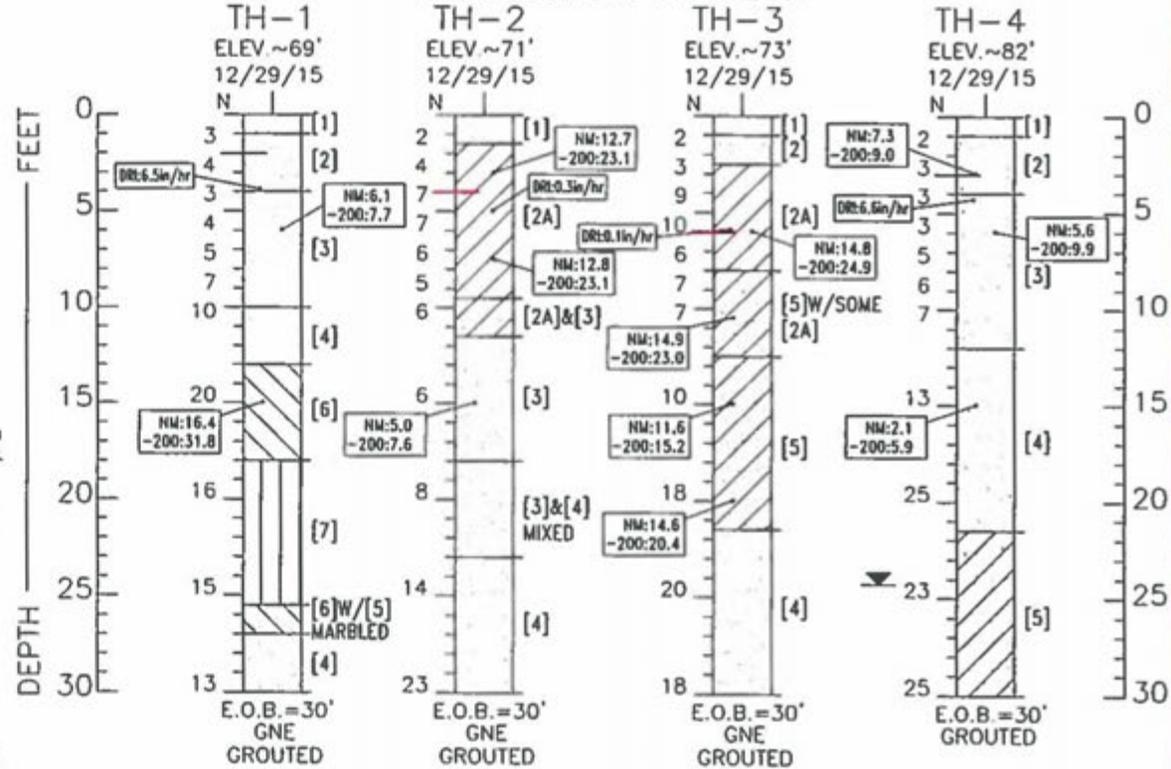
II. SILTS AND CLAYS			
DESCRIPTION	UNCONFINED COMPRESSIVE STRENGTH, QU, TSF	SAFETY HAMMER SPT N-VALUE	AUTO HAMMER SPT N-VALUE
VERY SOFT	<1/4	0 TO 2	0 TO 1
SOFT	1/4 TO 1/2	2 TO 4	1 TO 3
MEDIUM STIFF	1/2 TO 1	4 TO 8	3 TO 6
STIFF	1 TO 2	8 TO 15	6 TO 12
VERY STIFF	2 TO 4	15 TO 30	12 TO 24
HARD	>4	>30	>24

*NOTE: ELEVATIONS PROVIDED ON THE SOIL PROFILES WERE ESTIMATED FROM THE ADJACENT MOORE BASS GRADING LAYOUT (UNTITLED/UNDATED). THE ESTIMATED SURFACE ELEVATIONS AND DEPTHS TO PROPOSED POND BOTTOM SHALL BE CONSIDERED VERY APPROXIMATE.

FIGURE LEGEND

- ⊕ TH/DRI APPROXIMATE TEST BORING & DRI LOCATION
- N STANDARD PENETRATION TEST (SPT) "BLOW COUNTS" (ASTM D-1586)
- E.O.B. END OF BORING
- GNE GROUNDWATER NOT ENCOUNTERED
- 24-HOUR DELAYED (DATE DRILLED) DEPTH TO GROUNDWATER
- APPROXIMATE DEPTH OF PROPOSED POND BOTTOM ELEVATION
- NM NATURAL MOISTURE CONTENT IN PERCENT (ASTM D-2216)
- 200 PERCENT PASSING NO. 200 SIEVE (PERCENT FINES)(ASTM D-1140)
- DRI DOUBLE RING INFILTRATION RESULTS (IN/HR)(ASTM D-3385)
- SP-SM, SW, SC UNIFIED SOIL CLASSIFICATION SYSTEM
- A-3, A-2-4 AASHTO SOIL CLASSIFICATION SYSTEM
- DRILLERS: KHM, JDA, SMH, DLK
- DRILL RIG: CME 55, MANUAL HAMMER ABOVE 10.5'; AUTO-HAMMER BELOW

SOIL BORING PROFILES



SOIL LEGEND

- [1] DARK BROWN MEDIUM TO FINE SAND W/SILT & SURFICIAL ROOTS; TOPSOIL (SP-SM W/OL; A-3 W/A-8)
- [2] BROWN MEDIUM TO FINE SAND W/SILT TO SILTY FINE SAND (SP-SM TO SM; A-3 TO A-2-4)
- [2A] REDDISH-BROWN TO BROWN CLAYEY FINE SAND (SC; A-2-4/A-2-6)
- [3] LIGHT BROWN MEDIUM TO FINE SAND W/SILT TO SILTY FINE SAND, (SP-SM TO SM; A-3 TO A-2-4)
- [4] TAN TO BROWNISH-TAN MEDIUM TO FINE SAND W/SILT TO SILTY FINE SAND, SOMETIMES W/THIN LAYERS OF DARK BROWN MEDIUM TO FINE SAND (SP-SM TO SM; A-3 TO A-2-4)
- [5] LIGHT BROWN SILTY, SLIGHTLY CLAYEY TO CLAYEY FINE SAND (SC; A-2-4)
- [6] MARBLED REDDISH-BROWN & GRAY CLAYEY TO VERY CLAYEY FINE SAND (SC; A-2-6 TO A-6)
- [7] TAN TO BROWNISH-TAN VERY CLAYEY FINE SAND (SC; A-6)

WHILE THE BORINGS ARE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT THEIR RESPECTIVE LOCATIONS AND FOR THEIR RESPECTIVE VERTICAL REACHES, LOCAL VARIATIONS CHARACTERISTIC OF THE SUBSURFACE UNIFORMITIES OF THE REGION ARE ANTICIPATED AND MAY BE ENCOUNTERED. THE BORING LOGS AND RELATED INFORMATION ARE BASED ON THE DRILLER'S LOGS AND VISUAL EXAMINATION OF SELECTED SAMPLES IN THE LABORATORY. THE DELINEATION BETWEEN SOIL TYPES SHOWN ON THE LOGS IS APPROXIMATE AND THE DESCRIPTION REPRESENTS OUR INTERPRETATION OF SUBSURFACE CONDITIONS AT THE INDICATED BORING LOCATIONS ON THE PARTICULAR DATE INDICATED. OBSERVATIONS AND ELEVATIONS SHOWN ON THE BORING LOGS REPRESENT OBSERVED SURFACE ENCOUNTERED ON THE DATE SHOWING FLUCTUATIONS IN WATER TABLE WOULD BE ANTICIPATED THROUGHOUT THE YEAR. ABSENCE OF WATER SURFACE OR ELEVATION BORINGS IMPLIES THAT NO GROUNDWATER DATA IS AVAILABLE, BUT DOES NOT NECESSARILY MEAN THAT GROUNDWATER WILL NOT BE ENCOUNTERED AT OTHER LOCATIONS OR WITHIN THE VERTICAL REACHES OF THESE BORINGS IN THE FUTURE.

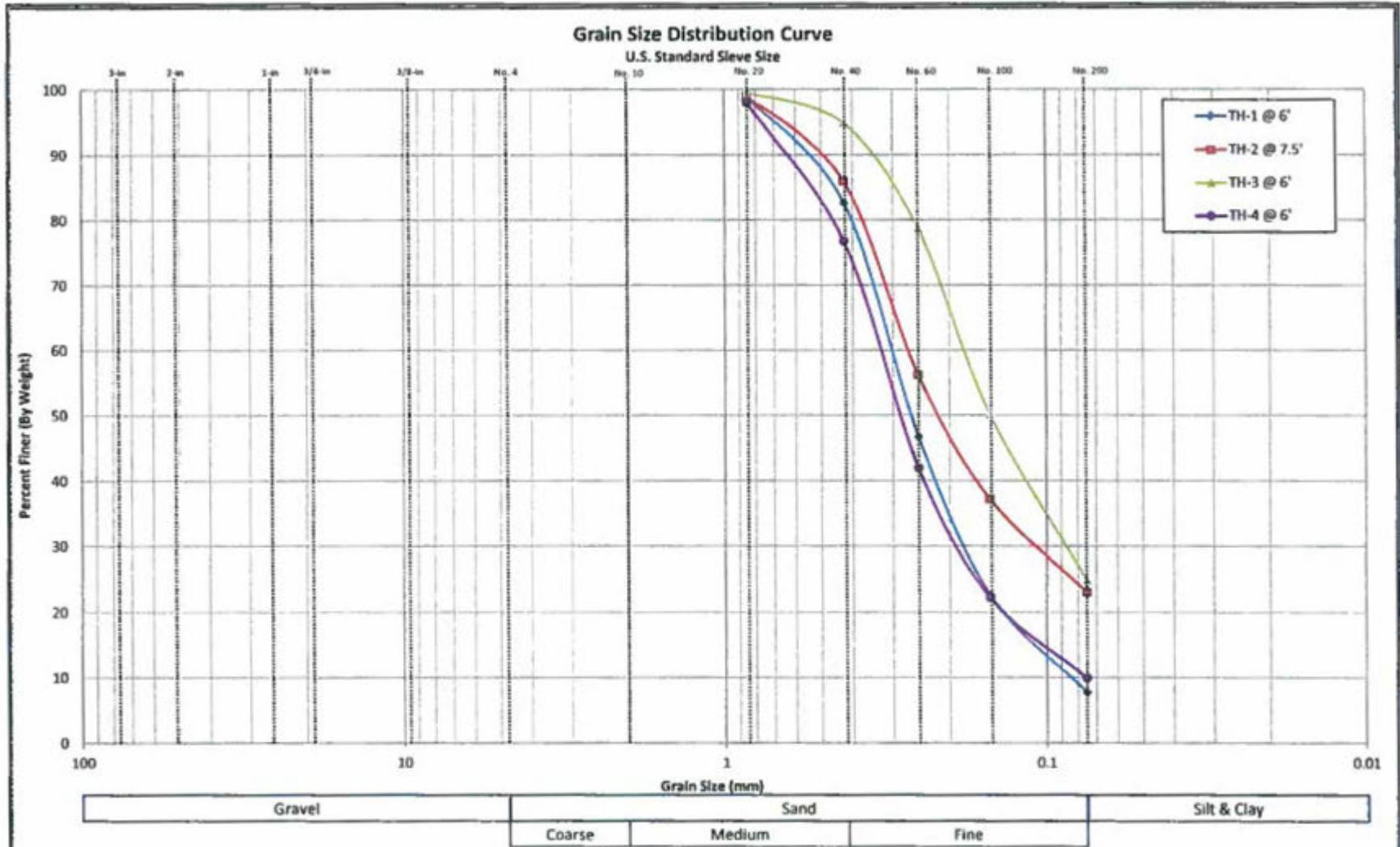
Arbomac Associates
3175 W. Orange Street
Tallahassee, Florida 32303
(904) 278-8131

SUBSURFACE SOIL EXPLORATION FOR THE
SMW'S FOR KEARNEY HOUSING PROJECT
TALLAHASSEE, LEON COUNTY, FLORIDA

DATE: JANUARY 2016
FILE NO: 113-15-40-1348
W.S. JORDAN, P.E.

Attachment #2
Page 160 of 205

APPENDIX A
GRAIN SIZE DISTRIBUTION



Soil Sampled Information			Sieve Name											Soil Passing (%)
Test Hole No.	Sampled Depth	Stratum No.	3-in	2-in	1-in	3/4-in	3/8-in	No.4	No. 10	No. 20	No. 40	No. 60	No. 100	
TH-1	@ 6'	3								98.7	82.7	46.8	22.7	7.7
TH-2	@ 7.5'	2A								99.0	86.0	56.3	37.3	23.1
TH-3	@ 6'	2A								99.6	94.8	78.7	50.2	24.9
TH-4	@ 6'	3								98.0	76.8	42.0	22.3	9.9

Soil Description
 Stratum 3: Light brown medium to fine sand with silt to silty fine sand (A-3 to A-2-4)
 Stratum 2A: Reddish-brown to brown clayey fine sand (A-2-4/A-2-6)

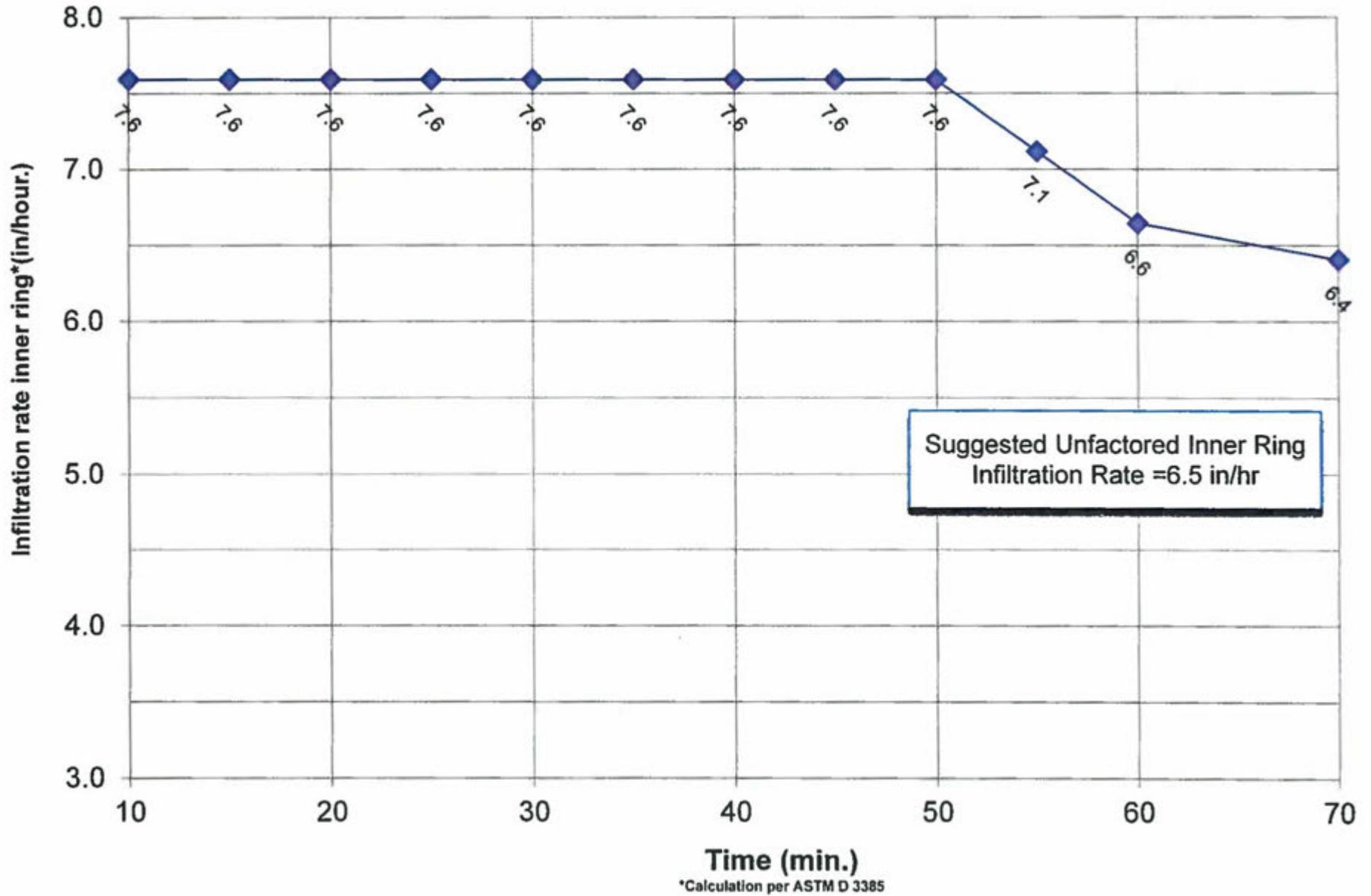
Ardaman & Associates, Inc.
 Geotechnical, Environmental and Materials Consultants

Project Name: Kearney Housing Develop.
 Client: Floresta, LLC
 Project File No. 113-15-40-1348
 Date: 1/7/16
 Engineer: Jeremy M. Clark, P.E.
 Reviewed By: William S. Jordan, P.E.

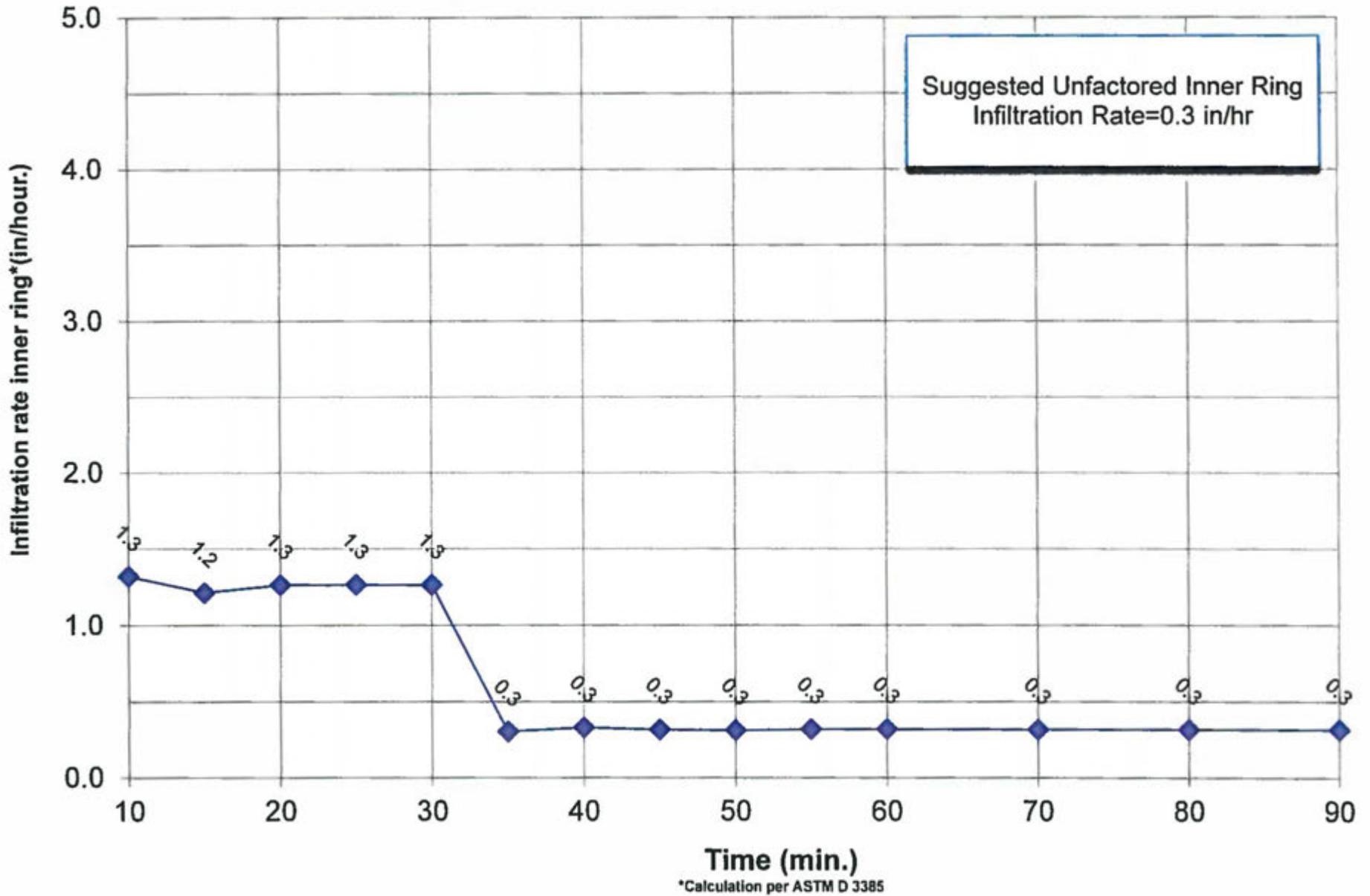
APPENDIX B

DRI PLOTS OF INNER RING INFILTRATION

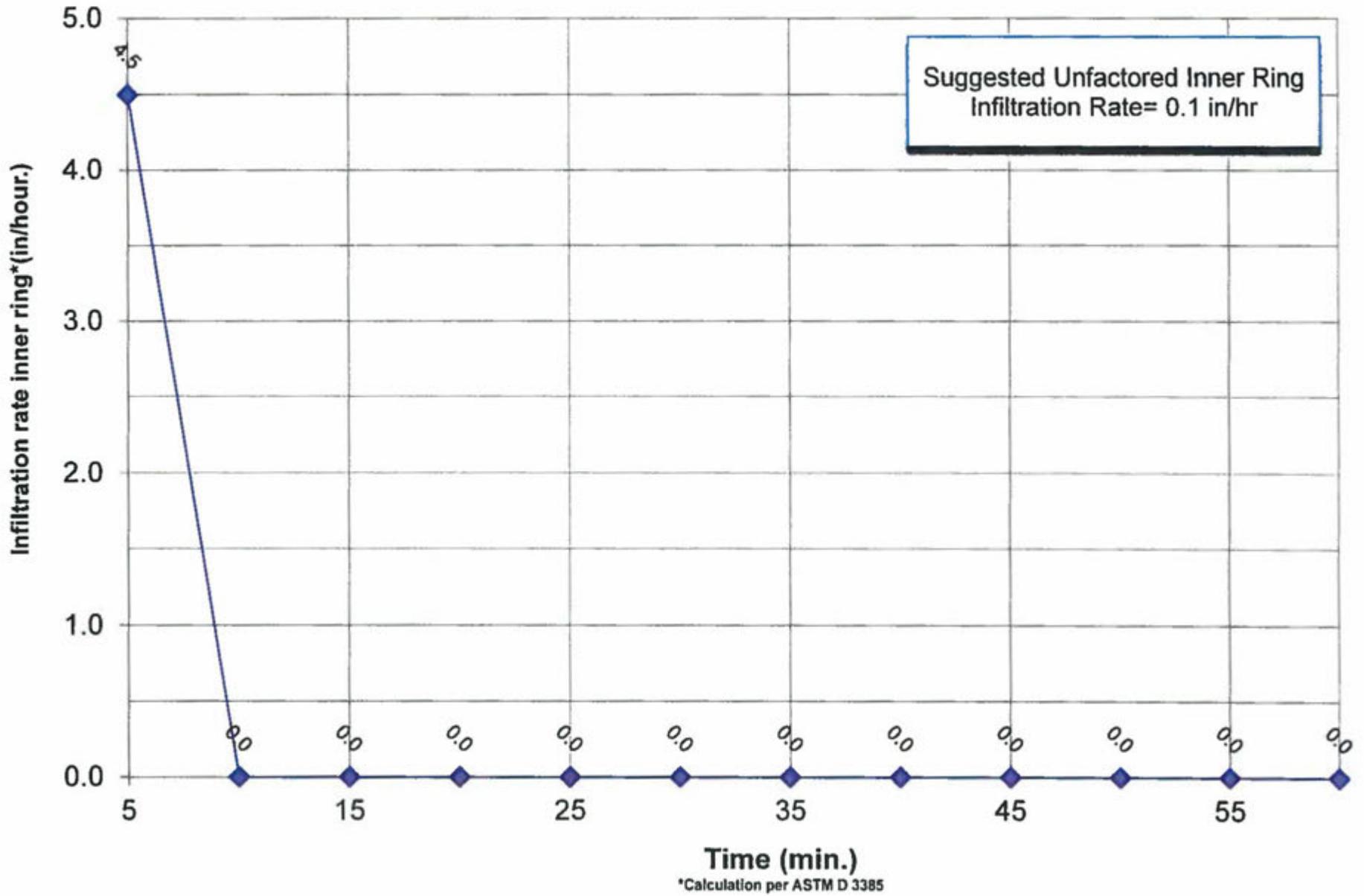
ARDAMAN & ASSOCIATES, INC. DRI AT 4' DEPTH NEAR TH-1
KEARNEY HOUSING, 12/30/2015



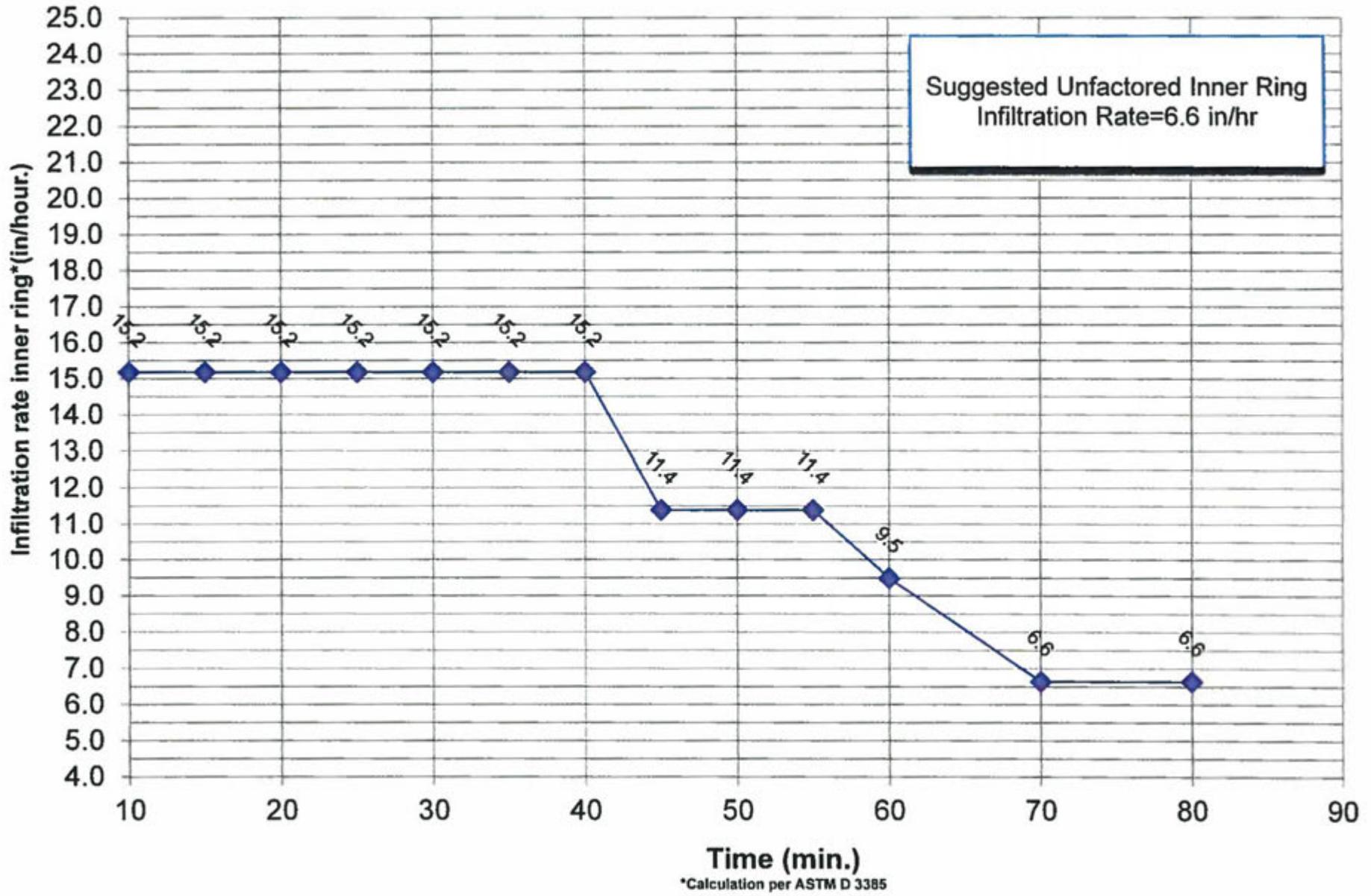
ARDAMAN & ASSOCIATES, INC. DRI AT 5' DEPTH NEAR TH-2
KEARNEY HOUSING, 1/4/2016



ARDAMAN & ASSOCIATES, INC. DRI AT 6' DEPTH NEAR TH-3
KEARNEY HOUSING, 12/30/2015



**ARDAMAN & ASSOCIATES, INC. DRI AT 4' DEPTH NEAR TH-4
KEARNEY HOUSING, 12/30/2015**



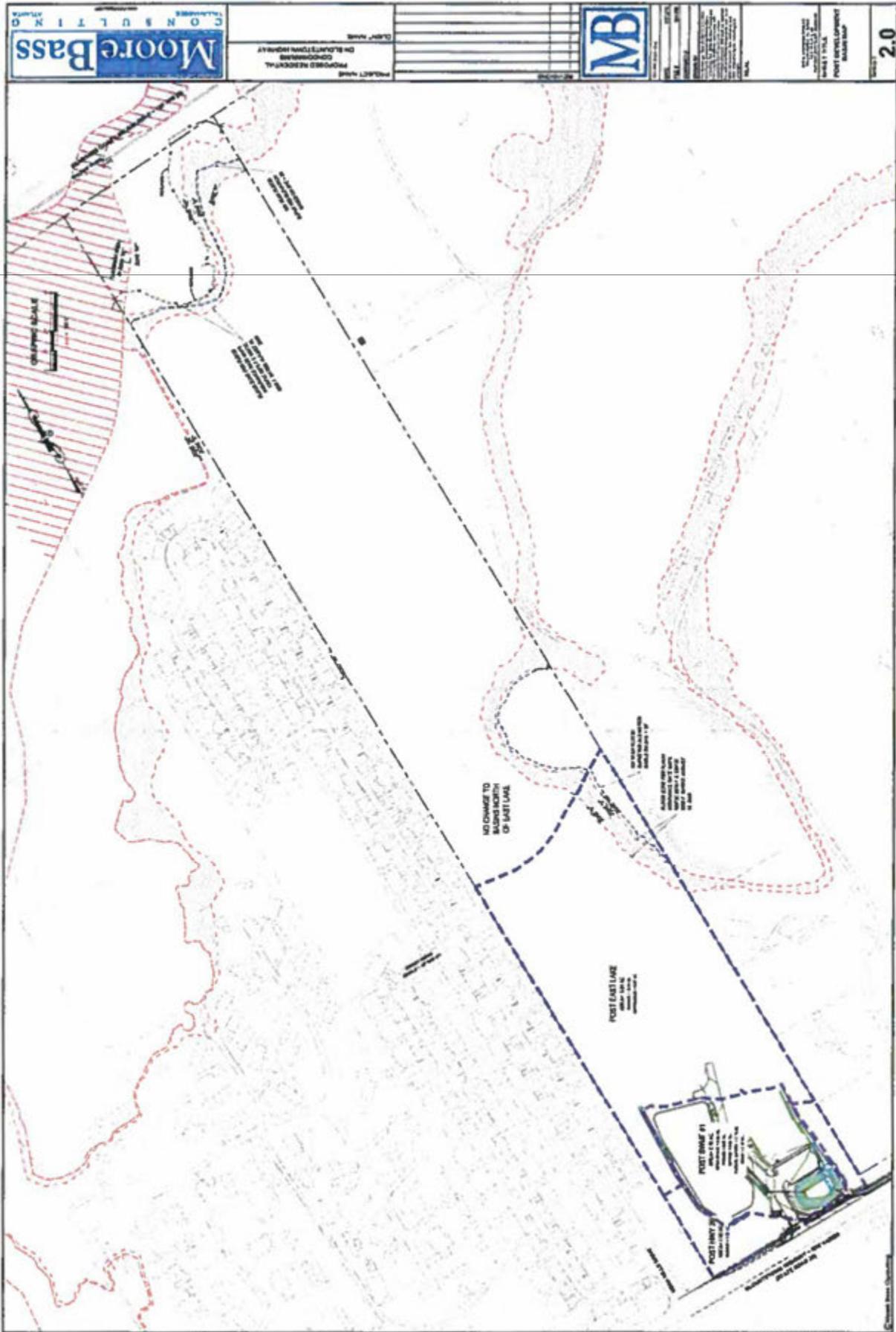
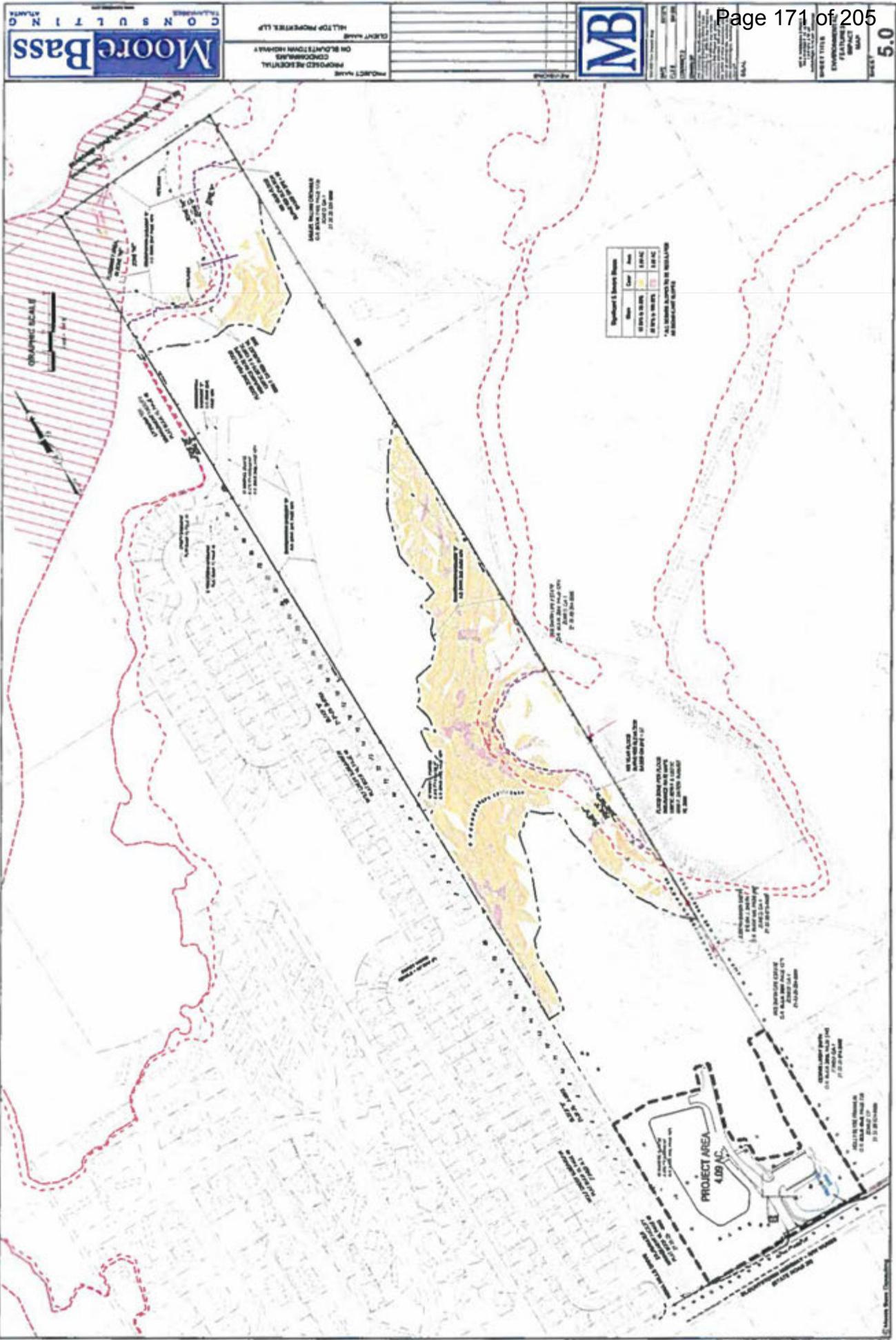


Exhibit 9

Environmental Impact Analysis Plan dated January 12, 2016



Moore Bass
CONSULTING
ATTORNEYS

PROJECT NAME: HILLTOP PROPERTIES, LLP
CLIENT NAME: HILLTOP PROPERTIES, LLP
PROJECT ADDRESS: 100 SOUTH BAY AVENUE, SUITE 100, DALLAS, TEXAS 75219

NO.	DATE	DESCRIPTION
1	10/15/15	ISSUED FOR PERMITTING
2	11/10/15	REVISIONS
3	12/15/15	REVISIONS
4	01/15/16	REVISIONS
5	02/15/16	REVISIONS
6	03/15/16	REVISIONS
7	04/15/16	REVISIONS
8	05/15/16	REVISIONS
9	06/15/16	REVISIONS
10	07/15/16	REVISIONS
11	08/15/16	REVISIONS
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34	07/15/18	REVISIONS
35	08/15/18	REVISIONS
36	09/15/18	REVISIONS
37	10/15/18	REVISIONS
38	11/15/18	REVISIONS
39	12/15/18	REVISIONS
40	01/15/19	REVISIONS
41	02/15/19	REVISIONS
42	03/15/19	REVISIONS
43	04/15/19	REVISIONS
44	05/15/19	REVISIONS
45	06/15/19	REVISIONS
46	07/15/19	REVISIONS
47	08/15/19	REVISIONS
48	09/15/19	REVISIONS
49	10/15/19	REVISIONS
50	11/15/19	REVISIONS
51	12/15/19	REVISIONS
52	01/15/20	REVISIONS
53	02/15/20	REVISIONS
54	03/15/20	REVISIONS
55	04/15/20	REVISIONS
56	05/15/20	REVISIONS
57	06/15/20	REVISIONS
58	07/15/20	REVISIONS
59	08/15/20	REVISIONS
60	09/15/20	REVISIONS
61	10/15/20	REVISIONS
62	11/15/20	REVISIONS
63	12/15/20	REVISIONS
64	01/15/21	REVISIONS
65	02/15/21	REVISIONS
66	03/15/21	REVISIONS
67	04/15/21	REVISIONS
68	05/15/21	REVISIONS
69	06/15/21	REVISIONS
70	07/15/21	REVISIONS
71	08/15/21	REVISIONS
72	09/15/21	REVISIONS
73	10/15/21	REVISIONS
74	11/15/21	REVISIONS
75	12/15/21	REVISIONS
76	01/15/22	REVISIONS
77	02/15/22	REVISIONS
78	03/15/22	REVISIONS
79	04/15/22	REVISIONS
80	05/15/22	REVISIONS
81	06/15/22	REVISIONS
82	07/15/22	REVISIONS
83	08/15/22	REVISIONS
84	09/15/22	REVISIONS
85	10/15/22	REVISIONS
86	11/15/22	REVISIONS
87	12/15/22	REVISIONS
88	01/15/23	REVISIONS
89	02/15/23	REVISIONS
90	03/15/23	REVISIONS
91	04/15/23	REVISIONS
92	05/15/23	REVISIONS
93	06/15/23	REVISIONS
94	07/15/23	REVISIONS
95	08/15/23	REVISIONS
96	09/15/23	REVISIONS
97	10/15/23	REVISIONS
98	11/15/23	REVISIONS
99	12/15/23	REVISIONS
100	01/15/24	REVISIONS



SCALE: 1" = 100'
DATE: 10/15/15
DRAWN BY: [Name]
CHECKED BY: [Name]

PROJECT NO.: 15-001
SHEET NO.: 171 OF 205
SCALE: 5.0

Exhibit 10

First Notice of Application Deficiency Regarding the Environmental
Impact Analysis dated January 25, 2016



Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Department of Development Support
and Environmental Management
Division of Environmental Services
Renaissance Center, 2nd Floor
435 North Macomb Street
Tallahassee, Florida 32301-1019

Commissioners

BILL PROCTOR
District 1

JANE G. SAULS
District 2

JOHN DAILEY
District 3

BRYAN DESLOGE
District 4

KRISTIN DOZIER
District 5

MARY ANN LINDLEY
At-Large

NICK MADDOX
At-Large

VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

January 25, 2015

Moore Bass Consulting, Inc.
c/o Tom O'Steen
805 N. Gadsden Street
Tallahassee, FL 32303

**Re: First Notice of Application Deficiency (NAD-1)
Residential Condominiums on Blountstown Hwy
Environmental Impact Analysis (LEA160002)
Parcel ID: 21-31-20-007-0030**

Dear Mr. O'Steen:

We have completed our review of the subject Environmental Impact Analysis (EIA) application. This EIA review was based on the drawings provided for the "Type A Site Plan". Before final submittal, please revise the title of the drawings to "Environmental Impact Analysis (LEA160002)" on sheet 1.0. The following are items that shall be addressed prior to approval of the EIA:

GENERAL COMMENTS:

1. Comments identified in the January 25, 2016 Environmental Site Plan Review Memorandum shall also be addressed within the EIA. A copy of the Memorandum is attached. Comments from other Site Plan review entities shall be addressed such that the final EIA is generally consistent with the approved Site Plan.
2. Pursuant to Section 10-4.345(a), LDC, all development activity shall preserve a minimum of 25 percent of the total area of the development site in a natural condition. All natural areas designated to be preserved shall be recorded in a conservation easement. Upon review of the existing conservation easements on the property, there appears to be an approximate four percent deficiency to the 25 percent natural area requirement. Please propose additional natural area to be preserved under a conservation easement, include a sketch of this area within the EIA plan-set, and provide

an executed conservation easement for the additional natural area as part of the Environmental Management Permit.

3. Please discuss intention of the existing conservation easements (i.e. whether the current boundaries will be kept, if the applicant wishes to change the boundaries/locations, etc.).
4. Please provide a vegetation management plan for the conservation easements that addresses invasive plant control pursuant to Section 10-4.202(a)(2)d, LDC.
5. Please add a Conceptual Landscape Plan for the development to the plans and identify the sheet location in the Sheet Index.
6. The Conceptual Landscape Plan shall include a Minimum Planting Density Detail for the Type "D" Buffers. Please add a note that existing healthy vegetation shall be preserved and augmented as necessary to meet minimum planting density. Please note that any work within the critical root protection zone of existing trees that are to remain shall be conducted under the supervision of a certified arborist.
7. Please identify areas that are calculated as natural area (25% minimum of the site) and landscape area (20% minimum of the developed area) on the Conceptual Landscape Plan.
8. Please specify the minimum requirements for the proposed canopy coverage tree plantings on the Conceptual Landscape Plan. Examples are canopy or understory trees, pavement setback, offset from underground utilities, etc.
9. Please add a note on the Conceptual Landscape Plan that additional landscape details are to be provided in the Environmental Management Permit (EMP), but shall meet minimum standards specified within the Site Plan/ EIA.
10. Please demonstrate on the Conceptual Landscape Plan that the project meets the tree credit/debit requirements or the 40 trees credits per developed acre.

EIA NARRATIVE:

11. In the narrative, please provide a description of the type of development proposed for the property.
12. Please describe in the narrative any trees that will be impacted as a result of the proposed development. Please identify proposed mitigation for protected trees to be removed pursuant to Section 10-4.364(b)(1), LDC.

STORMWATER ANALYSIS:

13. Please ensure that the Stormwater Analysis is signed and sealed by the engineer of record.
14. Please demonstrate that stormwater runoff from all the developed areas are captured and routed to a Stormwater Management Facility (SWMF). Please revise the plans and calculations.
15. On account of downstream flooding, please revise the stormwater calculations to demonstrate pre-post rate control for all design storms through the 100-year/24 hour storm.
16. Please revise the Stormwater Analysis such that the existing land use is "woods" in "good" condition.
17. Please revise the treatment volume calculation as it appears to be based on a peak flow rate methodology as opposed to total runoff from three inches (3") of rainfall.
18. While it appears that the SWMF will recover quickly, please provide a supporting calculation in the Stormwater Analysis and note the depth to the estimated seasonal high water table.
19. While not required for the EIA, please be advised that additional conveyance analysis and calculations shall be supplied at the time of the EMP to support all proposed pipe sizes, alignments, inverts, stabilization, etc.

PLAN SHEETS:

20. On sheet 2.0, please ensure that all items depicted are consistent with the approved NFI. Please label all existing conservation easements. Please add a legend (see approved NFI map).
21. On sheets 2.0 and 5.0, it appears that there is not a 50 foot buffer from the wetland to the conservation easement line. Please provide the distance from the wetland line to the conservation easement line at the narrowest point. If the distance is not 50 feet, it could be an option to increase this conservation area to the amount needed to comply with the 25 percent natural area requirement.
22. On sheet 2.1, please identify any protected trees and existing improvements/features that might conflict with the proposed discharge pipe connection to the existing FDOT inlet structure.
23. Pursuant to Section 10-4.344, Leon County Land Development Code (LDC), a minimum of 20 percent of the total developed area shall be

devoted to landscaping. At least five percent of the landscape area shall be located within the interior area of the site. Please adjust the calculations on sheet 3.0 to demonstrate that 20 percent of the developed area (4.09 acres) has been devoted to landscaping and that five percent is within the interior.

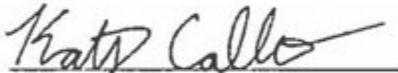
24. On sheet 3.0, please provide a detail for the Type "D" Buffer Plantings.
25. Pursuant to Section 10-4.347(2)(a), LDC, in vehicular use areas within the interior of a site, one 400 square foot natural or landscaped planted area shall be required for every 5,000 square feet of vehicular use area. Please revise sheet 3.0 and provide a minimum of four separate landscape islands in the parking area, each with a minimum of 400 square feet. Please provide the width and length of each landscape island and identify the percent of the landscape islands on the plans.
26. On sheet 3.0, please provide measurements from the vehicular use areas to the perimeter landscaping.
27. On sheet 3.0, please provide more information regarding the land use and improvements within the residential unit area. For example, the maximum amount of impervious area, maximum amount of semi-impervious area (ex. trails, LID parking), minimum amount of undisturbed woods, minimum amount of other landscaping, etc. Please ensure that all numbers identified are consistent within the plans and the supporting stormwater calculations.
28. On sheet 3.0, please provide general placement guidance for utilities, units, pedestrian corridors, and parking to ensure conflicts are avoided and/or minimized and stormwater conflicts avoided.
29. On sheet 4.0, please identify the side slopes of the stormwater pond. If slopes are steeper than 4:1, fencing and fence screening is required. This will need to be shown on the plans.
30. On sheet 4.0, all developed areas shall be routed to the SWMF. It appears that additional access drive area near the connection with the Public Right-of-Way (ROW) can be captured and routed to the SWMF.
31. If parking is proposed for units in the Unit Area, please clarify how vehicles will have access. Drainage swales are proposed between the road and the Unit Area.
32. On sheet 4.0, please identify the location of the emergency overflow weir and evaluate the flow path to the receiving water or drainage feature.
33. DSEM staff recommends routing the parking drainage to the proposed swale to minimize the potential erosion of the northern slopes of the pond.

Residential Condominiums on Blountstown Hwy
LEA160002
Page 5 of 5

34. On sheet 5.0, please ensure that all items depicted are consistent with the approved NFI. Please label all existing conservation easements. Please add a legend (see approved NFI map).
35. On sheet 6.0, please ensure that potential utility conflicts have been evaluated.

A markup of the EIA narrative, Environmental Features Impact Map, and Stormwater Analysis which illustrate several of the comments above have been provided in ProjectDox (LEA16002/EIA Application). If you have any questions concerning this letter or need additional information, please contact me at (850) 606-1371 or by e-mail at Collinsm@LeonCountyFL.gov.

Sincerely,



Katy Collins
Environmental Review Specialist

Enclosed: Environmental Site Plan Review Memorandum

cc: Ameris Bank, 7915 Baymeadows Way, Suite 300, Jacksonville, FL 32256

Exhibit 11

Environmental Impact Analysis Narrative with Markups



Land Use Planning · Engineering Design · Environmental Permitting · Landscape Architecture · Surveying

**Environmental Impact Analysis
for
Proposed Residential Condominiums on Blountstown Highway**

Tax ID No. 21-31-20-007-0030
MBC #554.096

January 12, 2016

GENERAL

The proposed site is a tract totaling 33.52+/- acres located on Blountstown Highway. The property lies in Section 31, Township 01 North, Range 01 West. The site is currently vacant and mostly wooded. The site is encumbered by an existing conservation easement, which is shown on the boundary survey. The easement is recorded in the public records of Leon County FL in Book 3847, page 1674. It is believed that the easement was recorded as part of the Star Pointe subdivision, which was never constructed. The exact purpose of the easement is not clear but it is presumed to be for slope preservation associated with a prior development plan. *The current recorded conservation easements do not meet the 25% preserved natural area requirement. Please see the #2 and #3 on the Notice of Deficiency.*

Natural features as identified in the approved natural features inventory are described below. All of the regulated features lie within the northern portion of the project. The project area occurs on only the southernmost 4.09 acres of the site and as such, does not impact any of the regulated features.

Stormwater runoff from the project area will be collected in a series of swales and inlets and conveyed to a proposed stormwater management facility to be located adjacent to Blountstown Highway. See included stormwater analysis for additional information.

Please provide a description of the type of development proposed for the property.

NATURAL FEATURES INVENTORY

Vegetative Communities

The site can be described using the Florida Land Use, Cover and Forms Classification System as Hardwood Forested Uplands - Mixed Hardwoods, FLUCCS Designation 1112:

This is a hardwood community in which no single species or species group appears to achieve a 66 percent dominance of the canopy. This class of hardwoods includes any combination of large and small hardwood tree species none of which can be identified as dominating the canopy. (FLUCCS)

Please identify any trees that will be impacted. Please identify proposed mitigation for protected trees to be removed.

Drainage Area

The site is located within the Gum Creek West Watershed, part of the Lake Munson Basin.

Waterbodies

The site does not contain any waterbodies.

EIA Narrative
Proposed Residential Condominium on Blountstown Highway
January 12, 2016
Page 2 of 2

Watercourses

There is a small area of watercourse located on the northwestern most portion of the property. The water course passes through a culvert beneath the railroad tracks on the north end of the site.

Wetlands

Wetlands were located on the northernmost portion of the project as delineated by Cardno in a report dated December 15, 2015, previously submitted with the NFI application (LEA150065).

Floodplain

The site contains 100 year floodplain associated with the wetlands on the northern part of the project. There is also an area of flood plain located near the eastern property line approximately midway along the length of the line. Flood plain is shown per FIRM 12073C 0278 F and 12073C 0286 F, dated: AUGUST 18, 2009.

Floodways

The site contains a floodway in the northwest corner of the property.

Grades/Slopes

Significant and severe slopes within 100 feet of wetlands and floodplain and slopes contiguous to that line are delineated on the NFI map. The majority of the slopes are significant. Severe slopes only exist in very small areas within the significant slopes. We request that these small pockets of severe slopes be regulated as significant.

Soils

The soil survey indicates that a majority the site consists of Lakeland Fine Sand (021)(hydrologic soil group A). The northern most section contains a pocket of Plummer Fine Sand Fine Sand (041) (hydrologic soil group B/D). This is graphically identified on the Natural Features Inventory map.

Karst Features

There are no known karst features on this site. We reviewed the online Tallahassee-Leon County GIS Natural Features Inventory Map for karst features. There were none indicated. In addition, field survey indicated a small depression near the middle of the site along the eastern edge. Ardaman and Associates were hired to explore the depression. They walked the entire depression and did not observe any holes in the ground or any other indication of active karst.

Wells/Groundwater

No wells or areas susceptible to groundwater are identified. If further detailed survey work provides evidence of these features, then appropriate measures will be taken.

Tree Tagging

All regulated on-site trees have been field located and are reflected on the Natural Features Inventory map.

Listed Species

To the best of our knowledge, there are no known habitats of endangered, threatened or species of special concern located on this site. Please see report from Cardno, dated December 15, 2015.

Special Development Area

The site does not contain any special development zones.

Cultural Resource Assessment

A cultural resource assessment has been provided.

Exhibit 12

Environmental Impact Analysis Plan with Markups

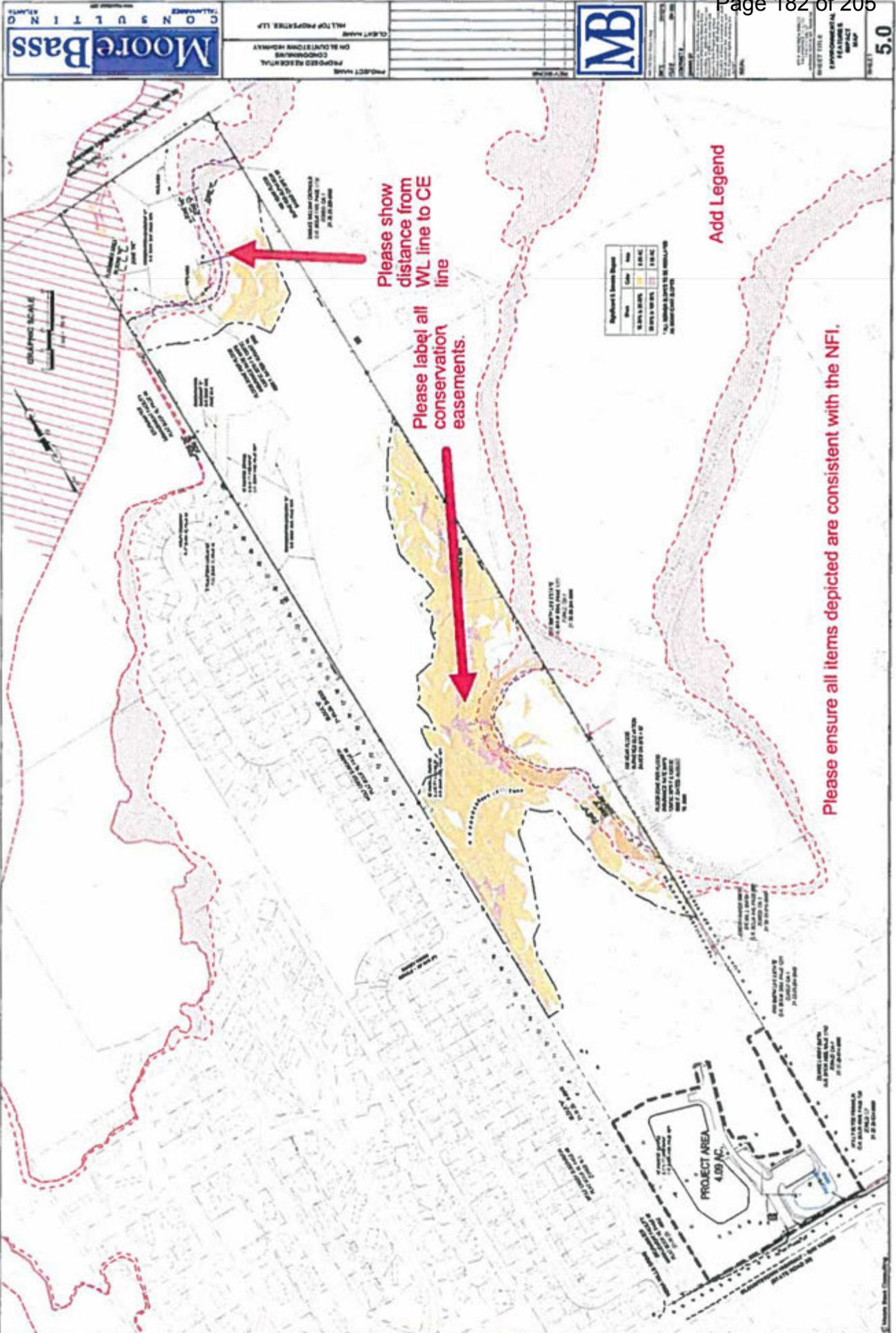


Exhibit 13

Concept Utility Plan dated January 12, 2016

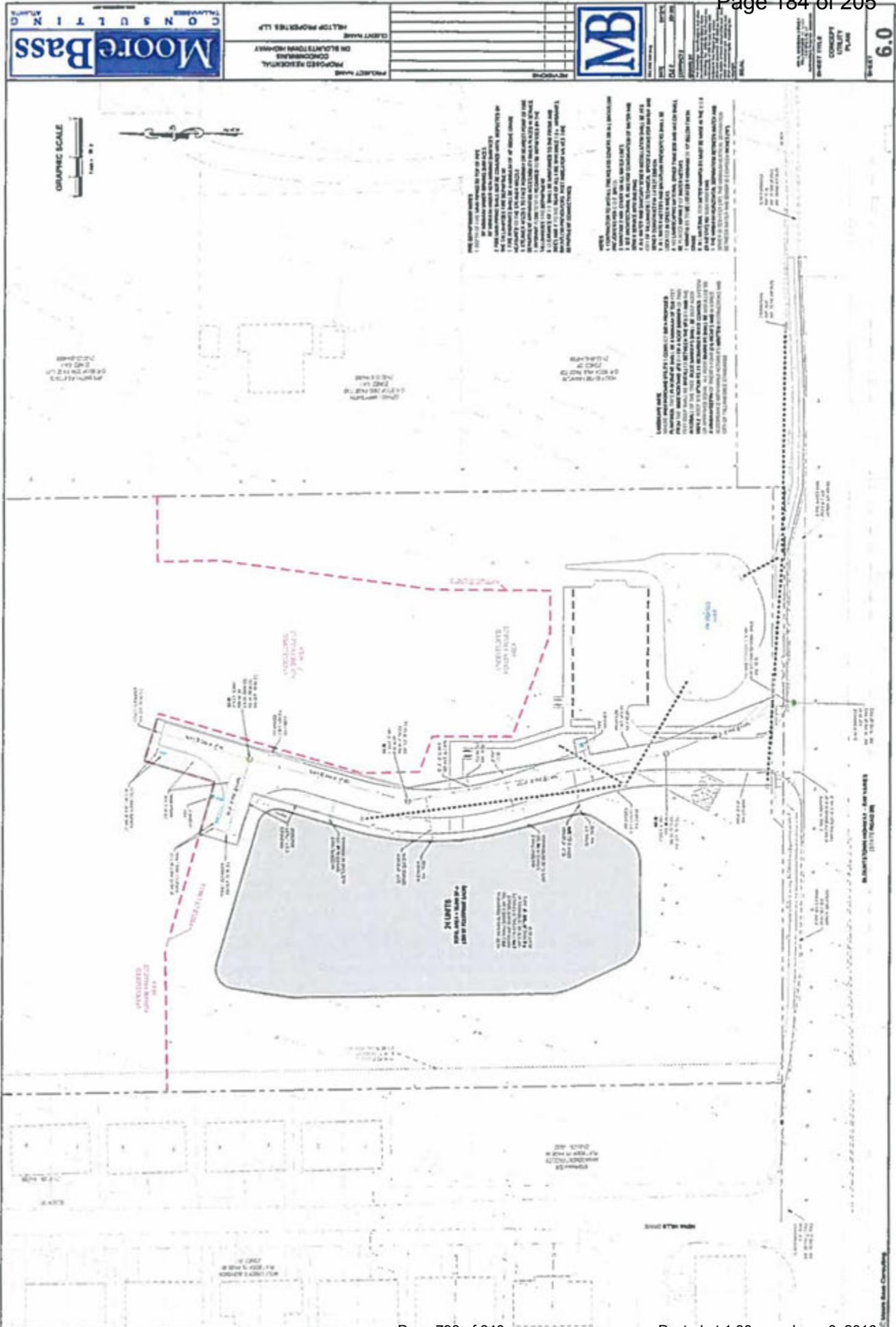
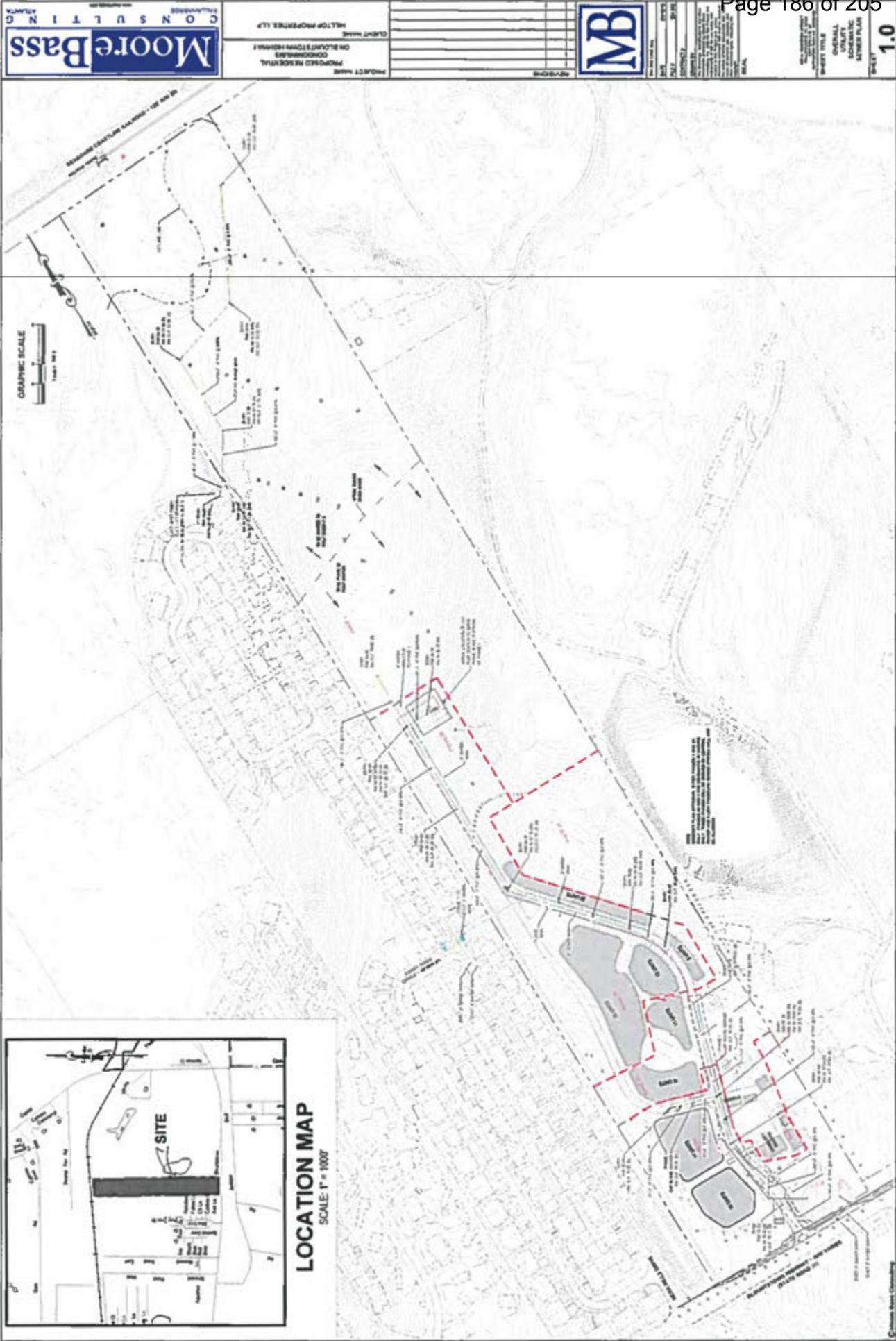


Exhibit 14

Concept Water & Sewer Plan dated January 18-19, 2016



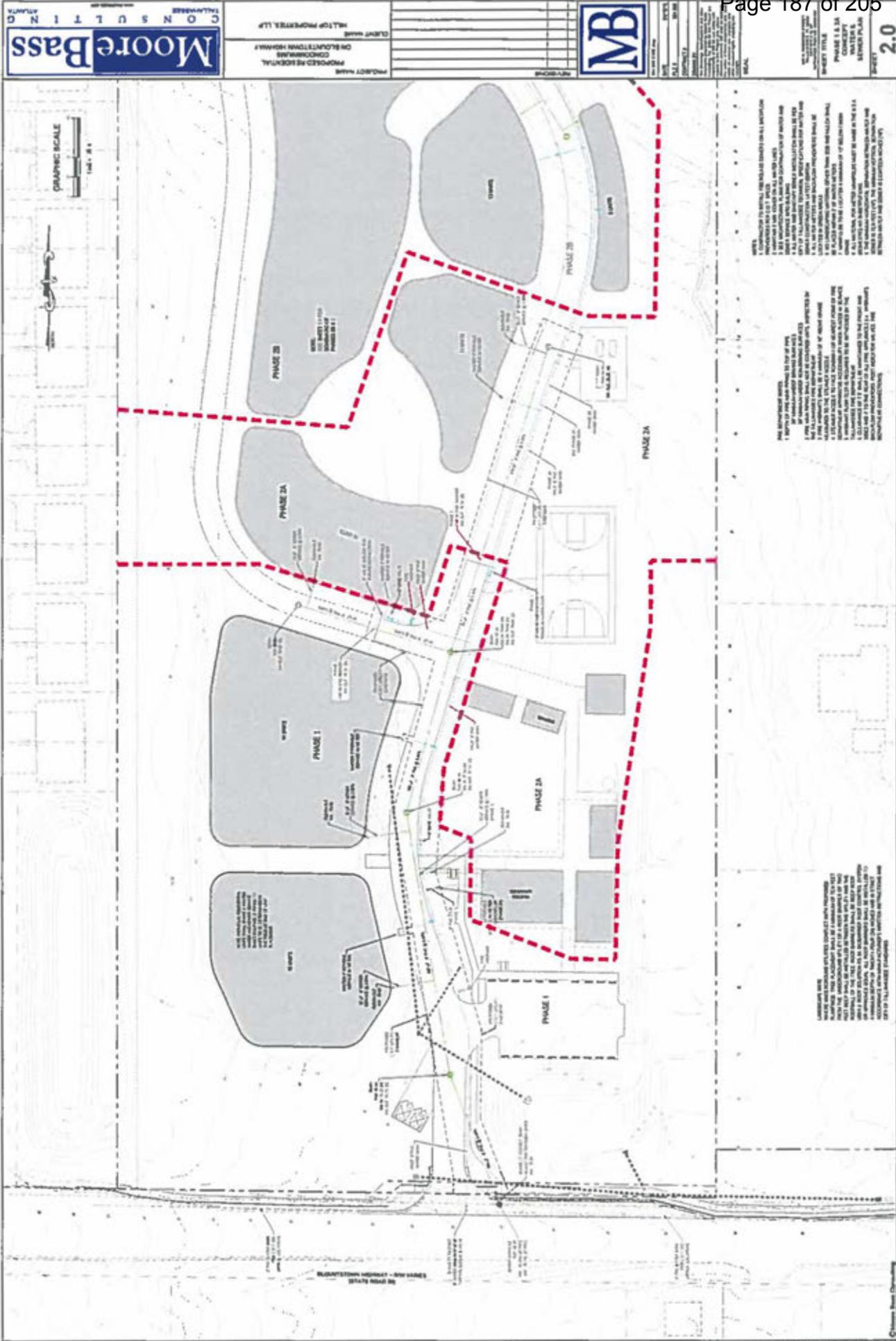


Exhibit 15

Comments submitted from Hosey to Hood dated January 14, 2016

.

Hosey, Justin

From: Hosey, Justin
Sent: Thursday, January 14, 2016 9:46 AM
To: 'Ben Hood'
Cc: Kessler, Bruce
Subject: RE: Blountstown Condo.

Ben,

WRE comments are as follows:

- A Letter of Agreement (LOA) will be required prior to construction.
- Provide the required checklist, calculations, and fire flow test results for review.
- Add a location map to the plan.
- Concept plan approval requires a master utility plan for the property showing how the future phases will be served with water and sewer. Phase lines should be included.
- The proposed water main should be located on the north/east sides of the road per the utility placement guide.
- Provide separate housing location bubbles for each master meter showing the total number of units per meter.
- Relocate the water meters out of the proposed stormwater swale and adjust the easement as required.
- Label the size of all water services /meters and show the required valve on service line.
- Add a gate valve to the proposed water main between the two master meter locations.
- Remove the cleanout labels on the 8-inch sewer main stubs and relabel as a cap with EMS marker.

Conditional site plan approval can be granted prior to meeting the above comments. Please provide a revised PDF for review prior to submitting hard copies for approval. Contact me if you have any questions.

Thanks,

Justin D. Hosey, PE, LEED AP

Program Engineer
City of Tallahassee – Underground Utilities
Water Resources Engineering Division
408 North Adams Street (Physical)
300 South Adams Street, B-26 (Mail)
Tallahassee, Florida 32301
Work: 850-891-6182 ~ Cell: 850-694-8005
Email: justin.hosey@talgov.com

From: Ben Hood [<mailto:bhood@moorebass.com>]
Sent: Tuesday, January 12, 2016 12:49 PM
To: Hosey, Justin
Cc: Kessler, Bruce
Subject: Blountstown Condo.

Justin,

We are submitting a County Type A site plan tomorrow for the Blountstown Condo project we meet on several weeks ago. The scope of the project has been reduced to include only 24 units near the front of the property. The concept is to

Exhibit 16

Fire Flow Calculations dated January 25, 2016



Blountstown Condo

Occupancy Classification: Residential Commercial

Florida Building Code Construction Type: II-B

Number of Floors: 1

Fire Area per Floor: 390

The Fire Area is the floor area in square feet used to determine the required fire flow. It is determined based on the floor area within the surrounding exterior walls and fire separation walls used to create separate buildings.

Total Fire Area: (check one)

Total Fire Area = Fire Area per floor (x) number of floors 390

Type IA or Type IB construction: Total Fire Area = Fire Area per floor (x) area of the three largest successive floors _____

The fire flow GPM from the attached table is 1500 gpm for 2 hours flow duration.

Reductions:

75% if building is protected throughout by an approved automatic sprinkler system but not less than 1000 GPM.

Required fire flow GPM _____ minus 75% = _____ or 1000 GPM

75% if building is protected throughout by an approved automatic sprinkler system using quick response sprinkler throughout but not less than 600 GPM.

Required fire flow GPM _____ minus 75% = _____ or 600 GPM

REQUIRED FLOW TEST DATA

1. Map showing location of proposed building, flow hydrant(s) and static/residual pressures.
2. Date and Time of flow test.
3. Name of company conducting flow test and witnesses to flow test.
4. Static and residual PSI from static/residual hydrant(s).
5. Flow in GPM from flow hydrant(s)/PSI at flow from flow hydrant(s).



Blountstown Condo
Community Bldg

Occupancy Classification: Residential Commercial

Florida Building Code Construction Type: II-B

Number of Floors: 1

Fire Area per Floor: 5000

The Fire Area is the floor area in square feet used to determine the required fire flow. It is determined based on the floor area within the surrounding exterior walls and fire separation walls used to create separate buildings.

Total Fire Area: (check one)

Total Fire Area = Fire Area per floor (x) number of floors 5000

Type IA or Type IB construction: Total Fire Area = Fire Area per floor (x) area of the three largest successive floors _____.

The fire flow GPM from the attached table is 1500 gpm for 2 hours flow duration.

Reductions:

75% if building is protected throughout by an approved automatic sprinkler system but not less than 1000 GPM.

Required fire flow GPM _____ minus 75% = _____ or 1000 GPM

75% if building is protected throughout by an approved automatic sprinkler system using quick response sprinkler throughout but not less than 600 GPM.

Required fire flow GPM _____ minus 75% = _____ or 600 GPM

REQUIRED FLOW TEST DATA

1. Map showing location of proposed building, flow hydrant(s) and static/residual pressures.
2. Date and Time of flow test.
3. Name of company conducting flow test and witnesses to flow test.
4. Static and residual PSI from static/residual hydrant(s).
5. Flow in GPM from flow hydrant(s)/PSI at flow from flow hydrant(s).

REQUIRED FIRE FLOW INFORMATION
NFPA 1, 18.4.1.1, 2009 EDITION

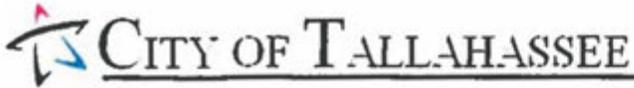


Table 18.4.5.1.2 Minimum Required Fire Flow and Flow Duration for Buildings

Fire Flow Area ft ²					Fire Flow GPM†	Flow Duration (Hours)
I(443), I(332), II(222)*	II(111), III(211)*	IV(2HH), V(111)*	II(000), III(200)*	V(000)*		
0-22,700	0-12,700	0-8200	0-5900	0-3600	1500	2
22,701-30,200	12,701-17,000	8201-10,900	5901-7900	3601-4800	1750	2
30,201-38,700	17,001-21,800	10,901-12,900	7901-9800	4801-6200	2000	2
38,701-48,300	21,801-24,200	12,901-17,400	9801-12,600	6201-7700	2250	2
48,301-59,000	24,201-33,200	17,401-21,300	12,601-15,400	7701-9400	2500	2
59,001-70,900	33,201-39,700	21,301-25,500	15,401-18,400	9401-11,300	2750	2
70,901-83,700	39,701-47,100	25,501-30,100	18,401-21,800	11,301-13,400	3000	2
83,701-97,700	47,101-54,900	30,101-35,200	21,801-25,900	13,401-15,600	3250	2
97,701-112,700	54,901-63,400	35,201-40,600	25,901-29,300	15,601-18,000	3500	2
112,701-128,700	63,401-72,400	40,601-46,400	29,301-33,500	18,001-20,600	3750	3
128,701-145,900	72,401-82,100	46,401-52,500	33,501-37,900	20,601-23,300	4000	4
145,901-164,200	82,101-92,400	52,501-59,100	37,901-42,700	23,301-26,300	4250	4
164,201-183,400	92,401-103,100	59,101-66,000	42,701-47,700	26,301-29,300	4500	4
183,401-203,700	103,101-114,600	66,001-73,300	47,701-53,000	29,301-32,600	4750	4
203,701-225,200	114,601-126,700	73,301-81,100	53,001-58,600	32,601-36,000	5000	4
225,201-247,700	126,701-139,400	81,101-89,200	58,601-65,400	36,001-39,600	5250	4
247,701-271,200	139,401-152,600	89,201-97,700	65,401-70,600	39,601-43,400	5500	4
271,201-295,900	152,601-166,500	97,701-106,500	70,601-77,000	43,401-47,400	5750	4
Greater than 295,900	Greater than 166,500	106,501-115,800	77,001-83,700	47,401-51,500	6000	4
		115,801-125,500	83,701-90,600	51,501-55,700	6250	4
		125,501-135,500	90,601-97,900	55,701-60,200	6500	4
		135,501-145,800	97,901-106,800	60,201-64,800	6750	4
		145,801-156,700	106,801-113,200	64,801-69,600	7000	4
		156,701-167,900	113,201-121,300	69,601-74,600	7250	4
		167,901-179,400	121,301-129,600	74,601-79,800	7500	4
		179,401-191,400	129,601-138,300	79,801-85,100	7750	4
		Greater than 191,400	Greater than 138,300	Greater than 85,100	8000	4

Available Flow =
2723 gpm

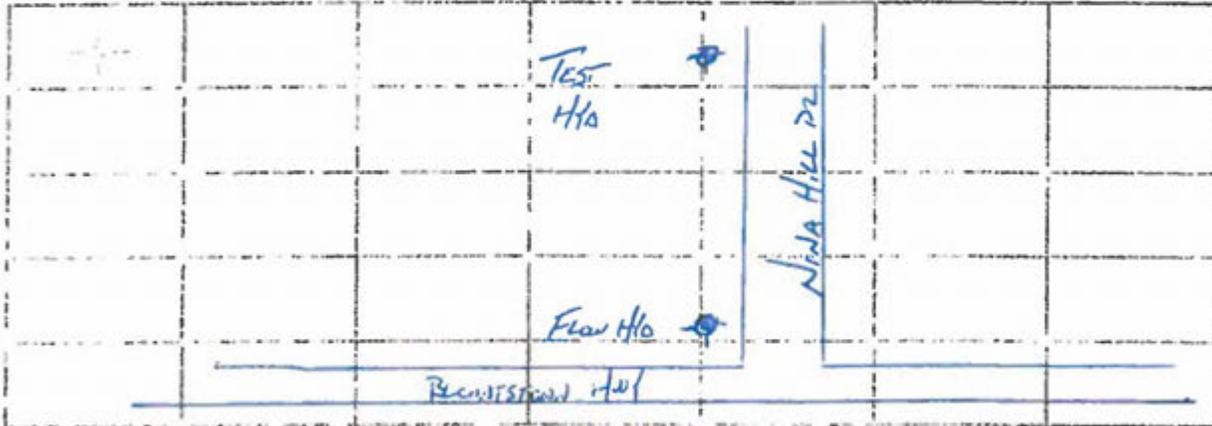
*Types of construction are based on NFPA 220

†Measured at 20 psi (139.9 kPa)

FLOW TEST INFORMATION SHEET



- Reason for Test: Bid Information Design Base
Other Requested
- Location of Property Blountstown Hwy & Nena Hills Dr- Tallahassee, Florida
(Address) (City) (State) (County)
- Date & Time of Test: Date: 01/25/16 Time: 10:00 (am) (pm)
- Test Conducted by: Brandon Padgett Sprinkler Design DACAR Fire Protection
Name Title Affiliation
- Test Witnessed by: Steve Walker Water Department City of Tallahassee
Name Title Affiliation
- Source of Water Supply: Gravity Pump Other: _____
- Name of Water District Tallahassee Fire District Tallahassee
- Is water supply provided with PRV STA's Yes No
(If so what is PRV outlet setting? _____ PSIG)
- Area Map:** (Draw Sketch showing property location; bounding streets and names, north arrow, hydrant locations and identification numbers, distances from hydrants to property elevations of hydrants and property floors or grade, all water mains and sizes and interconnection valves, etc.)



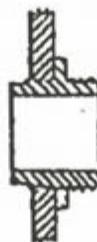
10. Flow Test Data

FLOW AT HYDR. NO.	STATIC AT HYDR. NO.	STATIC PSIG	RESIDUAL PSIG	FLOW GPM	OUTLET COEFFICIENT	ADJUSTED GPM
		100 psi	75 psi	75 psi	.9	1453 gpm

11. See reverse side for graph

12. Signed [Signature]

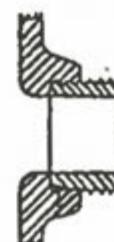
Witness _____



Outlet Square and projecting into Barrel Coef. 0.70



Outlet Square and Sharp Coef. 0.80



Outlet Smooth and Rounded Coef. 0.90

Water Supply Curve (Manual Input of ALL Data)

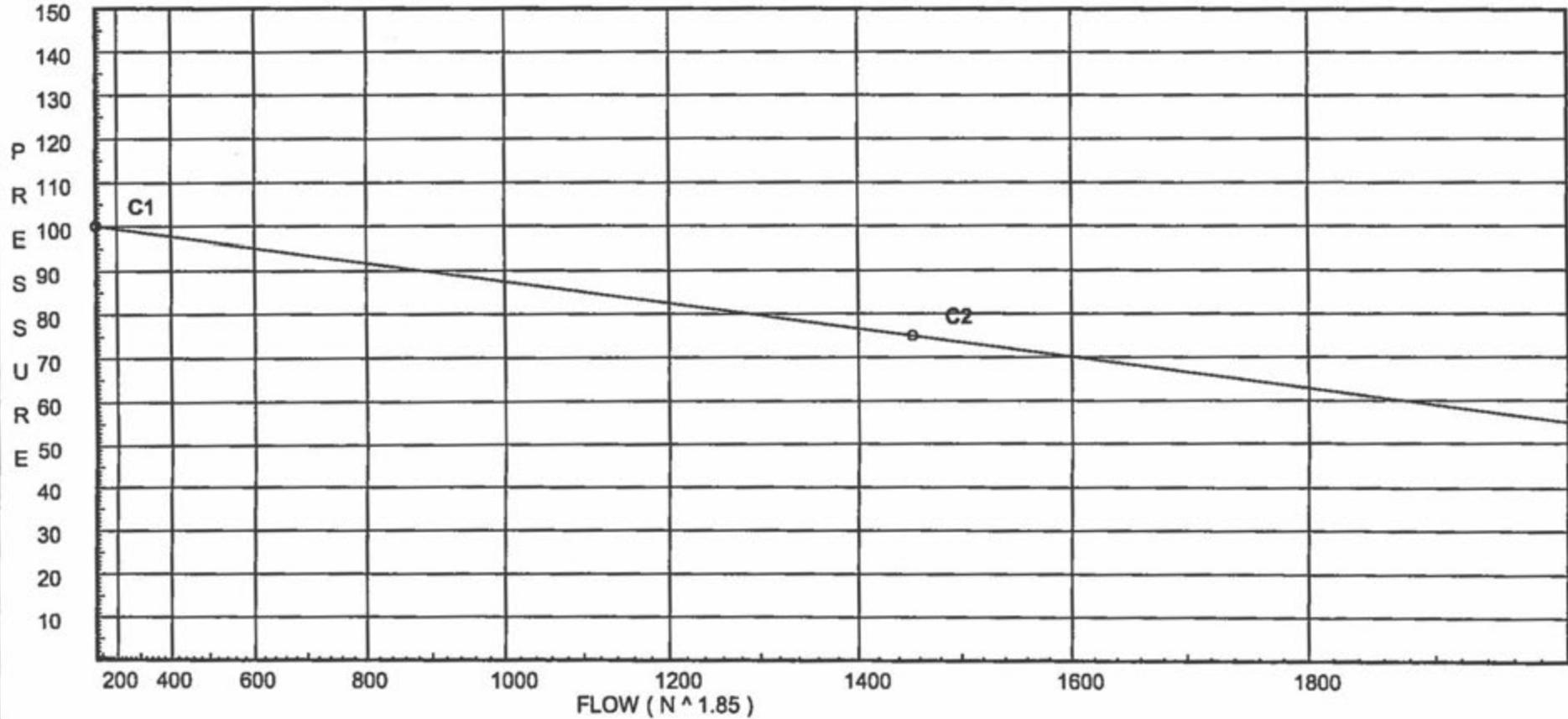
DACAR Fire Protection
Blountstown&NinaHill

0

City Water Supply:

C1 - Static Pressure : 100
C2 - Residual Pressure: 75
C2 - Residual Flow : 1453

D1 - Elevation : -0.433
D2 - System Flow : _____
D2 - System Pressure : _____
Hose (Demand) : _____
D3 - System Demand : _____
Safety Margin : _____



Attachment #2
Page 195 of 205

Available Fire Flow

Project: Blountstown Condo
 MBC JOB#: 554.096



Hydrant Test Data				Desired Residual (P _{Desired})	Pressure Drop to Desired Residual (H _r)	Pressure Drop During Hydrant Test (H _t)	Flow @ Desired Residual Pressure (Q _{Desired})
Location =	Nina hills Dr						
Date of Test =	2/25/2016						
Q _{TEST} =	1453 GPM	@ 75 Psi		20 Psi	80 Psi	25 Psi	2723 GPM
Static Pressure (P _{STATIC}) =	100 Psi						
Residual Pressure (P _{RESIDUAL}) =	75 Psi						

Flow Eqn.: $Q_{DESIRED} = Q_{TEST} * (h_r^{0.54} / h_t^{0.54})$

Where: Q_{DESIRED} = Flow available at desired residual pressure.
 Q_{TEST} = Flow during hydrant test.
 h_r = Pressure drop to desired residual pressure (h_r = P_{STATIC} - P_{DESIRED})
 h_t = Pressure drop during hydrant test (h_t = P_{STATIC} - P_{RESIDUAL})

Exhibit 17

Notice of Intent to File a Petition for Formal Proceedings before a Hearing Officer

LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT
AND ENVIRONMENTAL MANAGEMENT
NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDINGS
BEFORE A HEARING OFFICER

LMS1600195

For Appeals of a Limited Partition or Type "A" or "B" Site and Development Plan

THIS NOTICE MUST BE FILED WITH THE LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, WITHIN FIFTEEN (15) WORKING DAYS AFTER THE DECISION WAS MADE. NOTICES MUST BE DELIVERED TO THE DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, 435 NORTH MACOMB STREET, TALLAHASSEE, FL 32301, TOGETHER WITH A NONREFUNDABLE FILING FEE OF \$90.00 (ADD \$30.00 FOR EACH ADDITIONAL PERSON JOINING IN THE NOTICE) PAYABLE TO LEON COUNTY.

1. Name: J.P. Lopez AND CAROL Smith AND ^{MICHAEL + ELIZABETH}
Address: 267 John Knox Rd, Ste 113 ^{URBAN}
Telephone Number: 850-443-4057 Facsimile Number: 850-254-7141

2. The undersigned hereby gives notice of intent to file a petition for formal proceedings regarding the following project: Residential Condominiums of Blounttown Hwy.
Project ID# LSP160001

A PARTY FILING A NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDING MUST COMPLETE THE APPLICATION BY FILING A PETITION FOR FORMAL PROCEEDING BEFORE A HEARING OFFICER WITHIN THIRTY (30) CALENDAR DAYS AFTER THE DECISION IN QUESTION IS RENDERED. FAILURE TO COMPLETE THE APPLICATION WITHIN THE SPECIFIED THIRTY (30) DAY PERIOD WILL RENDER THE DECISION FINAL. APPEALS ARE HEARD BY A HEARING OFFICER AND ARE CONDUCTED IN ACCORDANCE WITH THE PROCEDURES OUTLINED IN SECTION 10-1485 OF THE LEON COUNTY CODE OF ORDINANCES. APPEALS OF THE HEARING OFFICER'S DECISION ARE REVIEWABLE BY THE CIRCUIT COURT.

3. THE PERSON FILING THIS NOTICE IS (CHECK ONE BELOW):

- The Applicant
- The local government with jurisdiction
- A person who will suffer an adverse effect to an interest protected by the Comprehensive Plan

4. STATE THE BASIS FOR SEEKING A FORMAL PROCEEDING Use additional sheets if necessary. You must allege how the proposed project violates the ordinances of Leon County.

Please see attached addendum.

If you are not the applicant, state how you will be affected by the decision. Use additional sheets if necessary. To be entitled to initiate a formal proceeding you must show that you will suffer an adverse effect which exceeds in degree the general interest in community good shared by all persons;

Please see attached addendum.

I CERTIFY THAT I HAVE READ THE ABOVE INFORMATION AND THAT ALL THE INFORMATION PROVIDED IN THIS NOTICE IS CORRECT.

J.P. Lopez
SIGNATURE
Carol S. Smith

2/17/16
DATE NOTICE IS FILED

2/17/16

Amendment: Notice of Intent to File a Petition for Formal Proceedings

Name: J.P. Lepez

Project: Residential Condominiums of Blountstown Highway

As directed by the attached form I am using a separate sheet.

3. Please allow time to obtain counsel in search of proper injunctive relief. The rapidness of this application and its acceptance does not give parties that could be affected geographically or monetarily proper time to review county ordinances, let alone plan and organize.

In the meanwhile, as per Sec. 10-7.610, states:

If a proposed plat contains streets, roads, alleys, rights-of-way, common areas, utility, conservation and drainage or other easements not dedicated to the public, the applicant, prior to plat approval, shall file with the county attorney certified copies of the executed and filed articles of incorporation and the bylaws of a homeowners' or property owners' association, or other corporate entity, together with restrictive covenants applicable to the property, approved by the county attorney as to form, content, and manner of execution, providing enforceable assessment procedures for financing the maintenance of the streets or roads, alleys, rights-of-way, common areas and facilities, utility and drainage or other easements. The plat shall not be submitted to the Board of County Commissioners until the articles, bylaws, and restrictive covenants have been approved as to form and manner of execution by the county attorney.

I have not seen this document in the online project documents nor have I found filing with the Leon County Clerk of Court. These documents would provide light as to what this project consists of and what rules would apply to the condominium dweller. As such, I ask the planning committee and the Commission to delay any formal decisions until such documents can be carefully reviewed.

4. Developer has stated that this development is exclusively aimed at low-income, transitioning occupants. The project may not only house sexual offenders and other criminal elements but may actually be marketed towards them. The developer seems to be obfuscating the intention of the project in terms of whether they are going to be sold, rented, partially rented, time-shared or otherwise.

Though the developer has notified the county that these are condominiums, they are actually "tiny houses" whose low values will have a significant impact on any current and future residential development. Such projects which can promote the proliferation of vagrancy and criminality must have the attention and input of the many taxpaying homeowners and business owners within the corridor.

LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT
AND ENVIRONMENTAL MANAGEMENT
NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDINGS
BEFORE A HEARING OFFICER

For Appeals of a Limited Partition or Type "A" or "B" Site and Development Plan

THIS NOTICE MUST BE FILED WITH THE LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, WITHIN FIFTEEN (15) WORKING DAYS AFTER THE DECISION WAS MADE. NOTICES MUST BE DELIVERED TO THE DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, 435 NORTH MACOMB STREET, TALLAHASSEE, FL 32301, TOGETHER WITH A NONREFUNDABLE FILING FEE OF \$90.00 (ADD \$30.00 FOR EACH ADDITIONAL PERSON JOINING IN THE NOTICE) PAYABLE TO LEON COUNTY.

1. Name: Michael J. + Elizabeth M. URBAN
Address: 1931 Sika Deer Ln. Tallahassee, FL 32304
Telephone Number: 850-575-6645 Facsimile Number: NA

2. The undersigned hereby gives notice of intent to file a petition for formal proceedings regarding the following project: RESIDENTIAL CONDOS PROPOSED FOR 5044 BLAUNT STOWN Hwy
+ type 'A' site plan project id. LSP 16 0001
A PARTY FILING A NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDING MUST COMPLETE THE APPLICATION BY FILING A PETITION FOR FORMAL PROCEEDING BEFORE A HEARING OFFICER WITHIN THIRTY (30) CALENDAR DAYS AFTER THE DECISION IN QUESTION IS RENDERED. FAILURE TO COMPLETE THE APPLICATION WITHIN THE SPECIFIED THIRTY (30) DAY PERIOD WILL RENDER THE DECISION FINAL. APPEALS ARE HEARD BY A HEARING OFFICER AND ARE CONDUCTED IN ACCORDANCE WITH THE PROCEDURES OUTLINED IN SECTION 10-1485 OF THE LEON COUNTY CODE OF ORDINANCES. APPEALS OF THE HEARING OFFICER'S DECISION ARE REVIEWABLE BY THE CIRCUIT COURT.

3. THE PERSON FILING THIS NOTICE IS (CHECK ONE BELOW):

- The Applicant The local government with jurisdiction
 A person who will suffer an adverse effect to an interest protected by the Comprehensive Plan

4. STATE THE BASIS FOR SEEKING A FORMAL PROCEEDING Use additional sheets if necessary. You must be allege how the proposed project violates the ordinances of Leon County.

AT the hearing on JAN 27, 2016 under questioning
by the undersigned, the applicant admitted that this
project was not a typical SRBA project in which

If you are not the applicant, state how you will be affected by the decision. Use additional sheets if necessary. To be entitled to initiate a formal proceeding you must show that you will suffer an adverse effect which exceeds in degree the general interest in community good shared by all persons):

We are residents in an actual condo community,
DEER TRAIL HILLS that is within 600 ft of the
proposed project. Our community was many

I CERTIFY THAT I HAVE READ THE ABOVE INFORMATION AND THAT ALL THE INFORMATION PROVIDED IN THIS NOTICE IS CORRECT.

Michael J. Urban
SIGNATURE
Elizabeth M. Urban

Feb 17, 2016
DATE NOTICE IS FILED

Xtra Page 1

4. 1st paragraph continued...
the residents would purchase the individual residential units and own the unit and the land on which it was placed.

they stated that the 24 units were going to be owned by the applicant and were going to be 400sq ft units designed for short term rentals to very low income single males and they could not guarantee the individuals might include known sex offenders or other convicted felons,

4. 2nd paragraph continued...
small children in it. There is a community park at the entry to the community for these children to play. This proposed project would place its targeted population access to this park. Since the targeted population of the project would most ~~not~~ likely not have cars and the project is not on public transportation routes, these individuals, 24 at first and 194 at full build out would be wandering the neighborhood.

Not only would this produce a real danger for the women and

Xtra Page 2

4. 2nd paragraph cont. ---
children in our community, but
would also cause severe devaluation
of our property values.

Without an adequate INCREASE in
county provided POLICE protection,
we would have to arm ourselves
and put up barbed wire fencing around
OUR COMMUNITY

LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT
AND ENVIRONMENTAL MANAGEMENT
NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDINGS
BEFORE A HEARING OFFICER

For Appeals of a Limited Partition or Type "A" or "B" Site and Development Plan

THIS NOTICE MUST BE FILED WITH THE LEON COUNTY DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, WITHIN FIFTEEN (15) WORKING DAYS AFTER THE DECISION WAS MADE. NOTICES MUST BE DELIVERED TO THE DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT, DEVELOPMENT SERVICES DIVISION, 435 NORTH MACOMB STREET, TALLAHASSEE, FL 32301, TOGETHER WITH A NONREFUNDABLE FILING FEE OF \$90.00 (ADD \$30.00 FOR EACH ADDITIONAL PERSON JOINING IN THE NOTICE) PAYABLE TO LEON COUNTY.

1. Name: CAROL SMITH
Address: 5229 BLOUNTS TOWN HWY
Telephone Number: 850-321-1594 Facsimile Number: _____

2. The undersigned hereby gives notice of intent to file a petition for formal proceedings regarding the following project: ID# LSP160001 ; 5044 BLOUNTS TOWN HWY CONDO

A PARTY FILING A NOTICE OF INTENT TO FILE A PETITION FOR FORMAL PROCEEDING MUST COMPLETE THE APPLICATION BY FILING A PETITION FOR FORMAL PROCEEDING BEFORE A HEARING OFFICER WITHIN THIRTY (30) CALENDAR DAYS AFTER THE DECISION IN QUESTION IS RENDERED. FAILURE TO COMPLETE THE APPLICATION WITHIN THE SPECIFIED THIRTY (30) DAY PERIOD WILL RENDER THE DECISION FINAL. APPEALS ARE HEARD BY A HEARING OFFICER AND ARE CONDUCTED IN ACCORDANCE WITH THE PROCEDURES OUTLINED IN SECTION 10-1485 OF THE LEON COUNTY CODE OF ORDINANCES. APPEALS OF THE HEARING OFFICER'S DECISION ARE REVIEWABLE BY THE CIRCUIT COURT.

3. THE PERSON FILING THIS NOTICE IS (CHECK ONE BELOW):

- The Applicant The local government with jurisdiction
 A person who will suffer an adverse effect to an interest protected by the Comprehensive Plan

4. STATE THE BASIS FOR SEEKING A FORMAL PROCEEDING Use additional sheets if necessary. You must allege how the proposed project violates the ordinances of Leon County.

WE WERE NOT ADVISED prior to the meeting that this project is APPEALING to very poor single men, AND that MR OSTEEN could not guarantee that those residents to be "were not convicted sex offenders"

If you are not the applicant, state how you will be affected by the decision. Use additional sheets if necessary. To be entitled to initiate a formal proceeding you must show that you will suffer an adverse effect which exceeds in degree the general interest in community good shared by all persons):

I AM AFRAID for my personal safety + the safety of those that live around me.

I CERTIFY THAT I HAVE READ THE ABOVE INFORMATION AND THAT ALL THE INFORMATION PROVIDED IN THIS NOTICE IS CORRECT.

Carol P. Smith
SIGNATURE

2/17/16
DATE NOTICE IS FILED

Exhibit 18

Legal Notice of Final Hearing on April 27-28, 2016



Legal Notices

To Place A Legal Notice • Call (8

**CITY OF MARIANNA
REQUEST FOR PROPOSALS
NOTICE TO BIDDERS
BID NUMBER:
RFQ NO. 2016-01**

The Marianna City Commission is seeking sealed proposals from interested and qualified consultant firms in the State of Florida with Engineering Design experience in the Aviation Field, as well as Construction and Engineering Inspection Services, in the Aviation Field, on a Continuing Contract basis. It is the intent of the City to select and negotiate an agreement with a firm or firms to perform these services required by the City for various municipal airport projects. The selected firm(s) shall serve as the City of Marianna's Airport Design Engineer and/or Construction and Engineering Inspection Services (CEI) consultant for projects as they are assigned. The City desires a firm that has proven ability and is capable of designing and administering construction contracts; inspecting construction work and activities; ensuring completion of construction as required by City of Marianna, Federal, and State standards, plans and specifications; meeting permitting and other applicable agency requirements; invoicing timely and accurately; and handling all FDOT EEO, Wages, DBE and OJT filing, interviewing and other requirements in a timely and responsible manner. Proposals will be received until 2:00 p.m., May 10, 2016 in the City Clerk's Office, City Hall, 2898 Green Street, P.O. Box 936, Marianna, FL 32447 and opened at 2:00 p.m. in the City Commission Chambers at City Hall, 2898 Green Street, Marianna, Florida 32446. Proposals submitted after this time will not be considered. Scope of Services may be obtained from the Public Works Director, City Hall, 2898 Green Street, Marianna, FL 32446 or by calling (850) 482-4129. Specific questions related to the services should be directed to Joe Richey, Public Works Director at (850) 482-4129. Email requests for RFQ packages will be accepted and are recommended. It is the responsibility of the proposer to verify receipt of their request. Proposals will not be valid if not sealed in an envelope marked "SEALED PROPOSAL" and identified by the name of the firm or individual, proposal number and time of opening. The Marianna City Commission reserves the right to reject any one proposal or all proposals, any part of any proposal, to waive any informality in any proposal, and to award the purchase in the best interest of the City.

EEO/AA
Proposals will be accepted only from parties which are free of obligations and interests, which might conflict with the best interest of the City and are professionally qualified to perform the work described in this Request for Proposal. All proposals received from proposers in response to this request for proposal will become property of the City and will not be returned to proposer. By submitting a proposal, the proposer certifies that

**THE SCHOOL BOARD OF
LEON COUNTY**
Announces a meeting of the Capital Outlay Committee:
TIME: April 14, 2016, 9:00 am
PLACE: 3397 W. Therpe Street
PURPOSE: Capital Outlay Meeting
For further information, please contact:
Facilities and Construction Office
Leon County Schools
850-617-5907
PUBLICATION: April 12, 2016

**NOTICE UNDER FICTITIOUS
NAME LAW PURSUANT
TO SECTION 865.09,
FLORIDA STATUTES**
NOTICE IS HEREBY GIVEN that the undersigned, desiring to engage in business under the Fictitious Name of KWIKEE, with a mailing address of 626 W. Main St., Ste. 500, Louisville, KY 40202, and a principal office located in Leon County, intends to register the said name with the FL Dept. of State, Div. of Corps, Tallahassee, FL. Owner: SOUTHERN GRAPHIC SYSTEMS, LLC
Publication: Apr. 12, 2016

NOTICE OF HEARING
Notice is hereby given that a Hearing will be held on April 27-28, 2016, beginning at 9:00 a.m., at the State of Florida Division of Administrative Hearings (DOAH), located at the DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida, in the cause styled as Wolf Creek Homeowners Association, J.P. Lepez, Carol Smith, Michael Urban, and Elizabeth Urban vs. Leon County Department of Development Support and Environmental Management and Floresta, LLC, Case No. 16-1278. The purpose of the proceeding is to hear the appeal of the decision by the Leon County Department of Development Support and Environmental Management to conditionally approve a site and development plan proposed by Floresta, LLC, for a residential condominium development consisting of "tiny houses" ranging from approximately 288 square feet to 390 square feet, to be located off Blountstown Highway. The hearing is open to the public.
In accordance with the Americans with Disabilities Act, persons needing a special accommodation to attend this proceeding should contact the Administrative Services Director at the Division of Administrative Hearings (DOAH) no later than seven days prior to the hearing. Telephone: (850) 488-9675, 1-800-955-8771 (TTY), 1-800-955-8770 (voice), or 711 via Florida Relay Service.
Publication: April 12, 2016

**CITY OF MARIANNA
REQUEST FOR PROPOSALS
NOTICE TO BIDDERS
BID NUMBER:
RFQ NO. 2016-03**

The Marianna City Commission is seeking sealed proposals from interested and qualified consultant firms in the State of Florida with experience in Engineering Design as well as Construction and Engineering Inspection Services on a Continuing Contract basis. It is the intent of the City to select and negotiate an agreement with multiple firms to perform these services required by the City for various road construction, utilities, and other types of City projects. The selected firms shall serve as the City of Marianna's Design Engineer and/or Construction and Engineering Inspection Services (CEI) consultant for projects as they are assigned. The City desires a firm that has proven ability and is capable of designing and administering construction contracts; inspecting construction work and activities; ensuring completion of construction as required by City of Marianna, Federal, and State standards, plans and specifications; meeting permitting and other applicable agency requirements; invoicing timely and accurately; and handling all FDOT EEO, Wages, DBE and OJT filing, interviewing and other requirements in a timely and responsible manner. Proposals will be received until 2:00 p.m., May 10, 2016 in the City Clerk's Office, City Hall, 2898 Green Street, P.O. Box 936, Marianna, FL 32447 and opened at 2:00 p.m. in the City Commission Chambers at City Hall, 2898 Green Street, Marianna, Florida 32446. Scope of Services may be obtained from the Public Works Director, City Hall, 2898 Green Street, Marianna, FL 32446 or by calling (850) 482-4129. Specific questions related to the services should be directed to Joe Richey, Public Works Director at (850) 482-4129. Proposals will not be valid if not sealed in an envelope marked "SEALED PROPOSAL" and identified by the name of the firm or individual, proposal number and time of opening. The Marianna City Commission reserves the right to reject any one proposal or all proposals, any part of any proposal, to waive any informality in any proposal, and to award the purchase in the best interest of the City.

EEO/AA
Proposals will be accepted only from parties which are free of obligations and interests, which might conflict with the best interest of the City and are professionally qualified to perform the work described in this Request for Proposal. All proposals received from proposers in response to this request for proposal will become property of the City of Marianna and will not be returned to proposer. By submitting a proposal, the proposer certifies that he/she has fully read and understands the Request for Proposal and has full knowledge of the scope, nature and quality of work

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

WOLF CREEK HOMEOWNERS
ASSOCIATION, J.P. LEPEZ ,
CAROL SMITH, MICHAEL URBAN
AND ELIZABETH URBAN,

Petitioners,

DOAH Case No.: 16-1278

v.

Leon Co. Project ID No.: LSP160001

LEON COUNTY DEPARTMENT
OF DEVELOPMENT SUPPORT AND
ENVIRONMENTAL MANAGEMENT,
and FLORESTA, LLC,

Respondents.

PETITIONERS' EXCEPTIONS TO THE RECOMMENDED ORDER

COME NOW, Petitioners, WOLF CREEK HOMEOWNERS ASSOCIATION (“HOA”), J.P. LEPEZ, CAROL SMITH, MICHAEL URBAN and ELIZABETH URBAN (collectively, “Petitioners”) who, pursuant to Land Development Code Section 10-7.414(K), hereby file these exceptions to the Special Master’s Recommended Order, and state the following:

Exception #1: Findings of Fact 6-8, 12, 20-24, Conclusions of Law 44-45 and Recommendation

1. Petitioners take exception to Findings of Fact Paragraphs 6-8, 12, 20-24, Conclusions of Law Paragraphs 44-45 and the Recommendation in the Recommended Order.

2. The Floresta Project is inconsistent with the development standards for the R-3 Single and Two Family Residential Zoning District where it is proposed to be located. *See* Section 10-6.637, Leon County Code of Laws; [Exhibit 1 at page 000006]. In the County’s Analysis of the Floresta Project, the County applied the R-3 Zoning development standards applicable to single-family detached dwellings found in Section 10-6.637, Leon County Code of Laws. [Exhibit

1 at page 000006] These development standards require a minimum lot size of 5,000 square feet (0.11 acres); minimum lot widths of 50 feet; minimum lot depths of 100 feet; minimum front setbacks of 20 feet; minimum side-interior lot setbacks of 7.5 feet on each side, or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet; minimum side-corner lot setbacks of 15 feet and minimum rear lot setbacks of 25 feet.

3. The County's analysis fails to fully apply the R-3 development standards for single-family detached dwellings found in Section 10-6.637 of the Leon County Code of Laws to the Floresta Project. Exhibit 4 is the Site and Development Plan for the Floresta Project. Sheet 3.0 contains the Geometry Plan for the Floresta Project. The area that will contain the 24 residential units is shown in gray on Sheet 3.0 (and other sheets) and is listed as having a total area of approximately 39,000 square feet (1,625 square feet per dwelling). This is inconsistent with, and would not even satisfy, the meager minimum lot size of 5,000 square feet (only 0.11 acres) per dwelling for the R-3 Zoning District, which would necessitate at least 120,000 square feet for lots for 24 single-family detached dwellings (24 dwellings x 5,000 square feet = 120,000 square feet). In addition, the lot geometry is not shown and therefore the site and development plan is not consistent with the minimum lot widths, depths and setbacks required for the R-3 Zoning District. Even if lot geometry were shown, the 39,000 square feet allotted is insufficient to provide for lots for 24 single-family detached dwellings that meet the minimum required lot width of 50 feet and lot depth of 100 feet.

4. In Finding of Fact paragraph 24, the Special Master finds the following:

24. The project involves a condominium development with the creation of individual units on a single lot. See Ex. 3g., p. 4. Therefore, the County asserts that the minimum lot sizes found in section 10-6.637 are inapplicable. This is a reasonable interpretation of the Code. . . .

5. Floresta did not provide any competent substantial evidence to support a finding that the Floresta Project is, in fact, a condominium development. No condominium documents, such as a declaration or bylaws, were provided in either the application, the Notice of Application Review Materials or the Application Review Materials to describe how the condominium would be organized and would operate. [Exhibits 3a-g, 5, 7, 8a-e, 9, 13, 14 and 16]

6. Assuming for the sake of argument that the Floresta Project is a condominium, the Special Master (as well as the County and Floresta) failed to utilize the definition of “Lot” in Section 10-1.101 of the Leon County Code of Laws, which states:

Lot shall mean a designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed, or built upon as a unit, but excluding areas designated for open spaces, whether or not these areas are designated as lots on the plat. This term also includes, where the context is appropriate, a unit within a residential, office, or commercial condominium.

(emphasis added)

7. The definition of Lot in Section 10-1.101 of the Leon County Code of Laws specifically provides that each unit within a residential condominium is a Lot. Therefore, each of the condominium units (of which there are 24) must satisfy the minimum lot size of 5,000 square feet for the R-3 development standards for single-family detached dwellings found in Section 10-6.637 of the Leon County Code of Laws. As discussed above, the Floresta Project does not satisfy this lot size requirement, therefore it is inconsistent with the Land Development Code (Section 10-6.637 of the Leon County Code of Laws) and should be denied.

8. Further, as stated in Finding of Fact Paragraph 24, the Floresta Project “involves a condominium development with the creation of (24) individual units on a single lot.” The R-3 development standards for single-family detached dwellings found in Section 10-6.637 of the Leon County Code of Laws contains a maximum of one (1) single family detached dwelling per lot.

The Floresta Project exceeds the maximum number of units per lot and is therefore inconsistent with the Land Development Code (Section 10-6.637 of the Leon County Code of Laws) and should be denied.

Exception #2: Findings of Fact 6-32, Conclusions of Law 44-45 and Recommendation

9. For the reasons stated in Exception #1 above and in the Petitioners' Proposed Recommended Order attached as Attachment A and incorporated herein by reference, Petitioners take exception to Findings of Fact Paragraphs 6-32, Conclusions of Law Paragraphs 44-45 and the Recommendation in the Recommended Order. For the reasons stated therein, the Floresta Project is inconsistent with the Land Development Code and the County's Comprehensive Plan and should be denied.

WHEREFORE, the Petitioners respectfully request that the Board of County Commissioners take exception to the Special Master's Recommended Order and render a final decision DENYING the Floresta Project.

FILED this 3rd day of June, 2016.



TIMOTHY J. PERRY
Florida Bar No. 0496391
OERTEL, FERNANDEZ,
BRYANT & ATKINSON, P.A.
Post Office Box 1110
Tallahassee, Florida 32302
Telephone: (850) 521-0700
Telecopier: (850) 521-0720
tperry@ohfc.com

Attorney for Petitioners, Wolf Creek
Homeowners Association, J.P. Lepez, Carol
Smith, Michael Urban and Elizabeth Urban

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Petitioners' Exceptions to the Recommended Order was filed with the clerk of the Board of County Commissioners and electronically served by email this 3rd day of June, 2016, on:

Herbert W.A. Thiele, Esq.
Patrick T. Kinni, Esq.
Jessica Icerman, Esq.
Leon County Attorney
301 S Monroe St, Suite 202
Tallahassee, FL 32301
thieleh@leoncountyfl.gov
kinnip@leoncountyfl.gov
icermanj@leoncountyfl.gov

Claude Walker, Esq.
2073 Summit Lake Dr., Suite 155
Tallahassee FL, 32317
Phone No.: 850-219-8216
claudewalker@summitgroup.biz



Attorney

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

WOLF CREEK HOMEOWNERS
ASSOCIATION, INC.; J.P. LEPEZ;
CAROL SMITH; MICHAEL URBAN;
AND ELIZABETH URBAN,

Case No. 16-1278

Petitioners,

vs.

LEON COUNTY DEPARTMENT OF
DEVELOPMENT SUPPORT AND
ENVIRONMENTAL MANAGEMENT AND
FLORESTA, LLC,

Respondents.
_____ /

RECOMMENDED ORDER

This case was heard by D. R. Alexander, the assigned
Administrative Law Judge of the Division of Administrative
Hearings (DOAH), on April 27, 2016, in Tallahassee, Florida.

APPEARANCES

For Petitioners: Timothy J. Perry, Esquire
Oertel, Fernandez, Bryant
& Atkinson, P.A.
Post Office Box 1110
Tallahassee, Florida 32302-1110

For Respondent: Patrick T. Kinni, Esquire
(County) Jessica M. Icerman, Esquire
Leon County Attorney's Office
301 South Monroe Street, Room 202
Tallahassee, Florida 32301-1861

For Respondent: Claude Ridley Walker, Esquire
(Floresta) Suite 155
2073 Summit Lake Drive
Tallahassee, Florida 32317-7949

STATEMENT OF THE ISSUE

The issue is whether Leon County Project ID No. LSP160001, conditionally approved on February 5, 2016, is consistent with the Leon County Land Development Code (Code) and the Tallahassee-Leon County 2030 Comprehensive Plan (Plan).

PRELIMINARY STATEMENT

On February 5, 2016, the Director of the Department of Development Support and Environmental Management (Department) issued a letter approving, with conditions, a site and development plan submitted by Floresta, LLC (Floresta), which would allow the construction of the first phase of a single-family residential (condominium) project, consisting of 24 units, to be developed on 4.09 acres of the total parcel on Blountstown Highway just west of Capital Circle Northwest, Leon County (County).

Petitioners, Wolf Creek Homeowners Association, Inc. (Association), an association of homeowners in a subdivision adjacent to the project, and J.P. Lepez, Carol Smith, Michael Urban, and Elizabeth Urban, who reside adjacent to or near the project, timely filed their Petition for Formal Proceeding (Petition) contending that the project was inconsistent with

certain provisions within the Code and Plan. Pursuant to a contract, the County transmitted the matter to DOAH to appoint a special master to conduct a quasi-judicial hearing.

At the hearing, the parties agreed that no witnesses would be called by any party, and that the matter would be submitted on a stipulated record consisting of County Exhibits 1, 2, 3a through 3g, 4 through 7, 8a through 8e, and 9 through 19. Those exhibits have been accepted in evidence. Exhibits 1 through 18 make up the original application file, while Exhibit 19 is a copy of speaker cards. The parties have also stipulated to certain facts in their Pre-hearing Stipulation. Pursuant to section 10-7.414(J)(v)d. of the Code, six members of the public offered comments, all in opposition to the project. Official recognition was taken of those Code and Plan provisions that are cited in the Petition or relied upon by the parties in their post-hearing filings. As required by section 10-7.414(J)(viii) of the Code, a copy of this Recommended Order is being sent to all members of the public who participated at the hearing.

A transcript of the hearing was not prepared. Petitioners and the County filed proposed recommended orders (PROs), which have been considered in the preparation of this Recommended Order.

FINDINGS OF FACT

A. The Parties

1. Floresta is a limited liability corporation that proposes to develop property located at 5044 Blountstown Highway (State Road 20), approximately one-half mile west of the intersection of Capital Circle Northwest and State Road 20.

2. The Association is comprised of residents of the Wolf Creek Subdivision (Subdivision), and numbers around 200 residential town homes on State Road 20 just west of the proposed development. The parties agree that a substantial number of members of the Association would otherwise have standing to bring this action in their own right.

3. J.P. Lepez lives in the Subdivision directly adjacent to, and west of, the development proposed by Floresta.

4. Michael and Elizabeth Urban reside in Deer Tree Hills Condominium Community adjacent to, and west of, the Subdivision, and in close proximity to the proposed development.

5. Carol Smith resides just south of Deer Tree Hills Condominium Community on the opposite side of Blountstown Highway, and in close proximity to the proposed development.

B. The Approval Process

6. On January 12, 2016, the County received a site and development plan application filed by Floresta regarding a proposed project called the Residential Condominiums on

Blountstown Highway, a principal arterial roadway. The application consisted of an application; a permitted use verification; an applicant's affidavit of ownership and designation of agent; a school impact analysis form; an application for concurrency determination; a natural features inventory approval; a site plan narrative; a site and development plan; a concept utility plan; a concept water and sewer plan; and fire flow calculations. The applicant also submitted an environmental impact analysis application, consisting of the application, an environmental impact analysis narrative, a proposed conservation easement, a conservation easement management and maintenance plan, a stormwater analysis, and an environmental impact analysis plan. See Ex. 3a.-g., 4, 8a.-e., 9, 13, 14, and 16.

7. The project is Phase I of a multi-phase development. Floresta proposes to develop around 4.09 acres of the total 33.52-acre parcel. As explained in more detail in the site plan narrative prepared by Floresta's consultant on January 13, 2016:

The residential condominium project is limited to the front +/- 4 acres along Blountstown Highway and will include the entry drive with guest parking, a stormwater pond and 24 residential units.

Each unit is a small footprint unit for low-income residents. It is anticipated that not all residents will rely upon a vehicle for transportation and therefore not all units will have driveways. Units will range

in size, but will be less than 500 gsf [gross square feet], single story dwellings. The units will be placed within the identified area and located among the existing trees of the property to retain a wooded development. Future phases of construction may include community buildings and additional units based on market conditions.

Ex. 3g. Because of the small size of the units -- gross square footage represents the overall footprint of the building -- they were referred to at times by members of the public as "tiny homes." Petitioners' PRO alleges that information obtained at a public meeting conducted by the County on January 27, 2016, revealed that the project will in all likelihood function as a homeless shelter. While no County or Floresta representative testified to confirm or deny this fact, testimony by public commenters suggest this may be true, and their testimony was not challenged by Respondents at hearing.

8. The project is located on a parcel zoned R-3, Single- and Two-Family Residential. It is designated Urban Residential 2 on the Future Land Use Map of the Plan. The R-3 zoning and Urban Residential 2 Future Land Use category allow for a wide range of single-family dwelling units, including single-family detached dwellings, single-family attached dwellings, two-family dwellings, and zero-lot line single-family detached dwellings. See § 10-6.637, L.D.C.; Land Use Element Policy 2.2.24(L). The project consists of

small condominium units as single-family detached dwellings. These are a permitted use in the R-3 zoning district and in the Urban Residential 2 Future Land Use category.

9. Because the project is located on a parcel zoned R-3 and consists of 24 units, it qualifies for a Type "A" review under section 10-7.402 of the Code.

10. Under Type A review, an applicant can select from two development review tracks. See § 10-7.402(5), L.D.C. The project was reviewed under the concept plan approval track. This review track option is intended to expedite the review process by reducing the requirement for permitting-level information while providing assurance that the development entitlements reflected on the concept plan can be realized on the subject site. See § 10-7.402(5)(a), L.D.C. An applicant is still required to complete the environmental permitting process for the project prior to construction. A point of entry is available to third parties to challenge any state, but not County, environmental permit required for the project.

11. Under Type A review, an Application Review Committee (Committee), composed of City and County technical staff, reviews the site and development plan application for compliance with the applicable regulations. See § 10-7.403(e), L.D.C. The Committee then renders a recommendation to the County Administrator or designee recommending approval, approval with

conditions, or denial of the application. Id. The County Administrator or designee renders a Written Preliminary Decision. Id. That decision becomes final unless an appeal is timely filed. See § 10-7.403(h), L.D.C. For this project, the County's Administrator's designee is the Director of the Department.

12. On January 27, 2016, the County held a noticed Application Review Meeting, whereby the Committee convened to review the application for the project and receive public comment. Pursuant to section 10-7.403(g), notice of the public hearing was mailed at least seven calendar days prior to the meeting to all property owners within 600 feet of the proposed project. The notice euphemistically described the project as a 24-unit "Residential Condominium Project." Although Petitioners assert the notice was misleading, they attended the January 27 meeting, and they were given an opportunity to present witnesses, introduce evidence, and to otherwise participate in the instant case. No evidence of prejudice was shown.

13. At the meeting, the Committee presented a staff report, which included memoranda from the Tallahassee-Leon County Planning Department, Leon County Environmental Services Department, City of Tallahassee Utilities Department, City of Tallahassee Fire Department, and Leon County Public Works Department. See Ex. 7. The staff report and each memorandum

included comments regarding deficiencies in the application that the applicant must address in order for the project to be consistent with the Code and Plan.

14. County and City staff determined, however, that the deficiencies were "minor" in nature and agreed to recommend approval of the site and development plan with the condition that the applicant must correct the deficiencies identified in the staff report. See § 10-7.403(f), L.D.C., which allows approval of a Type A application, with conditions. Because they considered the deficiencies to be minor, the staff took the position they did not require a substantial, or even moderate, alteration in the layout or geometry of the site plan. Some of the deficiencies are related to notes that are required to be added to the site plan simply for clarification purposes.

15. On February 2, 2016, the County, through a Department Planner II, issued a Notice of Application Deficiency Letter (Notice). See Ex. 2. The Notice outlined many of the conditions raised in the staff report. The Notice did not impose any additional conditions.

16. On February 5, 2016, the Director of the Department issued a Written Preliminary Decision, approving the project subject to the conditions outlined in the staff report presented at the meeting on January 27, 2016. See Ex. 1. The approval required the applicant to submit a revised site and development

plan demonstrating compliance with all conditions within 90 days, or by May 6, 2016. It further cautioned that unless a timely extension was requested by the applicant, a failure to comply with that requirement by the May 6 deadline would render the approval expired. The revised site and development plan was not made a part of the record, and the staff's final compliance determination was not disclosed at hearing. Under the County's approval process, an administrative challenge to the staff's final determination is not available to third parties.

17. On February 17, 2016, Petitioners timely filed a Notice of Intent to File a Petition for Formal Proceedings Before a Hearing Officer. See Ex. 17.

18. On March 7, 2016, Petitioners timely filed their Petition for Formal Proceeding (Petition). Except for one ground voluntarily dismissed at hearing, the Petition alleged that the application was inconsistent with the Code and Plan for the same reasons cited in the staff report dated January 27, 2016, and reiterated in the Notice issued on February 2, 2016.

C. Petitioners' Objections

19. Petitioners' PRO asserts generally that any one of the conditions noted by the staff constitutes grounds for denial of the application. However, based upon the exhibits and testimony of members of the public, in their PRO, they focus on only four items regarding the project.

i. Setbacks

20. Petitioners first allege that the project is inconsistent with development standards for the R-3 zoning district. See § 10-6.637, L.D.C. Development standards for single-family detached dwellings in zoning district R-3 are found in the site data table of section 10-6.637 and require a minimum lot or site size of 5,000 square feet (or 0.11 acres); minimum lot widths of 50 feet; minimum lot depths of 100 feet; minimum front setbacks of 20 feet; minimum side-interior lot setbacks of 7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no setback shall be less than five feet; minimum side-corner lot setbacks of 15 feet; minimum rear lot setbacks of 25 feet; and no building exceeding three stories in height.

21. In assessing whether the applicant complied with these standards, the staff made the following comments on the project's compliance with setbacks and building height and size requirements:

Finding #4: The project appears to meet the applicable building setbacks, height and size requirements; however, please annotate the height of the building (in feet) in the site data table alongside the minimal requirements. Please clarify that the setbacks provided in the site data table are the perimeter setbacks for the development. The applicant will need to also provide the proposed setback between structures to

ensure compliance with the Florida Building Code requirements.

Ex. 7, p. 000004. This comment became a condition of approval in the Department's Notice to ensure that Floresta was meeting those requirements.

22. As a condition, Floresta was required, no later than May 6, 2016, to "clarify" that the setbacks in the site data table are the perimeter setbacks for the development and provide the proposed setback for each structure. Also, the County relies on note 14 of Sheet 6.0 of the plan, which indicates a front setback of 20 feet, a side interior setback of 15 feet, and a rear setback of 25 feet. See Ex. 4. These distances satisfy the Code requirements. Because the units are one-story in height, they do not exceed the three-story limitation. As an added condition, the County required Floresta to provide the setbacks between each structure.

23. Petitioners contend that the County failed to fully apply the R-3 zoning district's building standards for single-family detached dwellings found in section 10-6.637. Specifically, they assert that the 24 units are listed on the site plan as having a total area of approximately 39,000 square feet, or 1,625 square feet per dwelling. They also contend that the lot geometry is not shown and therefore the site and development plan is not consistent with the minimum lot widths,

depths, and setbacks required by the Code. Even if lot geometry were shown, they contend that the 39,000 square feet allotted is insufficient to provide for lots for 24 single-family detached dwellings that meet the minimum required lot width of 50 feet and lot depth of 100 feet.

24. The project involves a condominium development with the creation of individual units on a single lot. See Ex. 3g., p. 4. Therefore, the County asserts that the minimum lot sizes found in section 10-6.637 are inapplicable. This is a reasonable interpretation of the Code. Also, due to a typographical error in the staff report, it initially appeared that rear setbacks were not provided. However, the rear setbacks are actually shown on Note 14 of Sheet 6.0 of the site plan. See Ex. 4. Subject to the above conditions, the project is consistent with the requirements of the Code.

ii. Parking Requirements

25. Petitioners also contend that the project fails to comply with parking requirements, as the project will have 24 units, but only 18 regular parking spaces and two handicapped parking spaces are proposed. Section 10-7.545 requires that developments in the R-3 zoning district have between 85 percent and 100 percent of the parking standard in schedule 6-2 of the section. Because the schedule requires that conventional

detached homes have 1.5 parking spaces per unit, Petitioners assert that 30.6 parking spaces are required.

26. The applicant does not anticipate that all residents will have automobiles. Because the project will serve low-income residents, this is a logical assumption. The applicant also proposes grass parking to be located closer to each unit. Section 10-7.545(a) allows a deviation from the range of required parking established in Schedule 6-2 upon approval or an approval with conditions from the Parking Standards Committee (Committee). See Ex. 1, p. 000007. That Committee is comprised of the Planning Director, the Department Director, and the Public Works Director, or their designees. As a condition, the applicant will be required to secure approval from the Committee before final approval for the project is given. Id. Subject to Floresta's compliance with this condition, which cannot be administratively challenged by Petitioners, the site plan is consistent with the Code.

iii. Transportation Infrastructure

27. Petitioners contend that there is a lack of adequate transportation infrastructure in the area. They also point out that there are no sidewalks on State Road 20, and there is no bus stop adjacent to the project. Therefore, residents or guests in the project will have to walk east along State Road 20 in order to find a bus stop.

28. As a condition of approval, the County required the applicant to extend a stub out from the parking lot to the property line for future interconnection. See Ex. 1, p. 0000010. Mobility Element 1.4.1 requires vehicular, pedestrian, and bicycle interconnection between adjacent, compatible development. The applicant's site plan includes sidewalks within and connecting to the facilities along State Road 20. See Ex. 4; Ex. 1, p. 0000010. Also, a Preliminary Certificate of Concurrency was issued for the project, and a final certificate will be issued upon final site plan approval. See Ex. 1, p. 0000005. Subject to compliance with these conditions, the site plan is consistent with the Code.

iv. Compatibility

29. For obvious reasons, Petitioners' greatest concern is the intrusion of former homeless persons into the units immediately adjacent to their properties. (By definition, once a person resides in a home, he/she is no longer homeless.) On this issue, they assert that the project is inconsistent with section 10-7.505, which requires that each development shall be designed to be as compatible as practical with nearby development. Petitioners argue that the tiny house community being proposed is not compatible with the "typical" single-family homes found around the project site.

30. The parcel on the west side of the project is also zoned R-3. The parcels on the east side of the project are zoned OA-1 (Airport Vicinity District) and CP (Commercial Parkway District). The OA-1 district does not permit residential uses due to the noise levels from aircraft exceeding the thresholds identified by the Federal Aviation Administration and the State as being compatible with certain land use types. See § 10-6.645, L.D.C. The CP district permits general commercial and community facilities. See § 10-6.649, L.D.C.

31. The project proposes a Type "D" 50-foot buffer on both the eastern and western borders of the property. A Type "D" buffer is the most restrictive buffer provided in the Code. See § 10-7.522, L.D.C.

32. Respondents agree that the project is "small footprint housing for low-income residents." However, there is no prohibition in the Code that restricts low-income housing from occurring in any residential zoning district. Also, the Plan and Code do not regulate the size of dwelling units, outside of minimum housing standards found in the Florida Building Code. While Petitioners' objections are genuine and well-intentioned, there is nothing in the existing Code or Plan that prevents the introduction of extremely small low-income housing units into a residential district, assuming all other requirements are met. The project is compatible with the surrounding area.

D. Public Comments

33. Six members of the public presented comments at the hearing. The public commenters either live in or own typical single-family homes adjacent to or near the project, or operate a commercial business near the project. The undersigned has rejected the County's assertion in its PRO that the comments should be disregarded because a transcript was not prepared.

34. One commenter, who owns a business on State Road 20 less than a quarter mile from the project, is concerned that State Road 20 is inadequate to handle more traffic. He also is concerned with the tiny house development feature of the project and noted that one-half of the project is located within the flood zone.

35. Another commenter who resides in the Subdivision with her disabled daughter expressed concern that low-income housing units occupied by homeless persons sent from the Kearney Center, a nearby homeless shelter, will result in a substantial loss in value to her property and increase safety issues for her daughter who remains home alone during the day while she is at work. Like other commenters, she complained that State Road 20 is already overburdened with traffic without adding another development to the area.

36. A third commenter is also concerned with the level of traffic on State Road 20. During morning rush hours, he cannot

turn left onto State Road 20 to go into town and fears the project will cause a further deterioration of traffic conditions.

37. A fourth commenter, who lives in another county, has owned a condominium in the Subdivision since 2007, first used by her daughter while going to college, and now rented. She complained that the notice of the public meeting was misleading as it indicated a condominium project would be built on the parcel, and not tiny homes for former homeless persons. She is concerned that the current level of traffic on State Road 20 will be exacerbated, and that the value of her condominium will be negatively impacted.

38. A fifth commenter who resides in the Subdivision complained that the notice of the public meeting was misleading and vague, and led her to believe that a traditional or multi-story condominium project would be constructed on the parcel, rather than a cluster of tiny homes. She also expressed concerns that a large, low-income population in the neighborhood will raise safety issues for existing residents.

39. The final commenter resides near the project and owns a bail bond business on West Pensacola Street, a mile or so east of the project site and near the Kearney Center. Based upon her experience operating a bail bond business near the Kearney Center, she testified that the number of arrests in that area of

town has "skyrocketed" since the shelter opened. She added that there has been an adverse impact on businesses located near the Kearney Center because its residents simply hang out in the area during the day. She fears that an influx of former homeless persons into the tiny homes will lead to a similar increase in the crime rate around the project site. The commenter also serves as a part-time volunteer at the Kearney Center several days a week and noted that no background checks, identification checks, or drug checks are performed on persons entering the shelter. She is concerned that no checks will be performed on the persons who will occupy the tiny homes. She added that many of the shelter residents are drug addicts and do not want to work. If they move into the tiny homes, she believes they will simply hang around the project site and create safety issues for residents in the neighboring properties. She intends to sell her home if the project is approved.

CONCLUSIONS OF LAW

40. There is no dispute by the parties that all Petitioners have standing to file this appeal.

41. The burden is on the landowner who is seeking site plan approval to demonstrate that the application complies with the reasonable procedural requirements of the applicable ordinance and that the use sought is consistent with the applicable comprehensive plan and code requirements. See, e.g.,

Alvey v. City of North Miami Bch., 41 Fla. L. Weekly D1028 (Fla. 3d DCA, April 27, 2016), citing Bd. of Cnty. Comm'rs of Brevard Cnty. v. Snyder, 627 So. 2d 469, 472 (Fla. 1993). As such, Floresta has the burden of demonstrating that the project was properly approved with conditions, and that its project complies with all applicable requirements. Fla. Dep't of Transp. v. J.W.C. Co., Inc., 396 So. 2d 778, 787 (Fla. 1st DCA 1981).

42. Section 10-7.407 provides that the County shall determine the following in deciding whether to approve, approve with conditions, or deny a site and development plan application:

- a. Whether the applicable zoning standards and requirements in Article VI of Code have been met;
- b. Whether the applicable provisions of the Environmental Management Act in Article IV of the Code have been met; and
- c. Whether the requirements of chapter 10 of the Code and other applicable regulations or ordinances which impose specific requirements on-site and development plans and development have been met.

43. Pursuant to section 10-7.108, all proposed development must be consistent with the adopted Plan.

44. The County is permitted to approve a site and development plan with conditions pursuant to section 10-7.403(f). There is no evidence that the conditions imposed by

the County are inadequate or will not correct all deficiencies in the original application.

45. A preponderance of the evidence demonstrates that upon satisfaction of all conditions in the Department's Written Preliminary Decision dated February 5, 2016, the project is consistent with and meets all zoning, Code, and Plan requirements and should be approved.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is

RECOMMENDED that the Leon County Board of County Commissioners enter a final order approving the project, subject to confirming that the applicant's revised site plan satisfies all conditions imposed by the County on February 5, 2016.

DONE AND ENTERED this 25th day of May, 2016, in Tallahassee, Leon County, Florida.



D. R. ALEXANDER
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
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NOTICE OF RIGHT TO SUBMIT EXCEPTIONS

All parties have the right to submit written exceptions within ten calendar days of the date of this Recommended Order. Any exceptions to this Recommended Order should be filed with the clerk of the Board of County Commissioners. See § 10.7.414(K), Land Development Code.



NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of County Commissioners of Leon County, Florida (the "Board") will conduct a public hearing on Tuesday, June 14, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider the Recommended Order entered by the State of Florida Division of Administrative Hearings (DOAH) in the cause styled as Wolf Creek Homeowners Association, J.P. Lepez, Carol Smith, Michael Urban, and Elizabeth Urban vs. Leon County Department of Development Support and Environmental Management and Floresta, LLC, Case No. 16-1278. At the conclusion of the public hearing the Board will render a decision approving, approving with conditions, or denying the site and development plan proposed by Floresta, LLC, for a residential condominium development consisting of "tiny houses" ranging in size from approximately 288 square feet to 390 square feet, to be located off Blountstown Highway.

The provisions of Section 10-7.415 of the Code of Laws of Leon County will apply to the public hearing. The hearing is open to the public.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Publication: May 31, 2016