

Board of County Commissioners Leon County, Florida

Policy No. 14-5

Title:	Parking at County Facilities
Date Adopted:	April 22, 2014
Effective Date:	April 22, 2014
Reference:	<u>Fla. Stat.</u> §29.008, County Funding of Court-related Functions
Policy Superseded:	“Assigning Parking Spaces,” adopted January 28, 1969; “Parking Policy for Courthouse Garage” and “Procedures for Implementing Parking Garage Policy,” adopted November 29, 1988; “Addendum to Courthouse Parking Policy re: Temporary Disabilities,” adopted October 10, 1989; Addendum to Parking Policy re: Authorization for Payroll Deduction of an \$18 per Month Parking Fee, adopted March 13, 1990 and effective April 1, 1990; Policy No. 93-39 “Parking - County Courthouse Garage,” adopted January 12, 1993; Policy No 99-2 “Parking-County Downtown,” adopted June 15, 1999 and repealed, superseded, and revised January 29, 2009

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 99-2, “Parking-County Downtown,” revised by the Board of County Commissioners on January 29, 2009, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

POLICY

- 1) Authority, Purpose, Intent, and Scope
 - a) The authority set forth herein shall be deemed to be pursuant to the County Administrator’s specific power and duty to supervise the care and custody of all County property, institutions, and agencies as set forth in Section 2-501(b)(4) of the Leon County Administrative Code, and as may be found in Article X, Chapter 2 of the Leon County Code of Laws.
 - b) The purpose of this Policy is to establish a policy and procedure for the management of parking operations at all County Facilities.
 - c) The intent of this Policy is to provide direction to County staff for the development and implementation of operating procedures and a set of rules to insure that the management of parking at all County Facilities is carried out in a consistent and fair manner. Further, these policies and procedures shall be followed, along with all applicable federal, state, and local laws, in accordance with life-safety practices, building codes, and other such industry standards, in order to insure fair and equitable treatment to the intended users of the parking available at all County Facilities including, but not limited to, BCC Personnel, Constitutional Personnel, Court-related Personnel, and the general public.

- d) The policies and procedures contained herein shall govern the use of parking spaces at all County Facilities.
- 2) Definitions. The following words and phrases, when used in this Policy, shall have the following meaning, except in those instances where the context clearly indicates a different meaning:
- a) *BCC* shall mean the Leon County Board of County Commissioners.
 - b) *BCC Personnel* shall mean any Personnel regularly conducting business of the BCC within a County Facility.
 - c) *BOA* shall mean the Bank of America Plaza located at 311 and 315 S. Calhoun Street, Tallahassee, Florida (Parcel ID 2136250661205), and any part thereof including but not limited to office and parking spaces.
 - d) *Constitutional Officer(s)* shall mean the individuals independently elected to the constitutional offices of Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court, and Supervisor of Elections, and whose business operations may be located within a County Facility.
 - e) *County* shall mean either, as the context used indicates, Leon County, Florida, a charter county and political subdivision of the State of Florida or Leon County, Florida as a geographic locational reference.
 - f) *County Courthouse* shall mean the courthouse facility located at 301 South Monroe Street, Tallahassee, Leon County, Florida (Parcel ID 2136250901415), and any parts associated therewith including, but not limited to, the parking spaces.
 - g) *County Courthouse Annex* shall mean the courthouse facility located at 1920 Thomasville Road, Tallahassee, Leon County, Florida (Parcel ID 1119206180000), and any parts associated therewith including, but not limited to, the parking spaces.
 - h) *County Facility(ies)* shall mean any parcel of real property, and any improvements located thereon, which is owned exclusively by the County or is otherwise authorized for County use by virtue of a lease or similar arrangement.
 - i) *County Parking Space(s)* shall mean any parking space located on or in a County Facility and any parking space designated for County use in a Joint Facility.
 - j) *Court-related Office(s)* shall mean, as set forth in Section 29.008(1), Florida Statutes, as may hereafter be amended, the offices of the Circuit and County Courts, the Public Defender, the State Attorney, the Guardian Ad Litem, and the Clerk of the Circuit and County Courts performing Court-related functions.
 - k) *Court-related Personnel* shall mean any Personnel regularly conducting business of a Court-related Office within a County Facility.
 - l) *Constitutional Personnel* shall mean any Personnel regularly conducting business of a Constitutional Officer within a County Facility.

- m) *Department* shall mean the County's Department of Facilities Management.
- n) *Director* shall mean the Director of the County's Department of Facilities Management.
- o) *Downtown Facility(ies)* shall mean the following County Facilities located within the downtown Tallahassee area: the County Courthouse, the BOA, the Gadsden Street Lot, and Main Library.
- p) *Gadsden Street Lot* shall mean the one-acre parcel located at the northeast corner of Pensacola Street and Gadsden Street, identified as 743 South Gadsden Street, Tallahassee, Leon County, Florida (Parcel ID 2136250091145).
- q) *Joint Facility(ies)* shall mean any parcel of real property, and any improvements located thereon, which is jointly owned by, or otherwise under the joint control of, the County and another entity or entities.
- r) *Main Library* shall mean the library facility located at 200 Park Avenue West, Tallahassee, Leon County, Florida (Parcel ID 2136402114015), and any parts associated therewith including, but not limited to, the parking spaces adjoining the library facility, the adjoining leased parking lot facility shared with Trinity United Methodist Church (Parcel ID 2136402154020), and the adjacent parking lot facility located on the west side of North Bronough Street (Parcel ID 2136402794410).
- s) *Personnel* shall mean any individual regularly conducting business of an office within a County Facility, regardless of whether such individual is employed by such office, and who has a need for parking the vehicle in which such individual commutes to and from such County Facility.
- t) *Private Parking Space(s)* shall mean any parking space located on or in a facility in which the County has no ownership interest or control.
- u) *Regularly conducting business* shall mean conducting business on an ongoing basis for no less than ten consecutive weeks. For example, an individual participating in a ten-week internship for a Constitutional Officer would be deemed to be regularly conducting business of such Constitutional Officer.
- v) *Reserved Parking Space(s)* shall mean any County Parking Space that is reserved for use by a specific individual or office as designated by the Director.
- w) *Secured Parking Space(s)* shall mean any Reserved Parking Space located within the County Courthouse in a secured area that is intended to be inaccessible by pedestrians and vehicles other than those designated by the Director.
- x) *Shared Parking Space(s)* shall mean any County Parking Space that is not reserved or otherwise designated for a specific individual and is made available to a group of authorized individuals on a first-come first-served basis.

y) *Shuttle Parking Space(s)* shall mean any Shared Parking Space located within a specific section in the County Courthouse, as designated by the Director for use on a temporary basis by: (i) any individual employed by the BCC, a Constitutional Office, or a Court-related Office, whose regular working location is other than the County Courthouse, for use while visiting the County Courthouse on business associated with such individual's employer; (ii) any authorized individual for use while visiting the County Courthouse to conduct business associated with the BCC, a Constitutional Officer, or a Court-related Office; and (iii) any other individual as authorized at the Director's discretion.

z) *Tenant* shall mean any individual or entity that occupies a County Facility pursuant to a written lease.

aa) *Tenant Parking Space(s)* shall mean any County Parking Space that is designated by the Director for use by a Tenant pursuant to a written lease or similar arrangement with the County.

bb) *Written Procedures* shall mean the uniform and clear written procedures approved by the County Administrator for the management, operation, and maintenance of County Parking Spaces in compliance with this policy and with any and all federal, state, and local laws, regulations, and rules.

3) Responsible Departments

a) Unless specifically directed otherwise by the County Administrator, the Director of Department of Facilities Management (the "Director") shall be designated with the authority and responsibility to implement and comply with this policy. Any authority, responsibility, or discretion granted to the Director shall at all times be subject to, and in accordance with, the Written Procedures approved by the County Administrator. Accordingly, the Director shall be charged with the following duties and responsibilities:

- i. Developing the Written Procedures for the County Administrator's approval;
- ii. Determining a reasonable and fair allocation of County Parking Spaces;
- iii. Determining a reasonable and fair fee, subject to approval by the County Administrator, for the use of County Parking Spaces;

b) The County Attorney or his designee shall be charged with the responsibility of assuring that the procedures implementing this policy are in compliance with this policy and with any and all federal, state, and local laws, regulations, and rules.

4) Management, Operation, and Maintenance of Parking at County Facilities and Joint Facilities

a) The Director shall be designated with the authority and responsibility for the management, operation, and maintenance of the parking of any and all vehicles at all County Facilities in accordance with the Board direction provided in this policy and the Written Procedures, and with any and all federal, state, and local laws, regulations, and rules.

b) County Courthouse Parking.

i. The County Courthouse may, at the Director's discretion, include the following types of parking spaces: Secured Parking Spaces; Reserved Parking Spaces; Shuttle Parking Spaces; and Shared Parking Spaces. The use of County Courthouse parking spaces shall be limited to the following individuals:

1. BCC Personnel, Constitutional Personnel, and Court-related Personnel;
2. Only those members of the general public who display a lawfully issued disabled parking permit or disabled license plate and use a handicapped accessible parking space while visiting the County Courthouse to conduct business associated with the BCC, a Constitutional Officer, or a Court-related Office; and
3. Any other individual, as authorized at the Director's discretion, for use while visiting the County Courthouse to conduct business associated with the BCC, a Constitutional Officer, or a Court-related Office.

ii. The method used to allocate the use of County Courthouse parking spaces shall be fairly and equitably determined at the discretion of the Director to be set forth in the Written Procedures approved by the County Administrator.

iii. The existing monthly fee in the amount of \$30 shall continue to be charged to Personnel for County Parking Spaces in the County Courthouse. The monthly fee may be increased at the discretion of the County Administrator if needed to offset any increased costs of maintaining and operating such County Parking Spaces.

c) BOA Parking.

i. The BOA may, at the Director's discretion, include the following types of parking spaces: Reserved Parking Spaces; Tenant Parking Spaces; and Shared Parking Spaces. The use of BOA parking spaces shall be limited to the following individuals:

1. BCC Personnel, Constitutional Personnel, Court-related Personnel, and Tenants;
2. Any member of the general public while visiting the BOA to conduct business associated with the BCC, a Constitutional Officer, a Court-related Office, or a Tenant; and
3. Any other individual, as authorized at the Director's discretion, for use while visiting the BOA to conduct business associated with the BCC, a Constitutional Officer, a Court-related Office, or a Tenant.

ii. The method used to allocate the use of BOA parking spaces shall be fairly and equitably determined at the discretion of the Director to be set forth in the Written Procedures approved by the County Administrator.

iii. The existing monthly fee in the amount of \$30 shall continue to be charged to Personnel for County Parking Spaces in the BOA. The monthly fee may be increased at the discretion of the County Administrator if needed to offset any increased costs of maintaining and operating such County Parking Spaces.

iv. The amount of any monthly fees charged to Tenants for use of Tenant Parking Spaces in the BOA shall be determined at the discretion of the Director based on analysis of comparable parking spaces in the downtown Tallahassee market.

d) Gadsden Street Lot.

i. The Gadsden Street Lot may, at the Director's discretion, include the following types of parking spaces: Reserved Parking Spaces; Tenant Parking Spaces; and Shared Parking Spaces. The use of Gadsden Street Lot parking spaces shall be limited to the following individuals:

1. BCC Personnel, Constitutional Personnel, Court-related Personnel, and Tenants;
2. Any other individual, as authorized at the Director's discretion, for use while conducting business associated with the BCC, a Constitutional Officer, a Court-related Office, or a Tenant.

ii. The method used to allocate the use of Gadsden Street Lot parking spaces shall be fairly and equitably determined at the discretion of the Director to be set forth in the Written Procedures approved by the County Administrator.

iii. Any existing monthly fees shall continue to be charged to Personnel and Tenants for County Parking Spaces in the Gadsden Street Lot. Any such existing monthly fees may be increased, and new fees may be commenced, at the discretion of the County Administrator if needed to offset any increased costs of maintaining and operating such County Parking Spaces.

iv. The amount of any monthly fees charged to Tenants for use of Tenant Parking Spaces in the Gadsden Street Lot shall be determined at the discretion of the Director based on analysis of comparable parking spaces in the downtown Tallahassee market.

e) Main Library Parking.

i. The Main Library may, at the Director's discretion, include the following types of parking spaces: Reserved Parking Spaces; Shared Parking Spaces; and Tenant Parking Spaces. The use of Main Library parking spaces shall be limited to the following individuals:

1. BCC Personnel, Constitutional Personnel, Court-related Personnel, and Tenants;
 2. Any member of the general public while conducting business associated with the BCC, a Constitutional Officer, a Court-related Office, or a Tenant;
 3. Any member of the general public while visiting as a patron of the Main Library; with the exception that the parking spaces in the adjacent parking lot facility on the west side of North Bronough Street may be used by any member of the general public regardless of whether they are a Main Library patron.
 4. Any other individual, as authorized at the Director's discretion, for use while conducting business associated with the BCC, a Constitutional Officer, a Court-related Office, or a Tenant.
- ii. The method used to allocate the use of Main Library parking spaces shall be fairly and equitably determined at the discretion of the Director to be set forth in the Written Procedures approved by the County Administrator.
- iii. Any existing fees for Main Library parking spaces shall continue in the amounts as charged on the effective date of this policy. Any such existing fees may be increased, and new fees may be commenced, at the discretion of the County Administrator if needed to offset any increased costs of maintaining and operating Main Library parking spaces; provided, however, that fees charged to members of the general public for Main Library parking spaces may not exceed the going rate for comparable parking spaces in the downtown Tallahassee market.
- f) At County Facilities other than Downtown Facilities, a monthly fee may be charged for County Parking Spaces in an amount determined at the discretion of the County Administrator if needed to offset any increased costs of maintaining and operating such County Parking Spaces.
- g) In accordance with Section 29.008(1)(a), Florida Statutes, the County shall assure that access to a sufficient number of Private Parking Spaces is provided for any Court-related Personnel that are not provided County Parking Spaces; provided, however, that the payment of any fees for the use of such Private Parking Spaces shall be the responsibility of such Court-related Personnel.
- h) The Director shall manage and operate County Parking Spaces located in a Joint Facility pursuant to and in accordance with any lease agreement, interlocal agreement, memorandum of agreement, or other such written or verbal agreement.

- i) The maintenance of the lots containing County Parking Spaces shall be conducted at the direction and discretion of the Director and, for those County Parking Spaces located in a Joint Facility, such maintenance shall be pursuant to and in accordance with any lease agreement, interlocal agreement, memorandum of agreement, or other such written or verbal agreement.

- j) The Director shall be authorized to arrange for the lawful towing of any vehicle using a County Parking Space in violation of any County policy, rule, or procedure, or any federal, state, and local laws; provided, however, that such towing of a vehicle shall be in compliance with any federal, state, and local laws regarding the involuntary towing of vehicles.

Adopted 4/22/2014