

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
December 10, 2019**

The Board of County Commissioners of Leon County, Florida met in regular session at 3:00 p.m. with Chairman Bryan Desloge presiding. Present were Vice Chairman Rick Minor and Commissioners Nick Maddox, Bill Proctor, Kristin Dozier, Mary Ann Lindley, and Jimbo Jackson. Also present were County Administrator Vincent Long, County Attorney Herb Thiele, and Clerk to the Board Beryl H. Wood.

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

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was provided by Elder Gannon Williams, Greater Miracle Temple Holiness Church. Commissioner Jackson then led the Pledge of Allegiance.

AWARDS AND PRESENTATIONS

- Commissioner Proctor and Commissioner Maddox read into the record a Proclamation for President John Thrasher in Honor of FSU's #18 Ranking Among National Public Universities by U.S. News & World Report. He presented President Thrasher the proclamation.
- President Thrasher thanked the Board for their recognition and continued support of Florida State University. He expressed his enthusiasm as they continue to march toward success in higher education and wished everyone Happy Holidays.
- Public Safety Update was presented by Sheriff Walt McNeil. He acknowledged the Board for their continued partnership and support. He provided a brief update on public safety issues, which included crime prevention, youth outreach, and re-entry programs. Sheriff McNeil commended the Board for their commitment to reducing crime in our community and wished all a Happy Holiday.
 - Commissioner Proctor thanked Sheriff McNeil for the update. He noted the re-entry program for mental health is incredible. He shared his support for the 32304 initiative. He spoke of poverty and crime and the All-In Initiative.
 - Chair Desloge acknowledged the Sheriff's update and the work done to date. He asked how they should measure success to see if they are moving in the right direction.
 - Sheriff McNeil explained the Uniform Crime Report (UCR) report coming out at the end of the year will indicate the overall crime rate and number of murders taking place.
 - Commissioner Minor asked for an update on Marsy's Law. Sheriff McNeil stated he is in communication with the City of Tallahassee Police Department and that TPD is about to relax their restrictions on releasing information.
 - Commissioner Lindley commended the Worship with Me initiative and requested additional information on gangs in Tallahassee
 - Sheriff McNeil indicated that there is a loosely organized gang presence in Tallahassee however compared to other communities they are not as prevalent.

- Commissioner Jackson commended the Sheriff for taking time of his schedule to meet with neighborhood representatives to address their concerns.
- Presentation from CareerSource Capital Region.
 - Jim McShane, Executive Director, presented the Board with an update on CareerSource's activities during 2019. He highlighted the collaboration with many partners including the Leon County Sheriff's Office. Mr. McShane noted that Federal support declined \$11 million this year in the workforce grants to the state of Florida. Also, he referenced Progress by the Numbers which provided 84,500 total solutions to Career Seekers.
 - Commissioner Dozier confirmed that additional state grants were awarded to community and technical colleges this year for apprenticeships.
 - Commissioner Proctor commended CareerSource on their efforts in 2019 including their response to Hurricane Michael. He confirmed that CareerSource is working with all three local Chambers to connect businesses with job seekers.
 - Commissioner Maddox thanked Mr. McShane for the excellent work within the Capital Region.

CONSENT:

Commissioner Maddox moved, duly seconded by Commissioner Jackson to approve the Consent Agenda, as presented with the exception of Item 20. The motion carried 7-0.

1. Minutes: September 24, 2019 2020 State and Federal Legislative Priorities Workshop and September 24, 2019 Regular Meeting

The Board approved Option 1: Approve the minutes of September 24, 2019, 2020 State and Federal Legislative Priorities Workshop and September 24, 2019, Regular Meeting.

2. Request to Schedule First and Only Public Hearing to Consider Adoption of an Ordinance Amending Chapter 16, Article V, to Comply with Recent Florida Legislative Amendments for Wireless Technology in Rights-of-Way, for January 28, 2020, at 6:00 p.m.

The Board approved Option 1: Schedule the first and only Public Hearing to consider adoption of an Ordinance amending Chapter 16, Article V, to comply with recent Florida Legislative amendments for Wireless Technology in Rights-of-Way, for January 28, 2020, at 6:00 p.m.

3. Payment of Bills

The Board approved Option 1: Approve the payment of bills and vouchers submitted for December 10, 2019 and Pre-Approve of Payment of Bills and Vouchers for the Period of December 11, 2019 through January 27, 2020.

4. FY 2019 Carry Forward Adjustments

The Board approved Option 1: Authorize the additional carry forwards and adjustments of FY 2019 appropriations to the FY 2020 budget by adopting the Resolution and Budget Amendments.

5. FY 2019 Tangible Personal Property Status Report

The Board approved Option 1: Accept the FY 2019 Tangible Personal Property Status Report.

6. Resolution of Support for Legislation to Prohibit the Sale of Smoking and Vaping Products to Those Under the Age of 21 and Require State Licensure of Vaping Establishments

The Board approved Option 1: Adopt the Resolution of support for legislation to prohibit the sale of smoking and vaping products to those under the age of 21 and to require licensure of vaping establishments across the state of Florida.

7. Resolution of Support for U.S. Senate Bill 2552: Expanding Health Care Options for Early Retirees Act

The Board approved Option 1: Adopt the proposed Resolution of Support for U.S. Senate Bill 2552: Expanding Health Care Options for Early Retirees Act.

8. Commissioner Appointments to the Library Advisory Board and the Tallahassee-Leon County Commission on the Status of Women and Girls

The Board approved Options 1& 2: 1) Ratify individual Commissioner Lindley's reappointment of Gale Workman to the Library Advisory Board for a two-year term ending December 31, 2021. 2) Ratify Commissioner Dozier's appointment of Katie Britt Williams to the Tallahassee-Leon County Commission on the Status of Women and Girls for the remainder of the unexpired term ending September 30, 2020.

9. Plat of the Pine Dove Estates Phase 2 Subdivision

The Board approved Option 1: Approve the plat of Pine Dove Estates Phase 2 Subdivision for recording in the Public Record, contingent upon staff's final review and approval.

10. Authorization to Proceed with the Development of an Ordinance Amending the Leon County Land Development Code to Create a New Government Operation (GO) Zoning District

The Board approved Option 1: Authorize staff to proceed with development of an Ordinance amending the Leon County Land Development Code to create a new Government Operational (GO) zoning district.

11. Request to Schedule Two Public Hearings to Consider Adoption of an Ordinance Amending the Land Development Code of the Leon County Code of Laws to Allow Urban Agriculture and Urban Equine as Permitted Uses, for February 11 and March 10, 2020 at 6:00 p.m.

The Board approved Option 1: Schedule two Public Hearings to consider adoption of an Ordinance amending the Land Development Code of the Leon County Code of Laws to allow

urban agriculture and urban equine as permitted uses, for February 11, 2020, and April 14, 2020, at 6:00p.m.

- 12. Request to Schedule Two Public Hearings to Consider Adoption of an Ordinance Creating a New Section 10-6.657 of the Land Development Code, Entitled “Mining Zoning District, for February 11 and March 10, 2020 at 6:00p.m.**

The Board approved Option 1: Schedule two Public Hearings to consider adoption of an Ordinance creating a new Section 10-6.657 of the Land Development Code, entitled “Mining District”, for February 11 and March 10, 2020 at 6:00 p.m.

- 13. Request to Schedule the First and Only Public Hearing to Consider Adoption of an Ordinance Amending Chapter 7, Article II, Section 7-25 of the Leon County of Laws Entitled, “Additional Civil Traffic Penalty” for January 28, 2020, at 6:00 p.m.**

The Board approved Option 1: Schedule the first and only public hearing to consider adoption of an Ordinance amending Chapter 7, Article II, Section 7-25 for the Leon County Code of Laws entitled, “Additional Civil Traffic Penalty”, for January 28, 2020.

- 14. Renewal of Agreement with CareerSource Capital Region on the Summer Youth Training Program**

The Board approved Option 1: Approve renewing the Agreement with CareerSource Capital Region to fund eligible participants in the Summer Youth Training Program and authorize the County Administrator to execute.

- 15. Second Amendment to the Agreement with WageWorks, Inc. for Cafeteria Plan Administration Services**

The Board approved Option 1: Approve the Second Amendment to the Agreement with WageWorks, Inc. to continue Cafeteria Plan Administration Services and authorize the County Administrator to execute in a form approved by the County Attorney.

- 16. Status Report on the County’s Sponsorship of the Tallahassee Downtown Improvement Authority’s Sundown Concert Series**

The Board approved Option 1: Accept the report on the County’s sponsorship of additional free and family-oriented concerts at the Capital City Amphitheater and authorize the County’s ongoing support of the Tallahassee Downtown Improvement Authority’s Sundown Concert Series in future years through the County’s Concert Series budget.

STATUS REPORTS:

- 17. Annual Status Report on the Sidewalk Program Implementation**

*The Board approved Option 1: Accept the FY 2019 annual status report on the Sidewalk Program implementation;
and*

Option 2: Direct staff to include the following sidewalks in the Approved Sidewalk List for community enhancements:

- a. Tier 2: Buck Lake Road – Walden Road to Alameda Drive; Whirlaway Trail-Pimlico Drive to the eastern end of Whirlaway Trail; and Thornton Road-Mahan Drive to Miccosukee Road*
- b. Tier 3: Alameda Drive – Buck Lake Road to Walden Road*
- c. Tier 4: Miccosukee Road – Meridian Street to Georgia Street*

18. Affordable Housing Advisory Committee’s 2020 Triennial Report of Recommendations

The Board approved Option 1: Accept the Affordable Housing Advisory Committee’s 2020 Triennial Report of Recommendations.

19. Annual Status Report on the Minority, Women, and Small Business Enterprise Expenditures

The Board approved Option 1: Accept the annual status report on the Minority, Women, and Small Business

20. Status Report on Dom’s Station Third Act Senior Entrepreneurship Program - PULLED

21. Annual Sustainability Program Status Report

The Board approved Option 1 & 2: 1) Accept the annual status report on the County Sustainability Program. 2) Authorize the establishment of the Community Beautification Program.

CONSENT ITEMS PULLED FOR DISCUSSION

Item 20 - Status Report on Dom’s Station Third Act Senior Entrepreneurship Program

Commissioner Minor pulled this item for discussion.

County Administrator Long introduced the item. As requested by the Board at the May 14, 2019 meeting, this agenda item provides a status update on progress of at the Third Act Program at Domi, an entrepreneurship program implemented by Domi incubator focused on participants 50+ years of age.

Public Comment:

- Danielle Irwin, 3185 Ferns Glen Dr, Florida League of Women, reflected on the County’s MWSBE participation and annual report. She shared the need for a healthy economy. She mentioned continued services contracts. She encouraged the Board to consider alternative approaches.
 - Commissioner Minor thanked Domi Station and OEV for their work on the Third Act pilot program and reflected on the economic benefits of the program.

- Commissioner Proctor inquired how the OEV Elevate Grants are being promoted and expressed concern about the low number of applicants.
- Christina Paredes, OEV Director, explained that the Elevate Grants were promoted through social media, newsletters and notification of workforce development partners. She shared that three applications were received for this grant cycle and they should be announcing the award by the end of the week. She noted that OEV will be conducting a review of the program and preparing recommendations which will be presented at the Blueprint IA meeting in March.
- *Commissioner Minor moved, duly seconded by Commissioner Dozier, The Board approved Option 1: Accept the Status Report on Domi Third Act Senior Entrepreneurship Program. The motion carried 7-0.*

CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS (3-MINUTE LIMIT PER SPEAKER; THERE WILL NOT BE ANY DISCUSSION BY THE COMMISSION)

- Sydney Forsland, Paloma Rambana, Meg Norvell, High School Students at Lawton Chiles High School and former summer youth interns, provided a presentation to propose a program for high school students to serve as volunteer pages during Leon County Commission meetings.
 - Commissioner Dozier acknowledged the young ladies for making the presentation.

Commissioner Dozier moved, seconded by Commissioner Maddox, to direct staff to prepare an agenda item to exploring a possible volunteer page program for high school students. The motion carried 7-0.

- Elisabeth Emmanuel, 300 S. Duval St, Director of the Downtown Improvement Authority, acknowledged the Board for the support of Sundown Concert Series.
- Robert Lord, 5161 Capital Circle, expressed concern regarding the financial impact of the FDOT requirements for installing mobile homes in a FEMA flood plain.
 - Chairman Desloge requested Mr. Lord to email his concerns so that staff may further address them.

GENERAL BUSINESS

22. Status Report on the Regulation of Adult Entertainment Stores

County Attorney Thiele introduced the item. He stated this is the item requested by the Board during the September 24th meeting, this agenda item provides a status report of the available options for regulating adult entertainment businesses within the County. He noted that these businesses can exist, but they can be regulated.

Commissioner Minor thanked staff for their work on this item and spoke to the need to protect neighborhoods by preventing increased crime and blight. He spoke in favor of the proposed Ordinance including distance restrictions between adult entertainment stores, and moved Option 2: *Accept the status report on the regulation of adult entertainment stores and direct the Count Attorney to draft an Ordinance providing for distance requirements of a one mile between adult entertainment stores and no more than 1000 ft.*

from a school, church, park, residential neighborhood or daycare center. The motion died for a lack of a second.

Public Comment:

- Thomas Wakefield Wilde, 3412 Derbyshire Court, an Attorney, spoke on behalf of other residential members that were at the prior meeting concerning the adult entertainment business. He reiterated that the appearance of the City should have a sense of comfort and pride.
- Commissioner Jackson spoke of concern with the one-mile distance. He confirmed with the County Attorney Thiele that there is a precedent for requiring 1000 ft. distance restriction.
- Commissioner Dozier inquired about the need for the Ordinance as she is unaware of any data indication secondary efforts, such as an increase in crime, related to adult entertainment establishments.
- County Attorney Thiele noted that he had not seen data on this area.
- Commissioner Minor discussed regulations to protect neighborhoods. He indicated there is data from other communities that indicate secondary effects, such as increased crime, that can be used to justify an Ordinance in Leon County.
- Commissioner Lindley shared she was in support of looking at this in a year but stated she would not support the motion and noted that the proliferation of adult entertainment stores is unlikely due to competition from online retailers.
- Commissioner Maddox stated his support for Option 1 and recommended that staff prepare a future status report evaluating crime in areas of adult entertainment stores.
- Commissioner Proctor inquired if staff conducted an analysis on crime in Leon County related to the adult entertain stores.
- County Attorney Thiele indicated should the Board direct staff to prepare and ordinance an analysis of a secondary effect such as crime would be provided.

Commissioner Dozier moved, duly seconded by Commissioner Maddox, approval of Option 1 as amended: Accept the status report on the regulation of adult entertainment stores and take no further action; and direct staff to prepare a status report within one year evaluating crime in areas of adult entertainment stores and revisit within one year. The motion carried 6-1. (Commissioner Minor opposed).

23. Status Report on Recreational Burning Ordinances

County Administrator Long introduced the item. He stated this agenda provides an overview of Leon County's Ordinance related to recreational burning as well as a review of similar ordinances that have been adopted by other Florida counties.

Commissioner Proctor moved, duly seconded by Commissioner Lindley, approval of Option 1: Accept the status report on county ordinances related to recreational burning and take no further action.

- Elizabeth Ralstin, 1282 Turkey Roost Knoll, spoke on severe reactions she was having that have been exacerbated by inhaling smoke from her neighbor's fire and encouraged the Board to adopt Option 3.
- Jay Ralstin, 1282 Turkey Roost Knoll, confirmed further with the Board health issues his wife Elizabeth Ralstin was experiencing due to recreational burning and he asked for enforced restrictions on the burning. He encouraged the Board to adopt Option 3.
- Cara Fleischer, 4706 Inisheer Court, Leon County Soil and Water Supervisor District 2, expressed concern about smoke caused from recreational burning and encouraged the Board to adopt Option 3.
- Commissioner Proctor moved Option 1.
- Commissioner Dozier commented on Option 1. She shared her chemical sensitivity issues with the Board and indicated that air quality issues are impacted by activities in the surrounding areas and an Ordinance may not address some of the concerns. She asked if Option 2, which include the use of the Ringelmann Smoke Chart, will assist with enforcement when smoke is causing health issues.
 - County Administrator Long explained that the Ringelmann Smoke Chart is typically used by counties to address dark noxious smoke typically produced by burning items such as treated wood or tires. He added that the Tallahassee Fire Department (TFD) indicated that there are relatively few complaints from residents regarding recreational burns.
 - Commissioner Dozier moved to approve Option 2 and directed staff to prepare additional analysis including input from relevant agencies such as TFD.
- Commissioner Lindley commented on the difficulty of enforcing nuisance restrictions because of their subjective nature. She stated support of enhancing the County's Curb it Don't Burn it Public Education Initiative.
- Commissioner Minor spoke to the sustained burning, day after day. He supported the substitute motion.
- Chairman Desloge asked County Attorney Thiele if the Ralstin's could pursue legal action. However, he didn't want to encourage a sense of false hope.
 - County Attorney Thiele responded that the citizen can pursue a private nuisance abatement action.
- Commissioner Maddox stated that he could not support the substitute motion for Option 2 as this may be a private issue between neighbors.
- Commissioner Dozier expressed her concern about encouraging residents to pursue costly civil litigation.

- *Commissioner Dozier moved, seconded by Commissioner Minor, to approve Option 2 as amended: Accept the status report on County Ordinances related to recreational burning and direct staff to develop a revised draft burning ordinance which includes nuisance restrictions for excessive visible emissions defined as No. 2 on the Ringelmann Smoke Chart; and direct staff to prepare additional analysis including input from relevant agencies such as TFD. The motion failed 2-4. (Commissioners Desloge, Lindley, Jackson and Maddox opposed. Commissioner Proctor was out of the chambers).*

- *Commissioner Proctor moved, duly seconded by Commissioner Lindley, for Option 1: to accept the status report on county ordinances related to recreational burning and take no further action. The motion passed 5-0. (Commissioners Lindley and Proctor out of chambers).*

Chairman Desloge recessed the meeting at 5:18pm.

24. Indemnification and Liability of Tall Timber’s Proposal for a Controlled Burn of the Upper Lake Lafayette Lake Bottom

County Administrator Long introduced the item. He stated this item seeks Board acceptance of a report regarding the indemnification and liability of Tall Timber’s proposal to donate their services for a controlled burn of the Upper Lake Lafayette lake bottom.

He noted this item does not have a fiscal impact. However, if the Board directs a future land management plan and possible controlled burn be developed for Upper Lake Lafayette, the cost is estimated in the range of \$20,000 to \$30,000.

Public Comment:

- Gerry Miller, 462 Groveland Hills Drive, expressed support for the control burn and the adoption of a land management plan.
- Eddie Bass, 6242 Pine Fair Way, Engineer, stated that he is part of the development team for the Fallschase residential community project and expressed his support of the controlled burn.

Commissioner Dozier thanked staff for their work. She noted the incredible progress and appreciated how they all are working together. She concurred they need a land management plan for this area.

Commissioner Maddox expressed concern about the indemnification issues and how liability will be addressed.

County Attorney Thiele indicated if the land management plan recommends conducting a controlled burn, the County would require the hired contractor to have the appropriate liability insurance and indemnify the County.

Commissioner Dozier moved, duly seconded by Commissioner Lindley, approval of Option 2: Direct staff to bring back an agenda item to pursue hiring a consultant to develop a land management plan for Upper Lake Lafayette.

Commissioner Maddox expressed concern about the indemnification issues and how liability will be addressed.

Commissioner Dozier moved, seconded by Commissioner Lindley Option 2: Direct staff to bring back an agenda item to pursue hiring a consultant to develop a land management plan for Upper Lake Lafayette.

The motion carried 7-0.

25. Status Report of on the Use of Glyphosate in Leon County

County Administrator Long introduced the item. He stated this agenda item provides a status report on the use of glyphosate, including Leon County's best management practices in how and when it is applied to County property, as well as an analysis of other Florida jurisdictions usage.

He noted this item has no fiscal impact.

Commissioner Maddox moved, duly seconded by Commissioner Desloge, approval of Option 1 & 2: 1) Accept the Status Report on the use of Glyphosate in Leon County. 2) Direct staff to provide an update to the Board subsequent to Pinellas County's Integrated Vegetation Management Working Group finalizing its analysis and recommendations on the reduction of pesticides/herbicides on public lands. The motion carried 6-0. Commissioner Jackson out of Chambers.

26. Acceptance of a Text Amendment Application to the Tallahassee-Leon County 2030 Comprehensive Plan to Expand the Urban Services Area

County Administrator Long introduced the item. He stated this agenda item seeks Board consideration to process a text amendment to the Land Use Element of the Tallahassee-Leon County 2030 Comprehensive Plan, to expand the Urban Services Area to include properties adjacent to Chiles High School for the proposed Pine Cone Woods development. Per comprehensive plan amendment application procedures, the proposed amendment must be supported by at least three County Commissioners before it can be processed as part of the 2020 Cycle. He noted this item has no fiscal impact.

Commissioner Dozier stated she was opposed in moving forward with the text amendment application given that the County is scheduled to conduct a full review of the Comprehensive Plan. She inquired when the review would take place.

- Cherie Bryant, Director of Planning, indicated that the full review will begin in mid-year 2020.
- *Commissioner Dozier motioned for approval of Option 2: Do not accept the privately initiated text amendment application and direct staff to work with the consultant selected for the rewrite of the Comprehensive Plan to include the Pine Cone Woods property in the evaluation of the Urban Services Area. The motion died for lack of a second.*
- Commissioner Proctor voiced support of the expansion of the Urban Service Area (USA) inside Capital Circle. He made a substitute motion to approve Option 1 and directed staff to prepare additional analysis exploring the Urban Services Area in southern Leon County, to Capital Circle. The motion died for a lack of second.

Commissioner Lindley moved, duly seconded by Commissioner Desloge, to approve Option 1: Accept the privately initiated text amendment application and process the proposed Comprehensive Plan Amendment for the 2020 Comprehensive Plan Amendment Cycle.

The motion carried 7-0.

27. Bid Award for the Exclusive Franchise to Provide Waste Collection Services in Unincorporated Leon County

County Administrator Long introduced the item. He stated this agenda item seeks Board direction regarding awarding a bid for unincorporated area curbside waste collection services or consideration of alternative options as presented in this item.

He stated this item has no fiscal impact to the County. Monthly subscription is paid for by residents opting to receive curbside residential solid waste collection for the unincorporated area of Leon County beginning October 1, 2020.

Public Comment:

- Lloyd Childree, 1975 Commonwealth Lane, Waste Pro, noted they were the only responsive bidder and encouraged the Board to award the bid to Waste Pro.
- Bob Hyres, 21 Riverside Dr., Waste Pro, shared they met all requirements of the bid and encouraged the board to award the bid to Waste Pro. He also noted they were long time members of the community.
- Charles Merkley, 6760 Muskagee St, FCC Environmental, encouraged the Board to adopt Option 2.

Chair Desloge shared his concern with reopening up the bid process.

Commissioner Proctor expressed his apprehension concerning the cost increase to residents. He asked if the County Administrator would clarify Option 3 and asked if reopening the bid would result in additional responses.

- County Administrator Long explained that Option 3 would allow the County to further negotiate the terms of the contract with Waste Pro. He also indicated that removing some requirements from the invitation to bid would increase responses from vendors.

Commissioner Dozier shared her support for rebidding the contract as the initial Invitation to Bid (ITB), may be too restrictive. She motioned for approval of Option 2.

Option 2: Reject the sole bid response and re-advertise the ITB in an effort to receive multiple responses. The current bid terms would be modified to eliminate therefore mentioned service enhancements and include the feedback received from vendors who initially chose not to respond. with modifications made by staff. Commissioner Minor seconded the motion.

Commissioner Minor expressed concern about the increase to the residents and shared his support for Option 2.

Commissioner Lindley expressed support of Option 1 to approve the bid award. She shared her concern was that if they rebid there may be no substantial change in the outcome. She moved Option 1 as a substitute motion.

Commissioner Lindley moved, duly seconded by Commissioner Desloge, for Option 1: Approve the bid award to Waste Pro, Inc. for the exclusive franchise to provide waste collection services in unincorporated Leon County and authorize the County Administrator to negotiate and execute the Agreement, in a form approved by the County Attorney. The motion failed 2-5. (Commissioners' Dozier, Proctor, Minor, Jackson, and Maddox in opposition).

Commissioner Dozier moved, duly seconded by Commissioner Minor, approval of Option 2: Reject the sole bid response, authorize the re-advertisement of the Invitation to Bid with modifications. The motion carried 7-0.

28. 2020 Insurance Coverages

County Administrator Long introduced the item. He stated this agenda item seeks the Board's approval for the placement of necessary insurance coverages for 2020.

He stated this item has a fiscal impact. The overall cost of insurance premiums (exclusive of health) for 2020 will be \$1,595,835. This is a \$33,633 increase, or 3.27 increase over the 2019 expiring coverage. Funds are included in the FY 2020 budget to support this anticipated expenditure.

Commissioner Maddox moved, duly seconded by Commissioner Jackson, approval of Option 1: Approve the 2020 insurance coverages and authorize the County Administrator to place insurance coverages for Property, Excess Workers' Compensation, and General Liability as specified in renewal Option 1.

- *Property Insurance (total insured value \$37,857,801): Zurich, \$647,581*
- *Excess Workers' Compensation: Florida Municipal Insurance Trust, \$223,504.*
- *General Liability (including Public Official, Employment Practices Liability, Excess Liability, Auto and Medical Malpractice); Travelers, \$507,073, and Lloyds of London, \$8,077*
- *Cyber Security: Chub \$14,968*
- *As the broker of record, authorize Brown & Brown to place Pollution, Accidental Death & Dismemberment, Crime, and Aviation liability coverages.*

The motion carried 7-0.

29. Bid Award for the Harbinwood Estates Longview Drive Stormwater Management Facility Sinkhole Repair Project

County Administrator Long introduced the item. He stated this agenda item seeks Board approval to award the bid for the Harbinwood Estates Stormwater Management Facility Longview Drive Sinkhole Repair Project to Allen's Excavation Inc, in the amount of \$297,000.

Commissioner Maddox moved, duly seconded by Commissioner Minor, approval of Option 1: Approve the bid award to Allen's Excavation, Inc. in the amount of \$297,000 for the Harbinwood Estates Stormwater Management Facility Longview Drive Sinkhole Repair Project and authorize the County Administrator to execute. The motion carried 7-0.

30. Bid Award for Renovations to the First Floor of the Leon County Government Annex for the Office of Economic Vitality

County Administrator Long introduced this item. He stated it sought Board approval to award the bid to RAM Construction and Development, LLC, in the amount of \$440,000 for renovations to the First Floor of the Leon County Government Annex for the Office of Economic Vitality.

Commissioner Proctor shared his concern that the bid was being awarded to a company not meeting the County's MWBE aspirational targets.

Commissioner Maddox moved, duly seconded by Commissioner Dozier, approval of Option 1: Approve the bid award to RAM Construction and Development, LLC, in the amount of \$440,000 for renovations to the First Floor of the Leon County Government Annex for the Office of Economic Vitality and authorize the County Administrator to execute the Agreement if a form approved by the County Attorney. The motion carried 6-1. (Commissioner Proctor in opposition).

31. Full Board Appointment of Commissioners to Authorities, Boards, Committees and /or Councils and Proposed Revisions to Policy No. 11-2, "Membership on Boards, Committees, Councils and Authorities"

County Administrator Long introduced this item. He stated this item seeks Board approval to appoint Commissioners to the Big Bend Continuum of Care, the Capital Region Transportation Planning Agency, the Joint School Coordinating Council, the Juvenile Justice Circuit 2 Advisory Board, the Leon County Educational Facilities Authority, and the Workforce Development Consortium-Region 5. In addition, this item seeks Board adoption of minor technical revisions to Policy No. 11-2 "Commissioner Membership on Boards, Committees, Councils, and Authorities.

*Commissioner Dozier moved, duly seconded by Commissioner Lindley, approval of Option 1: Full Board to appoint Commissioners to each of the following: **appointments as amended:***

- a. Commissioner Lindley is appointed to the Big Bend Continuum of Care for a two-year term ending December 31, 2021.*
- b. Commissioners Maddox, Commissioner Dozier, Commissioner Minor and Commissioner Desloge to the Capital Region Transportation Planning Agency for two-year terms ending December 31, 2021; and authorize the Chairman to send a letter of support for proportional voting to the director of the CRTPA.*
- c. Commissioner Proctor is appointed to the Joint School Coordinating Committee for a four-year term ending December 31, 2023.*
- d. Commissioner Jackson is appointed to the Juvenile Justice Circuit 2 Advisory Board for a two-year term ending December 31, 2021.*

- e. *Commissioner Desloge is appointed to the Leon County Educational Facilities Authority for a two-year term ending December 31, 2021.*
- f. *Commissioner Maddox is appointed to the Workforce Development Consortium -Region 5 for a two-year term ending December 31, 2021.*

The motion carried 7-0.

Option 2: Approve the proposed revised Policy No. 11-2 "Commissioner Membership on Boards, Committees, Councils, and Authorities". The motion carried 7-0.

SCHEDULED PUBLIC HEARINGS, 6:00 P.M.

- 32. First and Only Public Hearing to Consider Adoption of an Ordinance Amending Chapter 2, Article XII of the Leon County Code of Laws Entitled "Code of Ethics".** County Administrator Long announced the public hearing. He stated this item is pursuant to the direction of the Board at the meeting of October 15, 2019. this item requests the Board to conduct the first and only public hearing to consider adopting an Ordinance to amend Chapter 2, Article XII of the Leon County Code of Laws regarding the Leon County Code of Ethics.

- Peter Butzin, 1628 Woodgate Way, Volunteer with Common Cause Florida, stated his support for the County Ordinance.

Commissioner Minor moved, duly seconded by Commissioner Maddox, approval of Option 1: Conduct the first and only public hearing and adopt an Ordinance amending Chapter 2, Article XII of the Leon County Code of Laws entitled "Code of Ethics".
The motion carried 7-0.

Commissioner Maddox commended all who was involved.

- 33. First and Only Public Hearing to Consider Adoption of an Ordinance Authorizing the Establishment of a Syringe Exchange Program**

County Administrator Long announced the public hearing. He stated this item requests the Board conduct the first and only Public Hearing and consider the adoption of a proposed Ordinance authorizing the establishment of syringe exchange program in Leon County.

Chairman Desloge called for public comment:

- Bruce Grant, 1316, Conservancy Dr., expressed his opposition of the syringe exchange program ordinance.
- Dr. Paul Arons, 1706 Beechwood Circle N, spoke in support what the ordinance would bring.
- Dan Schafer, 1314 N Bronough Street, Florida State University Medical Student gave awareness on disease and supported the syringe exchange program.
- Claudia Blackburn, 2923 Sharer Rd, Leon County Health Department, spoke in support of the syringe exchange program ordinance.

- Dr. Leslie Beitsch, 520 Melbrook Circle, FSU College of Medicine, shared with the Board some of her experiences on the research of syringe grant programs. He said that they lower the spread of diseases
- Lydia Tortorici, 304 N. Meridian St. – Apt. 5, medical student who spoke in support of the ordinance.
- Olivia Torres, 304 N. Meridian St, FSU College of Medicine, supported the syringe exchange program.
- Amanda Muller spoke in support of the Ordinance and stated that additional support services may be needed for a syringe exchange program to be successful.
- Shelby Peters, 830 East Park Avenue, resident of Tallahassee. She spoke in support of the ordinance.

Commissioner Minor spoke of concern for increased use of drugs and confirmed his support of Option 1.

Commissioner Maddox stated he could not support the Ordinance since drug treatment is optional for the participants.

Commissioner Lindley clarified that Leon County would not be setting up a program right now, that would be farther down the road. She shared this is a tool to acquire more information. She stated the State Legislative has supported this and she would give her support to the option.

Commissioner Dozier recalled the treatment issue. She noted the challenges and it's not the only tool. She shared they needed to push forward and supported the ordinance. However, she did inquire about resources they have for drug users.

County Administrator Long noted they would follow up with more information.

Chair Desloge suggested sunseting the ordinance if a program partners not identified in 3 years. He suggested putting together a task force to help with this project.

Commissioner Dozier suggested that staff provide an agenda item in 3 years if a program administrator is not identified.

Commissioner Lindley moved, duly seconded by Commissioner Minor, for approval of Option 1 as amended: Conduct the first and only public hearing and adopt an Ordinance authorizing the establishment of a sterile exchange program; and direct staff to provide an agenda item in 3 years if a program administrator is not identified.

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

34. Adoption Public Hearing on the 2019 Out-of-Cycle Comprehensive Plan Amendment

County Administrator Long announced the public hearing. He stated this item requests the Board conduct the County Adoption Public Hearing on the 2019 Out-of-Cycle amendment to the Tallahassee-Leon County Comprehensive Plan. This text amendment would ensure consistency between a proposed County Ordinance on Solar Energy Systems and the Comprehensive Plan as required by Florida law.

- Mike Rychlik, 9601 Miccosukee Rd, reflected on the Keep it Rural Initiative and spoke in support of the Amendment to the Comprehensive Plan. Additionally, he thanked Dr. Hall for all her efforts with Keep it Rural and they were present to voice their support.
- Dr. Pamela Hall, 5051 Quail Valley, supported the amendment to the Comprehensive Plan. However, she cautioned about the construction of Solar Farms in the rural districts.
- Neil Fleckenstein, 13093 Henry Beaded Dr, Tall Timbers, spoke in support of the amendment. He thanked staff for the great work.

Commissioner Dozier moved, duly seconded by Commissioner Desloge, approval of Option 1: Conduct the adoption Public Hearing and adopt the proposed Ordinance, thereby adopting the text amendment to the Tallahassee-Leon County 2030 Comprehensive Plan. The motion carried 6-0. (Commissioner Maddox out of chambers).

35. First of Two Public Hearings to Consider Adoption of an Ordinance Amending Section 10-1.101 of the Land Development Code, entitled “Definitions” and Creating a New Section 10-6.820, Entitled “Solar Energy Systems”.

County Administrator Long announced the public hearing. He stated this item provides for the first of two required Public Hearings for Board consideration of an Ordinance that will encourage the use of solar energy systems as an alternative and sustainable source of renewable energy by providing a minimal and expedited permitting process with minimal permit costs for prospective applicants.

- Neil Flockenstein, 13093 Henry Beaded Dr, Tall Timbers, commended staff on the ordinance and text amendment. He expressed support of the adoption of the Ordinance as approved by the Planning Commission.
- Mark Sajer, 99 Summit Avenue, Summit Energy Partners LLC, shared he had an interest in developing solar farms. He commented on visual buffers. He said their recommendation was the addition of a “visual buffer” requirement with a minimum of 50 ft. and a minimum setback of 75 ft.
- Laura Newton, 4541 Pecan Branch, commented on the solar farms. She spoke in support of the Ordinance how it is presented by the Planning Commission.
- Mike Rychlik, 9601 Miccosukee Rd, Keep It Rural, shared his support with the Ordinance, but cautioned about the Solar Farms not being inviting resulting in impacts on the rural landscape.
- Sarah Rychlik, 9601 Miccosukee Rd, waived in support.
- Dr. Pamela Hall, 5051 Quail Valley, spoke in support of the Ordinance as recommended by the Planning Commission. She highlighted the importance of the visual buffers and setback to mitigate any negative impacts.
- Tracy Bensley, 3021 Eagle Point Way, General Manager of Talquin Electric, shared how he agreed with most of what was in the ordinance. However, he expressed concerns about the lack of requirements for accessory-mounted vs. utility-scale solar; and the impact of the setbacks on the cost of a utility scale solar farm.
- Scott Hannahs, 5051 Quail Valley, FSU faculty, commented that solar power can be extremely nice, but cautioned it takes a lot of area and stressed the importance of the

buffer requirements. He spoke in support of the Ordinance as recommended by the Planning Commission.

- Commissioner Dozier thanked staff for their diligent work on the Ordinance. She asked for clarification regarding the setback and buffer deviations along with the setback requirements for accessory mounted systems.
- Barry Wilcox, Development Support and Environmental Management (DSEM), indicated the purpose of having the deviations available was to allow for exceptions when warranted. He also explained that accessory ground mounted systems would typically be small in scale as they may only feed into a single meter.
- Commissioner Jackson reflected on the importance of the setbacks and 100 ft. buffer and confirmed that a process would be available to apply for deviations.
- Commissioner Lindley inquired about the process to apply for a deviation.
 - Barry Wilcox clarified that it was up to the permit applicant to apply for a deviation which would be subject to Board approval.
- Commissioner Maddox confirmed that staff had surveyed other jurisdictions about their setback requirements and stated his support for a 100 ft. setback.
- Chairman Desloge stated his support of a 100 ft. setback and asked about the possibility of sizing setbacks based on the scale of the project.
 - Barry Wilcox responded that staff could bring back additional information about a tiered setback approach; however, he noted that this is not currently a common practice. He stressed the importance of the buffer requirement and indicated that the buffer could occur in the setback. The setback's purpose is to mitigate any negative visual impacts.
- Commissioner Dozier asked if staff could return with a tiered approach at the second public hearing.
 - County Administrator Long confirmed that staff could provide an amended Ordinance for the second public hearing that included the tiered setback requirements.
 - Commissioner Lindley proposed a 150 ft. setback and stated her support of the deviation for small-scale solar.
 - Commissioner Minor noted that it is important to look at economic viability and indicated his support of the flexibility of the tiered approach.

Commissioner Dozier moved, duly seconded by Commissioner Lindley, approval of Option 1: Conduct the first of two required Public Hearings to adopt an Ordinance amending Section 10-1.101 of the Land Development Code, entitled "Definitions" and creating a new

Section 10-6.280, entitled “ Solar Energy Systems, “ and schedule the second and final Public Hearings for January 28, 2020 at 6:00 p.m. and direct staff to prepare an amended ordinance to include the tiered setback requirements. The motion carried 7-0.

36. First and Only Public Hearing to Consider a Proposed Resolution Renouncing and Disclaiming any Right of the County in Portion of Unimproved Right-of-Way Lying Between Lot 11, Block “A” and Lot 1, Block “B” as Shown on the Plat of Velda Oaks

County Administrator Long announced the public hearing. He stated this item provides for the first and only Public Hearing and consider adoption of the proposed Resolution renouncing and disclaiming the County’s right in a previously planned road for a northern entrance to the Velda Oaks subdivision.

- Doug Smidley, 3564 Velda Oaks Circle, read a statement into record from Velda Oaks residents that were concerned with the safety of the neighborhood. He voiced his support of the Resolution.

Commissioner Maddox moved, duly seconded by Commissioner Jackson, for approval of Option 1: Conduct the first and only Public Hearing and adopt the Resolution renouncing and disclaiming any right of the County in a portion of an unimproved road right-of-way lying between Lot 11, Block “A” and Lot 1, Block “B” as shown on the plat of Velda Oaks. The motion carried 7-0.

37. First and Only Public Hearing to Consider a Proposed Resolution Renouncing and Disclaiming any Right of the County in the Drainage Easement Lying Between Lots 14 & 15, Block K of Recorded Plat of Killearn Lakes Unit 1

County Administrator Long announced the public hearing. He stated this item requests the Board conduct the first and only Public Hearing and consider adopting the proposed Resolution renouncing and disclaiming the County’s right in a drainage easement on the recorded plat of Killearn Lakes in order to improve stormwater conveyance.

Commissioner Maddox moved, duly seconded by Commissioner Jackson, for approval of Option 1: Conduct the first and only Public Hearing and adopt the proposed Resolution Renouncing and Disclaiming any Right of the County in the Drainage Easement lying between Lots 14 and 15, Block “K” of the recorded plat of Killearn Lakes, Unit 1. 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.)

- Chairman Desloge confirmed that there were no speakers on Non-Agendaed Items or listed speakers.

COMMENTS/DISCUSSION ITEMS

County Attorney Thiele:

- Recognized incoming County Attorney Chasity Osteen.

- Alerted the Board to the request from Alachua County for Amicus Support for an appeal by Alachua County in the case of Alachua County V. Sadie Darnell, in her official capacity as Sheriff of Alachua County. County Attorney Thiele requested authorization to submit a Notice of Intent to File a Brief with the Florida Supreme Court as to why this case is one of interest and that the court should accept jurisdiction.
- *Commissioner Dozier moved, duly seconded by Commissioner Desloge, to authorize the County Attorney to submit a Notice of Intent to File a Brief with the Florida Supreme Court regarding the case of Alachua County V. Sadie Darnell. The motion carried 7-0.*
- Wished everyone Happy Holidays.

County Administrator Long:

- Wished everyone a Happy Holidays.
- Congratulated and wished good cheer to Commissioner Dozier for her upcoming performance with Legal Services of North Florida (Dancing with the Stars).

COMMISSIONER DISCUSSION ITEMS

Commissioner Dozier:

- Commended staff for the support of the Winter Festival and parade.
- Announced that she would be participating in the Dancing with the Stars fundraiser for Legal Services of North Florida On December 11, 2019.
- Acknowledged the recent retirement of Skip Foster, President and publisher of the Tallahassee Democrat.
- Requested a Proclamation for the recipient of the Florida Commission on the Status of Women’s Spirit of the Community Award for the January 28, 2020 Board Meeting.
- *Commissioner Dozier moved, duly seconded by Commissioner Desloge, to present a Proclamation at the Board’s January 28, 2020 meeting to the Florida Commission on the Status of Women’s Spirit of the Community Award recipient. The motion carried 6-0. (Commissioner Maddox out of chambers).*
- Inquired about an update on the planned agency visits during the NACo Legislative Conference.
 - County Administrator Long confirmed that staff would provide an update on planned visits.
- Wished everyone Happy Holidays.

Commissioner Maddox:

- Wished everyone Happy Holidays.
- Shared that FAMU maintained its ranking as the number 2 public historically Black College and University (HBCU) in the nation and the Number 1 ranked HBCU in the State of Florida. He requested a Proclamation for FAMU as #1 HBCU.
- *Commissioner Maddox moved, duly seconded by Commissioner Desloge, to present a Proclamation recognizing FAMU as the number 2 public Historically Black College and University (HBCU) in the nation and the number 1 ranked HBCU in the State of Florida. The motion carried 7-0.*
- Requested a proclamation recognizing Ryan Stanley, FAMU quarterback, as the 2019 Mid- Eastern Athletic Conference (MEAC) Offensive Player of the Year.

- *Commissioner Maddox moved, duly seconded by Commissioner Desloge, to present a Proclamation recognizing Ryan Stanley, FAMU quarterback, as the 2019 Mid-Eastern Athletic Conference player of the year. The motion carried 7-0.*

Commissioner Proctor:

- Reflected on possible safety improvement at the County boat landings. He recalled the Coe Landing accidents and asked what could be done.
 - County Administrator Long stated that several significant safety improvements were made in 2016, and staff would provide a report on these improvements to the Board.
- Highlighted the high cost of hotel rooms during peak times of the year.
- Shared reflections on the 32304 Summit and acknowledged his aide, Rayshell Holmes, for her work to support the summit. He thanked Pastor Anton Elwood for use of church meeting space and FSU for their support. He distributed a copy of the Summit summary to the Board. He made a motion to engage the City in a workshop to discuss the findings of the 32304 Summit. The motion died for a lack of second.
- Wished everyone Happy Holidays.

Commissioner Lindley:

- Requested a letter to the International Rescue Committee (IRC) regarding the refugee resettlement program in Leon County.
- *Commissioner Lindley moved, duly seconded by Commissioner Desloge, for the Chairman to send a letter to the International Rescue Committee (IRC) to authorize the refugee resettlement program to continue in Leon County. The motion carried 6-0.(Commissioner Maddox was out of chambers).*
- Reflected on the Miami Dade County Homeless Trust authorized by State Statute and the NACO letter on Miami-Dade County Homeless Trust.
 - County Administrator Long indicated that Leon County is not eligible to levy this tax however, he would follow-up with the Board to confirm.
- Wished everyone Happy Holidays.

Commissioner Jackson:

- Commended Commissioner Proctor for his efforts with the 32304 Summit.
- Reflected on the recent safety improvements to the County's boat landings, especially Coe Landing and asked for a moment of silence in recognizing one of his former students who recently lost their life in that area.
- Acknowledged the increased participation at the rural waste centers since the fees were eliminated.
- Wished everyone Happy Holidays.

Vice-Chairman Minor:

- Commended county staff on the planned rollout of the boat landing kiosks.
- Noted the record participation in hazardous waste drop off events.
- Highlighted Pat Curtis, Office of Information and Technology Director, 20 years of service to the County and acknowledged her upcoming retirement.
- Wished everyone Happy Holidays.

Chairman Desloge:

- Acknowledged Skip Foster's retirement as President and publisher of the Tallahassee Democrat.
- Wished Commissioner Maddox a Happy Birthday.
- Wished everyone Happy Holidays.

RECEIPT AND FILE:

- Leon County Educational Facilities Authority Financial Statements for years ending September 30, 2018 and 2017.

ADJOURN:

There being no further business to come before the Board, the meeting was adjourned at 9:11 p.m.

LEON COUNTY, FLORIDA

ATTEST:



BY: _____



Gwendolyn Marshall, Clerk of Court
& Comptroller, Leon County, Florida

BY: _____



Bryan Desloge, Chairman
Board of County Commissioners