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Leon County Charter

WHEREAS, Leon County, Florida, is presently a non-charter county government as established under Article VIII, Section 1(f), Florida Constitution; and

WHEREAS, Article VIII, Sections 1(c) and 1(g), Florida Constitution, provide that a county government may be established by charter, which shall be adopted upon a majority vote of the electors of the county; and

WHEREAS, Section 125.80, *et seq.*, Florida Statutes, provides a method whereby a non-charter county may locally initiate a county home rule charter;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, that:

SECTION 1. HOME RULE CHARTER.

The proposed Home Rule Charter of Leon County, Florida, shall read as follows:

PREAMBLE

We, the citizens of Leon County, Florida, united in the belief that governmental decisions affecting local interests should be made locally, rather than by the State, and that County government should be reflective of the people of the County and should serve them in achieving a more responsive and efficient form of government and in order to empower the people of this County to make changes in their own government, do ordain and establish this Home Rule Charter for Leon County, Florida.

ARTICLE I. CREATION, POWERS AND ORDINANCES OF HOME RULE CHARTER GOVERNMENT

Sec. 1.1. Creation and general powers of Home Rule Charter government.

The County shall have all powers of self-government not inconsistent with general law, with special law approved by vote of the electors, or with this Charter. The County shall have all county and municipal powers of self-government granted now or in the future by the Constitution and laws of the State of Florida.

Sec. 1.2. Body corporate, name and boundaries.

Leon County shall be a body corporate and politic. The corporate name shall be Leon County, Florida. The County seat and boundaries shall be those designated by law on the effective date of this Home Rule Charter.

Sec. 1.3. Construction.

The powers granted by this Home Rule Charter shall be construed broadly in favor of the charter government. The specified powers in this Charter shall not be construed as limiting, in any way, the general or specific power of the government as stated in this article. It is the intent of this

article to grant to the charter government full power and authority to exercise all governmental powers necessary for the effective operation and conduct of the affairs of the charter government.

Sec. 1.4. County Purposes.

The County, operating under this Charter, shall have all special powers and duties which are not inconsistent with this Charter, heretofore granted by law to the Board of County Commissioners, and shall have such additional county and municipal powers as may be required to fulfill the intent of this Charter.

Sec. 1.5. Municipal Purposes.

The County shall have all necessary municipal powers to accomplish municipal purposes within the County. In the event the Board of County Commissioners levies the Municipal Public Services Tax on utilities, any additional recurring or non-recurring fee or charge imposed on a utility relating to the use or occupation of the public rights-of-way shall not exceed what is reasonably necessary to properly monitor and enforce compliance with the County's rules and regulations concerning placement and maintenance of utility facilities in the public rights-of-way.

Sec. 1.6. Relation to Municipal Ordinances.

Except as otherwise provided by law or this Charter, municipal ordinances shall prevail over County ordinances to the extent of any conflict within the boundaries of the municipality. To the extent that a county ordinance and a municipal ordinance shall cover the same subject without conflict, then both the municipal ordinance and the county ordinance shall be effective, each being deemed supplemental to the other.

Sec. 1.7. Transfer of Power.

Whenever a municipality, special district or agency shall request by a majority vote of the governing body the performance or transfer of a function to the County, the County is so authorized by a majority vote of the Board of County Commissioners to have the power and authority to assume and perform such functions and obligations. This section does not authorize a transfer in violation of Article VIII, § 4 of the Constitution of Florida.

Sec. 1.8. Division of Powers.

This Charter establishes the separation between legislative and administrative functions of this government. The establishment and adoption of policy shall be the responsibility of the Board of County Commissioners and the execution of that policy shall be the responsibility of the County Administrator.

Sec. 1.9. Relation to State Law.

Special laws of the state legislature relating to or

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affecting Leon County and general laws of local application which apply only to Leon County, except those laws relating exclusively to a municipality, the school board, or a special district, shall be subject to approval by local referendum to the extent that they are not in conflict with this Charter. All special laws so approved shall become ordinances, and may be subject to amendment or repeal by the Board of County Commissioners.

ARTICLE II. ORGANIZATION OF COUNTY GOVERNMENT

Sec. 2.1. Elected Commission and appointed County Administrator form of government.

Leon County shall operate under an elected County Commission and an appointed County Administrator form of government with separation of legislative and executive functions in accordance with the provisions of this Home Rule Charter. The legislative responsibilities and powers of the County shall be assigned to, and vested in, the Board of County Commissioners. The executive responsibilities and power of the County shall be assigned to, and vested in, the County Administrator, who shall carry out the directives and policies of the Board of County Commissioners and enforce all orders, resolutions, ordinances and regulations of the Board, the Charter and all applicable general law to assure that they be faithfully executed.

Sec. 2.2. Legislative Branch.

(1) The County Commission.

The governing body of the County shall be a Board of County Commissioners composed of seven (7) Members serving staggered terms of four (4) years. There shall be one (1) Commissioner elected for each of the five (5) County Commission districts, established pursuant to general law or by ordinance, and they shall be elected by the electors of that district. There shall be two At-large Commissioners elected on a countywide basis by the electors of the County. Elections for all seven (7) members of the County Commission shall be non-partisan. Each candidate for the office of district County Commissioner shall reside within the district from which such candidate seeks election at the time of qualifying to run for that office, and during the term of office each Commissioner shall reside in the district from which such Commissioner ran for office, provided that any Commissioner whose residence is removed from a district by redistricting may continue to serve during the balance of the term of office.

(2) Redistricting.

Redistricting of County Commission district boundaries shall be in accordance with general law, changed only after notice and a public hearing as provided by general law.

(3) Salaries and Other Compensation.

Salaries and other compensation of the County Commissioners shall be established by ordinance, and salary shall not be lowered during an officer's term.

(4) Authority.

The Board of County Commissioners shall exercise all legislative authority provided by this Home Rule Charter in addition to all other powers and duties authorized by general law or special law approved by a vote of the electorate.

(5) Vacancies.

A vacancy in the office of County Commissioner shall be defined and filled as provided by general law.

(6) Administrative Code.

The County Commission shall adopt an administrative code in accordance with general law.

Sec. 2.3. Executive Branch.

(1) The County Administrator.

(A) The County Administrator shall be appointed by, and serve at the pleasure of, the Board of County Commissioners. The County Administrator shall be the chief executive officer of the County and all executive responsibilities and powers shall be assigned to, and vested in, the County Administrator. The County Administrator shall exercise all executive authority provided by this Home Rule Charter and all other powers and duties authorized by general or special law.

(B) The County Administrator shall be chosen on the basis of his/her professional qualifications, administrative and executive experience, and ability to serve as the chief administrator of the County. The County Administrator shall reside within the County during his/her tenure as County Administrator.

(C) The compensation of the County Administrator shall be fixed by the Board of County Commissioners at a level commensurate with the responsibilities of the position, with performance appraisals conducted by the Board of County Commissioners at least annually.

(D) A vacancy in the office shall be filled in the same manner as the original appointment. The County Administrator may appoint an Acting County Administrator in the case of his/her temporary vacancy.

(2) Senior Management.

The County's senior management employees, with the exception of the County Attorney's and Tourist Development Council (TDC) staff, shall serve at the pleasure of the County Administrator, who may suspend or discharge senior management personnel with or without cause.

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Sec. 2.4. County Attorney.

(1) There shall be a County Attorney selected by the Board of County Commissioners who shall serve at the pleasure of, and report directly to, the Board of County Commissioners, and shall reside within the County during his/her tenure as County Attorney.

(A) The County Attorney shall provide legal services to the Board of County Commissioners, the County Administrator, and County departments, boards and agencies organized under the Board of County Commissioners.

(B) The compensation of the County Attorney shall be fixed by the Board of County Commissioners at a level commensurate with the responsibilities of the position with performance appraisals conducted by the Board of County Commissioners at least annually.

ARTICLE III. ELECTED COUNTY CONSTITUTIONAL OFFICERS

Sec. 3.1. Preservation of Constitutional Offices.

The offices of the Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court and Supervisor of Elections shall remain as independently elected constitutional offices, and the status, powers, duties and functions of such offices, shall not be altered by this Home Rule Charter, or any revisions or amendments hereto, except as provided in Section 5.2 below. The constitutional officers shall perform their executive and administrative functions as provided by law.

Sec. 3.2. Non-Partisan Elections.

(1) Non-Partisan Offices.

The Supervisor of Elections shall be non-partisan.

(A) Non-Partisan Election Procedures.

If three or more candidates, none of whom is a write-in candidate, qualify for such office, the names of those candidates shall be placed on a non-partisan ballot at the first primary election. If no candidate for such office receives a majority of the votes cast for such office in the first primary election, the names of the two candidates receiving the highest number of votes for such office shall be placed on the general election ballot.

(B) Qualification by Petition.

A candidate for non-partisan office may qualify for election to such office by means of the petitioning process provided in general law.

Sec. 3.3. Clerk Auditor.

(1) The Leon County Clerk of the Court shall serve as the Auditor to the Commission as specified by law. The Clerk shall employ a Certified Internal Auditor, Certified Public Accountant, or such other person qualified by education or experience in governmental accounting,

internal auditing practices and fiscal controls, which shall include at least five (5) years experience in professional accounting, auditing, governmental fiscal administration or related experience, unless the Clerk holds such qualifications. The Board of County Commissioners shall fund the audit function of the Clerk.

(2) Audit Committee.

There shall be a five member Audit Committee of which two members shall be appointed by the County Commission and three by the Clerk. The Audit Committee shall adopt an annual plan of work for the Auditor and shall oversee the work of the Auditor. The Audit Committee members shall be residents of Leon County, none of whom may be an employee or officer of County government, and who have experience as a public accountant, internal auditor, or as a financial manager for a public, private or not for profit institution. The purpose of the Committee is to promote, maintain, and enhance the independence and objectivity of the internal audit function by ensuring broad audit coverage, adequate consideration of audit reports, and appropriate action on recommendations. Clerk shall provide for the organization and duties of the audit committee, including membership terms, voting procedures, officers, sub-committees, meeting schedules and staff support.

ARTICLE IV. POWERS RESERVED TO THE PEOPLE: INITIATIVE AND RECALL

Sec. 4.1. Citizen Initiative.

(1) Right to Initiate.

The electors of Leon County shall have the right to initiate County ordinances in order to establish new ordinances and to amend or repeal existing ordinances, not in conflict with the Florida Constitution, general law or this Charter, upon petition signed by at least ten percent (10%) of the total number of electors qualified to vote in the County reflecting ten percent (10%) of the total number of electors qualified to vote within each of the five (5) commission districts. The total number of electors qualified shall mean the total number of electors qualified to vote in the last preceding general election.

(2) Procedure for Petition.

The sponsor of an initiative shall, prior to obtaining any signatures, submit the text of a proposed ordinance to the Supervisor of Elections, with the proposed ballot summary and the form on which signatures will be affixed and obtain a dated receipt therefore. Any such ordinances shall embrace but one (1) subject and matter directly connected therewith. The sponsor shall cause a notice of such submission to be published within fourteen (14) days thereof in a newspaper of general circulation in the County. The allowable period for obtaining signatures on the petition shall be completed not later than one (1) year after initial receipt of the petition by the Supervisor of Elections. The sponsor shall comply with all requirements of general

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law for political committees, and shall file quarterly reports with the Supervisor of Elections stating, to the best of the sponsor's information and belief, the number of signatures procured. The time and form of such reports may be prescribed by ordinance. When a sufficient number of signatures are obtained, the sponsor shall thereupon submit signed and dated forms to the Supervisor of Elections, and upon submission, shall pay all fees required by general law. The Supervisor of Elections shall, within sixty (60) days after submission of signatures, verify the signatures thereon, or specify a reason for the invalidity of each rejected signature, if the petition is rejected for insufficiency of the number of valid signatures. If the petition is rejected for insufficiency of the number of signatures, the sponsor shall have an additional thirty (30) days within which to submit additional signatures for verification. The Supervisor of Elections shall, within thirty (30) days of submission of additional signatures, verify the additional signatures. In the event sufficient signatures are still not acquired, the Supervisor of Elections shall declare the petition null and void and none of the signatures may be carried over onto another identical or similar petition.

(3) Consideration by Board of County Commissioners.

Within sixty (60) days after the requisite number of signatures has been verified by the Supervisor of Elections and reported to the Board of County Commissioners, the Board of County Commissioners shall give notice and hold public hearing(s) as required by general law on the proposed ordinance and vote on it. If the Board fails to enact the proposed ordinance it shall, by resolution, call a referendum on the question of the adoption of the proposed ordinance to be held at the next general election occurring at least forty-five (45) days after the adoption of such resolution. If the question of the adoption of the proposed ordinance is approved by a majority of those registered electors voting on the question, the proposed ordinance shall be declared, by resolution of the Board of County Commissioners, to be enacted and shall become effective on the date specified in the ordinance, or if not so specified, on January 1 of the succeeding year. The Board of County Commissioners shall not amend or repeal an ordinance adopted by initiative prior to the next succeeding general election, without the approval of a majority of the electors voting at a referendum called for that purpose.

(4) Limitation on Ordinances by Initiative.

The power to enact, amend or repeal an ordinance by initiative shall not include ordinances or provisions related to County budget, debt obligations, capital improvement programs, salaries of County officers and employees, the assessment or collection of taxes, or the zoning of land.

Sec. 4.2. Recall.

All members of the Board of County Commissioners shall be subject to recall as provided by general law.

ARTICLE V. HOME RULE CHARTER TRANSITION, AMENDMENTS, REVIEW, SEVERANCE, EFFECTIVE DATE

Sec. 5.1. Home Rule Charter Transition.

(1) General Provisions.

Unless expressly provided otherwise in this Home Rule Charter, the adoption of this Charter shall not affect any existing contracts or obligations of Leon County; the validity of any of its laws, ordinances, regulations, and resolutions; or the term of office of any elected County officer, whose term shall continue as if this charter had not been adopted.

(2) Initial County Commissioners.

The persons comprising the Leon County Board of County Commissioners on the effective date of this Charter shall become the initial members of the Board of County Commissioners of the Charter government and shall perform the functions thereof until the normal expiration of their terms or until the election and qualification of their successors as provided by law.

(3) Outstanding Bonds.

All outstanding bonds, revenue certificates, and other financial obligations of the County outstanding on the effective date of this Charter shall be obligations of the Charter government. All actions taken by the former government relating to the issuance of such obligations are hereby ratified and confirmed. Payment of such obligations and the interest thereon shall be made solely from, and charged solely against, funds derived from the same sources from which such payment would have been made had this Charter not taken effect.

(4) Employees Continuation.

All employees of the former County government shall, on the effective date of this Charter, become employees of the County government created by this Charter. All existing wages, benefits, and agreements, and conditions of employment shall continue, until modified by lawful action of the County Commission.

Sec. 5.2. Home Rule Charter Amendments.

(1) Amendments Proposed by Petition.

(A) The electors of Leon County shall have the right to amend this Home Rule Charter in accordance with Sec. 4.1 of this Charter.

(B) Each proposed amendment shall embrace but one (1) subject and matter directly connected therewith. Each Charter amendment proposed by petition shall be placed on the ballot by resolution of the Board of County Commissioners for the general election occurring in excess of ninety (90) days from the certification by the Supervisor of Elections that the requisite number of signatures has been verified. If approved by a majority of those electors

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voting on the amendment at the general election, the amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 of the succeeding year.

(2) Amendments and Revisions by Citizen Charter Review Committee.

(A) A Citizen Charter Review Committee shall be appointed by the Board of County Commissioners at least twelve (12) months before the general election occurring every eight (8) years thereafter, to be composed and organized in a manner to be determined by the Board of County Commissioners, to review the Home Rule Charter and propose any amendments or revisions which may be advisable for placement on the general election ballot. Public hearings shall be conducted as provided by Section 125.63, Florida Statutes.

(B) No later than ninety (90) days prior to the general election, the Citizen Charter Review Committee shall deliver to the Board of County Commissioners the proposed amendments or revisions, if any, to the Home Rule Charter, and the Board of County Commissioners shall consider such amendments or revisions to be placed on the general election ballot, in accordance with Section 125.64, Florida Statutes.

(C) If the Citizen Charter Review Committee does not submit any proposed Charter amendments or revisions to the Board of County Commissioners at least ninety (90) days prior to the general election, the Citizen Charter Review Committee shall be automatically dissolved.

(3) Amendments Proposed by the Board of County Commissioners.

(A) Amendments to this Home Rule Charter may be proposed by ordinance adopted by the Board of County Commissioners by an affirmative vote of a majority plus one of the memberships of the Board. Each proposed amendment shall embrace but one (1) subject and matter directly connected therewith. Each proposed amendment shall only become effective upon approval by a majority of the electors of Leon County voting in a referendum at the next general election. The Board of County Commissioners shall give public notice of such referendum election at least ninety (90) days prior to the general election referendum date.

(B) If approved by a majority of those electors voting on the amendment at the general election, the amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 of the succeeding year.

Sec. 5.3. Severance.

If any provision of this Charter or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of

the Charter which can be given effect without the invalid provision or application, and to this end the provisions of the Charter are declared severable.

Sec. 5.4. Home Rule Charter effective date.

This Charter shall become effective November 12, 2002.

SECTION 2. BALLOT QUESTION TO BE PRESENTED TO ELECTORATE.

The proposed Charter of Leon County, Florida, shall be presented to the qualified Leon County electorate by placing the question of whether to adopt same on the ballot at the special election to be held on November 5, 2002.

SECTION 3. BALLOT QUESTION FORM.

The question on the ballot shall be substantially in the following form:

CHARTER FOR LEON COUNTY, FLORIDA AS PROPOSED BY LEON COUNTY ORDINANCE NO. 2002-___

Question

Shall there be a Home Rule Charter for Leon County, Florida, establishing all rights and powers of local self government; authorizing the proposal and adoption of ordinances by voter initiative and referendum; preserving elected constitutional county officers; providing a non-partisan Supervisor of Elections; providing for non-partisan elections of county commissioners; allowing recall of commissioners by citizen referendum; and providing a method of amendment, which shall take effect November 12, 2002?

Yes for Approval _____

No for Rejection _____

SECTION 4. FURTHER AUTHORIZATION.

The Board of County Commissioners of Leon County, Florida, is authorized to adopt all resolutions and take all actions necessary in order for this Charter referendum proposition and those propositions referenced in the Preamble and Articles of the proposed Charter herein to be properly placed on the ballot for the special election of November 5, 2002.

Said referendum shall be conducted according to the requirements of law governing referendum elections in the State of Florida.

SECTION 5. SEVERABILITY.

If any word, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be

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deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6. EFFECTIVE DATE.

This ordinance shall have effect upon becoming law, but shall be of no further force or effect if the proposed Charter is not duly approved at the November 5, 2002, special election. The Charter of Leon County, Florida, as proposed by this Ordinance, shall become effective November 12, 2002, if the Charter is approved by a "yes" vote by a majority of those duly qualified electors voting on the question posed at the November 5, 2002, referendum.

DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County, Florida, this 10th day of September, 2002.

LEON COUNTY, FLORIDA

Leon County Financial Policies & Ordinances

Industrial Development Revenue Bond Financing Policy, No. 81-1

This policy establishes a means for the expansion of local businesses as well as the attraction of new prospective businesses, allowing for diversification and expansion of the local economy.

Accounting and Reporting Policy, No. 92-4

This policy establishes accounting and reporting systems that maintain accounting and reporting practices that conform to the Uniform Accounting System of Generally Accepted Accounting Principles. The policy also ensures that the accounting and reporting systems are consistent with the standards set for local governments according to Governmental Accounting and Financial Reporting (GAFR), the National Council on Governmental Accounting (NCGA), and the Governmental Accounting Standards Board (GASB).

Revenues Policy, No. 92-5

This policy establishes revenue practices that: provide for the establishment and maintenance of a diversified revenue system to protect it from fluctuations in any one revenue source; provide that fees charged in enterprise operations will be calculated at a level which will support all direct and indirect costs of the enterprise; and ensure that the County does not accept any revenue source whose terms of acceptance or collection may negatively affect the County.

Fiscal Planning Policy, No. 93-44

This policy establishes fiscal planning practices that provide for:

- The annual operating and capital budget to be developed in conformity with the Tallahassee-Leon County Comprehensive Plan
- The development and review of a Capital Improvement Project budget, containing a 5-year plan for acquisition and improvement of capital investments that is also coordinated with the annual operating budget
- The Board of County Commissioners to continue to reflect fiscal restraint through the development of the annual budget by either decreasing appropriations or increasing revenues, when deficits are anticipated.

Dues and Memberships Policy, No. 93-46

This policy requires that any dues or memberships paid by Leon County on behalf of an employee shall be detailed in a department/division's annually budget request submission to the Office of Management and Budget. The request will be reviewed for appropriateness with final denial/approval being given by the County Administrator or his/her designee during the development of the tentative budget.

Debt Management and Other Investments Policy, No. 93-47

This policy establishes that debt management and investment practices are established to:

- Ensure capital projects financed by capital bonds will not be financed for a period that exceeds the useful life of the supporting revenue source
- Ensure that interest, operating, or maintenance expenses will be capitalized only for facilities or enterprise activities and limited to expenses encumbered prior to the operation or improvement of the facility
- Provide that Leon County's debt will be limited to an amount that will not hinder the County from maintaining sources of available revenues for service of debt at 135% of annual debt service.
- Provide that the County will limit its investments to only the safest types of securities (including the U.S. government or its agencies) and those which provide insurance or the legally required backing of the principal.
- Provides that, unless required by market conditions, not more than fifteen percent of the County's investment portfolio will be placed in any one institution other than those securities issued or guaranteed by the US Government or its agencies or the State Board of Administration of the State of Florida.

Amending the Budget Policy, No. 97-11

This policy establishes that for the operation of amending the annual budget, all amendments/transfers will be reviewed by the director of requesting department/division, followed by the Office of Management and Budget, prior to submission and subsequent approval/denial by the County Administrator and/or the Board of County Commissioners as set forth below:

- Allows program managers to amend their operating budgets and personal services budgets up to 10 percent of the total on an aggregate basis between line items within programs with a \$50,000 cap, upon County Administrator approval.
- Designates the Office of Management and Budget the responsibility for monitoring and enforcing the provisions for amending the budget based upon policies adopted by the Board.
- Allows the County Administrator to authorize intrafund transfers up to \$50,000. Intrafund transfers exceeding \$50,000 and all interfund transfers must be approved by a majority vote of the Board.

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- Requests for use of reserves for contingency must be approved by a majority vote of the Board.

Carry Forward Program Policy, No. 98-16

This policy establishes that the Carry Forward Program will provide budget incentives to managers to improve financial management effectiveness and accountability. It allows managers to carry forward a portion or all unexpected end-of-year funds for identifiable projects which will result in increased productivity, cost savings, and/or increased efficiency. Department managers submitting a request to OMB for review, must clearly indicate how the County will realize an increase in productivity, save money, and/or increase efficiency, if approved. Managers of projects funded by the Board in the current fiscal year, which are incomplete, must submit a "Carry Forward Request" requesting the funds be added to the budget of the following fiscal year for the sole purpose of completing the project for which the funds were appropriated. All carry forward requests are presented to the Board prior to November 1 or each year and are based upon the prior approval of the County Administrator.

Revenues - Financial Advisory Committee Policy, No. 00-1

This policy establishes the Financial Advisory Committee which ensures that financial matters which come before the Board have been appropriately and thoroughly reviewed. This committee will make recommendations on financial matters related to the Board and all County boards. Such financial matters may include, but not be limited to, issuance of debt, selection of bond counsel, financial advisory services, bond underwriter services, underwriter counsel, and arbitrage rebate compliance services.

Investment Policy, No. 02-12

This policy establishes that Leon County's Investment Policy within the context of the County's Investment Ordinance is intended to set the framework within which the County's investment activities will be conducted. It establishes the parameters for investment activity, which may be further, restricted by the Investment Oversight Committee or by investment staff, and provides parameters to limit risk and ensure a broadly diversified portfolio.

Landfill Rate Stabilization Reserve Policy, No. 03-08

This policy establishes the Solid Waste Stabilization Reserve Fund provide funding for: planned future capital project expenditures, temporary and nonrecurring unexpected capital projects, accommodation of unexpected program mandates from other governmental bodies, extraordinary operating expenses, and operating expenses in order to stabilize rates. All requests for the use of these funds are limited to the operation of the County's landfill and transfer station and must be Board approved.

Discretionary Funding Guidelines Ordinance No. 06-34

This ordinance govern the allocation of discretionary funds and provide the Board a maximum amount of annual funding available in each of the following categories: (a) Community Human Services Partnership Fund (CHSP); (b) Community Human Services Partnership-Emergency Fund; (c) Commissioner District Budget Fund; (d) Midyear Fund; (e) Non-Departmental Fund; and (f) Youth Sports Teams Fund. The funding for the purposes set forth in this ordinance shall be subject to an annual appropriation by the Board in accordance with this ordinance.

Reserves Policy, No. 07-2

This policy establish funding for: general revenue emergency reserves, unappropriated reserve for cash balance, minimum and maximum amounts of fund balance, funding for authorized mid-year increases, unexpected increases in the cost of existing levels of service, temporary and nonrecurring funding for unexpected projects, local match for public or private grants, offset losses, and unexpected program mandates. It establishes authorized forms and procedures to be used by outside agencies or individuals, set forth procedures and evaluation criteria of funding.

Leon County Financial Policies & Ordinances

Policy for Industrial Development Revenue Bond Financing: Policy No. 81-1

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Industrial Development Revenue Bond (IDRB) financing will be considered as an inducement to local and new prospective business expansion and relocation as a means to promote the diversification and expansion of the local economy, subject to the following conditions:

1. Information and application requirements of the County are completely and accurately met.
2. All fees and charges are paid, if and when assessed.
3. The project, consisting of land acquisition, construction, renovation and/or equipment purchases, has not begun prior to IDRB financing approval.
4. The project complies with all federal, state and local laws with regard to industrial development revenue bond financing eligibility.
5. Except in unusual circumstances, the Board will give priority consideration for IDRB financing to an industrial or manufacturing plant.

Policy for Accounting and Reporting: Policy No. 92-4

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that: The County will establish accounting and reporting systems to:

1. Maintain accounting and reporting practices in conformance with the Uniform Accounting System of the State of Florida and Generally Accepted Accounting Principles (GAAP).
2. Maintain accounting system records on a basis consistent with the accepted standards for local government accounting according to Governmental Accounting and Financial Reporting (GAFR), the National Council on Governmental Accounting (NCGA), and the Governmental Accounting Standards Board (GASB).
3. Provide regular monthly financial reports that include a summary of activity for all funds.
4. Provide regular monthly trial balances of line item financial activity by type of revenue and expenditure.
5. Ensure that an annual financial and compliance audit of the County's financial records is conducted by an independent firm of certified public accountants whose findings and opinions are published and available for public review.
6. Provide that the Office of Management and Budget (OMB) will submit to the County Commission quarterly reports on the operating condition of the County and, where applicable, to identify possible trends and, where necessary, to recommend options for corrective action.
7. Seek, annually, the Government Finance Officers Association (GFOA) Certificate of Achievement in

Financial Reporting and the GFOA's annual budget award.

Policy for Revenues: Policy No. 92-5

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The County will establish revenue practices to:

1. Provide that the County seek out and maintain a diversified revenue system to protect it from fluctuations in any one revenue source.
2. Provide that fees charged in enterprise operations will be calculated at a level which will support all direct and indirect costs of the enterprise.
3. Ensure that the County does not accept any revenue source whose terms of acceptance or collection may negatively affect the County.

Policy for Fiscal Planning: Policy No. 93-44

It shall be the policy of the Board of County Commissioners of Leon County, Florida that: Policy No. 93-44, adopted by the Board of County Commissioners on April 10, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

The County will establish fiscal planning practices to:

1. Provide that the annual operating and capital budget for Leon County shall be developed in conformity with the Tallahassee-Leon County Comprehensive Plan by the Office of Management and Budget, under the advisement of the County Administrator and adopted as provided in State law by a majority vote of the Board of County Commissioners presiding in a public hearing.
2. Provide for the development and annual review of a capital improvement budget. This budget shall contain a 5-year plan for acquisition and improvement of capital investments in the areas of facilities, transportation, equipment, and drainage. This budget shall be coordinated with the annual operating budget.
3. Provide that the Board of County Commissioners will continue to reflect fiscal restraint through the development of the annual budget. In instances of forthcoming deficits, the Board will either decrease appropriations or increase revenues.
4. Provide that the County will strive to better utilize its resources through the use of productivity and efficiency enhancements while at the same time noting that the costs of such enhancements should not exceed the expected benefits.
5. Provide that expenditures which support existing capital investments and mandated service programs will be prioritized over those other supporting activities or non-mandated service programs.
6. Provide that the County Administrator shall be designated Budget Officer for Leon County and will carry out the duties as set forth in Ch.129, F.S.

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7. Provide that the responsibility for the establishment and daily monitoring of the County's accounting system(s), shall lie with the Finance Division of the Clerk of the Circuit Court, and that the oversight of investment and debt management for the government of Leon County shall lie with the Board of County Commissioners.

8. Annually, prior to March 1, the Board of County Commissioners will:

A. Establish a budget calendar for the annual budget cycle.

B. Confirm the list of permanent line item funded agencies that can submit applications for funding during the current budget cycle.

C. Provide direction to staff on additional appropriation requests that should be considered as part of the tentative budget development process.

9. Provide that this policy shall be reviewed annually by the Board of County Commissioners to ensure its consistency and viability with respect to the objectives of the Board and its applicability to current state law and financial trends.

Policy for Dues and Memberships:

Policy No. 93-46

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that: Policy No. 77-7, adopted by the Board of County Commissioners on June 21, 1977, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

Organizations to which dues and memberships are paid for a County employee by Leon County shall be listed in a department's/division's annual budget request submission to the office of Management and Budget and reviewed for their appropriateness to the employee's job responsibilities with final denial/approval of such membership(s) by the County Administrator or his/her designee during the development phase of the tentative budget. Any request for County-paid employee memberships made during the fiscal year shall be submitted to the Office of Management and Budget for review with final denial/approval by the County Administrator. All memberships paid by the County for its departments/divisions shall follow the same review and approval process as that of a County Employee as outlined in this policy.

Policy for Debt Management and Other Investments:

Policy No. 93-47

It shall be the policy of the Board of County Commissioners of Leon County, Florida that: Policy No. 92-6, adopted by the Board of County Commissioners on March 10, 1992, is hereby superseded and repealed, and a new policy is hereby adopted in its place, to wit: Debt management and investment practices are established to:

1. Ensure that capital projects financed through the issuance of bonds will not be financed for a period that exceeds the useful life of the project or the life of the supporting revenue source.

2. Ensure that interest, operating or maintenance expenses will be capitalized only for facilities or enterprise activities and will be limited to those expenses encumbered prior to the actual operation of the facility or its improvement.

3. Provide that debt for Leon County, Florida shall be limited to an amount which will not prevent the County from maintaining sources of available revenues for service of debt at 135% of annual debt service. The State of Florida does not mandate legal debt limitation for local governments.

4. Provide that the County will limit its investments to only the safest types of securities, to include those backed by the U.S. Government or its agencies and those which provide insurance or the legally required backing of the invested principal.

5. Provide that, unless market conditions otherwise require, not more than fifteen (15) percent of the County's investment portfolio shall be placed in any one institution other than those securities issued or guaranteed by the U.S. Government or its agencies or the State Board of Administration of the State of Florida.

6. Provide that the investment portfolio of Leon County, Florida must be structured in such a manner to provide sufficient liquidity to pay obligations as they become due. The investment portfolio shall be diversified by type of investment, issuer, and dates of maturity in order to protect against fluctuations in the market economy. At least fifteen percent (15%) of the County's portfolio shall be kept in liquid investments which are available on a daily basis, without loss of principal.

7. Provide that the clear title to principal and collateral backing for all investments shall be maintained by Leon County, in the County's own bank, or a third party agent under agreement to the County.

8. Provide that the Board of County Commissioners seeks to optimize return on investments within the constraints of safety and liquidity. The purchase and sale of securities shall be at competitive prices based on market conditions.

9. Provide that Leon County will use only major banks, brokers or dealers which have been selected after review of their qualifications, size, capitalization, inventories handling and reputation.

10. Provide that Leon County will not place funds with any institution which is less than three (3) years old.

11. Provide that the Board shall adopt a plan by October 1 of each year to govern the policies and procedures for the investment of surplus funds of the County based on the criteria as set forth in the County's Investment Ordinance for Surplus Funds, No. 93-3.

12. Provide that collateral shall be required for any re-purchase agreement, not covered under Chapter 280, Florida Statutes. Collateral placed for any re-purchase agreement will be governed by the same terms as those

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defined in the County's Investment Ordinance for Surplus Funds, No. 93-3.

13. Provide that the County shall establish a County Investment Oversight Committee whose membership and duties shall be governed by the provisions as set forth in the County's Investment Ordinance for Surplus Funds, Policy No. 93-3.

Policy for Amending the Budget Policy No. 97-11

The County will establish practices for the operation and amending of the annual budget to:

1. Provide that all amendments/transfers of funds will first be reviewed by the director(s) of the requesting department/division, followed by a second review by the Office of Management and Budget, prior to submission and subsequent approval/denial by the County Administrator and/or the Board of County Commissioners, as set forth by the following provisions of this policy.

2. Provide that:

a. Notwithstanding the provisions of paragraph 1, program managers shall have the flexibility to amend their operating expenditure budgets and personnel services budgets by up to 10-percent of the total on an aggregate basis between line items within programs with a \$50,000 cap, contingent upon approval by the County Administrator;

b. The County Administrator delegates to the Office of Management and Budget the responsibility for monitoring and enforcing the provisions of this paragraph based on policies adopted by the Board of County Commissioners.

3. Provide that, in addition to the provisions of paragraph 2, the County Administrator may authorize intrafund transfers up to \$50,000.

4. Provide that intrafund transfers greater than \$20,000, and all interfund transfers, must be approved by a majority vote of the Board of County Commissioners.

5. Provide that all requests for use of reserves for contingency must be approved by a majority vote of the Board of County Commissioners.

Policy for Carry Forward Program: Policy No. 98-16

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 94-8, entitled "Carry Forward Program" and adopted by the Board of County Commissioners on December 13, 1994, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

The Carry Forward Program provides budget incentives to managers to improve financial management effectiveness and accountability. The program allows

managers to carry forward into the ensuing fiscal year a portion of, or all of, the unexpected end-of-year funds for identifiable projects which will result in increased productivity, cost savings and/or increased efficiency. Those projects which receive the County Administrator's approval will be presented to the Board of County Commissioners prior to November 1 of each year.

A. Eligibility Requirements

The department manager must submit the program proposal to the Office of Management & Budget (OMB) no later than the deadline established by OMB. The proposal must include financial savings estimated based on the most recent financial data available. The department manager must clearly indicate in the Carry Forward Program how the County will realize an increase in productivity, save money or increase efficiency by approving the proposal.

Any request that was denied during the budget review process will be forwarded directly to the County Administrator for special review. The County Administrator will provide further direction to OMB.

Note: Those projects which were funded by the Board in the current fiscal year, and which were not completed, are not affected by this program. In such case, the manager must submit a "Carry Forward Request Form" (See Attachment) to the Office of Management & Budget requesting that these funds be added to the budget of the ensuing fiscal year for the sole purpose of completing the projects for which the funds were appropriated in the previous fiscal year. The program must state on the "Carry Forward Request Form" why the project was not completed within the current fiscal year and the anticipated completion date.

B. OMB Responsibilities

The Office of Management & Budget shall review all proposals from department managers. The Office of Management & Budget will be responsible for the program activities listed below.

Verify the total amount of funds eligible to be carried forward into the ensuing fiscal year with the Finance Department.

Review an analysis of the proposed project to determine if it will increase productivity, save tax dollars and/or increase efficiency.

Make a recommendation of approval or denial to the County Administrator.

Notify the program manager in writing of whether the project was accepted or denied within two (2) working days of the County Administrator's final decision.

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Policy for Revenues:

Financial Advisory Committee:

Policy No. 00-1

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

in order to ensure that financial matters which come before the Board of County Commissioners have been appropriately and thoroughly reviewed, a Finance Advisory Committee is hereby established which shall be comprised of the Leon County Administrator, the Leon County Attorney, the Director of Public Services, the Office of Management and Budget and the Clerk of Courts' Finance Director.

The Finance Advisory Committee shall review and make recommendations to the Board of County Commissioners on financial matters related to the Board of County Commissioners and all County boards and authorities. Such financial matters may include, but not be limited to, issuance of debt, selection of bond counsel, financial advisory services, bond underwriter services, underwriter counsel and arbitrage rebate compliance services.

Investment Policy:

Policy No. 02-12

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that a revised Policy No. 02-12 is hereby adopted, to wit:

It is the policy of the Leon County Finance Division that:

Introduction

The following Investment Policy within the context of the County's Investment Ordinance is intended to set forth the framework within which the County's investment activities will be conducted. The Investment Policy establishes parameters for investment activity, which may be further restricted by the Investment Oversight Committee or by investment staff. The Investment Policy provides parameters to limit risk and ensure a broadly diversified portfolio.

In establishing this Investment Policy, the Board of County Commissioners recognizes the traditional relationship between risk and return and acknowledges that all investments whether they are for one day or years, involve a variety of risks related to maturity, duration, credit, market and reinvestment risk.

When choosing between alternative investments, staff should structure the portfolio based on an understanding of the variety of risks and basic principles of diversification on the structure of the portfolio. With adoption of this Investment Policy, the County recognizes the goal of total return portfolio management is to add economic value to a portfolio under circumstances prevailing from time to time. This may

necessitate the sale of securities at a loss in order to reduce portfolio risk (without a material reduction in return) or to achieve a greater overall return (without assuming any material amount of additional risk) that could have been obtained if the original position had been held.

The Board recognizes the value of external as well as internal management. External management is best employed where greater knowledge and skills are required due to either the nature of the investment instruments, the risks associated with longer duration, or the need to closely monitor credit considerations. Internal management is best employed when risks are low, maturity considerations limited, and the ability for external management to enhance yield limited by low overall interest rates.

I. SCOPE

This Investment Policy applies to all funds held by or for the benefit of the Leon County Board of County Commissioners.

II. INVESTMENT OBJECTIVES

The following investment objectives will be applied in the management of the County's funds.

A. The primary investment objective is to insure safety of County assets.

This is best ensured by:

- Establishing minimally acceptable credit ratings and limiting any exception thereto

Limiting the portfolio duration and the duration of individual holdings

- Setting maximum exposure by market sector
- Requiring a minimum investment in a basket of securities either fully guaranteed by the U. S. Government or issued by an Agency of Instrumentality of the U. S Government
- Defining authorized transactions

B. The second priority will be to provide sufficient liquidity to meet the County's operating, payroll and capital requirements.

Adequate Liquidity will minimize the likely requirement to sell instruments before maturity and minimize transaction cost and will be accomplished through this portfolio by:

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- Maintaining a core level of assets with the SBA and the Treasury Special Purpose Investment Account (SPIA)
- Maintaining a liquidity portfolio

C. The third objective after meeting the first two objectives will be to maximize the return on the portfolio at a predefined and acceptable level of risk.

D. The Clerk will establish procedures to implement this policy and assure compliance.

III. PRUDENCE AND ETHICAL STANDARDS

The "prudent person" standard shall be applied in the management of the overall investment portfolio. The Clerk and Finance Department employees performing the investment functions, acting as a "prudent person" in accordance with established procedures and this policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that appropriate monitoring efforts are performed.

The "prudent person" standard is herewith understood to mean the following:

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Officers and employees of the Clerk's Office who are involved in the investment process shall refrain from personal business activity that could conflict with State Statutes, County Ordinances, proper management of the investment portfolio or which could impair their ability to make impartial investment decisions. Investment officials and employees, including members of the Investment Oversight Committee, shall disclose any material financial interests in any investment firms, or financial institutions that conduct business with the County and shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the County.

Limits of Liability - The County shall provide for the defense and indemnification of any committee member who is made a party to any

suit or proceeding, other than by an action of the County, or against whom a claim is asserted, by reason of their actions taken within the scope of their service as an appointed member of this committee. Such indemnity shall extend to judgments, fines, and amounts paid in settlement of such claim suit, or proceeding, including any appeal thereof. This protection shall extend only to members who have acted in good faith and in a manner, which they reasonably believe to be in, or not opposed to, the best interest of the Leon County.

IV. INVESTMENT PERFORMANCE AND REPORTING

A quarterly investment report shall be prepared by the Finance Office and provided to the County Administrator and the Investment Oversight Committee. The report shall include a breakdown of the portfolio by class, maturity, yield, as well as its overall performance during that period with sufficient detail for a comprehensive review of investment activity and performance.

Annually, a recapitulation report will be presented to the Board of County Commissioners, which shall include securities in the portfolio by class or type, book value, income earned, market value and yield. Performance measurements shall be utilized which are appropriate to the maturity, risk characteristics, investment limitations and size of the portfolio. At a minimum, portfolio performance shall be measured by comparing its year-to-date earnings to an appropriate benchmark.

The County Administrator shall be notified immediately of deviations from currently approved investment policies.

V. AUTHORITY

Responsibility for the investment program is vested with the Clerk of the Circuit Court. The Clerk hereby delegates the day-to-day responsibility for the administration of the investment program to the Finance Director. The Finance Director shall maintain an Investment Procedures and Internal Controls Manual based on this policy. No person may engage in an investment transaction except as stated in the Internal Controls Section of this policy.

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VI. INVESTMENT OVERSIGHT COMMITTEE

The Board is responsible for setting guidelines for the investment of the portfolio through the adoption of this Investment Policy. The Board recognizes that there is an expertise required both for setting the guidelines and the review of performance, which may exceed the technical background of individual commissioners and has, therefore, created the Investment Oversight Committee. This Committee is charged with the responsibility to review this policy on a regular basis and to recommend changes. The Clerk will provide the Committee with reports in sufficient detail as may from time to time be requested by the Committee in order for them to review the performance of the portfolio. The Committee will establish portfolio benchmarks in order to judge the performance of the portfolio with respect to the market and other portfolios of similar size and limitations. The Committee will provide the Board a report as of the close of the fiscal year recapping the performance of the portfolio and any outside managers. The Board or the Committee may request additional meetings to discuss issues of concern or direction.

United States Government. Such securities are limited to the following:

1. United States Export-Import Bank Direct obligations or fully guaranteed certificates of beneficial ownership
2. Farmers Home Administration Certificate of beneficial ownership
3. Federal Financing Bank Discount notes, notes and bonds
4. Federal Housing Administration Debentures
5. General Services Administration Participation Certificates
6. United States Maritime Administration Guaranteed Title XI Financing
7. New Communities Debentures United States Government guaranteed debentures
8. United States Public Housing Notes and Bonds United States Government guaranteed public housing notes and bonds
9. United States Department of Housing and Urban Development Project notes and local authority bonds

VII. AUTHORIZED INSTRUMENTS

The County does hereby authorize the purchase of the following:

- A. The Florida Local Government Surplus Funds Trust Fund (SBA)
- B. The Treasury Special Purpose Investment Account (SPIA)
- C. The Negotiable direct obligations or obligations the principal and interest of which are unconditionally guaranteed by the United States Government. Such securities will include, but not be limited to, the following:
 1. Cash Management Bills
 2. Treasury Securities - State and Local Government Series (SLGS)
 3. Treasury Bills
 4. Treasury Notes
 5. Treasury Bonds
 6. Treasury Strips
- D. Bonds, debentures, or notes issued or guaranteed by United States Government agencies, provided such obligations are backed by the full faith and credit of the

E. Bonds, debentures, or notes or issued or guaranteed by United States Government agencies (Federal Instrumentalities) which are non-full-faith and credit agencies limited to the following:

1. Federal Farm Credit Bank (FFCB)
2. Federal Home Loan Bank or its district banks (FHLB)
3. Federal National Mortgage Association (FNMA) including Collateralized Mortgage Obligation (CMO's).
4. Federal Home Loan Mortgage Corporation (Freddie-Macs) including Federal Home Loan Mortgage Corporation participation certificates and CMO's
5. Student Loan Marketing Association (Sallie-Mae)

F. Non-negotiable interest bearing time certificates of deposit or savings accounts in banks organized under the laws of this state and/or in national banks organized under the laws of the United States and doing business and situated in this state, provided that any such deposits are secured by the Florida Security for Public Deposits Act, Chapter 280, Florida Statutes and provided that the bank is not listed with any recognized credit watch information service.

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- H. Repurchase agreements comprised of only those investments as authorized in Sections B and D.
- I. Bankers' acceptances which are inventory-based and issued by a domestic bank which has at the time of purchase, an unsecured, uninsured and unguaranteed obligation rating of at least "Prime-1" and "A" by Moody's Investors Service (Moody's) and "A-1" and "A" by Standard & Poor's Corporation (Standard and Poor) and ranked in the top fifty (50) United States banks in terms of total assets by the American Banker's yearly report.
- J. Commercial Paper of any United States company, which is rated, at the time of purchase, "Prime-1" by Moody's and "A-1" by Standard & Poor's (prime commercial paper.) If backed by a letter of credit (LOC), the long-term debt of the LOC provider must be at least "A" by at least two nationally recognized rating agencies. The LOC provider must be ranked in the top fifty (50) United States banks in terms of total assets by the American Banker's yearly report.
- K. Fixed Income Securities of State and/or local government taxable and tax-exempt debt, and corporations rated at least Investment grade by Moody's and Standard & Poor's for long-term debt, or rated at least MIG-2 by Moody's and SP-2 by Standard & Poor's for short-term debt.
- L. Securities and Exchange Commission (SEC) qualified constant net asset value money market mutual funds which authorize only those investment instruments as permitted in Sections B, D, F and, for arbitrage compliance only, Section I, provided that said funds contain no derivatives. The funds must have an S&P rating criteria of AAAM or AAAg.
- M. SEC qualified constant net asset value money market mutual funds which
- N. authorize only those investment instruments as permitted in Sections B, D,
- O. F, G and H and, for arbitrage compliance only, Section I, provided that said funds contain no derivatives. The funds must have an S&P rating criteria of AAAM or AAAg.

- P. The Florida Local Government Investment Trust (FLGIT) and the First Municipal Investment Trust.
- Q. Pooled Investment Accounts, wherein the permitted assets are consistent with A-L above.

The County is prohibited from investing from any security that creates artificial volatility as compared to the underlying security, or to the market for a similar security. Specifically, the use of inverse floating rate notes, reverse repurchase agreements Interest-Only (IO's), and Principal Only (PO's) and other forms of leverage are prohibited.

If it is ever determined to be prudent and to the County's benefit to utilize derivatives outside of the parameters of this Policy, in connection with the issuance or management of debt (swaps, caps, collars, etc.), those instruments will fall outside of this policy and will be specifically authorized by the Board.

VIII. INVESTMENT MATURITY AND LIQUIDITY

- A. To the extent possible, an attempt will be made to structure the investment portfolio consistent with expected cash flow requirements. In no event will any security be purchased that has an expected life at the time of purchase exceeding 10 years.
- B. While investment maturities will not exceed the expected cash flow requirements, they may be shorter. Investments do not necessarily have to be made for the same length of time that the funds are available. The basic investment principals that can be considered in selecting investment maturities are listed below.

IX. SECURITY SELECTION PROCESS

When purchasing or selling securities, the Clerk shall select the security which provides the highest rate of return within the parameters and given the current objectives and needs within the limitations of the policy and given the current objectives and needs of the portfolio. For most situations, the Clerk shall utilize the competitive bid process. To the extent another process is employed, the Clerk shall identify the reasons and keep such records. The Clerk will use the institutional sales desk of primary security dealers as designated by the Federal Reserve Bank of New York, or are qualified as public

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depositories by the Treasurer of the State of Florida for these transactions. A minimum of three bids will be requested for each transaction and records of all bids will be kept for a minimum of two years. At least two Finance Department employees will be involved in the review and execution of each transaction and will initial the transaction affirming their approval.

Overnight Repurchase Agreements and other transactions with maturities at the time of purchase of seven days or less will be exempt from this requirement due to the short duration of the transaction and the inability to effectively bid this on a nightly basis.

External managers will be selected through a competitive selection process (an RFP). In making this selection, consideration will be given to past investment performance, fees, assets under management, experience of the firm and the individuals managing portfolios of similar size, complexity and investment restrictions. External managers will be evaluated and retained based upon their investment performance and the process for selection of securities and broker firms will be exempt from this policy.

X. RISK DIVERSIFICATION AND PORTFOLIO COMPOSITION

The County recognizes that investment risks can result from issuer defaults, market price changes, changes in credit ratings, reinvestment of principal and interest, or various technical complications leading to temporary non-liquidity. Portfolio diversification and maturity limitations are employed as primary methods of controlling risk. Market Value cost shall be the basis for determining portfolio percentages as required for the portfolio.

A. ISSUER AND CREDIT RISK

The structure of the portfolio is designed to minimize credit risk. The majority of the securities held will be those of the highest available credit quality ratings. These would include state guaranteed pools, U. S. Government (AAA) securities, and commercial paper of only the highest applicable rating.

To further limit the County's risk against possible credit losses, a maximum of 5% of the total portfolio may be held at any one time in all securities of any corporate entity,

inclusive of commercial paper, medium term notes, or corporate notes and bonds.

For purposes of this Policy, the "top nationally-recognized rating agencies" for corporate and municipal securities are Moody's Investor Services, Standard and Poor's, Fitch Investor Services, and Duff & Phelps.

B. MATURITY AND INTEREST RATE RISK

To meet the day-to-day operating needs of the County and to provide the readily-available cash to meet unforeseen temporary cash requirements, the portfolio shall maintain in liquid investments (defined as repurchase agreements purchased under the terms of the County's depository contract, open repurchase agreements, negotiable certificates of deposit, banker's acceptance, commercial paper, U. S. Treasury direct and agency obligations, all having a maturity of 90 days or less, the SBA Local Government Portfolio, and the Treasury Special Purpose Investment Account) a minimum balance equal to one-twelfth of the then-current fiscal year's budgeted operating expenditures.

The range of duration for the County's portfolio is defined as 0.5 years to 2.5 years, with a five-year average of 1.5 years. Unusual market or economic conditions may mandate moving the portfolio outside of this range. The Investment Oversight Committee will be convened and will approve any portfolio duration outside of the range specified above.

C. MARKET VOLATILITY

By establishing maturity limitation on the aggregate portfolio, the County acknowledges its understanding that the longer out on the yield curve investments are placed, generally, the greater the interest returns and the greater the potential for price volatility. In an additional effort to provide for the protection of capital, a volatility range is established wherein the market value of the overall portfolio should remain within a range of +/- 5% from the par value of the portfolio. If the market value moves outside of this range, the Investment Oversight Committee shall be convened and consulted. A decision shall be made and the County Administrator will be advised of the magnitude of the

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deviation and the actions to move the portfolio back within the range.

XI. THIRD-PARTY CUSTODIAL AGREEMENTS

The Clerk will execute a Third Party Custodial Safekeeping Agreement with a depository chartered by the United States Government or the State of Florida. All securities purchased, and/or collateral obtained by the Clerk, shall be properly designated as an asset of the County and held in an account separate and apart from other assets held by the depository and no withdrawal of such securities, in whole or in part, shall be made from safekeeping except by authorized staff. The Clerk will enter into a formal agreement with an institution of such size and expertise as is necessary to provide the services needed to protect and secure the investment assets of the County.

Under normal circumstances, all securities under this Policy shall be purchased using the delivery versus payment (DVP) process. The investment process and Internal Controls shall provide for appropriate authorization and security if it is ever necessary to carry out security transactions on a "free" delivery basis, or to have securities held by the broker/dealer for a temporary period. The Third-Party Custodial Safekeeping Agreement shall include letters of authority from the Clerk, details as to responsibilities of each party, notification of security purchases, sales, delivery, repurchase agreements, wire transfers, safekeeping and transactions costs, procedures in case of wire failure or other unforeseen mishaps including the liability of each party.

XII. MASTER REPURCHASE AGREEMENT

The County will require all approved institutions and dealers transacting repurchase agreements to execute and perform as stated in the Master Repurchase Agreement. All repurchase agreement transactions will adhere to requirements of the Master Repurchase Agreement.

XIII. INTERNAL CONTROLS

The Treasury Manager shall establish and monitor a set of written internal controls designed to protect the County's funds and ensure proper accounting and reporting of the securities transactions. Such internal controls shall include, but not be limited to, the following:

- A. All securities purchased or sold will be transferred only under the "delivery versus payment" (DVP) method to insure that

funds or securities are not released until all criteria relating to the specific transaction are met.

- B. The Investment Officer or authorized Finance staff will accept, on behalf of and in the name of Leon County, bank trust receipts or confirmations as evidence of actual delivery of the obligations or securities in return for investment of funds.
- C. Trust receipts or confirmations shall fully describe the various obligations or securities held. The receipt or confirmation shall state that the investment is held in the name of Leon County.
- D. The actual obligations or securities, whether in book-entry or physical form, on which trust receipts or confirmations are issued may be held by a third-party custodial bank and/or institution or a designated correspondent bank which has a correspondent relationship to the Clerk's third-party custodian.
- E. Other internal controls such as:
 - 1. Written documentation of telephone transactions
 - 2. Adequate separation of duties
 - 3. Custodial safekeeping
 - 4. Supervisory control of employee actions and operations review
 - 5. Performance evaluations and reporting, interim and annual
- F. All daily investment activity is performed by the Investment Officer under supervision of the Finance Director.
- G. Internal controls shall be reviewed by independent auditors engaged by the County as part of their financial audit.

XIV. PORTFOLIO COMPOSITION

The following are the guidelines for investments and limits on security issues, issuers, and maturities as established by the Clerk. The Clerk or the Clerk's designee shall have the option to further restrict or increase investment percentages from time to time based on market conditions. Any changes to the portfolio composition guidelines must be in writing from the Clerk, directed to the Investment Officer. Matured investments of debt service funds of an amount equal to the next principal or interest payment may be temporarily invested until paid.

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In the event that temporary investments of bond proceeds or debt service funds exceed portfolio composition limits, the limit is waived.

A. Florida Local Government Surplus Funds Trust Fund (SBA)

1. Investment Authorization
The Treasury Manager may invest in the SBA.
2. Portfolio Composition
The portfolio can be composed of up to 100% of these investments.

B. The Treasury Special Purpose Investment Account (SPIA)

1. Investment Authorization
The Treasury Manager may invest in the SPIA.
2. Portfolio Composition
A maximum of 15% of the portfolio may be invested in the SPIA. This maximum may on occasion be exceeded (Proceeds of bond sales or funds being collected for distribution for the retirement of, or other exceptional events) for periods not exceeding 5 business days.

C. United States Government Securities

1. Purchase Authorization
The Clerk may invest in negotiable direct obligations or obligations the principal and interest of which are unconditionally guaranteed by the United States Government. Such securities will include, but not be limited to, the following:

Cash Management Bills
Treasury Securities - State and Local Government Series (SLGS)
Treasury Bills
Treasury Notes
Treasury Bonds
Treasury Strips
2. Portfolio Composition
The portfolio can compose of up to 100% of these investments.
3. Maturity Limitations
The maximum length to maturity of any direct investment in government securities is ten (10) years, except for the underlying securities of repurchase agreements.

D. United States Federal Agencies (full faith and credit of the United States Government)

1. Purchase Authorization
The Clerk may invest in bonds, debentures or notes issued or guaranteed by United States Government agencies, provided such obligations are backed by the full faith and credit of the United States Government. Such securities are limited to the following:

United States Export-Import Bank
Direct obligations or fully guaranteed certificates of beneficial ownership
Farmers Home Administration
Certificates of beneficial ownership
Federal Financing Bank
Discount notes, notes and bonds
Federal Housing Administration
Debentures
General Services Administration
Participation Certificates
United States Maritime Administration
Title XI Financing
New Communities Debentures
United States Government guaranteed debentures
United States Public Housing Notes and Bonds
United States Government guaranteed public housing notes and bonds
United States Department of Housing and Urban Development
Project notes and local authority bonds

2. Portfolio Composition
A maximum of 20% of the portfolio may be invested in each of the above listed Federal Agencies.
3. Maturity Limitations
A maximum length to maturity for an investment in any United States Government agency security is five (5) years.

E. Federal Instrumentalities (United States Government Agencies which are non-full faith and credit)

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1. Purchase Authorization
The Clerk may invest in bonds, debentures or notes issued or guaranteed by United States Government sponsored agencies (Federal Instrumentalities) which are non-full faith and credit agencies limited to the following:

Federal Farm Credit Bank (FFCB)
Federal Home Loan Bank or its district banks (FHLB)

Federal National Mortgage Association (FNMA)

Federal Home Loan Mortgage Corporation (Freddie-Macs) including Federal Home Loan Mortgage Corporation participation certificates
Student Loan Marketing Association (Sallie-Mae) Tennessee Valley Authority

2. Portfolio Composition
A maximum of 45% of the portfolio may be invested in Federal Instrumentalities.
3. Limits on Individual Issuers
A maximum of 15% of the portfolio may be invested in any one issuer.
4. Maturity Limitations

The maximum length to maturity for an investment in any Federal Instrumentality is five (5) years.

F. Non-Negotiable Interest Bearing Time Certificates of Deposit

1. Purchase Authorization
The Clerk may invest in non-negotiable interest-bearing time certificates of deposit or savings accounts in banks organized under the laws of this state and/or in national banks organized under the laws of the United States and doing business and situated in this state, provided that any such deposits are secured by the Florida Security for Public Deposits Act, Chapter 280, Florida Statutes and provided that the bank is not listed with any recognized credit watch information service.
2. Portfolio Composition
A maximum of 20% of the portfolio may be invested in non-negotiable

interest bearing time certificates of deposit or savings accounts.

3. Limits on Individual Issuers
A maximum of 10% of the portfolio may be deposited with any one issuer.
4. Maturity Limitations
The maximum maturity on any certificate shall be no greater than one (1) year from the time of purchase.

G. Repurchase Agreements

1. Purchase Authorization
 - a. The Clerk may invest in repurchase agreements comprised of only those investments as authorized in Sections VI.B and D, and based on the requirements set forth in the Clerk's Master Repurchase Agreement. All firms with whom the Clerk enters into repurchase agreements will have in place and executed a Master Repurchase Agreement.
 - b. All repurchase agreements with a term longer than one (1) business day will have the collateral held by a third party custodian.
 - c. The collateral held pursuant to a repurchase agreement shall have a maturity of less than five (5) years and must have a mark-to-market value of 102 percent during the term of the repurchase agreement. Immaterial short-term deviations from the 102 percent requirement are permissible only upon the approval of the Clerk.
2. Portfolio Composition
A maximum of 15% of the portfolio may be invested in repurchase agreements with the exception of one (1) business day agreements and overnight sweep agreements.
3. Limits on Individual Sellers
A maximum of 5% of the portfolio may be invested with any one institution or dealer with the

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exception of one (1) business day agreements.

4. Maturity Limitations
The maximum length to maturity of any repurchase agreement is 60 days from the date of purchase.

H. Bankers' Acceptances

1. Purchase Authorization
The Treasury Manager may invest in bankers' acceptances which are inventory based and issued by a bank, which has at the time of purchase, an unsecured, uninsured and un-guaranteed obligation rating of at least "Prime-1" and "A" by Moody's and "A-1" and "A" by Standard & Poor's.
2. Portfolio Composition
A maximum of 15% of the portfolio may be directly invested in bankers' acceptances.
3. Limits on Individual Issuers
A maximum of 5% of the portfolio may be invested with any one issuer.
4. Maturity Limitations
The original maturity of the security must be 270 days or less.

I. Commercial Paper

1. Purchase Authorization

The Clerk may invest in commercial paper of any United States company, which is rated at the time of purchase, "Prime-1" by Moody's and "A-1" by Standard & Poor's (prime commercial paper).
2. Portfolio Composition
A maximum of 20% of the portfolio may be directly invested in prime commercial paper.
3. Limits on Individual Issuers
A maximum of 5% of the portfolio may be invested with any one issuer.
4. Maturity Limitations
The maximum length to maturity for prime commercial paper shall be 270 days with duration for all commercial paper in the portfolio not exceeding 90 days.

H. Constant Net Asset Value Money Market Mutual Funds (U.S. Government Securities, Repurchase Agreements, Commercial Paper and Bankers' Acceptances)

1. Investment Authorization
The Clerk may invest in SEC qualified constant net asset value fixed income money market mutual funds rated AAAM or AAAg comprised of only those investment instruments as authorized in Sections VI, B, C, D, F, G & H and for arbitrage compliance only, Section VI, I, provided that said funds contain no derivatives.

I. The Florida Local Government Investment Trust (FLGIT) or the First Municipal Investment

Portfolio Composition.

A maximum of 15% of the portfolio may be invested in both FLGIT and the First Municipal Investment Trust.

J. Fixed Income Securities

1. Purchase Authorization

Due to the additional sophistication associated with these instruments, the Clerk may invest in taxable and/or tax-exempt bonds, notes, medium term notes, discount notes and variable-rate securities issued by any corporation or government in the United States, provided that such instrument is rated A or better by at least two of the nationally recognized firms publishing such ratings only through external managers.

2. Portfolio Composition

A maximum of 25% of the portfolio may be invested in corporate fixed income securities.

3. Limits on Individual Issuers

A maximum of 3% of the portfolio may be invested with any one issuer.

4. Maturity Limitations

The maximum length to maturity for an investment fixed income security is five (5) years. The total average maturity for all corporate fixed income securities held at any one time should not exceed 2.5 years.

K. Mortgage Backed Securities

Government National Mortgage Association (GNMA) pass-through securities:

1. Purchase Authorization.

Due to the additional sophistication associated with these instruments, the Clerk

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may invest in Mortgage and Asset Backed Securities solely through an external manager.

2. Portfolio Composition
Maximum Portfolio percentage for GNMA securities shall be 10%.
3. Limits on Individual Issuers
The maximum portfolio percentage for any one GNMA pool is 5%.
4. Maturity Limitations
Expected duration at the time of purchase for any security shall not exceed 5 years.

Adjustable-Rate Mortgages (ARMs)

1. Purchaser Authorization
Due to the additional sophistication associated with these instruments, the Clerk may invest in Adjustable-Rate Mortgages only through an external manager. The portfolio may purchase GNMA's, FNMA's, and FHLMA's.
2. Portfolio Composition
The maximum portfolio percentage for ARM's shall be 15%.
3. Limits on Individual Issuer
The maximum portfolio percentage for any one issuer is 5%.
4. Maturity Limitations
The maximum expected duration at the time of purchase for any security should not exceed 5 years.

XV. EXTERNAL MANAGEMENT

The County may utilize external investment managers to assist with management of the portfolio. External management may be employed in situations where, due to limitations in the areas of staff time or expertise or the volume of securities available to the portfolio, such outside resources would be in a better position to overcome such limitations. The securities purchased by the external management on behalf of the County, or held by the fund in which the assets are invested, must be in compliance with the constraints identified by this portfolio with respect to specific instruments, maturity, composition, credit, and diversification. The average duration of the funds managed by any one external manager on behalf of the County as part of the portfolio shall not exceed 3 years.

XVI. INVESTMENT STRATEGIES

Within the constraints of this policy, the Clerk will be responsible for developing an investment

strategy. This will be discussed with members of the Investment Oversight Committee and will address changes in the duration of the portfolio, the slope of the yield curve, spreads between various investment instruments, and actions by the Federal Reserve Board or other federal agencies which might influence investment decisions.

The Clerk will solicit suggestions and comments from the Committee with respect to making strategic investment decisions. In implementing these strategies, the Clerk will communicate with the external manager as to how they are repositioning their portfolio and coordinate directions. Generally, the dollars managed externally will be of longer duration and more sophisticated instruments therefore, one of the tools the Clerk will use to implement their strategic decisions will be to increase or decrease the dollars being managed. The Clerk will seek to implement investment strategies that will maximize long-term returns and mitigate interest rate volatility. The resources and sophistication to actively manage the portfolio on a daily basis is not available and the portfolio will not be involved in regular short term day trading activity.

The portfolio will be repositioned within a narrow band in terms of both maturity and security selection and only in unusual times will major changes occur.

XVII. INTERNAL CONTROLS

The Clerk shall be responsible for the development of policies and procedures to address the internal control needs of the portfolio. The internal controls shall address at a minimum, the following issues:

- Separation of functions
- Separation of transaction authority from accounting and recordkeeping
- Custodial safekeeping
- Avoidance of bearer-form securities
- Avoidance of physical delivery securities
- Clear delegation of authority to subordinate staff members
- Written confirmation of telephone transactions for investment and wire transfers
- Documentation of transaction and strategies
- Development of a wire transfer agreement with concentration banks outlining the various controls and securities provisions for making and receiving wire transfers.

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XVIII. CONTINUING EDUCATION

The Clerk, Finance Director and other staff responsible for making investment decisions must annually complete 8 hours of continuing education in subjects or courses of study related to investment practices and products.

XIX. POLICY REVIEW AND AMENDMENT

This policy shall be reviewed annually by the Investment Oversight Committee and any recommended changes will be presented to the Board of County Commissioners for adoption.

Policy for Landfill Rate Stabilization Reserve: Policy No. 03-08

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 94-1, "Policy for Landfill Rate Stabilization Reserve," adopted by the Board of County Commissioners on February 8, 1994 is hereby repealed and superseded, and a new policy entitled "Solid Waste Rate Stabilization Reserve Fund" is hereby adopted in its place. It shall be the policy of the Board of County Commissioners of Leon County, Florida that:

1. The Solid Waste Rate Stabilization Reserve Fund is established to provide the following:
 - a. To accumulate funding for planned future capital project expenditures;
 - b. Funding for temporary and nonrecurring unexpected capital projects;
 - c. Funding to accommodate unexpected program mandates from other governmental bodies;
 - d. Funding for extraordinary operating expenses.
 - e. Funding for operating expenses in order to stabilize rates.
2. Use of funds from the Solid Waste Rate Stabilization Reserve Fund will be limited to operation of the landfill and transfer station.
3. The Board of County Commissioners must approve requests for use of Rate Stabilization Reserve Fund. The Board will use the procedures and evaluation criteria set forth in this policy. Such requests will be evaluated in insure consistency with other Board policy; the urgency of the request; the scope of services to be provided; the short- and long-term fiscal impact of the request; a review of alternative methods of funding or providing the services; a review for duplication of services with other agencies; a review of efforts to secure non-County funding; a discussion of why funding was not sought during the normal budget cycle; and a review of the impact of not funding or delaying funding to the next fiscal year.

4. The Rate Stabilization Reserve Fund will be budgeted at the excess of revenues over expenditures after the requirements of the balance needed in the Contingency Reserve and Closure Reserve are met. The Rate Stabilization Reserve Fund shall be separate from the Contingency Reserve and Closure Reserve. The County's budget will be amended at such time as the County Commission, by majority vote, authorizes the use of reserves. All requests to the County Commission for the use of Rate Stabilization Reserve Fund shall be accompanied by an addendum prepared by OMB showing the year-to-date activity on the reserves account as well as the current account balance and the net effect on the account of approving the use of reserves.

5. As used in this document, the term "Fund" does not require the establishment of a self-balancing set of accounts, but rather indicates a separate account established within the Solid Waste Enterprise Fund.

Ordinance for Discretionary Funding Guidelines: Ordinance No. 06-34

Section 2-600 Application of Article

This article shall govern the allocation of discretionary funds and provide the Board a maximum amount of annual funding available in each of the following fund categories: Community Human Services Partnership Fund, Community Human Services Partnership – Emergency Fund, Commissioner District Budget Fund, Midyear Fund, Non-Departmental Fund, and Youth Sports Teams Fund.

Section 2-601 Annual Appropriation

Funding for the purposes set forth in this article shall be subject to an annual appropriation by the Board in accordance with this article.

Section 2-602 Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

- *Community Human Services Partnership Fund* shall mean funds eligible for allocation to social service programs.
- *Community Human Services Partnership – Emergency Fund* shall mean funds eligible for allocation for one time funding to meet an emergency situation.
- *Commissioner District Budget Fund* shall mean funds eligible for allocation to each Commissioner for activities relating to his or her district or the County at large.
- *Emergency Situation* shall mean those exigent circumstances that would prohibit or severely impact the ability of a currently funded
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Community Human Services Partnership (CHSP) agency to provide services.

- *Midyear Fund* shall mean funds eligible for allocation for requests that occur outside of the regular budget process.
- *Non-Departmental Fund* shall mean funds eligible for allocation for non-profit entities that are included, by direction of the Board, as part of the regular adopted budget.
- *Non-Profit* shall mean an entity that has been designated as a 501(c)(3) eligible by the U.S. Internal Revenue Services and/or registered as a non-profit entity with the Florida Department of State.
- *Youth Sports Teams Fund* shall mean funds eligible for allocation for temporary and nonrecurring youth sporting events such as tournaments and playoffs, and events recognizing their accomplishments.

Section 2-603

- (a) The County Administrator or his designee is authorized to develop forms and procedures to be used by a non-profit, group or individual
- (b) when submitting a request for funding consistent with the provisions herein.
- (c) The County Administrator or his designee shall establish a process for evaluating request for funding made pursuant to this article.

Section 2-604

(a) *Community Human Services Partnership Program Fund*

- (1) Non-profits eligible for Community Human Services Partnership (CHSP) funding are not eligible for funding in any other county government funding category, except when requesting funding for an activity that
- (2) is not CHSP eligible, such as capital improvements.
- (3) Annually, as part of the budget process, the Board shall confirm the allocation of funding set aside for the Community Human Services Program.

(b) *Community Human Services Partnership Program – Emergency Fund.*

- (1) Non-profits that are funded through the CHSP process are eligible to apply for emergency, one time funding through the Community Human Services Partnership Program – Emergency Fund.
- (2) Annually, as part of the budget process, the Board shall confirm the allocation of funding set aside for the Community Human Services Partnership Program – Emergency Fund.

- (3) These funds are available to any agency that is currently funded through the CHSP process.
- (4) The request for emergency funding shall be made at a regular meeting of the Board. If deemed appropriate, the request for emergency funding shall then go before a CHSP sub-committee consisting of members from the CHSP review boards of each of the partners (Leon County, the City of Tallahassee, and the United Way of the Big Bend.) The sub-committee shall determine if the situation would qualify as an Emergency Situation and what amount of financial support would be appropriate. The CHSP shall then make a recommendation to the County
- (5) Administrator, who is authorized to approve the recommendation for funding.
- (6) In the event the Board does not meet in a timely manner, as it relates to an agency's request, the County Administrator shall
- (7) have the authority to appropriate expenditures from this account.

(c) *Commissioner District Budget Fund*

- (1) Annually, as part of the budget process, the Board shall determine the
- (2) Allocation of funding set aside for the Commissioner District Budget Fund.
- (3) Expenditures shall only be authorized from this account at a regular meeting of the Board.

(d) *Midyear Fund*

- (1) Non-profits, groups or individuals that do not fit into any of the other categories of discretionary funding as outlined in this article are eligible to apply for midyear funding.
- (2) Annually, as part of the budget process, the Board shall determine the allocation of funding set aside for the Midyear Fund.
- (3) In the event the Board does not meet in a timely manner, as it relates to a funding request, the County Administrator shall have the authority to appropriate expenditures from this account. Such action is thereafter required to be ratified by the Board.

(e) *Non-Departmental Fund*

- (1) Non-profits eligible for non-departmental funding are not eligible for funding in any other category. Eligible funding activities in this category are festivals and events and outside service agencies.
- (2) Annually, as part of the budget process, the Board shall determine the allocation of

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funding set aside for the Non-Departmental Fund.

(3) Non-profits eligible for funding through the Cultural Resources Commission (CRC) Leon County Grant Program (funded through the non-departmental process) are not eligible for funding in any other category.

(f) Youth Sports Teams Fund

- (1) Non-profits or athletic teams of the Leon County school system that are eligible for the County's Youth Athletic Scholarship Program are not eligible for funding pursuant to this Article.
- (2) Annually, as part of the budget process, the Board shall determine the amount of funding pursuant to this Article.
- (3) The award for Youth Sports Teams shall not exceed \$500 per team.
- (4) Youth Sports Teams requesting funding from the Board shall first submit their requests in writing to the County Administrator or his or her designee for review and evaluation.
- (5) The request must include certified documentation establishing the legitimacy of the organization.
- (6) Funding will be allocated on a first-come, first-served basis. In the event that more than one request is received concurrently when the fund's balance is reduced to \$500, the remaining \$500 will be divided equally among the applicants meeting the evaluation criteria.
- (8) Applicants must have participated in a City, County, or school athletic program during the year in which funding is sought.
- (9) Team participants must be 19 years of age or younger.
- (10) The requested funding shall support post-season activity, e.g., tournaments, playoffs, or awards banquets associated with extraordinary performance.
- (11) In the event the Board does not meet in a timely manner, as it related to a Youth Sports Teams' request, the County Administrator shall have the authority to appropriate expenditures from this account. Such action is thereafter required to be ratified by the Board.

- (g) Appropriation Process. Annually, prior to March 1, the Board shall:
- (1) Determine the amount of funding set aside for each funding category identified in this Article;
 - (2) Determine the list of permanent line item funded entities that can submit applications for funding during the current budget cycle; and
 - (3) Provide direction to staff on additional appropriation requested that should be considered as part of the tentative budget development process.

Section 2. Conflicts.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended, which provisions shall prevail over any parts of this ordinance which are inconsistent, with in whole or in part, with the said Comprehensive Plan.

Section 3. Severability.

If any word, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdictions, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Effective Date

This ordinance shall have effect upon becoming law. DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County, Florida, this 14th day of November, 2006.

Reserve Policy: Policy No. 07-2

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 99-3 "Use of Contingency Reserves" adopted by the Board of County Commissioners on November 23, 1999, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

1. Emergency Reserves

- a. The general revenue emergency reserves will be maintained at an amount not to be less than five (5%) and to not exceed ten (10%) of projected general fund and fine and forfeitures fund operating expenditures for the ensuing fiscal year
- b. The reserve for contingency is separate from the reserve for cash balances.
- c. Annually the Board will determine an appropriate amount of reserve for contingency to be appropriated as part of the annual budget. Any funds not included in the budget under this category will be included as part of the unreserved fund balance.

2. Reserve for Cash Balances

- a. The County will maintain an annual unappropriated reserve for cash balance at a level sufficient to maintain adequate cash flow

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and to eliminate the need for short-term borrowing.

- b. The unappropriated fund balance shall be no less than ten (10) percent and no greater than twenty (20%) of projected general fund and fine and forfeiture fund operating expenditures
- c. The reserve for cash balance shall be separate from the emergency reserves.
- d. All major funds will retain sufficient cash balances to eliminate the need for short-term borrowing.

3. Utilization of Fund Balance

- a. As part of the annual budget process, a determination will be made of the minimum and maximum amounts of fund balance available based on the requirements set forth in 1 and 2 above.
- b. Funds in excess of the minimums established can be utilized to support one time capital project funding and /or other one-time expenditures to address unforeseen revenue shortfalls.

4. Budgeted Contingency Reserve

Budgeted Reserve for Contingency reserves, are established to provide the following:

- a. Funding for authorized mid-year increases to adopted levels of service.
- b. Funding for unexpected increases in the cost of providing existing levels of service.
- c. Temporary and nonrecurring funding for unexpected projects.
- d. Funding of a local match for public or private grants.
- e. Funding to offset losses in revenue caused by actions of other governmental bodies.
- f. Funding to accommodate unexpected program mandates from other governmental bodies.

5. Procedures

- a. The County Administrator is authorized to develop forms and procedures to be used by outside agencies or individuals or County agencies in submitting their requests for use of contingency reserves.
- b. County agencies, including County departments and Constitutional Officers, requesting additional funding from the Board shall first submit their requests in writing to the County Administrator for full review and evaluation.
- c. After evaluation, all requests will be brought to the Board for consideration at a regularly scheduled meeting.
- d. Requests for use of reserves for contingency may be approved only by the Board of County Commissioners.

- e. The County's budget will be amended at such time the County Commission, by majority vote, authorizes reserves for contingency. All requests to the County Commission for the use of any reserves for contingency shall be accompanied by a "contingency statement" prepared by OMB showing the year-to-date activity on the reserves account as well as the current account balance and the net effect on the account of approving the use of reserves.

6. Evaluation Criteria

- a. The Board will use the procedures and evaluation criteria set forth in this policy. The evaluation of funding requests shall include, but not be limited to the following:
 - consistency with other Board policy;
 - the urgency of the request;
 - the scope of services to be provided;
 - the short-term and long-term fiscal impact of the request;
 - a review of alternative methods of funding or providing the services,
 - a review for duplication of services with other agencies;
 - a review of efforts to secure non-County funding;
 - a discussion of why funding was not sought during the normal budget cycle; and
 - a review of the impact of not funding or delaying funding to the next fiscal year.

7. Exceptions

- a. This policy is not intended to limit regular mid-year salary adjustment transfers from the salary adjustment contingency account, which is reviewed separately by the Board of County Commissioners on an annual basis.

Abbreviations & Acronyms

ADA	America Disabilities Act
A&D	Automated Defibrillator
BAR	Budget Amendment Request
BLS	Bureau of Labor Statistics
BOCC	Board of County Commissioners
CAFR	Comprehensive Annual Financial Report
CDBG	Community Development Block Grant
CHSP	Capital Health Services Partnership
CFR	Code of Federal Regulations
CIP	Capital Improvement Program
COOP	Continuity of Operations Plan
CPI	Consumer Price Index
CRA	Community Redevelopment Act
CRTPA	Capital Region Transportation Planning Agency
DEP	Department of Environmental Protection
DIA	Downtown Improvement Authority
DOR	Department of Revenue
DJJ	Department of Juvenile Justice
DRI	Development of Regional Impact
EDC	Economic Development Council
EEO	Equal Employment Opportunity
EFNEP	Expanded Food & Nutrition Education Program
EMS	Emergency Medical Services
EOC	Emergency Operations Center
ESA	Environmentally Sensitive Area
ESF	Emergency Support Function
FAC	Florida Administration Code
FASB	Financial Accounting Standards Board
FCIC	Florida Crime Information Center
FDOT	Florida Department of Transportation
FEMA	Federal Emergency Management Agency
FICA	Federal Insurance Contributions Act
FLUM	Future Land Use Map
FNP	Florida Nutrition Program
FS	Florida Statutes
FTE	Full-Time Equivalent
FY	Fiscal Year

Abbreviations & Acronyms

GAAP	Generally Accepted Accounting Principles
GAL	Guardian Ad Litem
GAO	Governmental Auditing Standards
GEM	Growth & Environmental Management
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
GASB	Governmental Accounting Standards Board
HFA	Housing Finance Authority
HHS	Health & Human Services
HIPAA	Health Insurance Portability and Accountability Act
HR	Human Resources
HUD	Housing & Urban Development
ICMA	International City/County Management Association
IDP	Individual Development Plan
IFAS	Integrated Fund Accounting System
JAG	Justice Assistance Grant
JV	Journal Voucher
LCCOL	Leon County Code of Law
LCSO	Leon County Sheriff's Office
LOS	Level of Service
LOST	Local Option Sales Tax
MC	Mosquito Control
MERV	Mobile Emergency Response Vehicles
MIS	Management Information Services
MSTU	Municipal Services Taxing Unit
M/WSBE	Minority/Women Small Business Enterprise
NA	Not Applicable, or Not Available
NCGA	National Council on Governmental Accounting
NCIC	National Crime Information Center
NPDES	Non-Point Discharge Elimination System
NSF	Not Sufficient Funds
OGC	Office of General Council
OGCM	Open Graded Cold Mix
OMB	Office of Management & Budget
OPS	Other Personnel Service
PETS	Permit Enforcement Tracking System
PIO	Public Information Office
PSCB	Public Safety Communications Board
PSCC	Public Safety Coordinating Council
PUB	Planned Unit Development

Abbreviations & Acronyms

RFP	Request for Proposals
RP	Real Property
SAL	State Appropriations Limit
SCRAM	Secure Continuous Remote Alcohol Monitor
SHIP	State Housing Initiative Plan
SPTR	Supervised Pre-Trial Release
SSN	Social Security Number
SW	Stormwater
TDC	Tourist Development Council
TFA	Transaction Function Activity Code
TIF	Tax Increment Financing
TLCPD	Tallahassee-Leon County Planning Department
TMDL	Total Maximum Daily Load
TRIM	Truth In Millage
UF/IFAS	University of Florida/Institute of Food & Agricultural Sciences
ULV	Ultra Low Volume
YTD	Year to Date

Glossary

-A-

Accrual Accounting: A basis of accounting in which revenues are recorded when earned and expenses are recorded at the time they are incurred, instead of when cash is actually received or disbursed.

Actual: Monies which have already been used or received.

Ad Valorem Tax: A tax levied on the assessed value (net of any exemptions) of real or personal property. This is commonly referred to as "property tax."

Adjusted Final Millage: The actual tax rate levied by a local government when tax bills are issued. The rate is adjusted for corrected errors in property assessments for tax purposes and for changes in assessments made by property appraisal adjustment boards in each county. Usually, such changes are very slight and the adjusted millage sometimes does not change from the levy set by the taxing authority. State law provides for certain limitations.

Adopted budget: The financial plan of revenues and expenditures for a fiscal year as approved by the Leon County Commission.

Aggregate Millage Rate: The sum of all property tax levies imposed by the governing body of a county. State law limits the aggregate rate for a county or municipality to \$10.00 per \$ 1,000 of assessed taxable value.

Amendment: A change to an adopted budget that may, or may not, increase or decrease a fund total. The change must be approved by the County Commission in certain instances.

Appropriated Fund Balance: The fund balance is included as a revenue source in the annual budget.

Appropriated Income: Florida Statute requires county governments to budget only ninety-five percent (95%) of the total revenue anticipated. Five (5%) percent of the total amount of revenues cannot be incorporated into the budget and made available for expenditure. Therefore, ninety-five percent (95%) of the one hundred percent (100%) of anticipated total revenues becomes the portion referred to as appropriated income.

Appropriation: A specific amount of funds authorized by the Leon County Commission to which financial obligations and expenditures may be made.

Assessed Value: A value established by the County Property Appraiser for all real or personal property for use as a basis for levying property taxes.

-B-

Balance: The balance for the current fiscal year. Balance is the difference between the projected expenditures and the expenditures occurred (balance= Budget-Expenditures).

Board of County Commissioners (BOCC): Elected Officials that make legislative decisions concerning Leon County policies.

Bond: A written promise to pay a sum of money on a specific date at a specified interest rate as detailed in a bond ordinance.

Budget: A balanced fiscal plan of programs, services, and construction projects, funded within available revenues and bounded within a specific period of time, usually 12 months. A balanced budget is a budget where anticipated revenues are evenly matched with proposed expenditures.

Budget Amendment Request (BAR): A revision to the adopted budget occurring during the affected fiscal year as approved by the Board of County Commissioners via an amendment or a transfer.

Budget Hearing: The public hearings conducted by the Leon County Commission to consider and adopt the annual budget.

Budget Message: A brief written statement presented by the County Administrator to explain principal budget issues and to identify policy-related issues to the Leon County Commission.

Budget Resolution: The budget resolution establishes various budget totals, divides spending totals into functional categories and may include reconciliation instructions to designated departments.

Budget Spilt: Allocation of salary across the Organizational Codes in an organization.

-C-

Capital Improvement Projects: Physical assets, constructed or purchased, that have a minimum useful life of ten years and a minimum cost of \$10,000. These may include buildings, recreational facilities, road and drainage structures, and large pieces of equipment.

Capital Improvement Program (CIP): A five-year plan for providing public physical improvements. The program provides the following information for each project: a time frame for completion, the location, description, an annual estimated expenditure and the proposed method of financing.

Capital Outlay: Annual operating expenditures for the acquisition of, or addition to, fixed assets. These expenditures must cost more than \$750 and less than \$10,000 and will include construction projects, purchases of land, major renovations or repairs to existing grounds or facilities and acquisition of equipment.

Chart of Accounts: A set of accounting codes characterizing transactions throughout the organization's financial systems. It facilitates the consistent coding of transactions for entry into the systems as well as computer manipulation of transaction data.

Glossary

Constitutional Officer: Positions established by Florida's Constitution. In Leon County there are five elected constitutional officers: Tax Collector, Sheriff, Property Appraiser, Supervisor of Elections, and Clerk of the Court.

Contingency: A budgetary reserve to provide for emergency or unanticipated expenditures during the fiscal year.

Continuation Budget Request: Includes funding required to continue the existing level of service in the service area.

County Administrator: The Chief Executive Officer of the County appointed by the Leon County Commission.

Customer: The recipient of an output product or service. May be internal or external to the organization.

-D-

Debt Service: The expense of retiring such debts as loans and bond issues. It includes principal and interest payments, payments for paying agents, registrars, and escrow agents.

Debt Service Fund: An account established to accumulate resources for, and payment of, general long-term debt principal and interest.

Deficit: The excess of expenditures over revenues during a fiscal year.

Department: A basic organizational unit of County government which is functionally unique in its service delivery and is comprised of more than one program.

Depreciation: The periodic expiration of an asset's useful life. Depreciation is a requirement in proprietary type funds (such as enterprise and internal service funds).

Division: A basic organizational unit of the County which is functionally unique in its service delivery.

-E-

Economic Indicators: Economic information such as consumer price index, population, personal income, housing starts, wages, production, business activity, purchasing power, and unemployment.

Encumbrance: The commitment of appropriated funds to purchase an item or service.

Enterprise Fund: A governmental accounting fund for operations that function similarly to private business enterprises. The cost of providing these types of services is derived by user fees and other charges for service.

Exception Report: A report that supplement information already available on regular reports by highlighting unusual situations which require the attention of management.

Exemption: A portion of the total assessed valuation of property which is not subject to property taxes. An

example is the homestead exemption which provides qualifying homeowners with a \$25,000 exemption on their personal residential property.

Expenditure: Decreases in fund financial resources for the procurement of assets or the cost of goods and/or services received.

-F-

Fiscal Year (FY): Any yearly accounting period, without regard to its relationship to a calendar year. The fiscal year for Leon County begins on October 1 and ends on September 30 of the following year. The fiscal year for the state begins on July 1 and ends on June 30 of the following year.

Franchise Fee: A fee imposed by a government unit for a right/ license granted to an individual/ business to market a company's goods/services in a particular area.

Fund: A group of appropriations treated as an entity to meet legal requirements or Generally Accepted Accounting Principles.

Fund Balance: The difference between fund assets and fund liabilities.

-G-

General Fund: The fund used to account for all financial resources that are derived from ad valorem (property) taxes, licenses, permits, and other general revenues that will be used to support services that are provided on a countywide basis.

Grant: A contribution by a government or other organization to support a particular function. Grants may be classified as either operation or capital, depending upon the grantee.

-I-

Indirect Cost Reimbursement: Payments made to the County's general fund by enterprise or grant-funded programs to cover administrative overhead costs incurred by the County.

Intergovernmental Revenue: Revenue collected by one government and distributed (usually through some predetermined formula) to another level of government(s).

Internal Service Fund: A fund established for the purpose of accounting for the transactions between government agencies.

-L-

Line Item: A sub-classification of expenditures based on the type of goods or services.

-M-

Master Lease Program: The method used to finance the purchase of new equipment and refinance existing equipment leases.

Glossary

Millage Rate: The rate used to calculate taxes based upon the assessed value of real property, countywide. One mill of tax is equal to \$1.00 for each \$1,000 of taxable property value.

Modified Accrual System: Accounting basis that records revenues when they are earned (whether or not cash is received then) and expenditures when goods and services are received (whether or not cash payments are made then).

Municipal Services Taxing Unit (MSTU): A district created by the county to place the burden of ad valorem taxes upon property in a geographic area to fund a particular service or services. In Leon County, MSTUs exist countywide to fund primary healthcare for the uninsured and emergency medical services.

-N-

Net Budget: The legally adopted budget less all double counts required by fund accounting. For example, transfer between funds can appear in the budget of both funds and inflate the budget total. Other categories include internal service charge, reserves, debt proceeds, and other miscellaneous amounts.

-O-

Object Code: An itemization of accounts within a fund that is used to identify and record the type and amount of expenditures. Some object codes are mandated by the State of Florida Uniform Accounting System.

Operating Budget: A balanced fiscal plan for providing governmental programs and services for a single year.

Operating Expenses: Fund expenses related directly to the fund's primary activities for the current year and not defined as personal or capital outlays.

Operating Transfer: Legally authorized transfer from a fund receiving revenue, to the fund through which the resources are to be expended.

Other Personnel Service (OPS): A temporary position of specific duration not to exceed two years. The positions may be full-time or part-time.

-P-

Performance Objective: A statement that describes in specific and measurable terms the results the program is expected to achieve within a certain time frame.

Personal Services Expense: Expenses for salaries, wages, workers compensation, health/life insurance, and retirement contributions provided to County employees.

Program: A broad function or area of responsibility of government services. It is a basic organizational unit of government that is composed of a group of specific activities and operations directed at attaining a common

purpose or goal.

Projection: Estimates of anticipated revenues, expenditures, or other budget amounts for specific time periods, usually in fiscal years.

Property Tax: Taxes levied on all non-exempt real and personal property located within Leon County. Property taxes are computed on the basis of multiplying the millage rate by the assessed value of the property often referred to as *ad valorem tax*.

Proprietary Fund/Agency: Commonly called "self-supporting" or "enterprise", these funds/agencies pay for all or most of their cost of operations from user fees, and receive little or no general property tax support.

-R-

Real Property (RP): Land and the buildings or structures that is taxable under state law.

Requisition: Notification of pre-encumbrance of commitment of funds for goods and services.

Reserves: Appropriations of funds set aside to cover unanticipated or contingent expenses and shortfalls in revenues.

Revenue: Income received from various sources used to finance government services. Revenue categories include: taxes, licenses and permits; intergovernmental revenue; charges for service; fines and forfeits; miscellaneous; and other financing sources.

Rolled-Back Millage Rate: The millage rate that will provide the same property tax levy as was levied during the previous fiscal year, except for levies on new construction, additions to structures, deletions, and property added due to geographic boundary changes.

-S-

Special Assessment: A levy made against certain properties to defray all or part of the cost of a specific capital improvement which benefits the owners of the property.

Special Revenue Fund: A fund used to account for the proceeds of specific revenue sources, other than expendable trusts or major capital projects that are legally restricted to be used for specific purposes.

State Shared Revenues: Revenues collected by the state and proportionately share with counties and/or municipalities on the basis of specific formulas.

-T-

Tax Base: The total property valuations on which taxes are levied.

Tax Roll: The certification of assessed/taxable values prepared by the Property Appraiser and presented to the Board of County Commissioners by July 1 of each year.

Glossary

Transfers: As reflected in fund condition statements, transfers reflect the movement of resources from one fund and other fiscal and personnel data for the past, current and budget years.

Trust Fund: Funds used to account for assets held by a governmental unit in a trustee capacity or as an agent for individuals, private organizations, other governments, and/or other funds.

-J-

User Fee: The fee charged to individuals or groups that receive a direct benefit of a public service, facility, or good.

-W-

Workload Measure: A unit of measure to identify the amount of work or product generated from specific activities. They form the basis for determining the unit's success at reaching its performance objectives.

Statistical Summary

POPULATION

Leon County (2006)	272,497
Median Age (2000)	30
Registered Voters as of 08/14/2007	144,625
Voter % Turnout for State of Florida 2006 Governor Election	63.61%

LABOR FORCE

	<u>2006</u>	<u>2005</u>	<u>2004</u>
Civilian Labor Force	139,150	135,205	133,797
Number in County Unemployed	3,831	4,400	5,083
Unemployment Rate	2.8%	3.3%	3.8%

MEDIAN HOUSEHOLD INCOME (Source: Florida Research and Economic Database)

	<u>2004</u>	<u>1999</u>	<u>1989</u>
Leon County	\$39,562	\$27,323	\$27,391
Florida	\$40,535	\$35,831	\$26,085

COST OF LIVING

Price Level Index (2006)	CPI Measure
Food	102.9
Health Care	93.8
Housing	87.6
Goods & Services	97.8
Transportation	99.3

EDUCATION

Leon County Public K-12 Schools (2006-2007)	Schools	Enrollment
Elementary Schools	23	15,485
Middle Schools	8	6,679
High Schools	6	8,274
PK-12 Total Students	30,438	
Grand Total Public School Teachers	2,295	
Universities/ Colleges/Junior Colleges	Enrollment (2006)	
Florida Agricultural & Mechanical University (FAMU)	11,913	
Florida State University (FSU)	40,378	
Flagler College at TCC	2,415	
Keiser University (Tallahassee location) 2007	540	
Tallahassee Community College (TCC)	13,739	
Vocational/Technical Schools		
Lively Technical Center		

MUNICIPAL SERVICES

Libraries	Branches
Florida Agricultural & Mechanical University (FAMU)	5
Florida State University (FSU)	5
Legislative Library	1
Leon County Public Library System	6
State Library of Florida	1
Tallahassee Community College (TCC)	1

Statistical Summary

Law Enforcement

FAMU Police Department	28
FDLE Capital Police	65
FSU Police Department	59
Leon County Sheriff's Office (LCSO)	456
TCC Campus Police Department	12
Tallahassee Police Department (TPD)	358

Sworn Officers

Fire Department

Tallahassee Fire Department	15
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Stations

Hospitals

Tallahassee Memorial Healthcare (TMH)	770
Capital Regional Medical Center	180

Beds

Convention/Conference Centers

Tallahassee - Leon County Civic Center	13,000
Florida State Conference Center	375

Seats

Utilities

<i>Tallahassee City Limits</i>	
Electric, Gas, Water, Tapping, Sewer, Solid Waste, Stormwater	
<i>Outside City Limits</i>	
Electric, Water, Sewer Utility Services, Gas, Solid Waste	

Franchise Agreements

Comcast
Sewer
Solid Waste
Water

TRANSPORTATION

Tallahassee Regional Airport

Commercial Service Carriers	8
January 2007 Monthly Traffic	68,884
2005 Total Number of Passengers	1,129,947
Ground Transportation and Vehicle Rental Services	17

Railroad Services

Amtrak
CSX Transportation

Bus Service

Greyhound
StarMetro

Highways

Federal Highways	US 27, US 90, US 319
Federal Interstates	I-10
State Highways	SR-20, 59, 61, 155, 259, 263, 267, 363

Statistical Summary

STATE & LOCAL TAXATION (2007)

Local

Ad Valorem Millage Rates (Adopted)

	<u>City/DIA</u>	<u>City</u>	<u>Unicorp.</u>
Countywide	7.213	7.213	7.213
Healthcare MSTU	0.00	0.00	0.00
Emergency Medical Services (EMS) MSTU	0.50	0.50	0.50
City of Tallahassee	3.1686	3.1686	0.00
City of Tallahassee Downtown Improvement Authority	1.00	0.00	0.00
Leon County School Board	7.922	7.922	7.922
Northwest FL Water Management District	.0471	.0471	.0471
Total	19.8507	18.8507	15.6821

Ad Valorem Tax Exemption Available	Yes
General Homestead Exemption	25,000
Senior Citizen Homestead Exemption Available	Yes
Discretionary Sales Surtax	1.5%
Utility Service Tax (Public Service Tax)	10.0%
Local Communications Services Tax (CST)	6.29%

State

Corporate Income Tax	5.5%
Personal Income Tax	0.0%
Retail Sales Tax	6.0%
Motor Fuel (Gasoline) Tax	0.285

State Enterprise Zone

Yes EZ-3701

Federal Enterprise Zone

Yes

FINANCIAL INSTITUTIONS

Banks/Branches	20
Credit Unions	15
Savings and Loans	27

CLIMATE (2006)

	Average
Avg. High Temperature (Fahrenheit)	78.7
Avg. Days Above 90 degrees (Fahrenheit)	91
Avg. Rainfall (Inches)	63.5

RECREATION

Outdoors Activities

Boat Landings	23		
Campgrounds	3		
Galleries	10		
Historic Points of Interest	11		
Lakes	200		
Museums	13		
Parks	96	61 City	35 County
Reservations	1		
Special Events	7		
Historical Points of Interests	11		

Statistical Summary

CANOPY ROADS (8)

Centerville Road/Moccasin Gap Road
Meridian Road
Miccosukee Road
Old Bainbridge Road
Old Centerville Road
Old St. Augustine Road
Pisgah Church Road
Sunny Hill Road

TRAVEL DISTANCE FROM TALLAHASSEE (in miles)

Atlanta, Georgia	273
Birmingham, Alabama	302
Gainesville, Florida	151
Houston, Texas	709
Jackson, Mississippi	475
Jacksonville, Florida	163
Key West, Florida	639
Louisville, Kentucky	666
Macon, Georgia	197
Melbourne, Florida	326
Memphis, Tennessee	543
Miami, Florida	480
Montgomery, Alabama	210
New Orleans, Louisiana	384
Orlando, Florida	257
Panama City, Florida	121
Pensacola, Florida	197
Savannah, Georgia	300
Tampa, Florida	274
Washington, D.C.	871

Leon County Budget Calendar

DECEMBER		
DATE	ACTIVITY	PARTICIPANTS
Monday, December 11, 2006	Board Retreat	Board of County Commissioners (BOCC) Executive Staff

JANUARY		
DATE	ACTIVITY	PARTICIPANTS
Friday, January 5, 2007	Management Services distributes the Management Services Matrix	Management Services Administration
Tuesday, January 9, 2007	Tentative Budget Calendar to Board	BOCC County Administrator Office of Management & Budget (OMB)
Friday, January 26, 2007	Submission of Management Services Matrix and forms to Management Services	Departments/Divisions, Constitutional Officers, Judicial Officers
Wednesday, January 31, 2007	Management Services submission of all schedules to OMB for inclusion in Budget Development Manual	Facilities, Fleet, Human Resources, Management Information Systems, Purchasing

FEBRUARY		
DATE	ACTIVITY	PARTICIPANTS
Monday, February 5, 2007	New CIP Project Forms submitted to Departments	OMB
Tuesday, February 13, 2007	Policy Issue Agenda Item to BOCC including Board Approval of FY2007/2008 Permanent Line Item Funded Agencies and Additional Appropriation Requests (Per Leon County Ordinance 2006-34, deadline is February 28, 2007)	BOCC County Administrator OMB
Friday, February 16, 2007	New CIP Requests due to OMB	OMB
Wednesday, February 21, 2007	Distribute Budget Development Manual and Associated Forms	OMB
Wednesday, February 21, 2007	GovMax - Budget System goes "LIVE" - Departments begin budget development	OMB
Wednesday, February 21, 2007 – Friday, February 23, 2007	OMB conducts GovMax Budget/CIP Training	OMB Departments/Divisions Constitutionals Officers Judicial Officers
Monday, February 26, 2007	County Administrator, Facilities Management and OMB review Capital Improvement Program (CIP) requests to Facilities	County Administrator Facilities Management OMB
Monday, February 26, 2007	Management Services responds to Department/Division requests	Management Services

MARCH		
DATE	ACTIVITY	PARTICIPANTS
Friday, March 9, 2007	Final CIP Submissions due to OMB	All Departments
Friday, March 23, 2007	Departmental Budget Submissions Complete	Departments/Division Constitutional Officers Judicial Officers
Monday, March 26, 2007	OMB reviews budget submissions and determines initial recommendations	OMB

Leon County Budget Calendar

APRIL		
DATE	ACTIVITY	PARTICIPANTS
Friday, April 20, 2007	OMB reviews budget submissions and determines initial recommendations	OMB
Monday, April 23, 2007 – Friday, April 27, 2007	Meetings to discuss budget submissions and OMB recommendations	OMB Group Directors Departments/Divisions

MAY		
DATE	ACTIVITY	PARTICIPANTS
Wednesday, May 9, 2007 – Thursday, May 10, 2007	County Administrator Executive Hearings to review operating and capital budget	County Administrator OMB Departments/Divisions Constitutionals Officers Judicial Officers
MEETING CANCELED		

JUNE		
DATE	ACTIVITY	PARTICIPANTS
Friday, June 1, 2007	Estimate of assessed property value (FS 200.065 [7])	Property Appraiser
Friday, June 1, 2007	Submission of Property Appraiser's budget to Department of Revenue (FS 195.087[1][a])	Property Appraiser
Tuesday, June 19, 2007	Workshop with BOCC to review tentative budget balancing strategies and provide policy guidance	BOCC County Administrator OMB
MEETING CANCELED		
Tuesday, June 26-28, 2007	Workshop with BOCC to review tentative budget balancing strategies and provide policy guidance	BOCC County Administrator OMB

JULY		
DATE	ACTIVITY	PARTICIPANTS
Sunday, July 1, 2007	Property Appraiser certifies property values to BOCC (FS 200.065 [1] & 200.065 [11])	Property Appraiser
Tuesday, July 10, 2007	County Administrator submits tentative budget to the Board of County Commissioners	County Administrator OMB
MEETING RE-SCHEDULED		
Tuesday, July 10, 2007	BOCC ratifies actions of June 26 - 28, 2007 workshops	BOCC County Administrator OMB
Wednesday, July 11, 2007 – Friday, July 13, 2007	Workshops with BOCC to review tentative budget (if necessary)	BOCC County Administrator OMB Departments/Divisions Constitutional/Judicial Officers
MEETING CANCELED		

Leon County Budget Calendar

AUGUST		
DATE	ACTIVITY	PARTICIPANTS
Wednesday, August 1, 2007	Submission of Tax Collector's Budget request to State Dept. of Revenue and BOCC (FS 195.087 [2])	Tax Collector
Friday, August 3, 2007	Notification of Property Appraiser of proposed millage rates, rolled back rates, date, time, and place of First Public Hearing (FS 200.065 [2] [b])	OMB
Thursday, August 23, 2007 (Tentative)	Property Appraiser mails Truth In Millage (TRIM) notices (FS 200.065 [2] [b])	Property Appraiser

SEPTEMBER		
DATE	ACTIVITY	PARTICIPANTS
Tuesday, September 4, 2007	* Town Hall Meeting * First Public Hearing to adopt proposed millage and budgets (FS 200.0265 [2][c] & 129.03[3][c])	BOCC County Administrator OMB
Saturday, September 15, 2007	Publish notice for Final Public Hearing in newspaper (FS 200.065[2][d])	OMB
Tuesday, September 18, 2007	Second and Final Public Hearing to adopt final millage and budgets (FS 200.065[2][d]) & 129.03[3][c])	BOCC County Administrator OMB
Thursday, September 27, 2007	Submit resolutions to Property Appraiser and Tax Collector (FS 200.065[4])	OMB

OCTOBER		
DATE	ACTIVITY	PARTICIPANTS
Monday, October 1, 2007	Beginning of New Fiscal Year	
N/A	Certification of final taxable values (FS 200.065[5])	Property Appraiser
N/A	Adjustment to adopted millage rates (if greater than +/- 1% for General Fund, +/- 3% for MSTU) (FS 200.065 [5])	County Administrator OMB
Thursday, October 18, 2007	Certificate of Compliance submitted to Dept. of Revenue (FS 200.065 & 200.068)	OMB

Tallahassee-Leon County Comprehensive Plan (CIE)

Tallahassee-Leon County Comprehensive Plan Capital Improvement Element

CAPITAL IMPROVEMENTS ELEMENT GOALS, OBJECTIVES AND POLICIES

Goal 1: [CI] *(Effective 7/16/90)*

To use sound fiscal policies to provide adequate public facilities concurrent with, or prior to development in order to achieve and maintain adopted standards for levels of service, and to exceed the adopted standards, when possible. 9J-5.016(3)(a)

PUBLIC FACILITY NEEDS

Objective 1.1: [CI] *(Effective 7/16/90)*

Define types of public facilities, establish standards for levels of service for each type of public facility, and determine what capital improvements are needed in order to achieve and maintain the standards for existing and future populations, and to repair or replace existing public facilities. 9J-5.016(3)(b)1

Policy 1.1.1: [CI] *(Effective 7/16/90)*

The following definitions apply throughout this Capital Improvements Element.

1. Capital Improvement" means land, improvements to land, structures (including design, permitting, and construction), initial furnishings and selected equipment (including ambulances, fire apparatus,). Capital improvements have an expected useful life of at least 3 years. Other "capital" costs, such as motor vehicles and motorized equipment, computers and office equipment, office furnishings, and small tools are considered in the local government's annual budgets, but such items are not "capital improvements" for the purposes of the Comprehensive Plan, or the issuance of development orders.

2. "Category of public facilities" means a specific group of public facilities, as follows:

a. Category A public facilities are arterial and collector roads, mass transit, stormwater management, potable water, sanitary sewer, solid waste, and parks and recreation facilities owned or operated by the local government, all of which are addressed in other elements of this Comprehensive Plan.

b. Category B public facilities are fire service, bikeway, sidewalk, airport and other government facilities owned or operated by the local government.

c. Category C public facilities are arterial and collector roads, mass transit, stormwater management, potable water, sanitary sewer, solid waste, and parks and recreation facilities owned or operated by Federal, and State governments, independent districts, and private organizations.

3. "Development order" for purposes of determining vested rights means any order granting, denying, or granting with conditions an application for a building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of the local government having the effect of permitting the development of land. Development orders shall be categorized as:

a. "Final Development Orders" The following development order shall be considered to be final development orders for purposes of a determination of vested rights in a previously approved development:

(1) Preliminary subdivision plat approval;

Tallahassee-Leon County Comprehensive Plan (CIE)

- (2) Final subdivision plat approval;
- (3) Final Site plan approval (pursuant to County Ordinance 88-16);
- (4) Approval of a PUD concept plan;
- (5) Approval of a PUD Final Development Plan;
- (6) Building permit;
- (7) Development agreement entered into pursuant to Florida Statutes, Section 163.3220, et seq.; and
- (8) Any other development order which approves the development of land for a particular use or uses at a specified intensity of use and which allows commencement of construction or physical development activity on the land for which the development order is issued.

b. "Preliminary development order" mean a DRI Development approval, zoning approval, preliminary development plan approval, conditional use approval, master plan approval, Board of Adjustment approval, and any other development order than a final development order.

4. "Local government" means the City of Tallahassee, Florida and Leon County, Florida.

5. "Public facility" means the capital improvements and systems of each of the following: arterial and collector roads, mass transit, stormwater management, potable water, sanitary sewer, solid waste, parks and recreation, library, corrections, emergency medical service, fire service, bikeway, sidewalk, airport, other local government buildings, public education and public health facilities.

Policy 1.1.2: [CI] *(Rev. Effective 8/17/92)*

The local government shall establish standards for levels of service for Categories A and C of public facilities, and shall apply the standards as follows:

1. Category A. The standards for levels of service of each type of public facility in Category A shall apply to development orders issued by the local government after January 31, 1991, or such earlier date as may be adopted by the local government, the local governments' annual budgets beginning with the 1990-91 fiscal year, the local governments' Capital Improvement Programs beginning with the 1990-91 fiscal year, and other elements of this Comprehensive Plan.

2. Category C. The standards for levels of service of each type of public facility in Category C shall apply to development orders issued by the local government after January 31, 1991, or such earlier date as may be adopted by the local government, and other elements of this Comprehensive Plan, but shall not apply to the local governments' annual budgets or the local governments' Capital Improvement Programs.

Policy 1.1.3: [CI] **Levels of Service Required for Infrastructure, Facilities, and Utilities** *(Revised Effective 7/25/03; Revision Effective 7/20/05)*

The following standards are hereby established as the minimum levels of service for various infrastructure, facilities, utilities and services required to support new development within the City of Tallahassee and Leon County.

1. Roadways

The peak hour roadway level of service for Tallahassee and Leon County is established as follows:

Tallahassee-Leon County Comprehensive Plan (CIE)

a. Outside the Urban Service Area:

Interstate, Intrastate, Limited Access Parkways: B
Principal Arterials: C
Minor Arterials: C
Major and Minor Collectors: C
Local Streets: D

Inside the Urban Service Area:

Interstate, Intrastate, Limited Access Parkways: C
Principal Arterials: D**
Minor Arterials: D / E*
Major and Minor Collectors: D / E*
Local Streets: D

*For Minor Arterials, and Major and Minor Collectors located inside the Urban Service Area and south of U.S. 90, the Level of Service shall be "D" for purposes of establishing priorities for programming transportation improvements, and "E" for meeting concurrency requirements, to support the Southern Strategy. Roads north of U.S. 90 shall be LOS D for both programming improvement and concurrency purposes.

**The Level of Service for Monroe Street from Gaines Street to Tennessee Street shall be "E". (*Revised Effective 12/10/02*)

b. Notwithstanding any of the above LOS standards in Policy 1.4.1 a. (above), in local government's review of a proposed development project, an optional LOS standard may be established that is equivalent to the currently adopted LOS standard plus 50% and may be applied in calculating the concurrency capacity for an impacted roadway segment that is not a Florida Intrastate Highway Facility (FIHS) as determined by the Florida Department of Transportation and that is located within the USA boundary provided that the following criteria is met:

- 1) The roadway segment is "capacity constrained" (as defined below), and;
- 2) The applicant or developer of the project being reviewed provides a "commensurate mitigation contribution" (as described below) to the local government for an alternative improvement.

For the purposes of this policy, the assumed roadway capacity that can be achieved under the adopted LOS standard plus 50% shall not exceed 150% of the maximum service flow at the adopted LOS. A "capacity constrained" roadway segment is one where the local government has determined that:

- 1) The improvement that will resolve the deficiency is not feasible due to environmental constraints, regulatory constraints or prohibitively costly right-of-way demands, or;
- 2) The improvement that will resolve the deficiency is not desirable in that it is inconsistent with clearly defined community goals or long term plans, or;
- 3) The improvement that will resolve the deficiency is not desirable in that it clearly represents an economically inefficient measure that will address a public facility deficiency only on a temporary, limited basis.

The "commensurate mitigation contribution" must be equivalent to the costs of the public facility improvement(s) necessary to eliminate the capacity deficiency in order that the LOS standards in Policy 1.4.1 a. (above) would be maintained on the impacted roadway segment. The transportation facility improvement on which the contribution can be expended by the local government may include public road capacity improvements, public road right-of-way acquisition, mass transit system implementation or

Tallahassee-Leon County Comprehensive Plan (CIE)

facility improvements, or bike or pedestrian facility improvements. In addition, the transportation facility improvement on which the contribution can be expended must serve to enhance the transportation network within the defined traffic impact area of the proposed development.

2. Mass Transit

Tallahassee Mass Transit System (Category A):

- (1) Inside urban service area:
1% annual increase in system miles (odometer miles on buses).
- (2) Outside urban service area:
No service

3. Stormwater

a. Tallahassee and Leon County (Category A)

The design and water quality standards set forth in Florida Administrative Code Chapters 17-3 and 17-25, as the same may be amended from time to time, are hereby adopted by reference as the level of service for stormwater quality.

Local government may set higher minimum levels of treatment in watersheds where investigation and analysis indicate more stringent levels of service are required.

Stormwater management facilities shall be adequate to provide the following levels of service with regard to flood control:

100 Year Critical Storm Event

- No flood water in new buildings or existing buildings.
- Overland flow capacity available for all flow in excess of capacity of underground and open channel conveyance systems.

25 Year or Less Critical Storm Event

- No flood water more than six inches deep in local roads, parking lots, or other non-street vehicular use areas.
- No flood water in one driving lane each direction of collector streets.
- No flood water in two driving lanes each direction on arterial streets.
- Open channel conveyance capacity available for all flow in excess of capacity of underground conveyance system, or for full twenty-five year storm flow if no underground system exists.
- The rate of off-site discharge shall not exceed the predevelopment rate of discharge.

10 Year or Less Critical Storm Event

- No flood water in one driving lane of local roads.
- No flood water in the driving lanes of any road other than a local road.

Tallahassee-Leon County Comprehensive Plan (CIE)

- Underground conveyance not overflowing in business and commercial districts.

5 Year or Less Critical Storm Event

- No flood water in the driving lanes of any roadways. •Underground conveyances not overflowing in residential districts.

These are the adopted levels of service and shall be used as the basis for determining the availability of facility capacity and the system demand generated by development. In instances where an off-site deficiency exists at the time of adoption of this policy, such deficiency shall not be increased as the result of any development or land use changes.

b. Federal and State lands stormwater management (Category C):

- (1) Inside urban service area: Same as local government
- (2) Outside urban service area: Same as local government

4. Potable Water

a. Tallahassee and Leon County water systems (Category A):

- (1) Inside urban service area: 160 gpcpd
- (2) Outside urban service area (Rural Community Land Use Category or Demonstrated Hardship): 100 gpcpd

b. Private water system (Category C):

- (1) Inside urban service area: 160 gpcpd
- (2) Outside urban service area: 100 gpcpd

5. Sanitary Sewer

a. Tallahassee and Leon County sewer systems (Category A):

- (1) Inside urban service area: 140 gpcpd
- (2) Outside urban service area: no service provided

b. Private sewer systems (not owned by City which serve public - Category C):

- (1) Inside urban service area: 140 gpcpd
- (2) Outside urban service area: no service provided

6. Parks and Recreation Facilities

a. Tallahassee parks and recreation facilities:

- (1) Countywide park land: 1.22 acres per 1,000 population (excluding boat ramps provided by Leon County). Includes City operation of County-owned Tom Brown Park.

Tallahassee-Leon County Comprehensive Plan (CIE)

- (2) Area park land:
 - (a) Inside Urban Service Area: 2.00 acres per 1,000 population of Urban Service Area.
 - (b) Outside urban service area: no area parks.
- (3) Recreation facilities are included in the cost of park land.

b. Leon County parks and recreation facilities:

- (1) Countywide park land: 0.18 acres per 1,000 population (boat ramps portion only)
- (2) Area Park: 2.00 Acres per 1,000 population within Urban Service Area (parks to be provided by City and located within City Limits). Per Policy 1.1.1.C of Parks and Recreation Element.
- (3) Recreation facilities are included in the cost of park land.

7. Solid Waste

a. Leon County solid waste facilities:

- (1) Provide for:

Year (Jan 1)	LOS (Lbs/ Capita on Daily Basis)	Year	LOS	Year	LOS	Year	LOS
1990	5.65	1996	6.25	2001	6.70	2006	6.95
1991	5.75	1997	6.35	2002	6.75	2007	7.00
1992	5.85	1998	6.45	2003	6.80	2008	7.05
1993	5.95	1999	6.55	2004	6.85	2009	7.10
1994	6.05	2000	6.65	2005	6.90	2010	7.15
1995	6.15						

- (2) One year of Class I landfill lined cell disposal capacity at present fill rates
- (3) Five years of Class I landfill capacity with preliminary permit approval from the Florida Department of Environmental Regulation
- (4) Ten years of properly zoned Class I landfill raw land capacity at present fill rates

b. Private solid waste disposal facilities: Same as local government

8. On-Site

Tallahassee and Leon County Category A Public Facilities Levels of service for on-site improvements, including local streets, water and sewer connection lines, stormwater management facilities, local parks and open space shall be as required of the developer in Tallahassee's and Leon County's land development regulations. Development approval shall be conditioned on the availability of services necessary to maintain all

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applicable level of service standards as adopted within the Comprehensive Plan.

Policy 1.1.4: [CI] *(Effective 7/16/90)*

The local governments shall determine the quantity of capital improvements that is needed as follows:

1. The quantity of capital improvements that is needed to eliminate existing deficiencies and to meet the needs of future growth shall be determined for each public facility by the following calculation: $Q = (S \times D) - I$.

Where Q is the quantity of capital improvements needed,
S is the standard for level of service,
D is the demand, such as the population, and
I is the inventory of existing facilities.

The calculation will be used for existing demand in order to determine existing deficiencies. The calculation will be used for projected demand in order to determine needs of future growth. The estimates of projected demand will account for demand that is likely to occur from previously issued development orders as well as future growth. Public facilities to serve demand from previously issued development orders are assured by including such demand in "D" (demand) in the preceding calculation.

2. There are two circumstances in which the standards for levels of service are not the exclusive determinant of needs for a capital improvement:
 - a. Repair, remodeling, renovation, and replacement of obsolete or worn out facilities will be determined by the local government.
 - b. Capital improvements that provide levels of service in excess of the standards adopted in this Comprehensive Plan may be constructed or acquired at any time as long as the following conditions are met:
 - (1) the capital improvement does not make financially infeasible any capital improvement of the same type that is needed to achieve or maintain the standards for levels of service adopted in this Comprehensive Plan, and
 - (2) the capital improvement does not contradict, limit or substantially change the goals, objectives and policies of any element of this Comprehensive Plan, and
 - (3) one of the following additional conditions is met:
 - (a) the excess capacity is an integral part of a capital improvement that is needed to achieve or maintain standards for levels of service, or
 - (b) the excess capacity provides economies of scale making it less expensive than a comparable amount of capacity if acquired at a later date, or
 - (c) the asset acquired is land that is environmentally sensitive, or designated by the local government as necessary for conservation or recreation, or

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(d) the excess capacity is part of a capital project financed by general obligation bonds approved by referendum.

3. Any capital improvement that is determined to be needed as a result of any of the factors listed in Policy 1.1.4.2 shall be included in the regular Schedule of Capital Improvements contained in this Capital Improvements Element. All such capital improvements shall be approved in the same manner as the capital improvements that are determined to be needed according to the quantitative analysis described in Policy 1.1.4.1. 9J-5.016(3)(b)2, (3)(c)1, (3)(c)1.b, (3)(c)1.e, (3)(c)3, (3)(c)5, (3)(c)9

Policy 1.1.5: [CI] *(Effective 7/16/90)*

The relative priorities among types of public facilities are as follows:

1. **Priorities Among Types of Public Facilities.** All public facility improvements that are based on achieving and maintaining a standard for levels of service adopted in this Comprehensive Plan are included in the financially feasible Schedule of Capital Improvements contained in this Capital Improvements Element. The relative priorities among types of public facilities (i.e., roads, potable water, sanitary sewer, etc.) were established by adjusting the standards for levels of service and the available revenues until the resulting public facilities needs became financially feasible.

Legal restrictions on the use of many revenue sources limit the extent to which types of facilities may be prioritized because they do not compete for the same revenues. During each annual prioritization process, no further prioritization among types of public facilities is necessary because all projects in the Schedule of Capital Improvements are financially feasible, programmed for improvement, and will be completed according to the Schedule. Each year, however, prioritization among types of facilities is redetermined by reaffirming or revising standards for levels of service within the constraints of available restricted revenues.

2. **Priorities of Capital Improvements Within a Type of Public Facility.** Capital improvements within a type of public facility are to be evaluated on the following criteria and considered in the order of priority listed below. The local government shall establish the final priority of all capital improvements using the following criteria as general guidelines. Any revenue source that cannot be used for a high priority facility will be used beginning with the highest priority for which the revenue can legally be expended.

a. Repair, remodeling, renovation, or replacement of obsolete or worn out facilities that contribute to achieving or maintaining standards for levels of service adopted in this Comprehensive Plan.

b. New or expanded facilities that reduce or eliminate deficiencies in levels of service for existing demand.

c. New public facilities, and improvements to existing public facilities, that eliminate public hazards not otherwise eliminated by improvements prioritized according to Subsection a or b, above.

d. New or expanded facilities that provide the adopted levels of service for new development and redevelopment during the next five fiscal years, as updated by the annual review of this Capital Improvements Element. Tallahassee and Leon County may acquire land or right-of-way in advance of the need to develop a facility for new development. The location of facilities constructed pursuant to this Subsection shall conform to the Future Land Use Element, and specific project locations shall serve projected growth areas within the allowable land use categories. In the event that the planned capacity of public facilities is insufficient to serve all applicants for development orders, the capital

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improvements will be scheduled in accordance with criteria contained in the land development regulations.

e. Improvements to existing facilities, and new facilities that significantly reduce the operating cost of providing a service or facility, or otherwise mitigate impacts of public facilities on future operating budgets.

f. New facilities that exceed the adopted levels of service for new growth during the next five fiscal years by either;

(1) providing excess public facility capacity that is needed by future growth beyond the next five fiscal years, or

(2) providing higher quality public facilities than are contemplated in the local governments' normal design criteria for such facilities.

g. Facilities not described in Subsections a through f, above, but which the local government is obligated to complete, provided that such obligation is evidenced by a written agreement the local government executed prior to July 1, 1990.

3. All facilities scheduled for construction or improvement in accordance with this Policy shall be evaluated to identify any plans of State agencies or the Northwest Florida Water Management District that affect, or will be affected by, the proposed local government capital improvements.

4. Project evaluation may also involve additional criteria that are unique to each type of public facility, as described in other elements of this Comprehensive Plan.

9J-5.016(3)(c)1, (3)(c)3

Policy 1.1.6: [CI] (Effective 7/1/04)

All proposed capital projects in the City and County shall be consistent with the adopted Transportation Plan and designated future transportation corridors.

FINANCIAL FEASIBILITY

Objective 1.2: [CI] (Effective 7/16/90)

Provide needed public facilities that are within the ability of the local government to fund the facilities from local government revenues, development's proportionate share contributions, and grants or gifts from other sources. 9J-5.016(3)(b)5

Policy 1.2.1: [CI] (Effective 7/16/90)

The estimated costs of all needed capital improvements shall not exceed conservative estimates of revenues from sources that are available to the local government pursuant to current statutes, and which have not been rejected by referendum, if a referendum is required to enact a source of revenue. 9J-5.016(3)(c)1.f

Policy 1.2.2: [CI] (Revised Effective 12/8/98; Revision Adopted 4/21/05)

Existing and future development shall both pay for the costs of needed public facilities.

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1. Future development

- a. Future development shall pay for its proportional share of the capital improvements needed to address the impact of such development. Enterprise fund user charges, connection fees, and other user fees paid by new development shall be reviewed every two years to assure that provision of capital improvements needed to address the impact of future development will not increase ad valorem tax rates or rates of electric, gas, water or sewer utilities. Upon completion of construction, "future" development becomes "present" development, and shall contribute to paying the costs of the replacement of obsolete or worn out facilities as described in subsection 2, below.
- b. Future development's payments may take the form of, but are not limited to, voluntary contributions for the benefit of any public facility, impact fees, capacity fees, dedications of land, provision of public facilities, and future payments of user fees, special assessments and taxes.

2. Existing development

- a. Existing development shall pay for the capital improvements that reduce or eliminate existing deficiencies, and some or all of the replacement of obsolete or worn out facilities.
 - b. Existing development's payments may take the form of user fees, special assessments and taxes. 9J-5.016(3)(b)4, (3)(c)8
3. Both existing and future development may have part of their costs paid by grants, entitlements or the provision of public facilities from other levels of government and independent districts.
 4. The City will eliminate on-site refunds to property owners or their representatives except in those situations within the City limits which specifically support the City's goals of affordable housing, urban infill development, or the Southern Strategy goal of a more balanced growth pattern. In order to receive a rebate, a development must have an average net density of not less than two (2) units per acre.

For purposes of this paragraph, the following definitions shall apply:

- a. Affordable housing: Any residential development in which 7% or greater of the residential units are determined to be affordable housing as defined in Section XIII, Glossary, under the Housing Element.
- b. Urban infill development: A development located on a parcel of property bounded on two or more sides by existing urban development, or adjacent to existing water or sewer service. "Urban development" is defined as densities or intensities of one unit per acre or greater.
- c. Southern Strategy: Any development located within the Southern Strategy Area, as defined in the Land Use Element. (Rev. Effective 4/18/02)

The amount of on-site water and sewer refunds, on a residential equivalent basis shall not exceed (for water) an amount calculated to be the average cost to extend water distribution lines across a lot having 80 feet of frontage and (for sewer) an amount calculated to be the average cost to extend sewer collection lines across a lot having 80 feet of frontage.

The City shall amend its water and sewer extension policies and ordinances within sixty (60) days of the effective date of this amendment in order to effectuate the intent of this amendment.

In any utility reimbursement agreement, urban services agreement, or any other agreement which provides for on-site refunds, the agreement shall state the specific goal or goals of this plan which are served or achieved by the provision of refunds.

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Policy 1.2.3: [CI] *(Rev. Effective 9/19/91)*

Capital improvements shall be financed, and debt shall be managed as follows:

1. Public facilities financed by enterprise funds (i.e., potable water, sanitary sewer, solid waste, and airport) shall be financed by:
 - a. debt to be repaid by user fees and charges for enterprise services, or
 - b. current assets (i.e., reserves, surpluses and current revenue), or
 - c. a combination of debt and current assets.
2. Public facilities financed by non-enterprise funds (i.e., roads, stormwater management, parks, fire service, police protection, and other government buildings) shall be financed from current assets: revenue, equity and/or debt. Specific financing of specific capital projects shall consider which asset, or group of assets, will be most cost effective, consistent with prudent asset and liability management, appropriate to the useful life of the project(s) to be financed, and efficient use of the local governments' debt capacity.
3. Debt financing shall not be used to provide more capacity than is needed within the Schedule of Capital Improvements for non-enterprise public facilities unless:
 - a. the excess capacity is an integral part of a capital improvement that is needed to achieve or maintain standards for levels of service, or
 - b. the excess capacity provides economies of scale making it less expensive than a comparable amount of capacity if acquired at a later date, or
 - c. the asset acquired is land that is environmentally sensitive, or designated by the local government as necessary for conservation or recreation, or
 - d. the excess capacity is part of a capital project financed by general obligation bonds approved by referendum. 9J-5.016(3)(c)2
4. The aggregate net bonded indebtedness in the City's enterprise activities shall not exceed 70% of assets. The City's adjusted general government net bonded indebtedness per capita shall not exceed 135% of Moody's Investor Service published median for cities of comparable size.

Policy 1.2.4: [CI] *(Effective 7/16/90)*

Tallahassee and Leon County shall not provide a public facility, nor shall it accept the provision of a public facility by others if Tallahassee, Leon County or another provider is unable to pay for the subsequent annual operating and maintenance costs of the facility.

Policy 1.2.5: [CI] *(Effective 7/16/90)*

All development orders issued by the local government which require public facilities that will be financed by sources of revenue which have not been approved or implemented (such as future debt or referenda) shall be conditioned on the approval of implementation of the indicated revenue source, or the substitution of a comparable amount of revenue from existing sources.

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Policy 1.2.6: [CI] *(Effective 7/16/90)*

The sources of revenue contain within the adopted Comprehensive Plan (July 16, 1991) require no local referendum. In the event that subsequent sources of revenue listed under "Projected Costs and Revenues" require voter approval in a local referendum that has not been held, and a referendum is not held, or is held and is not successful, the Comprehensive Plan shall be amended to adjust for the lack of such revenues, in any of the following ways:

1. Reduce the standard for levels of service for one or more public facilities, or
2. Increase the use of other sources of revenue, or
3. Decrease the cost, and therefore the quality, of some types of public facilities while retaining the quantity of the facilities that is inherent in the standard for levels of service, or
4. A combination of the above alternatives.

The analysis that supports this Capital Improvements Element shall contain an Alternative Recommendation setting forth the costs and sources of revenue that will be proposed in the Plan amendment in the event the referendum is not held, or is held and is not successful.

Policy 1.2.7: [CI] *(Effective 4/18/02; Revision Effective 12/29/05)*

By 2001, utility providers for sanitary sewer, water and stormwater shall prepare long range improvement plans to the year 2020 for major facilities from which subsequent five year capital improvement programs shall be derived. These long range improvement plans shall be based upon a needs plan to serve the Future Land Use Plan and its expected population within the Urban Service Area by 2020, and shall also contain a cost feasible plan which prioritizes improvements based upon projected revenues. These long range utility improvement plans will be updated concurrently with updates to the Future Land Use Plan and Long Range Transportation Plan.

Objective 1.3: [CI] *(Effective 7/16/90)*

Provide needed capital improvements for repair or replacement of obsolete or worn out facilities, eliminating existing deficiencies, and meeting the needs of future development consistent with the adopted plan and depicted on the future land use map and redevelopment caused by previously issued and new development orders. The local governments' ability to provide needed improvements shall be demonstrated by maintaining a financially feasible Schedule of Capital Improvements, as documented by the summary "Costs and Revenues by Type of Public Facility" contained in this Capital Improvements Element. 9J-5.016(3)(b)1 and 5

Policy 1.3.1: [CI] *(Rev. Effective 11-22-99)*

The local government shall provide, or arrange for others to provide, the public facilities listed in the Schedule of Capital Improvements in the "Requirements for Capital Improvements Implementation" section of this Capital Improvements element. The capital improvements listed for Leon County within this element are balanced pursuant to 9J-5 with available revenue sources. However, the County reserves the right to amend projects and funding sources consistent with the criteria set out in 9J-5 for the Capital Improvements Element. The Schedule of Capital Improvements may be modified as follows:

1. The Schedule of Capital Improvements shall be updated annually. The annual update process shall be initiated concurrently with the preparation and adoption of the local governments' capital budgets. The capital improvement element schedule update amendment to the Comprehensive Plan shall be based upon the local governments' draft capital budgets being considered for adoption. The capital improvement element schedule update shall reflect any changes in the construction initiation date, completion date, or estimated project cost as otherwise established in a previous year's capital improvement element schedule update. The update shall also indicate whether those projects included in the previous year's capital improvement element schedule update (but not included in the current year's capital improvement element schedule update), have been completed, are ongoing, or have been deleted. Thereafter, prior to the transmittal of the amendment revising the Schedule of Capital Improvements, the amendment shall be revised to reflect any corresponding

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changes in the adopted local government capital budgets.

2. Pursuant to Florida Statutes 163.3187, the Schedule of Capital Improvements may be amended two times during any calendar year, and as allowed for emergencies, developments of regional impact, and certain small scale development activities.
3. Pursuant to Florida Statutes 163.3177, the Schedule of Capital Improvements may be adjusted by ordinance not deemed to be an amendment to the Comprehensive Plan for corrections, updates, and modifications concerning costs; revenue sources; acceptance of facilities pursuant to dedications which are consistent with the plan; or the date of construction of any facility enumerated in the Schedule of Capital Improvements.
4. Any act, or failure to act, that causes any project listed in the Schedule of Capital Improvements of this Comprehensive Plan to be scheduled for completion in a fiscal year later than the fiscal year indicated in the Schedule of Capital Improvements shall be in effect only if the act causing the delay is subject to one of the following:
 - a. Projects providing capacity equal to, or greater than the delayed project are accelerated within, or added to the Schedule of Capital Improvements, in order to provide capacity of public facilities in the fiscal year at least equal to the capacity scheduled prior to the act which delayed the subject project.
 - b. Modification of development orders issued conditionally or subject to the concurrent availability of public facility capacity provided by the delayed project. Such modification shall restrict the allowable amount and schedule of development to that which can be served by the capacity of public facilities according to the revised schedule.
 - c. Amendment of the plan to reduce the adopted standard for the level of service for public facilities until the fiscal year in which the delayed project is scheduled to be completed. 9J-5.016(3)(c)7

Policy 1.3.2: [CI] *(Effective 7/16/90)*

The local government shall include in the capital appropriations of their annual budgets all the capital improvements projects listed in the Schedule of Capital Improvements for expenditure during the appropriate fiscal year, except that the local government omit from their budgets any capital improvements for which a binding agreements has been executed with another party to provide the same project in the same fiscal year. The local government may also include in the capital appropriations of their annual budgets additional public facility projects that conform to Policy 1.1.4.2.b.3 and Policy 1.2.3.3.
9J-5.016(3)(c)7.

Policy 1.3.3: [CI] *(Rev. Effective 8/17/92; Revision Effective 12/29/05)*

The City Commission of Tallahassee and the Board of County Commissioners of Leon County find that the impacts of development on public facilities within Tallahassee and Leon County occur at the same time as development authorized by a final development order. The local government shall determine, prior to the issuance of development orders, whether or not there is sufficient capacity of Category A and Category C public facilities to meet the standards for levels of service for existing development and the proposed development concurrent with the impacts of proposed development. For the purpose of this policy, the City of Tallahassee shall define "concurrent with" as follows:

1. No final development order shall be issued by the local government after October 1,1990, unless there shall be sufficient capacity of Category A and Category C public facilities to meet the standards for levels of service for the existing population and for the proposed development according to the following timeframes:
 - a. For the following public facilities, there must be: a) available capacity to serve the impacts of the proposed development prior to the issuance of the building permit; b) at the time a development order is issued, the

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necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Florida Statutes, or an agreement or development order is issued pursuant to Chapter 380, Florida Statutes to be in place and available to serve new development at the time of the issuance of a certificate of occupancy.

- (1) Potable water.
- (2) Sanitary sewer.
- (3) Solid waste.
- (4) Stormwater management.

b. For the following public facilities there must be available capacity to serve the impacts of the proposed development at the adopted level of service within 12 months of the issuance of the final development order:

- (1) Parks and recreation.
- (2) Mass transit.

2. An applicant for a preliminary development order shall have a determination made as to the availability of Category A and Category C public facilities in accordance with subsection a or b:

a. The applicant may request a determination of available capacity as part of the review and approval of the preliminary development order provided that the determination of available capacity shall apply only to specific uses, densities and intensities based on information provided by the applicant and included in the development order,

b. The applicant may request the approval of a preliminary development order without a determination of capacity of Category A and Category C public facilities provided that any such order is issued subject to requirements in the applicable land development regulation or to specific conditions contained in the preliminary development order that:

- (1) Final development orders for the subject property are subject to a determination of available capacity in Category A and Category C public facilities, as required by Policy 1.3.1, and;
- (2) No rights to obtain final development order, nor any other rights to develop the subject property have been granted or implied by the local government's approval of the preliminary development order without determining that there is available capacity in Category A and Category C public facilities.

3. Except for an approved development of regional impact with specific phases of development, the determination of available capacity shall be valid for the term of a proposed project's development order. For development orders without specific terms of development, the determination and reservation of available capacity shall not exceed two years. For good faith development, extensions of the two year terms may be permitted in six month intervals.

4. A determination that there is available capacity in public works to serve the project shall run with the land; shall be assignable within adjacent portions of a project; and shall not be assignable to other projects. A determination that there is available capacity for a project shall apply only to specific land uses, densities, and intensities based upon information provided by the applicant. Any change in the density, intensity or land use is subject to review and approval or denial by the City of Tallahassee.

5. An applicant shall prepay all impact fees or other infrastructure costs to guarantee the applicant's pro rata share of the local governments' financial obligation for public facilities which are constructed by the local government for the benefit of the subject property.

a. Whenever an applicant's pro rata share of a public facility is less than full cost of the facility, the local government shall contract with the applicant for the full cost of the facility including terms regarding reimbursement of the applicant for costs in excess of the applicant's pro rata share.

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b. Upon expiration of the determination of capacity for the development pursuant to subsection 2.a.(2) all unused capacity shall be forfeited. The pro rata infrastructure costs (not impact fees) paid for said capacity now forfeited shall be held by the City as a credit unless excess capacity exists that will allow local government to extend the expiration date. Pro rata infrastructure costs held as a credit by local government and not used by a developer to offset future impacts on public facilities shall be rebated without interest to the developer after a period of one (1) year.

6. The standards for levels of service of Category A and Category C public facilities shall be applied to the issuance of development orders on the following geographical basis:

a. Public facilities which serve all of Leon County shall achieve and maintain the standard for levels of service on a Countywide basis. No development order shall be issued in any unincorporated part of Leon County if the standard for levels of service is not achieved and maintained throughout the County for the following public facilities:

- (1) Solid Waste Disposal
- (2) Countywide Parks

b. Public facilities which serve less than all of Leon County shall achieve and maintain the standard for levels of service within their assigned service area. No development order shall be issued in an assigned service area if the standard for levels of service is not achieved and maintained throughout the assigned service area for the following public facilities and assigned service areas:

- (1) Arterial and Collector Roads: All such roads throughout the county significantly affected by the proposed development
- (2) Stormwater Management Systems: Major Stormwater Basin
- (3) Potable Water Systems: Water System Service Area
- (4) Sanitary Sewer Systems: Treatment Plant Service Area
- (5) Area Parks: Urban Service Area
- (6) Mass Transit: Citywide

COORDINATE CAPITAL IMPROVEMENTS WITH LAND DEVELOPMENT

Objective 1.4: [CI] *(Effective 7/16/90)*

Manage the land development process to insure that all development receives public facility levels of service equal to, or greater than the standards adopted in Policy 1.1.3, subsections 1-3, and 6. 9J-5.016(3)(b)3 and 5 by implementing the Schedule of Capital Improvements (required by Objective 1.3) and produced in its entirety elsewhere in the Capital Improvements Element, and by using the fiscal resources provided for in Objective 1.2 and its supporting policies.

Policy 1.4.1: [CI] *(Effective 7/16/90)*

All Category A public facility capital improvements shall be consistent with the goals,, objectives and policies of the appropriate elements of this Comprehensive Plan.
9J-5.016(3)(b)5, (3)(c)9, and (4)(a)1.b

Policy 1.4.2: [CI] *(Rev. Effective 11-22-99)*

The local government shall integrate their land use planning and decisions with their plans for public facility capital improvements by developing and adopting the programs listed in the "Implementation Programs" section of this Capital Improvements Element. The location of, and level of service provided by projects in the Schedule of Capital Improvements shall maintain adopted standards for levels of service for existing and future development in a manner and

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location consistent with the Future Land Use Element of this Comprehensive Plan. Individual land use decision shall be consistent with the Comprehensive Plan. 9J-5.016(3)(b)3, (3)(c)9.

REQUIREMENTS FOR CAPITAL IMPROVEMENTS IMPLEMENTATION SCHEDULE OF CAPITAL IMPROVEMENTS, INCLUDING GENERAL LOCATION

The Schedule of Capital Improvements on the following pages will repair or replace obsolete or worn out facilities, eliminate existing deficiencies, and make available adequate facilities for future growth through no less than a five-year planning period, updated annually. The analysis of capacity requirements for deficiency and growth at the time of original plan adoption appears in a support document prepared for this Capital Improvements Element: "Public Facility Requirements 1988/89 - 1995/96 and to 2010."

The projects are listed according to the type of public facility. Within each list, projects are listed in sequence according to the fiscal year in which the initial project expenditures are scheduled. The capital improvement element schedule update shall provide the projected construction initiation date, completion date, and rough estimate of the total project cost for each project included therein. The capital improvement element schedule update shall include advance-funded State of Florida roadway projects, noting, however, that the local government bears no obligation in the funding or construction of these facilities. The capital improvement element schedule update shall include those local road projects reflected in the local government's adopted capital budget.

Each project is named, and briefly described. Most project locations are specified in the name or description of the project. The capacity of the project is shown, using the same measure of capacity that is used in the standard for the level of service (see Policy 1.1.3). Capacity increases may meet the needs of current deficiencies, or future development, or both, as noted above. If no "added capacity" is shown, the project is limited to repair, renovation, remodeling or replacement of an existing facility, with no net increase in capacity.

The estimated cost of each project during each of the next five or six fiscal years is shown in thousands of dollars (\$1000s), and the total 5 or 6-year cost is also shown. Any costs incurred before or after the 5 or 6-year schedule are omitted from the project total. Such costs appear in the local governments' Capital Improvements Programs. All cost data is in current dollars; no inflation factor has been applied because the costs will be revised as part of the annual review and update of the Capital Improvements Element.

All projects contained in this Schedule of Capital Improvements are consistent with the other elements of this Comprehensive Plan. Consistency is determined and maintained by calculating that the total capacities of planned projects and existing facilities achieve or exceed the capacity of facilities that are required by the adopted standards for levels of service using the formula in Policy 1.1.4. 9J-5.016(4)(a)1

The Capital Improvements Element reflects the five year adopted Capital Improvement Plans (CIPs) of the City of Tallahassee and Leon County, and may not reflect other Capital Facilities documents that are concurrently being developed and yet to be adopted.

Rule 9J-5.016, F.A.C., concerning the Capital Improvements Element states, in part, "The Capital Improvements Element should include projects for which local government has fiscal responsibility."

Objective 1.5: [CI] (Effective 6/28/98)

Ensure that the City of Tallahassee and Leon County, their agents, and their assigns appropriate adequate funds and maintain an operational commitment sufficient to implement the various obligations of the Comprehensive Plan which are not addressed through the capital improvements planning requirements.

Policy 1.5.1: [CI] (Effective 6/28/98)

The City of Tallahassee and Leon County, either jointly or separately, shall, in conjunction with the Comprehensive Plan

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Evaluation and Appraisal Report process, undertake a periodic review of obligations set forth in the Comprehensive Plan for which they, or their agents or assigns, are responsible for implementing , and which are not otherwise addressed through the capital improvements planning process. Each obligation shall be evaluated; including: a) affirmation of the commitment to the obligation; b) demonstration of financial capacity and commitment to carry out the work necessary to fulfill the obligation; and c) an assessment as to the ability to perform, or have performed, required work within the specified period of time (as applicable).

Should the City of Tallahassee or Leon County determine, as an outcome of this review, that an obligation found in the Comprehensive Plan should be deleted or otherwise modified, the affected local government shall file, at the first available opportunity, an amendment to the Comprehensive Plan making corresponding appropriate revisions.

Objective [CI] 1.6: *(Effective 12/8/98)*

The City of Tallahassee and Leon County shall adopt and implement revised programs and/or policies which favor the funding and scheduling of their capital improvements programs and policies for the Central Core Area and Southern Strategy Area

Policy [CI] 1.6.1: *(Effective 12/8/98)*

The local governments shall commit to undertake needed repairs, replace obsolete infrastructure and facilities, and address existing infrastructure deficiencies within the Central Core Area and Southern Strategy Area. The identification of such projects shall be based on the Comprehensive Assessment of the Central Core Area; the Comprehensive Assessment of the Southern Strategy Area; the Strategic Implementation Plan of the Central Core Area; the Strategic Implementation Plan of the Southern Strategy Area; and, any applicable Sector Plans.

Policy [CI] 1.6.2: *(Effective 12/8/98)*

By 1999, the local governments shall establish criteria for evaluation of projects proposed for inclusion within the 5 Year Capital Improvement Schedule. Among these criteria, there shall be criteria reflecting the commitment to needed improvements within the Central Core Area the Southern Strategy Area.

Policy [CI] 1.6.3: *(Effective 12/8/98)*

Funding approved to implement capital improvements necessary to address those needs identified by the Comprehensive Assessment of the Central Core Area and the Comprehensive Assessment of the Southern Strategy Area shall not be diverted to other projects without the expressed consent of the Commission.

PROGRAMS TO ENSURE IMPLEMENTATION *(Rev. Effective 9/19/91)*

The following program descriptions are part of the adopted Comprehensive Plan. The following programs shall be implemented by January 31, 1991, or such earlier date as may be adopted by the local government, to ensure that the goals, objectives and policies established in the Capital Improvements Element will be achieved or exceeded. Each implementation program will be adopted by ordinance, resolution or executive order, as appropriate for each implementation program.

1. Review of Applications for Development Orders. The local government shall amend their land development regulations to provide for a system of review of various applications for the levels of service of Category A and Category C public facilities. Such system of review shall assure that no final development order shall be issued which results in a reduction in the levels of service below the standards adopted in Policy 1.1.3.a-c for Category A public facilities and Policy 1.1.3.f for Category C public facilities. The land development regulations shall include, at a minimum, the provisions of Policy 1.3.3.a and b in determining whether a development order can be issued.

The land development regulations shall also address the circumstances under which public facilities may be provided

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by applicants for development orders. Applicants for development orders may offer to provide public facilities at the applicant's own expense in order to insure sufficient capacity of Category A and Category C public facilities, as determined according to Paragraphs A and B, above. Development orders may be issued subject to the provision of public facilities by the applicant subject to the following requirements:

- a. The local government and the applicant enter into an enforceable development agreement which shall provide, at a minimum, a schedule for construction of the public facilities and mechanisms for monitoring to insure that the public facilities are completed concurrent with the impacts of the development, or the development will not be allowed to proceed.
- b. The public facilities which are impacted by a subsequent Development Order are operating and will continue to operate at or above the adopted LOS consistent with the conditions outlined in Policy 1.3.3 of the CIE and that the public facilities are contained in the Schedule of Capital Improvements of the Comprehensive Plan.

2. Impact Fees. Impact fee ordinances shall require the same standard for the level of service as is required by Policy 1.1.3., and may include standards for other types of public facilities not addressed under Policy 1.1.3. All impact fee ordinances necessary to support the financial feasibility of this element shall be adopted, or amended to the required standard for the level of service by January 31, 1991.

3. Annual Budget. The annual budget shall include in its capital appropriations all projects in the Schedule of Capital Improvements that are planned for expenditure during the next fiscal year.

4. Capital Improvements Program. The annual multi-year Capital Improvement Program (CIP) shall be prepared in conjunction with the annual review and update of the Capital Improvements Element. The CIP shall contain all of the projects listed in the Schedule of Capital Improvements of the updated version of the Capital Improvements Element.

5. Semiannual Report. The mandatory semiannual report to the Department of Community Affairs concerning amendments to the Comprehensive Plan due to emergencies, developments of regional impact and selected small developments shall report on changes, if any, to adopt goals, objectives and policies in the Capital Improvements Element.

6. Update of Capital Improvements Element. The Capital Improvements Element shall be reviewed and updated annually. The element shall be updated in conjunction with the budget process and the release of the official population estimates and projections by the Bureau of Economic and Business Research (BEBR) of the University of Florida. The update shall include:

- a. Revision of population projections
- b. Update of inventory of public facilities
- c. Update of costs of public facilities
- d. Update of Public Facilities Requirements analysis (actual levels of service compared to adopted standards)
- e. Update of revenue forecasts
- f. Revise and develop capital improvements projects for the next five fiscal years
- g. Update analysis of financial capacity

7. Concurrency Implementation and Monitoring System. The local government shall establish and maintain Concurrency Implementation and Monitoring Systems. The Systems shall consist of the following components:

- a. Annual report on the capacity and levels of service of public facilities compared to the standards for levels of service adopted in Policy 1.1.3.a-c and f. The report shall summarize the actual capacity of public facilities, and forecast the capacity of public all be based on the most recently updated Schedule of Capital Improvements in this Capital Improvements Element. The annual report shall constitute prima facie evidence of the capacity and levels of service of public facilities for the purpose of issuing development orders during the 12 months following

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completion of the annual report. The annual report shall also summarize and forecast capacities and levels of service for comparison to the standards adopted in Policy 1.1.3.d and e, but such portion of the annual report shall be for information purposes only, and shall not pertain to the issuance of development orders by the local government.

b. Public facility capacity review. The City of Tallahassee and Leon County shall use the procedures specified in Implementation Program 1, above, to enforce the requirements of Policy 1.3.3.a. and b. and as such the impacts of proposed development will be analyzed in relation to the availability of capacity at the time of permitting. Records shall be maintained during each fiscal year to indicate the cumulative impacts of all development orders approved during the fiscal year-to-date on the capacity of public facilities as set forth in the most recent annual report on capacity and levels of service of public facilities. The land development regulations of the local government shall provide that applications for development orders that are denied because of insufficient capacity of public facilities may be resubmitted after a time period to be specified in the land development regulations. Such time period is in lieu of, and not in addition to, other minimum waiting periods imposed on applications for development orders that are denied for reasons other than lack of capacity of public facilities. Land development regulations shall require that development commence within a specified time after a development order is issued, or the development order shall expire, subject to reasonable extensions of time based on Criteria included in the regulations.

c. Review of changes in planned capacity of public facilities. The local government shall review each amendment to this Capital Improvement Element, in particular any changes in standards for levels of service and changes in the Schedule of Capital Improvements, in order to enforce the requirements of Policy 1.3.1.d.

d. Concurrency implementation strategies. The local government shall annually review the concurrency implementation strategies that are incorporated in this Capital Improvements Element:

(1) Standards for levels of service that are phased to reflect the local governments financial ability to increase public facility capacity, and resulting levels of service, from year to year. Standards for levels of service may be phased to specific fiscal years in order to provide clear, unambiguous standards for issuance of development orders. (See Policy 1.1.3)

(2) Standards for levels of service that are applied within appropriate geographical areas of the local government. Standards for Countywide public facilities are applied to development orders based on levels of service throughout the County. Standards for public facilities that serve less than the entire County are

applied to development orders on the basis of levels of service within assigned service areas. (See Policy 1.3.3.c)

(3) Standards for levels of service are applied according to the timing of the impacts of development on public facilities. Final development orders, which impact public facilities in a matter of months, are issued subject to the availability of water, sewer, and solid waste facilities prior to the issuance of the building permit, and other facilities (i.e., parks stormwater management and, mass transit) must be available within 12 months of the final development order. Preliminary development orders can be issued subject to public facility capacity, but the capacity determination expires in two years unless the applicant provides financial assurances to the local government. As an alternative, the determination of public facility capacity for preliminary development orders can be waived with in agreement that a capacity determination must be made prior to issuance of any final development order for the subject property. Such a waiver specifically precludes the acquisition of rights to a final development order as a result of the issuance of the preliminary development order. (See Policy 1.3.3.a and b)

(4) Levels of service are compared to adopted standards on an annual basis. Annual monitoring is used, rather than case-by-case monitoring, for the following reasons:

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(a) annual monitoring corresponds to annual expenditures for capital improvements during the local governments' fiscal years;

(b) annual monitoring covers seasonal variations in levels of service; and

(c) case-by-case monitoring would require applicants for development orders or the local government to conduct costly, time-consuming research which would often be partially redundant of prior research, or involve disparate methodologies and produce inconsistent results.

(See Concurrency Implementation and Monitoring System component A, above.)

(5) Public facility capital improvements are prioritized among competing applications for the same amount of facility capacity according to the criteria in Policy 1.1.5.b.4. If any applications have to be deferred to a future fiscal year because of insufficient capacity of public facilities during the current fiscal year, the applications to be deferred will be selected on the basis of rational criteria.

e. Capacity of Public Facilities for Development Orders Issued Prior to Adoption of the Plan. The City of Tallahassee and Leon County will "reserve" capacity of public facilities for development orders, in addition to approved Developments of Regional Impact, that were issued by the local government prior to the adoption of this Comprehensive Plan under the following circumstances:

(1) A representative of the property which is the subject of the development order has requested and received a determination of vested rights, and

(2) A representative of the property which is the subject of the development order has accepted in writing the applicable requirements of Policy 1.3.3.b, c of the Capital Improvements Element.

The local governments find that it is not necessary to automatically "reserve" capacity of public facilities for all development orders issued prior to the adoption of the plan because experience indicates that many such development orders are not used, or are not used to the maximum allowable uses, densities or intensities. The local governments find that the population forecasts that are the basis for this plan are a reasonable prediction of the absorption rate for development, and that the capital facilities which are planned to serve the forecast development are available for that absorption rate. Reserving public facility capacity for previously issued development orders would deny new applicants access to public facilities, and would arbitrarily enhance the value of dormant development orders.

The local governments intend to develop and pursue programs that will give persons with legitimate and substantial vested rights an opportunity to proceed with their plans without arbitrary interference by the new

Comprehensive Plan. However; the local governments intend to require such persons to "continue in good faith" in order to "reserve" capacity of public facilities which are provided by the local government. The City of Tallahassee and Leon County will not "reserve" capacity of public facility for previously issued development orders that have not been vested under the local government's vesting ordinance and which have not continued development in good faith.

8. 5-Year Evaluation. The required 5-year evaluation and appraisal report shall address the implementation of the goals, objectives and policies of the Capital Improvements Element. The monitoring procedures necessary to enable the completion of the 5-year evaluation include:

a. Review of Annual Reports of the Concurrency Implementation and Monitoring System.

b. Review of Semiannual Reports to DCA concerning amendments to the Comprehensive Plan.

c. Review of Annual Updates of this Capital Improvements Element, including updated supporting documents.

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9. Contractor Performance System. The local government will develop a system of monitoring the actual performance of contractors who design and/or construct public facilities for the local government. The monitoring system shall track such items as actual vs. planned time schedule, and actual vs. bid cost. The performance of contractors shall be considered when the local government awards contracts for public facilities. 9J-5.016(3)(c)6 and (4)(b)

SCHEDULES OF CAPITAL IMPROVEMENTS

NOTE: Copies of the annual Schedules of Capital Improvements may be viewed in the printed version of the Tallahassee-Leon County Comprehensive Plan.

