

**Leon County
Board of County Commissioners
Agenda Item#7**

April 12, 2022

To:	Honorable Chairman and Members of the Board
From:	Vincent S. Long, County Administrator
Title:	Agreement for Traffic Control on Private Roads within the Centerville Conservation Community

Review and Approval:	Vincent S. Long, County Administrator
Department/Division Review and Approval:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/Project Team:	Nicki Paden, Special Projects Coordinator

Statement of Issue:

This item seeks Board approval of a Traffic Control Agreement between the Centerville Community Owners' Association, Inc., Leon County, and the Leon County Sheriff's Office to establish a county traffic jurisdiction within the private Centerville Conservation Community. This will allow the Leon County Sheriff's Office to enforce State traffic laws on the private roads in the subdivision.

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Approve the Traffic Control Agreement between the Centerville Community Owners' Association, Inc., Leon County, and the Leon County Sheriff's Office for traffic enforcement within the Centerville Conservation Community Subdivision (Attachment #1).

Report and Discussion

Background:

This item seeks Board approval of a Traffic Control Agreement between the Centerville Community Owners' Association (HOA), Inc., Leon County, and the Leon County Sheriff's Office (LCSO) to allow LCSO to conduct traffic enforcement within the Centerville Conservation Community (Attachment #1). Centerville Conservation is a private conservation community in northeast Leon County located north of Interstate 10 off Centerville Road. In February 2022, staff was contacted by Centerville Conservation Community residents regarding speeding within the subdivision and options that would allow State traffic laws to be enforced by local law enforcement on their private roads

Pursuant to state statute, the County does not have traffic control jurisdiction over private roads. However, Section 316.006(3)(b), Florida Statutes (F.S.), provides that a county may exercise jurisdiction over the private roads in the unincorporated area of the county if the county and the party owning or controlling the private roads provide for county traffic control jurisdiction by a written agreement approved by the Board of County Commissioners. Section 316.006(3)(b) further requires that the county consult with the sheriff prior to entering into such an agreement. LCSO has been consulted and has agreed to enforce State traffic control laws upon execution of an agreement.

On March 8, 2022 the Centerville Community Owners' Association (HOA) Board of Directors, in compliance with Section 316.006(3)(b), voted to adopt a resolution to have state traffic laws enforced by LCSO within Centerville Conservation (Attachment #2), and authorized the County and LCSO to proceed with the development of an agreement.

Analysis:

County staff has coordinated with LCSO and the HOA on the terms of the proposed Agreement. The Agreement will be for a period of five years with an option for one additional five-year term, contingent upon written request of the HOA and approval by the County and LCSO.

Pursuant to the Agreement, the County agrees to exercise jurisdiction over the private roads within Centerville Conservation for the purpose of traffic control only. The County will not assume any maintenance responsibility under this Agreement. Maintenance, repair, and signage associated with the private roads remains the sole responsibility of the HOA. The HOA will also be responsible for installing any stop or speed limit signs the County determines necessary to enhance traffic safety within the subdivision.

The Agreement does not entitle the HOA to any specific level of law enforcement presence or activity within the subdivision. LCSO will provide the same level of traffic enforcement in Centerville Conservation as to the general public. Specifically, LCSO will determine the allocation, disposition, assignment, and function of law enforcement within the subdivision based on its established prioritization criteria for any such speeding or other traffic related complaints. The HOA may, however, request to employ off-duty LCSO deputies for traffic enforcement during a specified period. If LCSO authorizes off-duty deputies to provide this extra level of enforcement, the HOA will be responsible for payment for these services based upon a rate negotiated with LCSO. The provision of such services would be addressed in a separate agreement between the HOA and LCSO. As such, the County would not be involved in the negotiation or payment of any of these services.

The County Attorney's Office, LCSO, and the HOA have reviewed the proposed Agreement, and staff recommends Board approval.

Options:

1. Approve the Traffic Control Agreement between the Centerville Community Owners' Association, Inc., Leon County, and the Leon County Sheriff's Office for traffic enforcement within the Centerville Conservation Community Subdivision (Attachment #1).
2. Do not approve the Traffic Control Agreement between the Centerville Community Owners' Association, Inc., Leon County, and the Leon County Sheriff's Office for traffic enforcement within the Centerville Conservation Community Subdivision.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. [Agreement for Traffic Control on Private Roads between the Centerville Community Owners' Association, Inc., Leon County, and the Leon County Sheriff's Office](#)
2. [Resolution of the Centerville Community Owners' Association Board of Directors](#)