

Tuesday, January 28, 2020 11:30 A.M.

The Alachua County Board of County Commissioners met for the Regular Meeting.

PRESENT: Chair Robert "Hutch" Hutchinson, Vice Chair Mike Byerly, Commissioners Charles "Chuck" S. Chestnut, IV and Commissioner Ken Cornell

ABSENT: Commissioner Marihelen Wheeler

ALSO PRESENT: County Manager Michele Lieberman, Deputy County Manager James Harriot, County Attorney Sylvia Torres, Clerk JK. "Jesse" Irby, Esq. Deputy Clerk Steve Donahey and Minutes Clerk Loretta Adams

- A. Invocation - Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of, a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

Pastor Alan Struckmeyer of Abiding Savior Lutheran Church gave the Invocation.

B. Pledge of Allegiance

C. Call to Order

- D. Approval of Regular and Consent Agendas - A motion to approve the Consent Agenda is a motion to approve all recommended actions. All matters on the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion unless desired by a Commissioner. The consent agenda can be found under Section X.

1. Approval of Regular and Consent Agendas 20-0032

County Manager Michele Lieberman requested following amendments to Agendas:

Item moved to Regular Agenda:

Item #22 FY21 Budget Calendar, Budget Guidelines, Policies and Resolution to follow Item #13 for discussion

Item #25 Approve a Change of Status on the Active Acquisition List for the Hickory Sink - Kanapaha Timber Land & Cattle Tract and move to section J.

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Item with Amended Recommendation:

- Item 27 Modify Examination of sufficiency of Public Official Bonds for County Officers and revise Recommended Action to read: Approve the Public Officials Bonds for County Officers.

Commissioner Cornell moved adoption of the agenda as amended. The motion passes 4-0 with Commissioner Wheeler absent.

E. Announcements / Legislative Update

Mark Sexton presented above item.

Mark Sexton Communications Director request permission of the board for The Professional Risk Management Association to pursue opposition of the Senate Bill 1302 increasing the sovereign immunity caps from 300,000 to 500,000.

Commissioner Byerly moved to add this item to the legislative agenda. The motion passes 4-0.

F. Recognitions

2. Length of Service Milestone Recognition 19-0820

Fiscal Consideration: N/A

Recommended Action: Recognize County Employees who have reached a Length of Service or Career Milestone in October, November and December 2019.

Human Resources Director Heather Edwards presented the above item.

3. Approval of a Proclamation Declaring February 7th, 2020 as "School Crossing Guard Appreciation Day" in Alachua County, FL 20-0023

Fiscal Consideration: N/A

Recommended Action: Proclaim February 7th, 2020 as "School Crossing Appreciation Day" in Alachua County, FL

Commissioner Cornell read and presented the Proclamation to Toni Fulton who accepted it with gratitude.

4. Approval of a Proclamation Declaring January 26th through February 1st, 2020 as "Zero Waste Week" in Alachua County, FL 20-0031

Fiscal Consideration: N/A

Recommended Action: Proclaim January 26th through February 1st, 2020 as "Zero Waste Week" in Alachua County, FL

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Vice Chair Byerly read and presented the Proclamation to Amanda Waddell who accepted it with gratitude.

G. Advisory Board Items

5. Economic Development Advisory Committee Accomplishments & Work Plan Report 20-0044

Fiscal Consideration: N/A

Recommended Action: No action necessary. Presentation is for informational purpose only.

Chair of the Economic Development Advisory Committee Jay Northquest presented the above item.

Chair of the Economic Development Advisory Committee Jay Nordqvist presented the above item.

Commissioner Cornell requested that EDAC add the Circular Economy and the Army Reserve proposal to their agenda for consideration.

Chair Hutchinson requested that EDAC review the proposed Economic Development Grant funding process. He would like to see EDAC have involvement in ranking proposals.

- H. Public Comments - 12:00 PM - All members of the public wishing to speak during the "Public Comment" portions of the agenda will be limited to three (3) minutes to make their request or presentation.

6. Public Comments 20-0039

Chair Hutchinson recognized Jim Konish, Anthony Johnson, Kali Blount and Patricia Lee who presented comment.

- I. Commission Response to Public Comment

7. Commission Response to Public Comments 20-0038

Chair Hutchinson provided comment.

- J. Items Pulled From Consent K. Presentations

Environmental Protection

25. Approve a Change of Status on the Active Acquisition List for the Hickory Sink - Kanapaha Timber Land & Cattle Tract 19-0826

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Fiscal Consideration: Pre-Acquisition Services: \$50,400 Fund
021.41.4160.537.61.00 (WSPP)

Recommended Action:

1. Approve a change of status on the Active Acquisition List for the Hickory Sink - Kanapaha Timber Land & Cattle Tract from Bargain-Share to Full-Price.
2. Authorize staff to negotiate an agreement that may include both the purchase of fee title and a conservation easement.

Charlie Houder Conservation Lands Manager presented the above item.

Commissioner Cornell, Commissioner Byerly and Chair Hutchinson presented comment.

The Board took no action on this item.

8. Presentation by Florida Department of Health Regarding Radon Resistant Construction 20-0020

Fiscal Consideration: Additional costs (approx. \$750 per dwelling) to provide radon resistant measures for new construction

Recommended Action: Hear the presentation and refer to staff for further review.

Anthony Dennis Environmental Health Director with the Alachua County Health Department, Tim Wallace with the Public Health Toxicology section Radon and indoor Program and Thomas Walsh Environmental Health Program Consultant presented the above item.

County Attorney Sylvia Torres, Commissioner Cornell, Commissioner Byerly, Chair Hutchinson, and Commissioner Chestnut presented comment.

Commissioner Byerly moved that we refer this item to staff for recommendations. Staff should contact peer counties that are already dealing with this to see what approach they are using and how it is being received. Staff should make a public records request to obtain the map with houses that have tested over the limit.

Commissioner Cornell, Joseph Kidder with the Department of Health Radon Program and County Attorney Torres presented comments.

Dave Hellman licensed Florida Contractor and board member at Habitat, Vice Chair Byerly, Patricia Lee, Anthony Johnson, and Bruce Borders provided comments.

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Chair Hutchinson, Vice Chair Byerly, Commissioner Cornell and Joseph Kidder presented comments.

The motion carried 4-0.

9. Final Report and Presentation by the Children's Services Advisory Board 19-0694
Fiscal Consideration: N/A
Recommended Action: Hear presentation and receive final program reports

Community Support Services Director Claudia Tuck presented the above item.

Claudia recognized all members of the Children's Services Advisory Board and Alachua County Staff.

Three final program reports;

- Newborn Nurse Home Visiting Program
- The Child Center Program
- The Healthy Social Emotional Development and Family Support Program

Dorothy Thomas presented update on The Child Center Program. Stacy Merritt with the Director of Resource Centers with Partnerships for Strong Families presented update on The Healthy Social Emotional Development and Family Support Program and Julie Moderie presented update on The Newborn Nurse Home Visiting Program.

Commissioner Cornell presented comment and introduced and recognized the new Executive Director of the Children's Services Advisory Board Collin Murphy.

Commissioner Cornell moved that we accept with gratitude The Children's Service's Advisory Board and partner's presentation and program reports. Thank each of the Advisory Board Members, Partners and Community Volunteers and ask that our staff provide a copy of these reports to The Children's Trust of Alachua County Executive Director, each of The Children's Trust of Alachua County board members, each of The Children's Trust of Alachua County potential Governor nominees and The Children's Trust of Alachua County technical advisory committee for their review.

Newly appointed Executive Director of the Children's Trust Director Collin Murphy presented comments.

Vice Chair Byerly, Commissioner Cornell, County Manager Michele Lieberman, Claudia Tuck, Commissioner Chestnut and Chair Hutchinson presented comment.

Chair Hutchinson recognized appreciation for Lee Pinkoson and his hard work and contributions to the Children's Services programs.

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Dorothy Benson, Anthony Johnson, Dorothy Thomas and Bruce Borders presented comments.

The motion carried 4-0.

COMMISSION RECESSED AT: 2:20 P.M.

COMMISSION RECONVENED: 2:34 P.M.

10. Fair Housing Update and Update on Housing Authority Vouchers 19-0790

Fiscal Consideration: N/A

Recommended Action: Hear the presentation

Equal Opportunity Manager Jacquelyn Chung Alachua County presented above item.

Vice Chair Byerly, County Manager Michelle Lieberman and Commissioner Cornell presented comment.

Commissioner Cornell moved the following:

1. That all back up presented to the board be made available on the public site at the very least on the day of the meeting and if it is not on the site because of Americans With Disability Acts (ADA) that the slides be removed from the presentation those relevant slides so that we can have something on the public site at all meetings.
2. Schedule this for a Policy Discussion so we can adjust our policy if need to in order to ensure we are as transparent as possible.
3. Bring back recommendations from staff of how other counties are dealing the ADA issue.

County Manager Michele Lieberman, Vice Chair Byerly, Claudia Tuck Community Support Services, Commissioner Cornell, Chair Hutchinson, County Attorney Sylvia Torres and Commissioner Chestnut presented comment.

The motion carried 4-0.

Amanda Nazaro with the Alachua County Housing Authority and Michelle Beans from the City of Gainesville Housing Authority presented update on Housing Vouchers within Alachua County CY 2019

Vice Chair Byerly, Michelle Beans from Gainesville Housing Authority, Jacquelyn Chung Alachua County Equal Opportunity Manager and Chair Hutchinson provided comments.

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Shelia Payne representing the Alachua County Labor Coalition and Jeremiah Tattersall with the Alachua County Labor Coalition presented comment.

Vice Chair Byerly, Commissioner Cornell and Community Support Services Director Claudia Tuck presented comments.

Commissioner Cornell moved to request the Alachua County Housing Authority and the Gainesville Housing Authority to provide to us the best policy suggestions that they can come up with to help us fill the 577 Housing vouchers that are available and not being used. The motion failed for lack of a second.

Commissioner Byerly moved to ask the Housing Authorities to attempt to explain the difference between available vouchers and vouchers in use. Out of the 2718 vouchers why are there only 2141 in use? What can they tell us about what the difference is about the 577 vouchers? The motion carried 4-0.

L. Action Items

11. Truth and Reconciliation Update 20-0053

Fiscal Consideration: N/A

Recommended Action: Review website, action plan and presentation.

County Manager Michele Lieberman announced some current events going on with the Truth and Reconciliation. Assistant County Manager Carl Smart has agreed to serve as Alachua County's liaison for our Truth and Reconciliation efforts with the Equal Justice Institute so that the county can be the umbrella for all of the local community groups as well as the municipalities engaging in this effort. Hosting a memorial service for the victims of lynching at 6:00 P.M. on February 7, 2020 at the Mt. Pleasant United Methodist Church. Community wide meeting on February 17, 2020 at the Senior Recreation Center at 6:00 – 7:30 P.M.

Planner Kathleen Pagan and Equal Opportunity Manager Jaqueline Chung presented above item.

Joel Laguerre Project Leader in County Information Services, County Manager Michele Lieberman, Commissioner Chestnut and Commissioner Cornell presented comment.

Commissioner Cornell move that County staff return back to the Board as soon as possible with some dates on when we can have some town hall meetings and additional bus trips up to Montgomery that we can publish and ask folks to participate in.

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Chair Hutchinson, Commissioner Cornell, Commissioner Chestnut and County Manager Michele Lieberman, Planner Kathleen Pagan, Kali Blount and Patricia Lee presented comment.

The motion carried 4-0.

12. Career Source Update and Action Items 20-0087

Fiscal Consideration: \$90,000 from reserves to fund a \$10,000 placement fee, \$30,000 for attorney and \$50,000 for a forensic audit. Part of the placement fee and most of the attorney fees should be reimbursable through Career Source grants. Special counsel charges \$300/hour off-site \$5,500/day on-site. Contract is still to be negotiated and is expected to fall within the Manager's signature authority.

Recommended Action: Approve and authorize the Chair to execute the following draft agreements attached hereto, and any changes that do not increase the contract price and which are approved by the County Manager and the County Attorney: 1. Agreement and Placement fee for a temporary CFO for Career Source. 2. Agreement with LWDB 10 for temporary Administrative Entity services. Also, approve the Budget Amendment to fund the placement fee for the temporary CFO, an attorney, and a Forensic Audit. Also, authorize appointment of special counsel, Rochelle Daniels, Esq., to represent Alachua County re. recently issued Department of Economic Opportunity monitoring report and restructuring of Alachua County/Bradford County Career Source Board.

Assistant County Manager Tommy Crosby and Sr. Assistant County Attorney David Forziano presented above item.

Commissioner Cornell, Vice Chair Byerly, Commissioner Chestnut and Chair Hutchinson presented comments.

Commissioner Cornell moved the following:

1. Approve and authorize the Chair to execute the following draft agreements attached hereto, and any changes that do not increase the contract price and which are approved by the County Manager and the County Attorney. Approve agreement and Placement fee for a temporary CFO for Career Source.
2. Agreement with LWDB 10 for temporary Administrative Entity services.
3. To approve the Budget Amendment to fund the placement fee for the temporary CFO, an attorney, and a Forensic Audit.
4. To authorize appointment of special counsel, Rochelle Daniels, Esq., to represent Alachua County regarding the recently issued Department of Economic Opportunity monitoring report and restructuring of Alachua County/Bradford County Career Source Board.

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5. To authorize the Chair to issue a Chair Letter to the local workforce development requesting they submit proposed Board nominees to the Alachua County Board of County Commissioners for consideration to fill all existing board vacancies. The County staff is to also use the County's normal procedure for nominating representatives if legal as well.
6. To authorize the Chair to hand deliver chair letter to Bradford County to update them on a summary of all the efforts performed by Alachua County staff to date and ask that they acknowledge equal responsibility for any amounts paid out of Alachua County Reserves that are not reimbursable by the Department of Economic Opportunity (DEO).
7. To ask staff to bring us back some potential new models to look at which would include the most common state wide model as well and a departmental model.

Chair Hutchinson recognized Kali Blount who presented comment.

Chair Hutchinson exited the room at 4:38 P.M.

Vice Chair Byerly and Commissioner Cornell presented comment.

Chair Hutchinson entered at 4:42 P.M.

The motion carried 4-0.

M. Public Hearing

13. Public Hearing to adopt an ordinance to repeal Chapter 22 of the Alachua County Code of Ordinances, known as the "Alachua County Purchasing Code" and replacing it with a new procurement code known as the "Alachua County Procurement Code". 19-0794

Fiscal Consideration: N/A

Recommended Action: Adopt an ordinance to repeal Chapter 22 of the Alachua County Code of Ordinances, known as the "Alachua County Purchasing Code" and replacing it with a new procurement code known as the "Alachua County Procurement Code".

Assistant County Manager Tommy Crosby presented above item.

Vice Chair Byerly and Commissioner Cornell presented comment.

Commissioner Cornell moved adoption of the ordinance to repeal Chapter 22 of the Alachua County Code of ordinances, known as the "Alachua County Purchasing Code" replacing it with a new procurement code known as the "Alachua County Procurement Code" with the one change of moving the Alachua County's Manager

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Signature Authority from \$100,000.00 back down to \$50,000.00. The motion carried 4-0.

22. FY21 Budget Calendar, Budget Guidelines, Policies and Resolution 20-0002

Fiscal Consideration: Funding for the entire County's operations, as well as Constitutional and Judicial Officers will be addressed in the budget process. FY20 Adopted Budget is approximately \$471 Million.

Recommended Action: Adopt the Calendar for the FY21 Budget Meetings Adopt the Guidelines for the FY21 Budget Adopt the Financial Policies presented Adopt the Resolution to Update the Financial Policies Adopt the Resolution to Accelerate Constitutional Officers" Certified Budget Request to May 1st, 2020

Assistant County Manager Tommy Crosby presented above item.

Vice Chair Byerly, Commissioner Cornell, County Manager Michele Lieberman Chair Hutchinson and Commissioner Chestnut presented comment.

Commissioner Cornell moves staff's recommendation to Adopt the Calendar for the FY21 Budget Meetings Adopt the Guidelines for the FY21 Budget Adopt the Financial Policies presented Adopt the Resolution to Update the Financial Policies Adopt the Resolution to Accelerate Constitutional Officers" Certified Budget Request to May 1st, 2020 with the only exception under the administrative procedure budget management item 5 moving leaving that at \$50,000.00 not raising it to \$100,000.00.

Chair Hutchinson recognized Jim Konish who presented comments.

The motion carried 4-0.

14. Public Hearing to Consider Ordinance Amending Fireworks Permitting Code 20-0046

Fiscal Consideration: None.

Recommended Action: Approve ordinance amending the Fireworks Permitting Code and authorize the Chair to sign.

Commissioner Cornell move adoption of ordinance amending the Fireworks Permitting Code and authorize the Chair to sign. The motion carried 3-0 with Commissioner Byerly out of the room.

15. Public Hearing to Consider Special Event Ordinance 20-0051

Fiscal Consideration: None.

Recommended Action: Adopt the proposed Special Event Ordinance and authorize the Chair to sign.

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Commissioner Cornell moved adoption of the proposed Special Event Ordinance authorize the Chair to sign. The motion carried 4-0.

N. Public Comment

16. Public Comments 20-0033

Chair Hutchinson recognized Jim Konish who presented comments.

O. Reports and Comments

17. County Attorney Report 20-0035

No Items to report

18. County Manager Report 20-0036

No Items to report

19. Commission Comments and Board Reports 20-0037

Conflict of Interest with Consultant

Commissioner Cornell asked staff if there is a possible conflict of interest in the County contracting Kimley-Horn & Associates as its planning consultant for the review and update of the Unified Land Development Code (ULDC).

Missy Daniels Department of Growth Management stated that she feels there are no conflict of interest with the consultant Kimley-Horn & Associates.

James Harriett Deputy County Manager, Chair Hutchinson and Vice Chair Mike Byerly presented comments.

Operating and Management Fund for Wild Spaces

Vice Chair Byerly addressed Email from Land Conservation Manager Charlie Houser regarding lack of County Policy regarding O&M for Wild Spaces Public Places.

Chair Hutchinson presented comment.

Vice Chair Byerly moved that we have Staff agenda County Policy for O&M (Operational Maintenance funding) for Wild Spaces Public Places for Board meeting. The motion carried 4-0.

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Farmers Market

Commissioner Byerly addressed Email from a citizen requesting that the restrictions at the Farmers Market be reconsidered to allow a wider variety of products.

Commissioner Byerly moved that we direct staff to place this item for discussion at a future policy meeting and invite representatives from the Farmers Market Board and include a copy of the email discussed in the back up. The motion carried 4-0.

State of Florida Tree Statutes

Commissioner Byerly addressed a letter received from the State and has ask the County Attorney to research our rights on challenging an Arborist on their decision if a tree is dangerous.

County Attorney Sylvia Torres presented comments.

Vice Chair Byerly inquired on when is the Sustainability Coordinator going to be on staff.

Sustainability Manager

Commissioner Byerly inquired when the Sustainability Manager position will be hired.

Michele Lieberman County Manager advised that the Sustainability Manager Position was redone to eliminate the Energy Management piece from it and should be posted in 2-3 weeks along with the Ethics and Community Relations Coordinator.

James Harriett Deputy County Manager advised this is a targeted position. Will advertise for 3-4 weeks and then begin the interview process.

Arborist Steve Kabat

Vice Chair Byerly inquired if anyone has had the opportunity to meet with outgoing County Arborist Steve Kabat. Commissioner Byerly expressed that he did not wish to get into the details at this time but that he task the matter very seriously.

County Manager Lieberman stated that she takes the matter seriously as well and staff is looking into the matter.

Chair Hutchinson out of town

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Chair Hutchinson advised that he will be gone next week so Vice Chair Byerly will be chairing policy meeting on February 4, 2020. February 6, 2020 is the agenda review and request Vice Chair Byerly to get with Michele Lieberman County Manager.

Commissioner Cornell requested County Manager to email to the Board the policy topics for policy meeting in the next 3-4 months to see if there are any to be moved around.

Commissioner Cornell announced that Community Support Services Director Claudia Tuck was able to schedule an appointment tomorrow with the Governor's office.

There being no further business before the Board the meeting was adjourned at 5:49 P.M.

NOTE: This meeting will not reconvene at 5:01 PM

P. CANCELED - Recognitions

Q. CANCELED - Public Comments - 5:30 PM

R. CANCELED - Commission Response to Public Comment

S. CANCELED - Public Hearing

T. CANCELED - Action Items

U. CANCELED - Public Comment

V. CANCELED - Commission Comment W. Adjournment

X. CONSENT ITEMS

Budget & Fiscal Services

20. Approve the Budget Adjustment for the Supervisor of Elections. 19-0828
Fiscal Consideration: Sufficient Budget exists in Fund 171.
Recommended Action: Approve the Budget Adjustment

21. Recognize Unanticipated Revenue for FY19 SCAAP award 20-0013
Fiscal Consideration: 001.32.3200.331.2000 - \$51,547 in unanticipated revenue
001.32.3200.521.34.00 - \$11,341 - due to Justice Benefits - 22% of award
001.32.3220.521.41.00 - \$40,206
Recommended Action: Approve the budget amendment recognizing the unanticipated revenue as well as the attached resolution.

Community Support Services

23. Seventh Amendment to the Interlocal Agreement Between Alachua County and the City of Gainesville for the Empowerment Center 19-0805
Fiscal Consideration: 001.29.2944.564.34.00 Total \$750,000. (\$500,000 for operations of Grace Market Place and \$250,000 to assist with closure of Dignity Village)
Recommended Action: Approve the agreement and authorize the Chair to sign.

County Manager's Office

24. Request Approval of Revised Advisory Board and Committee Guidelines 20-0061
Fiscal Consideration: N/A
Recommended Action: Approve: (1) revised Advisory Board and Committee Guidelines, as presented in redline, and (2) for the purposes of determining any current Advisory Board member's compliance with the attendance policy change in Section II.(8), this policy shall not be applied retroactively, but shall only apply to meetings that occur after the adoption of these revised Guidelines.

Procurement

26. Award/Contract - RFP 19-922 Newnans Lake Cypress Preserve Hunting Agreement 19-0287
Fiscal Consideration: N/A Caretaking, maintenance and security services are being provided to the County at no cost. Entering into this agreement will save the County the cost of certain caretaking services that will be performed by the hunter/caretaker.
Recommended Action: Approve the ranking, award and contract for RFP 19-922 Newnans Lake Cypress Preserve Hunting Agreement to Charles Lesch. 1. Charles Lesch

Risk Management

27. Examination of sufficiency of Public Official Bonds for County Officers 19-0778
Fiscal Consideration: Pay from the County Treasury - from various accounts
Recommended Action: The portion for the Commissioners is paid from Special Expense, 001.04.0490.519.45.00 as needed. Examine and Approve the Public Official Bonds for County Officers; or Do not approve and direct staff

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Y. Notation for Record

28. Arts Council of Alachua County - December 2, 2019 Minutes 20-0029
Fiscal Consideration: N/A
Recommended Action: No action necessary. For informational purposes only.
29. Public Purpose Quarterly Report - 1st Quarter 20-0010
Fiscal Consideration: For the first quarter of FY20, \$65,434 was expended for Public Purpose Activities.
Recommended Action: Accept the FY20 Public Purpose Quarterly Report - 1st Quarter
30. FY20 Alachua County Board of County Commissioners Quarterly Financial Report - 1st Quarter 20-0009
Fiscal Consideration: FY20 expenditures are within budgetary appropriations and the financial position of the County remains strong.
Recommended Action: Accept the FY20 Alachua BoCC Quarterly Financial Report - 1st Quarter
31. Regulatory traffic control devices placed, modified or removed by the County Engineer 19-0807
Fiscal Consideration: N/A
Recommended Action: Recieve the list of regulatory traffic control devices placed, modified or removed by the County Engineer from July 1, 2019 to September 30, 2019 and include a copy of the list in the minutes of the Board of County Commissioners.

Z. Notice of Upcoming Meetings

32. Notice of Upcoming Meetings - as of Jan. 28, 2020 20-0005
Fiscal Consideration: N/A
Recommended Action: N/A