

Tuesday, October 22, 2019 11:30 A.M.

PRESENT: Commissioners Mike Byerly, Ken Cornell, and Marihelen Wheeler

ABSENT: Chair Charles “Chuck” Chestnut and Vice Chair Robert “Hutch” Hutchinson

ALSO PRESENT: Deputy County Manager James Harriot, County Attorney Sylvia Torres, Clerk of Court J.K. “Jess” Irby, Esq., Finance Director Todd Hutchison, and Deputy Clerk Steve Donahey

Commissioner Byerly moved that Commissioner Cornell serve as the Chair for the meeting and that Commissioner Wheeler serve as the Vice Chair. The motion carried 2-1 with Commissioner Cornell voting “Nay”.

- 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.**

Ms. Carissa Cranmer of the Hare Krishna gave the Invocation.

- B. Pledge of Allegiance**

Commissioner Cornell led the 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 U.**

- 1. Approval of Regular and Consent Agendas [19-0575](#)**

Deputy County Manager announced that there would not be a 5:00 PM meeting this evening.

Commissioner Cornell requested that Item #16 be placed on the Regular Agenda for discussion.

Commissioner Byerly moved approval of the agenda as amended. The motion carried 3-0.

E. Announcements

Communications Coordinator Mark Sexton presented the following announcements:

1. A video regarding the Strike Out Hunger Food Drive. Citizens were encouraged to donate food to help support local food pantries.
2. Mr. Sexton stated that since last week's meeting the County decided to move forward with exploring an event center. There seems to be some confusion that the County has abandoned development projects at the MLK Center and the Cabot Koppers sites. Mr. Sexton stated that the Board is committed to those sites but is awaiting more detailed plans from the City of Gainesville.

F. Recognitions

2. Approval of a Proclamation Declaring October 24th, 2019 as "United Nations Day" in Alachua County, FL [19-0315](#)

Fiscal Consideration: N/A

Recommended Action: Proclaim October 24th, 2019 as "United Nations Day" in Alachua County, FL

Commissioner Cornell read and presented the Proclamation to Saeed Khan who accepted it with gratitude.

3. Approval of a Proclamation Declaring October 2019 as "White Cane Safety Awareness Month" in Alachua County, FL [19-0339](#)

Fiscal Consideration: N/A

Recommended Action: Proclaim October 2019 as "White Cane Safety Awareness Month" in Alachua County, FL

Commissioner Wheeler read and presented the Proclamation to Spencer Morgan, Jack Barnum, and Maxine Stallings who accepted it with gratitude.

4. Approval of a Proclamation Declaring October 2019 as "American Pharmacists Month" in Alachua County, FL [19-0500](#)

Fiscal Consideration: N/A

Recommended Action: Proclaim October 2019 as "American Pharmacists Month" in Alachua County, FL

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Commissioner Byerly read and presented the Proclamation to Bill Garst who accepted it with gratitude.

5. Approval of Proclamation Declaring November 11th, 2019 as “Veterans Day” in Alachua County, FL [19-0549](#)

Fiscal Consideration: N/A

Recommended Action: Proclaim November 11th, 2019 as “Veterans Day” in Alachua County, FL

Commissioner Cornell read and presented the Proclamation to Veteran Services Director Kim Davis who accepted it with gratitude.

G. Advisory Board Items

6. Approve Appointment of “County Resident - Appointed by County Commission - Alternate” Member to Wild Spaces Public Places (WSPP) Citizens Oversight Board for a full term ending Sept. 30, 2023 [19-0537](#)

Fiscal Consideration: N/A

Recommended Action: Appoint “County Resident - Appointed by County Commission - Alternate” Member to Wild Spaces Public Places (WSPP) Citizens Oversight Board for a full term ending Sept. 30, 2023

Commissioner Cornell recognized Robert Norberg and Douglas Engh who expressed their desire to serve on the Wild Spaces Public Places Oversight Board.

Clerk Irby called on each Commissioner for their on nominee for the Citizen-at-Large Representative to the Wild Spaces Public Places Oversight Board.

Commissioners Byerly and Wheeler nominated Jane Luzar.

Commissioner Cornell nominated William Hodgkins.

Commissioner Byerly moved appointment of Jane Luzar as the Citizen-at-Large Representative to the Wild Spaces Public Places Oversight Board to a term ending September 30, 2023. The motion carried 3-0.

7. Land Conservation Board Appointment [19-0508](#)

Fiscal Consideration: N/A

Recommended Action: Appoint one (1) citizen-at-large to the Land Conservation Board for a partial term ending 12/31/2021.

Commissioner Cornell recognized Bruce Blackwell who expressed his desire to serve on the Land Conservation Board.

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Clerk Irby called on each Commissioner for their one nominee for the Citizen-at-Large Representative to the Land Conservation Board.

Commissioners Byerly, Cornell, and Wheeler nominated Bruce Blackwell.

Commissioner Byerly moved appointment of Bruce Blackwell as the Citizen-at-Large Representative to the Land Conservation Board to a term ending

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.

8. Public Comment [19-0579](#)

Commissioner Cornell recognized Jim Konish, Anthony Johnson, Jo Beaty, David Ruiz, Darren Cook, Deputy County Manager Harriot, County Attorney Torres, Commissioner Wheeler, and Communications Coordinator Mark Sexton presented comments.

I. Items Pulled From Consent

Budget & Fiscal Services

16. Combined Communications Center Budget Adjustment [19-0501](#)

Fiscal Consideration: Reduce the operating transfer from Fund 147 to ACSO.

Recommended Action: Reduce the transfer to ACSO from the Combined Communications Center Capital Equipment fund by \$290,028.

Assistant County Manager Crosby presented the above item.

Commissioner Cornell requested that a Chair Letter to the City of Gainesville be authorized to the City of Gainesville be aware of the need for additional funding for pay raises for 911 call operators.

Commissioner Byerly moved to reduce the transfer to ACSO from the Combined Communications Center Capital Equipment fund by \$290,028 and authorize a Chair letter to the City of Gainesville presenting the need for additional funding for 911 Operator raises for consideration in the City budget for next fiscal year.

J. Action Items

K. Presentations

9. Three Minute Local History Presentation by the Alachua County Historical Commission on Tom Petty [19-0313](#)

Fiscal Consideration: NA

Recommended Action: Hear the Alachua County Historical Commission 3 minute reading titled "Tom Petty"

Melanie Barr presented the above item.

L. Public Hearing

10. Public Hearing - Human Trafficking Sign Ordinance [19-0515](#)

Fiscal Consideration: N/A

Recommended Action: Approve ordinance which enforces the posting of human trafficking public awareness signs in certain establishments and authorize the Chair to sign.

Community Support Services Director Claudia Tuck and Victim Services and Rape Crisis Center Director Laura Kalt presented the above item.

Commissioner Cornell, Commissioner Wheeler, and County Attorney Torres presented comments.

Commissioner Cornell requested staff contact State Senator Perry, U.S. Congressman Yoho, and State Representative Chuck Clemens if this passes to let them know that Alachua County has approved the local option in this matter.

Commissioner Wheeler moved the following:

1. To approve ordinance which enforces the posting of human trafficking public awareness signs in certain establishments and authorize the Chair to sign.
2. Staff is directed to create an appropriate.

Anthony Johnson, Jo Beaty, David Ruiz, Commissioner Byerly, and County Attorney Torres, and Communications Coordinator Mark Sexton presented comments.

The motion carried 3-0.

11. Public Hearing - Ordinance Amending Wireless Infrastructure Code [19-0518](#)

Fiscal Consideration: None.

Recommended Action: Adopt the proposed ordinance amending the County's Wireless Infrastructure Code and authorize the Chair to sign.

County Engineer Ramon Gavarrete presented the above item.

Commissioner Byerly moved to adopt the proposed ordinance amending the County's Wireless Infrastructure Code and authorize the Chair to sign. The motion carried 3-0.

M. Public Comment

12. Public Comment [19-0578](#)

Commissioner Cornell recognized Anthony Johnson who presented comments regarding the County EMS Billing Department to hire a revenue cycling manager. Mr. Johnson stated that he has heard that a billing manager was going to be hired instead which is a different skill set and inquired how this change occurred.

By consensus, the Board referred Mr. Johnson concerns to staff and requested email response to the Board.

Commissioner Cornell recognized Joe Beatty and County Attorney Torres who presented comments.

N. Reports and Comments

13. County Attorney Report [19-0580](#)

There were no comments provided.

14. County Manager Report [19-0581](#)

There were no comments provided.

15. Commission Comments and Board Reports [19-0582](#)

Event Center

Commissioner Wheeler expressed gratitude to the citizens for taking the time to review the County's Event Center proposals and providing comments to the Board.

Mr. Cook Request

Commissioner Byerly stated that he would like to see if the ballot initiative for Energy Choice which Mr. Cook raised during citizen comments and requested a presentation to the Board makes it to the ballot before the Board addresses the issue.

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Commissioner Byerly moved that if the ballot initiatives meet the requirements and is placed on the ballot then the Board have a meeting to discuss the matter and decide if the Board would like to take a position. The motion carried 3-0.

EO Letter to Career Source

Commissioner Cornell stated that the Equal Opportunity Office (EO) letter to CareerSource of North Central Florida raises serious concerns. Mr. Cornell would like to send a Chair letter to the State Agency informing them that the County Commission has just received the concerns and would like the opportunity to address the concerns.

Commissioner Cornell moved that a Chair Letter to Ken Lawson, at Department of Economic Opportunity (DEO), statin the following:

1. The Alachua County Board of County Commissioners are just learning about the issues raised in his letter dated September 27, 2019.
2. We share his concerns and strongly agree that the CareerSource North Central Florida should conduct its business in an open and transparent manner and as a faithful steward of taxpayer dollars.
3. We take his concerns very seriously, and now that we are aware of them, we wish to work directly with him to better understand his concerns and resolve them in a cooperative manner.
4. To that end, we would like to coordinate a meeting with him and his staff to discuss ways of improving the lines of communication directly between DEO and the County, and to identify and implement any changes that need to be made to not only resolve his concerns now, but to ensure that they do not recur in the future.
5. The County Manager and County Attorney contact DEO to schedule the meeting.

The motion carried 3-0.

National Prescription Drug take back day.

Commissioner Cornell announced that National Prescription Drug Take Back Day is Saturday, October 26, 2019 and that prescription drugs can be turned in to be disposed of properly at from 10:00 a.m. to 2:00 p.m. at the Senior Recreation Center, North Florida Hospital, Alachua County Library Partnership, and at the Willie Mays Community Resource Center.

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There being no further business before the Board the meeting was adjourned at 1:14 P.M.

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

O. Recognitions - CANCELED

P. Public Comments - 5:30 PM - CANCELED

Q. Public Hearing - CANCELED

R. Action Items - CANCELED

S. Public Comment - CANCELED

T. Adjournment

U. CONSENT ITEMS

17. Fee Schedule changes for Ag and Equestrian Center [19-0528](#)

Fiscal Consideration: These changes allow fees to be charged for services not currently listed.

Recommended Action: Approve Fee schedule changes to be effective immediately

18. Charter Review Commission Administrative Support [19-0572](#)

Fiscal Consideration: Funding for the position (\$50,000) has been moved into Special Expense from ITS.

Recommended Action: Approve the 1 year transfer of a position of an Administrative Assistant and approve the budget amendment to move funding to temp services.

Clerk of Court

19. Disposal of Surplus property sold at 2019 non-profit and public auctions [19-0354](#)

Fiscal Consideration: Adopt Resolution with attached report

Recommended Action: Request adoption of the Resolution on Disposal of Alachua County Surplus Property with Exhibit A - Alachua County Surplus Property Disposal Report for auctions held July 15, July 22 and July 26, 2019

20. Clerk's Report regarding donation of surplus property to GRACE Marketplace/ACCHH. [19-0358](#)

Fiscal Consideration: Adopt Resolution with attached report.

Recommended Action: Approve the Resolution regarding donation of Surplus property to GRACE Marketplace/ACCHH

21. Request approval of the donation of surplus property to the Alachua County School District through the County's Tools for Schools Program. [19-0400](#)

Fiscal Consideration: Adopt Resolution with attached report

Recommended Action: Adopt resolution regarding the donation of surplus property to the Alachua County School District through the County's Tools for Schools Program.

County Attorney's Office

22. Settlement Agreement in Mercer v Alachua County [19-0541](#)
Fiscal Consideration: Approximately \$9,000 for new fencing along the eastern side of the easement route, with a matching contribution of up to \$9,000 this expense.
Recommended Action: Approve the proposed Settlement Agreement (attached) in Mercer v Alachua County and authorize the Chair to execute same and all instruments approved by the County Attorney's Office necessary to implement the Settlement Agreement

County Manager's Office

23. Request Approval of Florida Department of Agriculture Grant Agreement [19-0498](#)
Fiscal Consideration: \$400,000 in unanticipated revenue. Fund 342 (Economic Development Fund) is where construction costs related to the different parts of the Ag and Equestrian Center are being budgeted. Journal 2020-152 is for this agenda item.
Recommended Action: Waive the County's Policy against contractual indemnify set forth in Resolution 2014-33, and approve the \$400,000 Florida Department of Agriculture Grant Agreement (Grant Agreement) for the construction of a new UF/IFAS Extension facility and renovation of the Agriculture and Equestrian Center along with the corresponding resolution and budget amendment to recognize unanticipated revenue, and authorize the Chair to execute the Grant Agreement on behalf of the Board. Authorize the Manager, or designee, to complete/sign/submit required updates, documents, reports and, if deemed necessary by the Manager, extensions of time.
24. Approve Appointment of David Ruiz to the Arts Council of Alachua County (ACAC) [19-0517](#)
Fiscal Consideration: N/A
Recommended Action: Appoint David Ruiz to Citizen At Large Vacancy For A Partial Term Ending 9/30/2022.
25. Amendment #107 to the Lutheran Services of Florida Agreement State of Florida Department of Children and Families & General Fund [19-0564](#)
Fiscal Consideration: Metamorphosis - \$ 277,666.00 (Various) Accounts - 265.36.3610.523 Project # 3193601
Mobile Crisis Response Team - \$324,734.00 (Various) Accounts - 275.29.2940.569 Project # 3202901

Recommended Action: Approve the Lutheran Services of Florida Amendment #107

Economic Development

26. City of High Springs CRA Extension [19-0421](#)

Fiscal Consideration: In FY2019, Alachua County contributed \$85,197 to City of High Springs CRA

Recommended Action: Approve 1-year extension expiring at the end of calendar year 2020.

Environmental Protection

27. Chair Letter to Blue-Green Algae Task Force [19-0493](#)

Fiscal Consideration: N/A

Recommended Action: Authorize Chair letter to the State's Blue-Green Algae Task Force and authorize staff to explore additional methods for informing the State on strategies for strengthening the State's fertilizer and stormwater policies.

Fire Rescue

28. Agreement with GRUCom for Fiber Connectivity for Fire Rescue locations
[19-0507](#)

Fiscal Consideration: The FY20 Adopted budget included a budget enhancement to upgrade the current residential broadband services in addition to the budget for the services previously purchased. The new contract will have a monthly charge of \$8,840, totaling \$106,080 011.54.5450.526.41.00 and 011.54.5480.522.41.00. There is sufficient budget in FY20 to cover this agreement.

Recommended Action: Approve the agreement with GRUCom for Fiber Connectivity for Fire Rescue stations.

29. Application for the Certification of Public Convenience and Necessity (CoPCN) for the City of High Springs [19-0511](#)

Fiscal Consideration: This certification will allow them to bill us for the responses into the County managed areas at a higher rate. However, this was assumed in preparing the FY20 budget as it was discussed in the negotiations with High Springs. Therefore, there is no fiscal consideration associated with signing this certification.

Recommended Action: Approve the application for the CoPCN

30. Modification #Z0609-7 to Subgrant Agreement between the Division of Emergency Management and Alachua County Fire Rescue [19-0519](#)
Fiscal Consideration: N/A
Recommended Action: Approve the Modification #Z0609-7 to Subgrant Agreement between The Division of Emergency Management and Alachua County Fire Rescue to eliminate future Amendments
31. Revised Certification of Non-Ad Valorem Assessment Roll for Fire Assessment [19-0529](#)
Fiscal Consideration: Fiscal impact of certification of Non-Ad Valorem Assessment Roll is an increase of \$72,123.65. Original certification = \$13,973,290 and Revised certification = \$14,045,413.65
Recommended Action: Accept the Revised Certification of Non-Ad Valorem Assessment Roll and authorize the Chair to sign

Growth Management

32. Multimodal Transportation Mitigation Agreement – Wimberley Subdivision
Fiscal Consideration: Adoption of the MMTM Agreement will allow the developer to utilize the MMTM Program. Payment of MMTM fees will occur prior to Certificate of Occupancy for any use. Fees will be utilized for eligible projects in the Capital Improvements Element of the Comprehensive Plan.
Recommended Action: Approve and authorize the Chair's signature on the Multi-modal Transportation Mitigation Agreement between Alachua County and Wimberley 352, LLC
33. Request to advertise an amendment to Unified Land Development Code Section 402.03 Effect of overdue taxes, liens and fines. [19-0172](#)
Fiscal Consideration: N/A
Recommended Action: Approve the request to advertise amendments to ULDC Section 402.03

Parks & Conservation Land

34. Recreation and Open Space Advisory Committee: Receipt of 2019 Accomplishments Report and 2020 Workplan [19-0467](#)
Fiscal Consideration: N/A
Recommended Action: Receive the Recreation and Open Space Advisory Committee 2019 Accomplishments and 2020 Workplan
35. City of Gainesville Appointment to the Recreation and Open Space Advisory Committee [19-0481](#)
Fiscal Consideration: N/A

Recommended Action: Approve the City of Gainesville's choice for appointment to the Recreation and Open Space Advisory Committee

Procurement

36. Purchase Order 2020-913 to Bennett Fire Products Co. Inc. – More than \$50K
19-0465

Fiscal Consideration: The purchase of replacement bunker gear of \$75,000 is included in the FY20 Adopted Budget. In addition, \$18,000 was included for the eight new employees assigned to the new rescue unit and \$80,000 for bunker gear related to the funded Cancer initiative issue. Sufficient budget exists in the MSBU Fire Fund account 011.54.5480.522.52.70.

Recommended Action: Approve the issuance of Purchase Order 2020-913, to Bennett Fire Products Co. Inc., in the amount of \$155,000.00, for the purchase of Bunker Gear. Pricing per Lake County Contract #17-06068.

This purchase is exempt from the County's competitive bidding requirements pursuant to Section 22.11(15) of the Alachua County Purchasing Code, which permits the County to purchase supplies, materials, equipment and services under the terms and conditions established under an existing contract that the vendor has with federal, state, municipal government or any other governmental agency. However, since the dollar amount of the purchase exceeds the purchasing authority of the Purchasing Manager, this Purchase Order is being submitted for Board consideration and approval.

37. Report of Contracts Approved by County Manager and Staff July and August 2019 19-0482

Fiscal Consideration: N/A

Recommended Action: Accept the report and include a copy of the documents in the minutes of the Board of County Commissioners.

38. Purchase Order 2020-956 to WUFT - More than \$50K 19-0520

Fiscal Consideration: Monthly billing of \$6,240.00, agreement total \$74,880.00
150.45.4510.552.48.00

Recommended Action: Approve the issuance of Purchase Order 2020-956, to WUFT, in the amount of \$74,880.00, for promotional announcements on NPR through September 28, 2020. Make the legislative factual determination that the promotional announcements purchased with Tourist Development Taxes revenue serve a public purpose and are primarily related to promoting and advertising tourism in Alachua County

Visitors & Convention Bureau

39. Legislative factual determination regarding promotional activities for the adopted FY20 Visitors and Convention Bureau budget [19-0514](#)
Fiscal Consideration: Total of \$709,077 approved for promotional activities in FY20. Fund 150.45.4510.552.48.00 Tourist Development 2% of the 5% tax.
Recommended Action: Make the legislative factual determination that the promotional, marketing and advertising activities within the adopted FY20 Visitors and Convention Bureau Budget, which are to be purchased with Tourist Development Taxes revenue, serve a public purpose and are primarily related to promoting and advertising tourism in Alachua County.

V. Notation for Record

40. Land Conservation Board Approved Minutes August 22, 2019 [19-0522](#)
Fiscal Consideration: N/A
Recommended Action: No action necessary; for information purposes only
41. Arts Council of Alachua County - September 9, 2019 Minutes [19-0543](#)
Fiscal Consideration: N/A
Recommended Action: No action necessary. For informational purposes only.
42. Economic Development Advisory Committee (EDAC) August 2019 Minutes [19-0544](#)
Fiscal Consideration: N/A
Recommended Action: No action necessary. For informational purpose only
43. Local Planning Agency and Planning Commission Minutes for May 15, 2019 [19-0454](#)
Fiscal Consideration: None.
Recommended Action: None. Notation for Record

W. Notice of Upcoming Meetings

44. Notice of Upcoming Meetings - as of Oct. 22, 2019 [19-0523](#)
Fiscal Consideration: N/A
Recommended Action: N/A