

Tuesday, May 12, 2020 – 11:30 A.M.
John R. "Jack" Durrance Auditorium
County Administration Building
12 Southeast First Street
Gainesville, Florida

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

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

ALSO PRESENT: County Manager Michele Lieberman, County Attorney Sylvia Torres, Deputy County Manager James Harriot and Clerk of Court J.K. "Jess" Irby, Esq., Chief Financial Officer Todd Hutchinson, Deputy Clerk Steve Donahey

The meeting was televised on Cox Cable Channel 12.

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.

B. Pledge of Allegiance

C. Call to Order

D. Approval of Consent Agenda

E. Approval of Regular Agenda

Commissioner Cornell moved adoption of the agenda as presented. The motion carried 5-0. All item on the Consent agenda carried with a 5-0 vote except Item #20.

20. Resolution in support of Pressure Technology for participation in the Qualified Target Industry (QTI) Program **20-0358**

Fiscal Consideration: No fiscal impact to FY2020. The total amount of QTI tax refunds Pressure Technology could receive is \$7,500 payable over of 6 years, anticipated to begin FY 2022. The fiscal impact to FY2022 is \$1,375.

Recommended Action: Approve the Resolution supporting Pressure Technology participation in the QTI Program and authorize the Chair's Signature

Recommended Action was approved by the Commission with a 4-1 vote with Commissioner Byerly voting in descent.

F. Announcements / Legislative Update

Alachua County Web Services Supervisor Chris Nielson presented the COVID 19 Recovery Portal on the Count's website.

Commissioner Byerly, Communications Coordinator Mark Sexton, Commissioner Cornell, Chair Hutchinson, and Commissioner Wheeler presented comments.

The Board expressed a desire to have the following items added to the Portal:

- Evictions data
- Utility shutoffs data
- Domestic Violence reports
- Jail Figures
- UF testing and tracing
- Sales Tax/Property Tax
- Racial Demographics/Equity data
- Tax Collector vehicle type data
- Baker Acts/State Hospital Commitments
- Crime statistics such as violent crimes vs. property crimes vs. driving crimes vs. drug crimes
- Populate historical data so that the portal could be used to study long term trends.

H. Recognitions

1. Approval of a Proclamation Declaring May 25th, 2020 as "Memorial Day" in Alachua County, FL 20-0270

Fiscal Consideration: N/A

Recommended Action: Proclaim May 25th, 2020 as "Memorial Day" in Alachua County, FL

Commissioner Cornell read and presented the Proclamation.

2. Approval of a Proclamation Declaring May 17th through 23rd, 2020 as "Emergency Medical Services Week" in Alachua County, FL 20-0283

Fiscal Consideration: N/A

Recommended Action: Proclaim May 17th through 23rd, 2020 as "Emergency Medical Services Week" in Alachua County, FL

Commissioner Byerly read and presented the Proclamation.

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3. Approval of a Proclamation Declaring May 6th through May 12th, 2020 as “National Nurses Week” in Alachua County, FL 20-0373

Fiscal Consideration: N/A

Recommended Action: Proclaim May 6th through May 12th, 2020 as “National Nurses Week” in Alachua County, FL

Commissioner Wheeler read and presented the Proclamation.

G. Items Pulled From Consent

14. Fairgrounds Redevelopment Area Offer Letter to US Army 20-0357

Fiscal Consideration: A US Army Reserve Equipment Concentration Site is estimated to bring over \$330 million in economic benefit over the next 30 years in the local economy. In addition, the facility will support approximately 62 livable wage jobs with Federal benefits. The Fairgrounds property is valued at \$1,640,000.00.

Recommended Action: Authorize the Chair to sign the letter of intent to donate the Fairgrounds Redevelopment Area to the US Army Reserve.

County Manager Lieberman and Strategic Initiatives Manager Sean McLendon presented the above item.

Chair Hutchinson, Commissioner Cornell, and Commissioner Wheeler presented comments.

Mr. McLendon requested to schedule the Hearing for his item for the June 23, 2020 meeting. The July meeting will be at the deadline for a decision and if anything were to occur there would be no flexibility.

Chair Hutchinson directed staff to schedule the matter for the June date.

Commissioner Cornell moved to authorize the Chair to sign the letter of intent to donate the Fairgrounds Redevelopment Area to the US Army Reserve. 2nd Byerly.

Matthew Hurst presented comments to the Board via telephone.

The motion carried 5-0.

I. Advisory Board Items

4. Appointment of Vacant Alternate Member to Arts Council of Alachua County, with a term ending Sept. 20, 2022 20-0347

Recommended Action: Appoint Vacant Arts Council of Alachua County Alternate Position

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Chair Hutchinson called the roll call for each Commissioners one nominee for the Alternate Representative on the Arts Council.

Commissioners Chestnut and Cornell nominated Sara Bracero.

Commissioners Byerly, Wheeler, and Hutchinson nominated Jessica Caldas.

Commissioner Cornell moved appointment of Jessica Caldas as the Alternate Representative to a term ending September 30, 2022. The motion carried 5-0.

5. Presentation of the Healthcare Advisory Board Annual Work Plan FY19-20 and Accomplishments Report 20-0232

Fiscal Consideration: None

Recommended Action: Hear presentation and receive report

Healthcare Advisory Board Chair Brendon Shortley presented the above item.

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

Commissioner Cornell moved to direct staff to work with the Health Care Advisory Board and bring to the Board a couple of options for the Board to consider in the budget cycle for the integration of a funding replacement for these programs in the next 5 to 6 years. **The motion carried 5-0.** 2nd Wheeler

Commissioner Wheeler, Commissioner Cornell, Chair Hutchinson, Assistant County Manager Smart, Community Support Services Director Claudia Tuck, Health Department Director Paul Myers, Commissioner Cornell, and Commissioner Chestnut presented comments.

J. Action Items

6. COVID-19 Update and Commissioner Discussion 20-0370

Fiscal Consideration: N/A

Recommended Action: Receive update on COVID-19 and discuss any related issues or concerns.

Health Department Director Paul Myer presented the above item.

Chair Hutchinson Commissioner Cornell, and Commissioner Chestnut presented comments.

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Emergency Order Discussions

Masks

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

Occupancy Level

Commissioner Cornell moved to follow the Governor's Order on occupancy to 25%.
2nd Byerly

Chair Hutchinson, County Manager Lieberman, Commissioner Wheeler, and, Commissioner Byerly presented comments.

Commissioner Cornell withdrew the motion.

Response to Pandemic

Commissioner Byerly raised the issue of changes to County operations on a permanent basis after the pandemic. Things such as face mask and social distance being incorporated into county operations permanently and not just as a response to the Covid pandemic.

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

Lawsuit and County Order

Commissioner Byerly inquired regarding if there have been other lawsuits in matters such as this around the country and if they were successful.

County Attorney Torres informed that she feels the likelihood of the request for an emergency injunction is unlikely to be successful. She advised that the ruling on the injunction should happen quickly. The lawsuit itself would take sustainably longer. Mrs. Torres informed the Board that for the Attorney's Office to mount a defense she would need authorization from the Board so she is requesting the Board make a motion to authorize her office to act today.

Assistant County Attorney Bob Swain, and Chair Hutchinson presented comments.

Commissioner Wheeler moved to authorize the County Attorney to defend the County in the lawsuits regarding County Emergency Orders. The motion carried 5-0.

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Commissioner Wheeler inquired if there is legal action that can be taken regarding people accosting those who are not wearing a mask.

County Attorney Torres stated that citizens are not the enforcers of County Orders and have no right to make anyone else do something. There are laws on the books that could apply depending on the actions taken.

Solid Waste Collection

Deputy County Manager Harriot informed the Board that operations should be back to normal operation next week.

Commissioner Cornell moved to ratify the County Emergency Orders. The motion carried 5-0.

COMMISSION RECESSED AT: 2:21 P.M.

COMMISSION RECONVENED: 2:30 P.M.

7. City of Newberry Annexations: Request for Board Direction on Initiation of Appeal Process **20-0355**

Fiscal Consideration: If the Board chooses to appeal the City's annexations, the County will potentially incur costs for litigation, and may incur costs and attorney's fees if not successful. Additional costs will be incurred if the County is not the prevailing party in the annexation appeal, and the County would owe reasonable attorney's fees and costs.

Recommended Action: If the County Commission wishes to initiate the appeal process on the annexations adopted by City Ordinances 2020-04, 2020-06, 2020-09, and 2020-10, then the Board should approve the attached resolution to initiate the conflict resolution procedures of Chapter 164, Florida Statutes, the "Florida Governmental Conflict Resolution Act".

If the County Commission does not want to appeal the annexations, then no action is required.

Senior Planner Ben Chumley presented the above item.

Chair Hutchinson, City of Newberry Mayor Jordan Marlowe Commissioner Byerly, Chair Hutchinson, and Assistant County Attorney Corbin Hanson presented comments.

Commissioner Byerly moved to adopt the Resolution to challenge through the dispute resolution process Ordinances 2020-10, 2020-09, 2020-04, and 2020-06. 2nd Cornell

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Commissioner Cornell moved the substitute motion to adopt an amended Resolution to challenge through the dispute resolution process for Ord. 2020-09 and Ord. 2020-10 and accept Ordinances 2020-04 and 2020-06. 2nd Wheeler

County Attorney Torres advised that leaving Ordinances 2020-09, 2020-10, 2020-04, and 2020-06 in the dispute process is advantageous for negotiations for the County.

Commissioner Cornell withdrew the substitute motion.

Commissioner Wheeler, Mayor Marlowe, Chair Hutchinson, and Assistant County Attorney Corbin Hanson presented comments.

There were no public comments offered for this item.

The motion carried 3-2 with Commissioner Wheeler and Commissioner Hutchinson voting “Nay”.

K. Public Hearing

8. Resolution 20-38 - Accepting the Donation of Real Property from the Stephens Family **20-0367**

Fiscal Consideration: The Property Appraiser's Just Value for the 14.186-acre property is \$37,580.

Estimated annual operating cost: \$5,000

Estimated attorney's fees & closing costs: \$2,000

Title commitment cost: \$1,460

Boundary survey cost: \$1,000

Phase I environmental assessment: \$2,530

TOTAL EXPENDITURE AUTHORITY REQUESTED: \$6,990

WSPP - Land Acquisition:

021.41.4160.537.61.00 - 6194101 Lochloosa Forest Connector - Stephens

Loss of property tax revenues of \$875 annually.

Recommended Action: 1) Adopt Resolution 20-XX, accepting the donation of real property from the Stephens Family for use as an Alachua County Forever (ACF) Preserve, subject to the completion of due diligence with the review and approval by the County Manager; and
2) Authorization of expenditures for title insurance, recording fees, and legal fees necessary to complete the transaction

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Lands Conservation Director Charlie Houder presented the above items.

There were no public comments offered on this item.

Commissioner Byerly moved adoption of Resolution 20-38, accepting the donation of real property from the Stephens Family for use as an Alachua County Forever (ACF) Preserve, subject to the completion of due diligence with the review and approval by the County Manager; and 2) Authorization of expenditures for title insurance, recording fees, and legal fees necessary to complete the transaction. The motion carried 5-0.

9. Public Hearing - FY20 Mid-Year Budget Amendment **20-0375**

Fiscal Consideration: The Budget Amendment increases the Budget for All Funds by \$8,878,032 to a new Total Budget of \$541,065,920.

Recommended Action: Adopt the Resolutions and Approve the Fund-Function-Category Budget Amendment

Assistant County Manager Tommy Crosby presented the above item.

Commissioner Cornell moved to adopt the Resolutions and Approve the Fund-Function-Category Budget Amendment.

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

There were no citizen comments offered.

The motion carried 5-0.

L. Administrative Reports

County Attorney Report

There were no items submitted.

County Manager Report

Events Center

Deputy County Manager Harriot advised that a document has been received in terms of a deal for a center at Celebration Pointe a week before the Covid closure. Staff is reviewing the document and looking to set up a meeting with Celebration Pointe as soon as possible.

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Commissioner Cornell stated that the business environment has changed after Covid 19 and encouraged staff to leave no stone unturned in regards to funding opportunities.

M. Public Comment

A Citizen, Deputy County Manager Harriott, Citizen, Jon DeCarmine, Commissioner Cornell, Jeremiah Tattersall, Kimber Tough, Max Tippings, Nathan Skop, Debbie Martinez, Citizen, Commissioner Cornell, Chair Hutchinson, County Manager Lieberman, Assistant County Manager Smart, Commissioner Cornell, Assistant County Manager Crosby, Commissioner Chestnut, and Assistant County Manager Carl Smart presented comments.

N. Board Reports and Commission Comment

Commissioner Wheeler advised that the Tourist Development Board will meet Wednesday and the Library Governing Board will meet Thursday so things are starting to return to normal. Mrs. Wheeler further stated that she has received concerns from citizens that the County is not communicating with the municipalities. She wanted the citizens to know that the County Manager is contact each municipality twice a week and having directing communications with the Municipality regarding the Covid situation.

Commissioner Cornell stated that he appreciated the conversation regarding the mask and stated that on May 18 the Governor could announce that the State is moving to Phase 2 of reopening. If the Board wishes to have a discussion should the Governor announce Phase 2 he will make himself available for such a discussion.

Commissioner Chestnut advised that on April 29, 2020 in the City of Newberry an estimate of 550 households were served food. The Pastors Christian Association served an estimated 3,000 households on May 1 and May 8 with food. He stated that the Community is doing a tremendous job. He thinks the largest need is for food distribution in the smaller municipalities for individuals who have a lack of transportation to get to Gainesville.

Commissioner Byerly stated he has received an email regarding festivals. He advised that Micanopy has a festival and the organizers do not want to perform the work to organize such an event only to have it canceled by the Board. He would like the Board to consider the matter for future action. His concern is that a festival it will be impossible to maintain social distancing.

Chair Hutchinson stated that the current environment is so unpredictable that at this time there is no way to make a decision.

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Commissioner Cornell stated for him it depends on what Phase of reopening the State of Florida is in. The Board should continue to rely on guidance from the State and Federal Agencies.

Commissioner Wheeler stated that Camp McConnell would be a great space for a festival in Micanopy.

There being no further business before the Board the meeting was adjourned at 4:32 P.M.

O. Adjournment

P. CONSENT ITEMS

Clerk of Court

10. Constitutional Officers' Quarterly Report for FY2020 Quarter 2. 20-0352 Fiscal
Consideration: N/A
Recommended Action: Accept Constitutional Officers' Quarterly Reports of Budget to Actual Expenditures for FY2020 Quarter 2.
11. Children's Trust of Alachua County Quarterly Report FY2020 Quarter 2. 20-0361
Fiscal Consideration: N/A
Recommended Action: Accept the Children's Trust of Alachua County's Quarterly Statement of Revenues and Expenditures for FY2020 Quarter 2.
12. Alachua County's 2019 Comprehensive Annual Financial Report (CAFR) and Independent Audit. 20-0362
Fiscal Consideration: N/A
Recommended Action: Accept the FY2019 Comprehensive Annual Financial Report (CAFR), and the Florida State Comptrollers Annual Financial Report (AFR). Authorize the Chair to certify the AFR to the State. Acknowledge receipt of the audit reports and letters for Single Audit report from the County's independent Certified Public Accountants, Purvis Gray and Company, LLP. Acknowledge receipt of the Management Response Letter to the Auditor General. Authorize the Clerk to transmit the CAFR and the Single Audit Report to the Auditor General. Acknowledge receipt of SAS 114 letter form Auditors.

County Manager's Office

13. Approval of Alachua County School Board Ballot Initiative to Renew Existing One Mill Ad Valorem Tax for Four Years for Necessary Operating Expenses 20-0359
Fiscal Consideration: N/A

Recommended Action: Approve the Alachua County School Board Ballot Initiative to Renew Existing One Mill Ad Valorem Tax for Four Years for Necessary Operating Expenses

Growth Management

15. Resolution Providing for Historic Ad Valorem Exemption at 305 NE 6th St. Gainesville **20-0307**

Fiscal Consideration: Estimated value of exemption based on project cost: \$2,480/ year for 10 years

Recommended Action: Approve the Historic Ad Valorem Exemption

Parks and Open Space

16. Approve the Budget Amendment for Jonesville Park Tennis Court Improvements Project **20-0301**

Fiscal Consideration: Approve adding additional monies within the Jonesville WSPP park budget in the amount of \$209,000. Fund: 021.41.4100.572.63.98

Recommended Action: Approve the Budget Amendment; the bid is pending award to Joyner.

Procurement

17. Contract-RFP 20-953 Technical Consultant for the County Administration Building, with Avison Young-Florida, LLC **20-0363**

Fiscal Consideration: \$402,000 contract with Avison Young-Florida LLC. Planning and Architect Services are adequate for this project in the FY20 budget.

Recommended Action: Approve the contract for RFP 20-953 Technical Consultant for the County Administration Building, to Avison Young-Florida, LLC.

Sheriff's Office

18. FY 2020 Coronavirus Emergency Supplemental Funding (CESF) Program **20-0364**

Fiscal Consideration: None. The grant does not require matching funds.

Recommended Action: Authorize the Sheriff to apply for and submit the application for Coronavirus Emergency Supplemental funding as the authorized agent.

Sustainability

19. Finalized County Community Redevelopment Grants for the Gainesville Metropolitan Area **20-0360**

Fiscal Consideration: Account 001.17.1770.552.46.00 budget \$100,000 The resources for these efforts would be funded from a portion of financial

contributions committed by the County to the Gainesville Community Revitalization Area agreement (GCRA). In 2020 the first year, the increment available for economic development projects will be \$100,000 growing by \$100,000 per year over ten years per Section 3 of the GCRA agreement. Alachua County's total commitment to the GCRA starting in 2020 is \$4,191,460 with an increment draw down of \$100,000 annually for 10 years to reach equity between the City and County's commitment. At year ten of the agreement, the City and County will contribute an equal amount of \$3,325,657 per year.

Recommended Action: Approve the finalized grant criteria and application. Direct staff to solicit and bring back ranked applications to the earliest possible County Commission meeting for review and award. Authorize the County Manager to sign agreements with non-profits after the Board's award.

20. Resolution in support of Pressure Technology for participation in the Qualified Target Industry (QTI) Program **20-0358**

Fiscal Consideration: No fiscal impact to FY2020. The total amount of QTI tax refunds Pressure Technology could receive is \$7,500 payable over of 6 years, anticipated to begin FY 2022. The fiscal impact to FY2022 is \$1,375.

Recommended Action: Approve the Resolution supporting Pressure Technology participation in the QTI Program and authorize the Chair's Signature

Visitors & Convention Bureau

21. Request Approval of the Conference Grant Application **20-0225**

Fiscal Consideration: Funding for the Conference Grant program is available in the Visit Gainesville, Alachua County budget. 15% of the third penny of Tourist Development Tax. Fund: 005.45.4530.552.82.24

Recommended Action: Approve the Conference Grant application as presented.

Q. Notation for Record

22. Approved minutes from the November 2019 Tourist Development Council Meeting
20-0368

Fiscal Consideration: N/A

Recommended Action: No action necessary. For informational purposes only.

23. Tourist Development Council Approved Minutes January 2020 **20-0369**

Fiscal Consideration: N/A

Recommended Action: No action necessary. For informational purposes only.

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R. Notice of Upcoming Meetings

24. Notice of Upcoming Meetings - as of May 12, 2020 **20-0345**

Fiscal Consideration: N/A

Recommended Action: N/A