



Alachua County, FL

Joint Meeting

Meeting Agenda - Final

Wednesday, September 30, 2020

3:00 PM

Virtual

This is a virtual meeting. The public may attend virtually through Cox Channel 12, Facebook, and the County's Video on Demand website. For meeting audio only, call 301-715-8592, and when prompted, use code 670 965 3024. The public may submit comments to the board through email (bocc@alachuacounty.us) or by calling into the public comment message line when prompted to call during the meeting. Public comment will be taken by telephone for all non-ministerial items on which the Commission votes. Once public comment is opened for an item under discussion, please call 929-205-6099 (enter meeting code 273 174 8038). Callers will be put in a queue, and prompted when it is their turn to speak. TO AVOID FEEDBACK, SPEAKERS MUST TURN DOWN THEIR MEETING SOUND WHEN ADDRESSING THE COMMISSION. Callers should state their name and limit comments to two minutes. The Commission will allow up to a total of 30 minutes for citizen comments on each item opened for public comment. In addition, the Commission will open phone lines for one 30 minute public comment session for the public to discuss items not on the Commission agenda. The public is encouraged to submit any written or photographic documents prior to the meeting to bocc@alachuacounty.us.

All persons are advised that, if they decide to contest any decision made at any of these meetings, they will need a record of the proceedings and, for such purpose they may need to ensure that verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. (Section 286.0105 Florida Statutes)

If you have a disability and need an accommodation in order to participate in this meeting, please contact the Alachua County Equal Opportunity Office at (352)374-5275 at least 2 business days prior to the meeting. TTY users please call 711 (Florida Relay Service).

Call To Order**Welcome****Introduction**

Mayor Lauren Poe, City of Gainesville

Chair Robert Hutchinson, Alachua County Commission

Adoption of the Agenda**Items For Discussion****1. [20-0849](#) Ballot Items**

Fiscal Consideration: N/A

Recommended Action: Review and Discuss the 2020 Ballot Items.

[CRC Resolution 2020-01 - County Charter Amendment Establishing County Growth Management Area - rev adding hi-res map - Signed \(1\).pdf](#)
[CRC Resolution 2020-04 - County Charter Amendment Establishing Alachua County Affordable Housing Trust Fund - updated 06-10-2020 to add numbering footnote - Sig \(1\).pdf](#)
[CRC Resolution 2020-05 - County Charter Cleanup Amendment Removing Unconstitutional Provisions - Signed \(1\).pdf](#)
[CRC Resolution 2020-06 - County Charter Amendment Concerning Candidate Treas Report Requirements - Signed \(1\).pdf](#)
[BoCC Natural Resources Ord2020_12_Charter_executed 5-26-2020 ADA.pdf](#)
[BoCC Ordinance 2020-13_Charter Amendment Equity_Final Signed.pdf](#)

2. [20-0850](#) COVID Response (incl. UF) - Time Certain at 4pm

Fiscal Consideration: N/A

Recommended Action: Have a discussion on COVID-19 and hear from the University of Florida.

3. [20-0856](#) Solid Waste Discussion

Fiscal Consideration: N/A

Recommended Action: Have a discussion on solid waste.

[Solid Waste Collection Agreement Update 9.30.20.pdf](#)
[WCA Alachua County Renewal Options.pdf](#)

Public Comment**Commission General Comments and Information Discussion**

County Commission Comment

City Commission Comment

Adjourn



Agenda Item Summary

Agenda Date: 9/30/2020

Agenda Item No.: 1.

Agenda Item Name:

Ballot Items

Presenter:

Mari Daniels, Stephen Hofstetter and Penny Wheat

Description:

Review and Discuss the 2020 Ballot Items

Recommended Action:

Review and Discuss the 2020 Ballot Items.

Prior Board Motions:

N/A

Fiscal Consideration:

N/A

Background:

There are six Alachua County and Charter Review Commission measures on the 2020 ballot. Several links are provided below for more information on each:

- <https://alachuacounty.us/news/article/pages/Proposed-Charter-Amendments-on-the->
- <https://www.votealachua.com/AmendmentsandReferendums>
<https://urldefense.com/v3/__https://www.votealachua.com/AmendmentsandReferendums__;!!LGX2LR-
- <https://www.youtube.com/watch?v=Aj1-yMIInBo&feature=youtu.be>
<https://urldefense.com/v3/__https://www.youtube.com/watch?v=Aj1-yMIInBo&feature=youtu.be__;!!LGX2LR-
- <<https://alachuacounty.us/charterreview/pages/default.apx>>

ALACHUA COUNTY CHARTER REVIEW COMMISSION

CRC RESOLUTION 2020-01

A RESOLUTION OF THE ALACHUA COUNTY CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE ALACHUA COUNTY HOME RULE CHARTER ESTABLISHING A COUNTY GROWTH MANAGEMENT AREA; PROVIDING FOR A REFERENDUM ELECTION TO BE CALLED BY THE BOARD OF COUNTY COMMISSIONERS ON SUCH CHARTER AMENDMENT TO BE HELD AT THE NOVEMBER 2020 GENERAL ELECTION; PROVIDING THE BALLOT TITLE AND BALLOT SUMMARY FOR THE REFERENDUM; PROVIDING FOR TRANSMITTAL OF THIS RESOLUTION TO THE BOARD OF COUNTY COMMISSIONERS AND THE SUPERVISOR OF ELECTIONS; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4.2(B) of the Alachua County Charter, after three (3) public hearings on a proposed charter amendment at intervals of not less than ten (10) days nor more than twenty (20) days, and thereafter by a favorable vote on a proposed charter amendment by at least seven (7) of the twelve (12) members of the Alachua County Charter Review Commission (“Charter Review Commission”), the Charter Review Commission may deliver the proposed charter amendment to the Board of County Commissioners for submittal to the electorate for adoption; and

WHEREAS, the Charter Review Commission held public hearings on the proposed charter amendment set forth herein on Wednesday, May 13, 2020, Wednesday, May 27, 2020, and Wednesday, June 10, 2020; and

WHEREAS, after holding such public hearings, this Resolution and the proposed charter amendment set forth herein were approved by at least seven (7) of the twelve (12) members of the Charter Review Commission; and

WHEREAS, for purposes of this Resolution, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text, and ~~strike through~~ shall constitute deletions to the original text.

NOW, THEREFORE, BE IT RESOLVED BY THE ALACHUA COUNTY CHARTER REVIEW COMMISSION, AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The foregoing recitals are true and correct and by this reference are hereby incorporated herein and made an integral part hereof as though fully set forth herein, and adopted as findings of the Alachua County Charter Review Commission.

SECTION 2. ADOPTION OF PROPOSED CHARTER AMENDMENT. The Charter Review Commission hereby adopts the proposed charter amendment attached hereto as Exhibit “A”, and hereby requests and directs, pursuant to Section 4.2(B) of the Charter, that the Board of County Commissioners, by resolution, place such amendment on the November 2020 General Election ballot. The ballot title and ballot summary for the referendum to be held on such amendment shall be as set forth in Exhibit “A”. The CRC General Counsel and the CRC Liaison are directed to see that a true and correct copy of the “County Growth Management Area Map” dated June 12, 2020 attached hereto as Exhibit “B” is placed on file in the official records of the Clerk of the Board of County Commissioners no later than close of business on June 12, 2020.

SECTION 3. TRANSMITTAL TO THE BOARD OF COUNTY COMMISSIONERS AND SUPERVISOR OF ELECTIONS. The Chair of the Charter Review Commission is directed to transmit a true copy of this resolution to the Board of County Commissioners, and to the Alachua County Supervisor of Elections, no later than close of business on June 12, 2020.

SECTION 4. SEVERABILITY. The provisions of this Resolution are deemed severable. In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Resolution is for any reason whatsoever held to be invalid, illegal, unconstitutional, contrary to law, or against public policy, by any court, administrative agency, or other body with competent jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Resolution shall be null and void, and shall be deemed severed, and a separate, distinct, and independent provision from the remaining provisions of this Resolution, and such holding shall in no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections of this Resolution, which shall remain in full force and effect. This Resolution shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes of this Resolution as expressed herein.

SECTION 5. CONFLICTS. All resolutions or other actions of the Charter Review Commission in conflict with this Resolution are hereby repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by at least seven (7) members of the Charter Review Commission.

ADOPTED this 10th day of June, 2020.

Alachua County Charter Review Commission

Approved as to Legal Form:


Wade Vose, General Counsel


Penny Wheat, Chair

RECORD OF VOTE

BERNAL	<u>Y</u>	LITTLE	<u>Y</u>
BLOUNT	<u>Y</u>	RICHARDSON	<u>Y</u>
CAMIL	<u>Y</u>	ROBBINS	<u>N</u>
INGLE	<u>Y</u>	THOMPSON	<u>Y</u>
KLEIN	<u>N</u>	WHEAT	<u>Y</u>
KUMAR	<u>Y</u>	YOUNG	<u>Y</u>

Exhibit “A”

Ballot Proposal: The ballot title and ballot summary for this question are as follows:

COUNTY CHARTER AMENDMENT
ESTABLISHING COUNTY GROWTH
MANAGEMENT AREA

Shall the Alachua County Charter be amended, effective countywide, to establish a County Growth Management Area (“Area”), provide that the County’s comprehensive plan and land development regulations will exclusively govern land development in the Area, whether inside or outside municipal boundaries, authorize implementing ordinances, provide for removal of lands from the Area, and provide that the charter and implementing ordinances shall prevail over conflicting municipal ordinances?

_____ Yes
_____ No

Ballot Language Translation: The Spanish language translation for the ballot title and ballot summary for the aforementioned question are as follows:

ENMIENDA A LA CARTA ORGÁNICA DEL
CONDADO ESTABLECIENDO EL ÁREA DE
ADMINISTRACIÓN DE CRECIMIENTO DEL
CONDADO

¿Deberá enmendarse la Carta Orgánica del Condado de Alachua, efectiva en todo el condado, para establecer un Área de Administración del Crecimiento del Condado ("Área"), estipular que el plan integral del Condado y las regulaciones de desarrollo de la tierra regirán exclusivamente el desarrollo de la tierra en el Área, ya sea dentro o fuera de los límites municipales, autorizar las ordenanzas de implementación, proveer para la remoción de tierras del Área y establecer que la carta orgánica y las ordenanzas de implementación prevalecerán sobre las ordenanzas municipales en conflicto?

_____ Sí
_____ No

Text Revisions: Upon approval of this question at referendum, the following portions of the Alachua County Charter are amended to read as follows:

Sec. 1.4. - Relation to municipal ordinances.

Except as otherwise provided by this charter, Mmunicipal ordinances shall prevail over county ordinances to the extent of any conflict. Notwithstanding the foregoing, if the county and a municipality enact ordinances establishing different standards for the purpose of protecting the environment by prohibiting or regulating air or water pollution, the ordinances imposing more stringent standards shall prevail to the extent of the difference and be fully enforceable within the boundaries of such municipality; however, the ordinances imposing less stringent standards shall not be deemed to conflict with ordinances imposing more stringent standards and shall also be fully enforceable within the boundaries of such municipality.

Sec. 1.5. - Land use planning.

A. Except as provided in Section 1.5(B), Eeach municipality shall be responsible for land use planning within its respective boundaries and the county shall be responsible for land use planning in the unincorporated area. Notwithstanding the foregoing, the county and any municipality may enter into an interlocal agreement to provide for joint planning in portions of the unincorporated area not located within any area designated pursuant to general or special law as a reserve for annexation by another municipality or in portions of the area within such municipality.

B. County Growth Management Area

(1) There is hereby established a County Growth Management Area, initially consisting of all those lands so designated on that certain map titled "County Growth Management Area Map" dated June 12, 2020, which is on file in the official records of the clerk of the board of county commissioners. The board of county commissioners may, by ordinance approved by affirmative vote of no less than four commissioners, remove lands from the County Growth Management Area.

(2) After the effective date of this subsection, the comprehensive plan and land development regulations of Alachua County shall exclusively govern the development of lands lying within the County Growth Management Area, regardless of whether some or all of the lands lying within the County Growth Management Area are located or subsequently annexed into a municipality.

(3) The board of county commissioners may enact ordinances to implement this subsection. This subsection and any implementing county ordinances shall prevail over conflicting municipal ordinances.

- (4) Pursuant to Section 4.2(D), the charter amendment effectuating this subsection is expressly declared to be effective county-wide, and the proposing charter review commission has determined that such county-wide amendment fulfills an important county purpose.

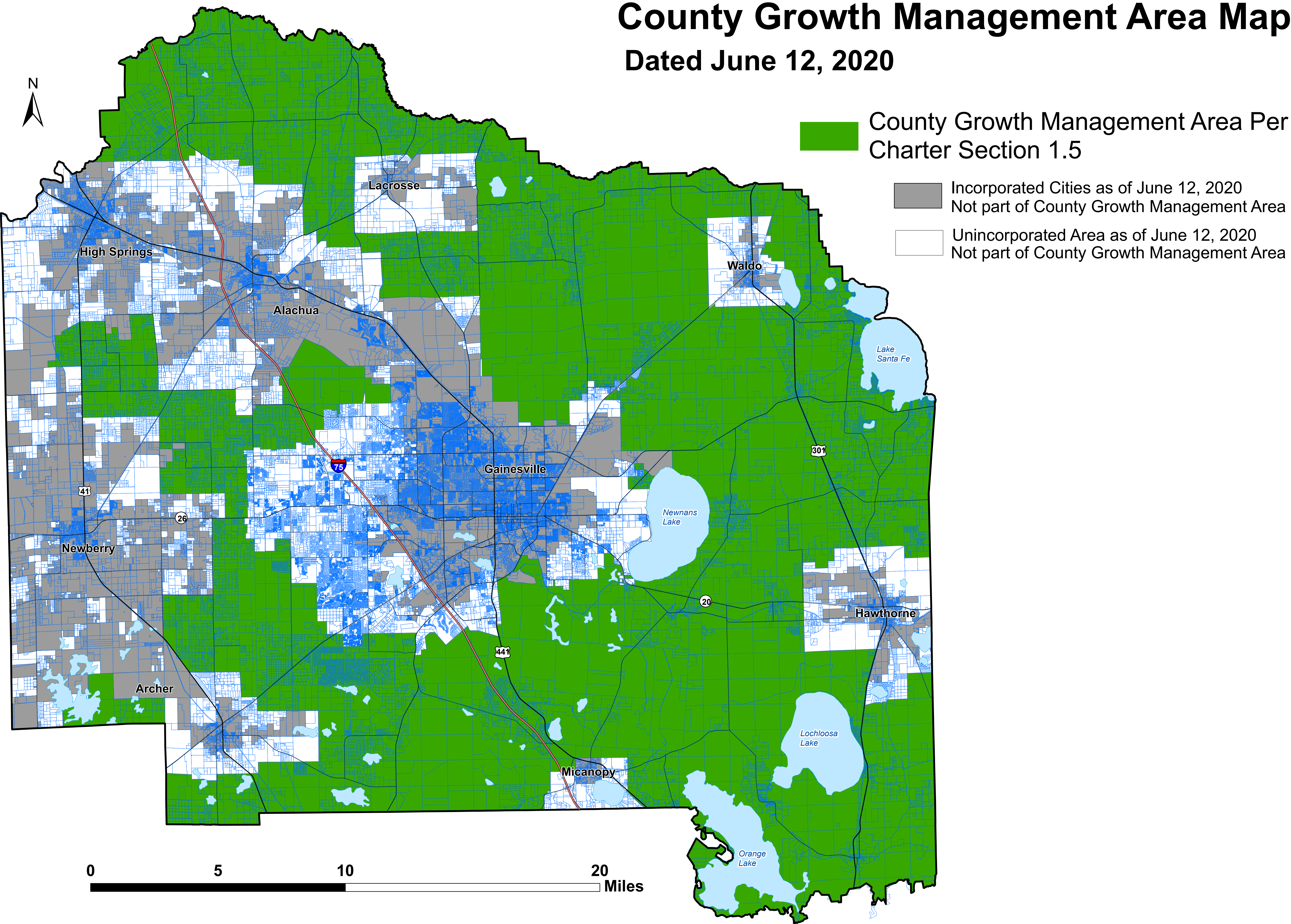
Exhibit “B”

County Growth Management Area Map
Dated June 12, 2020

(On following page)

County Growth Management Area Map

Dated June 12, 2020



ALACHUA COUNTY CHARTER REVIEW COMMISSION

CRC RESOLUTION 2020-04

A RESOLUTION OF THE ALACHUA COUNTY CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE ALACHUA COUNTY HOME RULE CHARTER ESTABLISHING AN ALACHUA COUNTY AFFORDABLE HOUSING TRUST FUND; PROVIDING FOR A REFERENDUM ELECTION TO BE CALLED BY THE BOARD OF COUNTY COMMISSIONERS ON SUCH CHARTER AMENDMENT TO BE HELD AT THE NOVEMBER 2020 GENERAL ELECTION; PROVIDING THE BALLOT TITLE AND BALLOT SUMMARY FOR THE REFERENDUM; PROVIDING FOR TRANSMITTAL OF THIS RESOLUTION TO THE BOARD OF COUNTY COMMISSIONERS AND THE SUPERVISOR OF ELECTIONS; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4.2(B) of the Alachua County Charter, after three (3) public hearings on a proposed charter amendment at intervals of not less than ten (10) days nor more than twenty (20) days, and thereafter by a favorable vote on a proposed charter amendment by at least seven (7) of the twelve (12) members of the Alachua County Charter Review Commission (“Charter Review Commission”), the Charter Review Commission may deliver the proposed charter amendment to the Board of County Commissioners for submittal to the electorate for adoption; and

WHEREAS, the Charter Review Commission held public hearings on the proposed charter amendment set forth herein on Wednesday, May 13, 2020, Wednesday, May 27, 2020, and Wednesday, June 10, 2020; and

WHEREAS, after holding such public hearings, this Resolution and the proposed charter amendment set forth herein were approved by at least seven (7) of the twelve (12) members of the Charter Review Commission; and

WHEREAS, for purposes of this Resolution, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text, and ~~striketrough~~ shall constitute deletions to the original text.

NOW, THEREFORE, BE IT RESOLVED BY THE ALACHUA COUNTY CHARTER REVIEW COMMISSION, AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The foregoing recitals are true and correct and by this reference are hereby incorporated herein and made an integral part hereof as though fully set forth herein, and adopted as findings of the Alachua County Charter Review Commission.

SECTION 2. ADOPTION OF PROPOSED CHARTER AMENDMENT. The Charter Review Commission hereby adopts the proposed charter amendment attached hereto as Exhibit “A”, and hereby requests and directs, pursuant to Section 4.2(B) of the Charter, that the Board of County Commissioners, by resolution, place such amendment on the November 2020 General Election ballot. The ballot title and ballot summary for the referendum to be held on such amendment shall be as set forth in Exhibit “A”.

SECTION 3. TRANSMITTAL TO THE BOARD OF COUNTY COMMISSIONERS AND SUPERVISOR OF ELECTIONS. The Chair of the Charter Review Commission is directed to transmit a true copy of this resolution to the Board of County Commissioners, and to the Alachua County Supervisor of Elections, no later than close of business on June 12, 2020.

SECTION 4. SEVERABILITY. The provisions of this Resolution are deemed severable. In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Resolution is for any reason whatsoever held to be invalid, illegal, unconstitutional, contrary to law, or against public policy, by any court, administrative agency, or other body with competent jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Resolution shall be null and void, and shall be deemed severed, and a separate, distinct, and independent provision from the remaining provisions of this Resolution, and such holding shall in no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections of this Resolution, which shall remain in full force and effect. This Resolution shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes of this Resolution as expressed herein.

SECTION 5. CONFLICTS. All resolutions or other actions of the Charter Review Commission in conflict with this Resolution are hereby repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by at least seven (7) members of the Charter Review Commission.

ADOPTED this 10th day of June, 2020.

Alachua County Charter Review Commission

Approved as to Legal Form:



Wade Vose, General Counsel



Penny Wheat, Chair

RECORD OF VOTE

BERNAL	<u>Y</u>	LITTLE	<u>N</u>
BLOUNT	<u>A</u>	RICHARDSON	<u>Y</u>
CAMIL	<u>N</u>	ROBBINS	<u>Y</u>
INGLE	<u>Y</u>	THOMPSON	<u>Y</u>
KLEIN	<u>Y</u>	WHEAT	<u>Y</u>
KUMAR	<u>Y</u>	YOUNG	<u>N</u>

Exhibit “A”

Ballot Proposal: The ballot title and ballot summary for this question are as follows:

COUNTY CHARTER AMENDMENT
ESTABLISHING ALACHUA COUNTY
AFFORDABLE HOUSING TRUST FUND

Shall the Alachua County Charter be amended to establish an Alachua County Affordable Housing Trust Fund used to create and sustain affordable housing, which may be funded by fees from new commercial and residential development and other sources, all as directed by the County Commission, and to provide for the purposes, revenue sources, appropriation and expenditure of funds, annual audit, continuing nature, implementation by ordinance, and administration and oversight of the Trust Fund?

_____ Yes
_____ No

Ballot Language Translation: The Spanish language translation for the ballot title and ballot summary for the aforementioned question are as follows:

ENMIENDA A LA CARTA ORGÁNICA DEL
CONDADO ESTABLECIENDO EL FONDO
FIDUCIARIO DE VIVIENDA ASEQUIBLE DEL
CONDADO DE ALACHUA COUNTY

¿Deberá enmendarse la Carta Orgánica del Condado de Alachua para establecer un Fondo Fiduciario de Vivienda Asequible del Condado de Alachua utilizado para crear y mantener viviendas asequibles, que pueden ser financiadas por tarifas de nuevos desarrollos comerciales y residenciales y otras fuentes, de acuerdo a lo indicado por la Comisión del Condado, y para prever los fines, fuentes de ingresos, apropiación y gasto de fondos, auditoría anual, naturaleza continua, implementación por ordenanza y administración y supervisión del Fondo Fiduciario?

_____ Sí
_____ No

Text Revisions: Upon approval of this question at referendum, the following portions of the Alachua County Charter are amended to read as follows:

Sec. 1.8.¹ – Alachua County Affordable Housing Trust Fund.

- (A) Alachua County Affordable Housing Trust Fund established. The Alachua County Affordable Housing Trust Fund ("Trust Fund") is hereby established.
- (B) Purposes of Trust Fund. The purpose of the Trust Fund is to provide a continuing, non-lapsing fund for the Alachua County Commission to use to address the need for affordable housing within Alachua County. The Trust Fund will be used to create and sustain affordable housing throughout Alachua County for renters and homeowners, and increase workforce housing opportunities.
- (C) Revenue sources. The Trust Fund established under this section shall be funded as directed by the County Commission, and may be comprised of the following sources:
- (1) Alachua County General Revenue appropriated to the Trust Fund by the County Commission as part of the annual budget;
 - (2) Funds voluntarily contributed by municipalities that may elect to participate in the Trust Fund and programs funded by the Trust Fund;
 - (3) Grants or donations of money, property, or any other thing of value made to the Trust Fund;
 - (4) Mandatory or voluntary payments, including but not limited to fees from new commercial and residential development, made pursuant to the development policies established by ordinance; and
 - (5) Other sources as established by ordinance.
- (D) Continuing Nature of Trust Fund. Unless otherwise provided by ordinance or required by applicable law, unspent portions of the Trust Fund established under this Section, repayments of principal and interest on loans provided from the Trust Fund, and interest earned from the deposit or investment of monies from the Trust Fund:
- (1) Shall remain in the Trust Fund, to be used exclusively for the purposes of the Trust Fund;
 - (2) Do not revert to the general revenues of the County; and
 - (3) Any appropriations do not lapse.
- (E) Administration and Oversight of Trust Fund. The Trust Fund shall be administered, appropriated, and expended by the County Commission in a manner consistent with the purposes of the Trust Fund as set forth in this section. The Trust Fund shall be administered in a manner that allows the

¹ In the event another charter amendment adding a Section 1.8 to the Alachua County Charter is approved at referendum on this ballot, this section shall be numbered Section 1.9.

Trust Fund to leverage other sources of public funds and private investment.
The Trust Fund shall be included in the annual audit.

- (F) *Implementation by Ordinance.* No later than July 1, 2021, the County Commission shall adopt one or more ordinances implementing the provisions of this section, which ordinances may be amended from time to time by the County Commission consistent with the provisions of this section.

ALACHUA COUNTY CHARTER REVIEW COMMISSION

CRC RESOLUTION 2020-05

A RESOLUTION OF THE ALACHUA COUNTY CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE ALACHUA COUNTY HOME RULE CHARTER REMOVING UNCONSTITUTIONAL PROVISIONS; PROVIDING FOR A REFERENDUM ELECTION TO BE CALLED BY THE BOARD OF COUNTY COMMISSIONERS ON SUCH CHARTER AMENDMENT TO BE HELD AT THE NOVEMBER 2020 GENERAL ELECTION; PROVIDING THE BALLOT TITLE AND BALLOT SUMMARY FOR THE REFERENDUM; PROVIDING FOR TRANSMITTAL OF THIS RESOLUTION TO THE BOARD OF COUNTY COMMISSIONERS AND THE SUPERVISOR OF ELECTIONS; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4.2(B) of the Alachua County Charter, after three (3) public hearings on a proposed charter amendment at intervals of not less than ten (10) days nor more than twenty (20) days, and thereafter by a favorable vote on a proposed charter amendment by at least seven (7) of the twelve (12) members of the Alachua County Charter Review Commission (“Charter Review Commission”), the Charter Review Commission may deliver the proposed charter amendment to the Board of County Commissioners for submittal to the electorate for adoption; and

WHEREAS, the Charter Review Commission held public hearings on the proposed charter amendment set forth herein on Wednesday, May 13, 2020, Wednesday, May 27, 2020, and Wednesday, June 10, 2020; and

WHEREAS, after holding such public hearings, this Resolution and the proposed charter amendment set forth herein were approved by at least seven (7) of the twelve (12) members of the Charter Review Commission; and

WHEREAS, for purposes of this Resolution, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text, and ~~strikethrough~~ shall constitute deletions to the original text.

NOW, THEREFORE, BE IT RESOLVED BY THE ALACHUA COUNTY CHARTER REVIEW COMMISSION, AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The foregoing recitals are true and correct and by this reference are hereby incorporated herein and made an integral part hereof as though fully set forth herein, and adopted as findings of the Alachua County Charter Review Commission.

SECTION 2. ADOPTION OF PROPOSED CHARTER AMENDMENT. The Charter Review Commission hereby adopts the proposed charter amendment attached hereto as Exhibit “A”, and hereby requests and directs, pursuant to Section 4.2(B) of the Charter, that the Board of County Commissioners, by resolution, place such amendment on the November 2020 General Election ballot. The ballot title and ballot summary for the referendum to be held on such amendment shall be as set forth in Exhibit “A”.

SECTION 3. TRANSMITTAL TO THE BOARD OF COUNTY COMMISSIONERS AND SUPERVISOR OF ELECTIONS. The Chair of the Charter Review Commission is directed to transmit a true copy of this resolution to the Board of County Commissioners, and to the Alachua County Supervisor of Elections, no later than close of business on June 12, 2020.

SECTION 4. SEVERABILITY. The provisions of this Resolution are deemed severable. In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Resolution is for any reason whatsoever held to be invalid, illegal, unconstitutional, contrary to law, or against public policy, by any court, administrative agency, or other body with competent jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Resolution shall be null and void, and shall be deemed severed, and a separate, distinct, and independent provision from the remaining provisions of this Resolution, and such holding shall in no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections of this Resolution, which shall remain in full force and effect. This Resolution shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes of this Resolution as expressed herein.

SECTION 5. CONFLICTS. All resolutions or other actions of the Charter Review Commission in conflict with this Resolution are hereby repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by at least seven (7) members of the Charter Review Commission.

ADOPTED this 10th day of June, 2020.

Alachua County Charter Review Commission

Approved as to Legal Form:



Wade Vose, General Counsel



Penny Wheat, Chair

RECORD OF VOTE

BERNAL	<u>Y</u>	LITTLE	<u>Y</u>
BLOUNT	<u>Y</u>	RICHARDSON	<u>Y</u>
CAMIL	<u>Y</u>	ROBBINS	<u>Y</u>
INGLE	<u>Y</u>	THOMPSON	<u>Y</u>
KLEIN	<u>Y</u>	WHEAT	<u>Y</u>
KUMAR	<u>Y</u>	YOUNG	<u>Y</u>

Exhibit “A”

Ballot Proposal: The ballot title and ballot summary for this question are as follows:

COUNTY CHARTER CLEANUP AMENDMENT
REMOVING UNCONSTITUTIONAL
PROVISIONS

Shall the Alachua County Charter be amended to remove two unconstitutional provisions, one unconstitutionally prohibiting protections based on sexual orientation, sexual preference, or similar characteristics, and another imposing unconstitutional residency requirements for Alachua County Commission candidate qualifying?

_____ Yes
_____ No

Ballot Language Translation: The Spanish language translation for the ballot title and ballot summary for the aforementioned question are as follows:

ENMIENDA DE LIMPIEZA DE LA CARTA
ORGÁNICA DEL CONDADO ELIMINANDO
DISPOSICIONES INCONSTITUCIONALES

¿Deberá enmendarse la Carta Orgánica del Condado de Alachua para eliminar dos disposiciones inconstitucionales; una que prohíbe inconstitucionalmente las protecciones basadas en orientación sexual, preferencia sexual o características similares, y otra que imponga requisitos inconstitucionales de residencia para la calificación de candidatos a la Comisión del Condado de Alachua?

_____ Sí
_____ No

Text Revisions: Upon approval of this question at referendum, the following portions of the Alachua County Charter are amended to read as follows:

Sec. 2.2. - Legislative branch.

- (A) The county commission. The governing body of the county shall be a board of county commissioners composed of five (5) members serving staggered terms of four (4) years. There shall be one (1) commissioner for each of the five (5) county commission districts established pursuant to general law and they shall be elected on a countywide basis by the electors of the county. ~~Each candidate for the office of county commissioner shall reside within the~~

~~district from which such candidate seeks election at the time of qualifying to run for that office, and d~~During the term of office each commissioner shall reside in the district from which such commissioner ran for office, provided that any commissioner who is removed from a district by redistricting may continue to serve during the balance of the term of office.

...

- (D) 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. ~~Provided, the board of county commissioners shall not adopt any ordinance creating classifications based upon sexual orientation, sexual preference, or similar characteristics, except as necessary to conform county ordinances to federal or state law.~~

ALACHUA COUNTY CHARTER REVIEW COMMISSION

CRC RESOLUTION 2020-06

A RESOLUTION OF THE ALACHUA COUNTY CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE ALACHUA COUNTY HOME RULE CHARTER CONCERNING CANDIDATE TREASURER REPORT REQUIREMENTS; PROVIDING FOR A REFERENDUM ELECTION TO BE CALLED BY THE BOARD OF COUNTY COMMISSIONERS ON SUCH CHARTER AMENDMENT TO BE HELD AT THE NOVEMBER 2020 GENERAL ELECTION; PROVIDING THE BALLOT TITLE AND BALLOT SUMMARY FOR THE REFERENDUM; PROVIDING FOR TRANSMITTAL OF THIS RESOLUTION TO THE BOARD OF COUNTY COMMISSIONERS AND THE SUPERVISOR OF ELECTIONS; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4.2(B) of the Alachua County Charter, after three (3) public hearings on a proposed charter amendment at intervals of not less than ten (10) days nor more than twenty (20) days, and thereafter by a favorable vote on a proposed charter amendment by at least seven (7) of the twelve (12) members of the Alachua County Charter Review Commission (“Charter Review Commission”), the Charter Review Commission may deliver the proposed charter amendment to the Board of County Commissioners for submittal to the electorate for adoption; and

WHEREAS, the Charter Review Commission held public hearings on the proposed charter amendment set forth herein on Wednesday, May 13, 2020, Wednesday, May 27, 2020, and Wednesday, June 10, 2020; and

WHEREAS, after holding such public hearings, this Resolution and the proposed charter amendment set forth herein were approved by at least seven (7) of the twelve (12) members of the Charter Review Commission; and

WHEREAS, for purposes of this Resolution, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text, and ~~striketrough~~ shall constitute deletions to the original text.

NOW, THEREFORE, BE IT RESOLVED BY THE ALACHUA COUNTY CHARTER REVIEW COMMISSION, AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The foregoing recitals are true and correct and by this reference are hereby incorporated herein and made an integral part hereof as though fully set forth herein, and adopted as findings of the Alachua County Charter Review Commission.

SECTION 2. ADOPTION OF PROPOSED CHARTER AMENDMENT. The Charter Review Commission hereby adopts the proposed charter amendment attached hereto as Exhibit “A”, and hereby requests and directs, pursuant to Section 4.2(B) of the Charter, that the Board of County Commissioners, by resolution, place such amendment on the November 2020 General Election ballot. The ballot title and ballot summary for the referendum to be held on such amendment shall be as set forth in Exhibit “A”.

SECTION 3. TRANSMITTAL TO THE BOARD OF COUNTY COMMISSIONERS AND SUPERVISOR OF ELECTIONS. The Chair of the Charter Review Commission is directed to transmit a true copy of this resolution to the Board of County Commissioners, and to the Alachua County Supervisor of Elections, no later than close of business on June 12, 2020.

SECTION 4. SEVERABILITY. The provisions of this Resolution are deemed severable. In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Resolution is for any reason whatsoever held to be invalid, illegal, unconstitutional, contrary to law, or against public policy, by any court, administrative agency, or other body with competent jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Resolution shall be null and void, and shall be deemed severed, and a separate, distinct, and independent provision from the remaining provisions of this Resolution, and such holding shall in no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections of this Resolution, which shall remain in full force and effect. This Resolution shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes of this Resolution as expressed herein.

SECTION 5. CONFLICTS. All resolutions or other actions of the Charter Review Commission in conflict with this Resolution are hereby repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by at least seven (7) members of the Charter Review Commission.

ADOPTED this 10th day of June, 2020.

Alachua County Charter Review Commission

Approved as to Legal Form:



Wade Vose, General Counsel



Penny Wheat, Chair

RECORD OF VOTE

BERNAL	<u>Y</u>	LITTLE	<u>Y</u>
BLOUNT	<u>Y</u>	RICHARDSON	<u>Y</u>
CAMIL	<u>Y</u>	ROBBINS	<u>Y</u>
INGLE	<u>Y</u>	THOMPSON	<u>Y</u>
KLEIN	<u>Y</u>	WHEAT	<u>Y</u>
KUMAR	<u>Y</u>	YOUNG	<u>Y</u>

Exhibit “A”

Ballot Proposal: The ballot title and ballot summary for this question are as follows:

COUNTY CHARTER AMENDMENT
CONCERNING CANDIDATE TREASURER
REPORT REQUIREMENTS

Shall the Alachua County Charter be amended to remove any requirement that candidates file treasurer reports on paper, while retaining the existing requirement that they must file treasurer reports electronically?

_____ Yes
_____ No

Ballot Language Translation: The Spanish language translation for the ballot title and ballot summary for the aforementioned question are as follows:

ENMIENDA A LA CARTA ORGÁNICA DEL
CONDADO REFERENTE A LOS REQUISITOS
PARA EL INFORME DEL TESORERO DEL
CANDIDATO

¿Deberá enmendarse la Carta Orgánica del Condado de Alachua para remover cualquier requisito indicando que los candidatos presenten informes del tesorero en papel, mientras se mantiene el requisito existente de que deben presentar informes del tesorero electrónicamente?

_____ Sí
_____ No

Text Revisions: Upon approval of this question at referendum, the following portions of the Alachua County Charter are amended to read as follows:

Sec. 1.6. - Campaign finance regulation.

...

- (D) Filing financial reports/time for accepting contributions. Candidates shall adhere to the following requirements when accepting campaign contributions and filing financial reports:

- (1) Candidates shall accept only those campaign contributions received on or before midnight on the seventh day prior to the date of the election.
- (2) Candidates shall file their last period candidate treasurer reports with the Alachua County Supervisor of Elections by no later than 5:00 p.m. on the sixth day prior to the date of the election. ~~This deadline may not be extended by use of a postmark or other courier receipt.~~
- (3) Candidate treasurer reports shall be filed in electronic format ~~no later than the due date for the paper original reports.~~
- (4) When reporting their campaign contributions, candidates shall report the source of the contribution as being from those persons and entities described in Chapter 106, Florida Statutes; candidates shall also report the type of contributor and the cumulative total contribution amount from each contributor as of the date of the report.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 1, 2020

Honorable J.K. "Jess" Irby, Esq.
Clerk of the Circuit Court
Alachua County
201 East University Avenue
Post Office Box 939
Gainesville, Florida 32602

Attention: Steve Donahey

Dear Mr. Irby:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of the Alachua County Ordinance No. 2020-12, which was filed in this office on June 1, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 2020- 12

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO SECTION 1.4 OF THE ALACHUA COUNTY HOME RULE CHARTER REGARDING CONFLICTS BETWEEN COUNTY AND MUNICIPAL ORDINANCES RELATING TO CERTAIN NATURAL RESOURCE PROTECTION STANDARDS; PROVIDING FOR A REFERENDUM ON THE QUESTION OF ADOPTION OF THE PROPOSED AMENDMENT TO THE COUNTY CHARTER; PROVIDING AN EFFECTIVE DATE AND COUNTYWIDE EFFECT OF THE CHARTER AMENDMENT, IF APPROVED BY A MAJORITY OF ELECTORS; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF ALACHUA COUNTY AND CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR LIBERAL CONSTRUCTION AND INTERPRETATION; ALLOWING FOR MODIFICATION OF THE LANGUAGE OF THE ORDINANCE DUE TO CONSIDERATIONS ARISING AT A PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Alachua County established a charter form of government pursuant to the provisions of Chapter 125, Part IV, Florida Statutes, effective January 1, 1987; and

WHEREAS, the Alachua County Board of County Commissioners adopted an ordinance to approve the Alachua County Home Rule Charter ("Charter") on September 9, 1986, and the Charter was approved by a majority of all voters voting in the special election held as part of the general election on November 4, 1986; and

WHEREAS, the Charter provides that amendments to the Charter may be proposed by an ordinance adopted by the Board of County Commissioners by an affirmative vote of a

34 majority plus one of the membership of the Board of County Commissioners; and

35 **WHEREAS**, the Florida Constitution, Article VIII, Section 1(g) provides that a County
36 Charter shall provide which ordinance shall prevail in the event of conflict between County and
37 municipal ordinances, and

38 **WHEREAS**, the Board of County Commissioners desires to propose an ordinance for
39 adoption to amend the Alachua County Charter Section 1.4, Relation to Municipal Ordinances,
40 to add ordinances protecting listed species habitat, significant geologic features, strategic
41 ecosystems, or significant habitat, all of which are defined in the Alachua County
42 Comprehensive Plan, to the existing Charter provision which provides that if both county and
43 municipal ordinances establish different standards for the purpose of protecting the environment
44 by prohibiting or regulating air or water pollution, then the ordinances imposing more stringent
45 standards shall prevail to the extent of the difference and be enforceable within the boundaries
46 of municipalities, and

47 **WHEREAS**, the proposed amendment serves the important county purpose of
48 providing for the protection of natural resources countywide regardless of whether they are
49 located within unincorporated areas or municipalities by ensuring that, if there are conflicts
50 between County and municipal ordinances concerning the protection of certain natural
51 resources, the more stringent of those ordinances shall prevail to the extent of the conflict, and be
52 enforceable within the boundaries of municipalities. and

53 **WHEREAS**, the Board of County Commissioners has determined that this
54 amendment, if approved by the electors of the County, shall be effective county-wide.

55 **NOW THEREFORE, BE IT ORDAINED BY THE COUNTY**
56 **COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:**

57 **SECTION 1. Authorization and Legislative Findings.** This Ordinance is authorized
58 by Chapter 125, Part IV, Florida Statutes, and Article IV, Sections 4.2(C) and 4.2(D), Alachua
59 County Charter, and other applicable law. The Board of County Commissioners finds and
60 declares that all the statements set forth in the preamble of this ordinance are true and correct
61 and are incorporated herein.

62 **SECTION 2. Amendments to the Alachua County Home Rule Charter.** The
63 proposed amendment to the Alachua County Charter, set forth in Exhibit "A", attached
64 hereto and incorporated herein, is proposed for adoption in accordance with Subsection
65 4.2(C)(1), Alachua County Charter.

66 **SECTION 3. Referendum.**

67 a. The proposed amendment to the Alachua County Charter in Section 2 of this
68 ordinance shall be presented to the County electorate on the ballot at the general election to be
69 held on November 3, 2020.

71 b. The Supervisor of Elections of Alachua County shall cause the following
72 question to be placed on the ballot at the general election to be held on November 3, 2020:

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79 **RELATIONSHIP BETWEEN COUNTY AND MUNICIPAL ORDINANCES**
80 **FOR PROTECTION OF CERTAIN NATURAL RESOURCES**

81
82 SHALL THE ALACHUA COUNTY HOME RULE CHARTER SECTION 1.4 BE AMENDED TO
83 AUTHORIZE COUNTYWIDE PROTECTION OF CERTAIN NATURAL RESOURCES BY
84 ESTABLISHING THAT THE MORE PROTECTIVE OF COUNTY OR MUNICIPAL ORDINANCES
85 FOR SUCH PURPOSE SHALL PREVAIL TO THE EXTENT OF ANY CONFLICT AND BE
86 ENFORCEABLE COUNTYWIDE?

87
88 _____ YES

89 _____ NO

90 **SECTION 4. Effective Date of Charter Amendment.**

91 This amendment to the Alachua County Charter adopted as set forth in Exhibit "A" shall
92
93 be effective on January 1, 2021, only if approved by a majority of the electors voting in the general
94 election to be held on November 3, 2020.

95 **SECTION 5. Inclusion in the Code, Scrivener's Error.** It is the intention of the Board
96 of County Commissioners of Alachua County, Florida, and it is hereby provided that the
97 provisions of this ordinance shall become and be made a part of the Code of Laws and
98 Ordinances of Alachua County, Florida; that the sections of this ordinance may be renumbered
99 or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to
100 "section," "article," or other appropriate designation. The correction of typographical errors
101 which do not affect the intent of the ordinance may be authorized by the County Manager or
102 designee without public hearing, by filing a corrected or recodified copy of the same with the
103 Clerk of the Circuit Court.

105 **SECTION 6. Severability.** It is the declared intent of the Board of County
106
107 Commissioners that, if any section, sentence, clause, phrase or provision of this ordinance is for
108 any reason held or declared to be unconstitutional, void, or inoperative by a court or agency of
109 competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the
110 remaining provisions of this ordinance, and the remainder of this ordinance after the exclusion
111 of such part or parts shall be deemed to be valid.

112 **SECTION 7. Liberal Construction and Interpretation.** This ordinance shall be
113 liberally construed in order to effectively carry out the purposes hereof which are deemed to
114 be in the best interest of the public health, safety, and welfare of the citizens and residents of
115 Alachua County, Florida.

116 **SECTION 8. Modification.** It is the intent of the Board of County Commissioners that
117 the provisions of this ordinance may be modified as a result of considerations that may arise
118 during public hearings. Such modifications shall be incorporated into the final version of the
119 ordinance adopted by the Board and filed by the Clerk to the Board.

120 **SECTION 9. Effective Date.** A certified copy of this ordinance shall be filed with the
121 Department of State by the Clerk of the Board of County Commissioners within ten (10) days
122 after enactment by the Board of County Commissioners, and this ordinance shall take effect
123 upon filing with the Department of State.

124 **DULY ADOPTED** in regular session by an affirmative vote of a majority plus one
125 of the membership of the Board of County Commissioners this 26th day of May, 2020.

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BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: 
Robert Hutchinson, Chair

ATTEST:


J.K. "Jess" Irby, Esq., Clerk

APPROVED AS TO FORM:



Alachua County Attorney

EXHIBIT A

Section 1.4, Relation to Municipal Ordinances, of the Alachua County Home Rule Charter is hereby amended to read:

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

Sec. 1.4. - Relation to municipal ordinances.

Except as otherwise provided in this Charter, municipal ordinances shall prevail over county ordinances to the extent of any conflict. Effective countywide and Notwithstanding the foregoing, if the county and a municipality enact ordinances establishing different standards for the purpose of protecting the environment by prohibiting or regulating air or water pollution, or for the purpose of protecting listed species habitat, significant geologic features, strategic ecosystems, or significant habitat, all of which are defined in the Alachua County Comprehensive Plan, the ordinances imposing more stringent standards shall prevail to the extent of the difference and be fully enforceable within the boundaries of such municipality; however, the ordinances imposing less stringent standards shall not be deemed to conflict with ordinances imposing more stringent standards and shall also be fully enforceable within the boundaries of such municipality.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 18, 2020

Honorable J.K. "Jess" Irby, Esq.
Clerk of the Circuit Court
Alachua County
201 East University Avenue
Post Office Box 939
Gainesville, Florida 32602

Attention: Steve Donahey

Dear Mr. Irby:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of the Alachua County Ordinance No. 2020-13, which was filed in this office on June 18, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE 2020- 13

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, PROPOSING THE CREATION OF SECTION 1.8 OF THE ALACHUA COUNTY HOME RULE CHARTER, PROVIDING FOR THE IDENTIFICATION OF RACIAL AND GENDER BIAS IN COUNTY POLICIES; PROVIDING FOR A REFERENDUM ON THE QUESTION OF ADOPTION OF THE PROPOSED AMENDMENT TO THE COUNTY CHARTER; PROVIDING AN EFFECTIVE DATE, IF APPROVED BY A MAJORITY OF ELECTORS; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF ALACHUA COUNTY AND CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR LIBERAL CONSTRUCTION AND INTERPRETATION; AND ALLOWING FOR MODIFICATION OF THE LANGUAGE OF THE ORDINANCE DUE TO CONSIDERATIONS ARISING AT A PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Alachua County established a charter form of government pursuant to the provisions of Chapter 125, Part IV, Florida Statutes, effective January 1, 1987; and

WHEREAS, the Board of County Commissioners adopted an ordinance to approve the Alachua County Home Rule Charter ("Charter") on September 9, 1986 and the Charter was approved by a majority of all voters voting in the special election held as part of the general election on November 4, 1986; and

WHEREAS, the Charter provides that amendments to the Charter may be proposed by an ordinance adopted by the Board of County Commissioners by an affirmative vote of a majority plus one of the membership of the Board of County Commissioners; and

26 **WHEREAS**, the Board of County Commissioners desires to propose an ordinance
27 for adoption to amend the Alachua County Charter to annually examine County policies
28 to endeavor to eliminate racial and gender bias in County policies.

29 **NOW THEREFORE, BE IT ORDAINED BY THE COUNTY**
30 **COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:**

31 **SECTION 1. Authorization and Legislative Findings.** This Ordinance is
32 authorized by Chapter 125, Part IV, Florida Statutes, and Article IV, Sections 4.2(C) and
33 4.2(D), Alachua County Charter, and other applicable law. The Board of County
34 Commissioners finds and declares that all the statements set forth in the preamble of this
35 ordinance are true and correct and are incorporated herein.

36 **SECTION 2. Amendments to the Alachua County Home Rule Charter.** The
37 proposed amendment to the Alachua County Charter adding Section 1.8 pertaining racial,
38 economic and gender equity, set forth in Exhibit " A", attached hereto and incorporated
39 herein, is proposed for adoption in accordance with Subsection 4.2(C)(1), Alachua County
40 Charter.

41 **SECTION 3. Referendum.**

42 a. The proposed amendment to the Alachua County Charter in Section 2 of
43 this ordinance shall be presented to the County electorate on the ballot at the general
44 election to be held on November 3, 2020.

67 County Manager or designee without public hearing, by filing a corrected or recodified copy
68 of the same with the Clerk of the Circuit Court.

69 SECTION 6. **Severability.** It is the declared intent of the Board of County
70 Commissioners that, if any section, sentence, clause, phrase or provision of this ordinance
71 is for any reason held or declared to be unconstitutional, void, or inoperative by a court or
72 agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not
73 affect the remaining provisions of this ordinance, and the remainder of this ordinance after
74 the exclusion of such part or parts shall be deemed to be valid.

75 SECTION 7. **Liberal Construction and Interpretation.** This ordinance shall be
76 liberally construed in order to effectively carry out the purposes hereof which are deemed
77 to be in the best interest of the public health, safety, and welfare of the citizens and
78 residents of Alachua County, Florida.


79 SECTION 8. **Modification.** It is the intent of the Board of County Commissioners
80 that the provisions of this ordinance may be modified as a result of considerations that
81 may arise during public hearings. Such modifications shall be incorporated into the final
82 version of the ordinance adopted by the Board and filed by the Clerk to the Board.

83 SECTION 9. **Effective Date.** A certified copy of this ordinance shall be filed with
84 the Department of State by the Clerk of the Board of County Commissioners within ten
85 (10) days after enactment by the Board of County Commissioners, and this ordinance
86 shall take effect upon filing with the Department of State.

87 **DULY ADOPTED** in regular session by an affirmative vote of a majority plus one
88 of the membership of the Board of County Commissioners this 9th day of June,
89 2020.

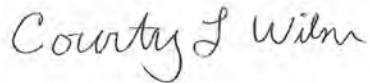
90 BOARD OF COUNTY COMMISSIONERS OF
91 ALACHUA COUNTY, FLORIDA

92
93 ATTEST:

By: 
Robert Hutchinson, Chair

94 
95 J.K. "Jess" Irby, Esq., Clerk

APPROVED AS TO FORM:



96
97
98

Alachua County Attorney

EXHIBIT A

Sec. 1.8. – Identify and eliminate racial and gender bias in County policies.

The Board of County Commissioners shall annually examine policies for all County operations and endeavor to eliminate all elements of racial and gender bias in both the design and delivery of County programs and services.

Editor's note— The addition of § 1.8 to the county charter was approved by the voters at an election held on Nov. 3, 2020.

5

Proposed Alachua County Charter Amendment
Re: Section 1.8 Equity in County Policies
For Public Hearing, June 9, 2020

6



Agenda Item Summary

Agenda Date: 9/30/2020

Agenda Item No.: 2.

Agenda Item Name:

COVID Response (incl. UF) - Time Certain at 4pm

Presenter:

Click or tap here to enter text.

Description:

Click or tap here to enter text.

Recommended Action:

Have a discussion on COVID-19 and hear from the University of Florida.

Prior Board Motions:

Click or tap here to enter text.

Fiscal Consideration:

N/A

Background:

Click or tap here to enter text.



Agenda Item Summary

Agenda Date: 9/30/2020

Agenda Item No.: 3.

Agenda Item Name:

Solid Waste Discussion

Presenter:

Click or tap here to enter text.

Description:

Click or tap here to enter text.

Recommended Action:

Have a discussion on solid waste.

Prior Board Motions:

Click or tap here to enter text.

Fiscal Consideration:

N/A

Background:

Click or tap here to enter text.



Solid Waste Collection Agreement Update

September 30, 2020

**Gus Olmos, Interim Director
Solid Waste and Resource Recovery**

Solid Waste Collection Agreement Update

August 25, 2020

- Board of County Commissioners authorized staff to notify commercial hauler of County intent to initiate displacement procedures as required under F.S. 403.70605(3)
 - 3 years to complete displacement of solid waste commercial haulers
- Objective is to have a exclusive franchise agreement for residential and commercial solid waste collection
- Residential solid waste collection agreement with WCA expires on October 1, 2021
 - Contract renewal options

Solid Waste Collection Agreement Update

September 22, 2020

Board of County Commissioners adopted motion to:

- Reject the WCA 5-year and request a 3-year renewal option
- Continue to work with the City of Gainesville on a potential joint Bid Request and bring back an update to the Board in December
- Provide an update at the September 30 Joint City and County Meeting

WCA Renewal Options for Alachua County

Two (2) year renewal option. Effective date 10-1-2021 through 9-30-2023

- ▶ Increase of \$4.72 per home per month effective
- ▶ WCA retains ownership of all carts/ recycling bins

Three (3) year renewal option. Effective date 10-1-2021 through 9-30-2024

- ▶ Increase of \$3.26 per home per month effective 10-1-2021 through 9-30-2024
- ▶ WCA retains ownership of all carts/ recycling bins

The above adjusted rates are exclusively for the Alachua County contract. Rates to be adjusted for a joint City and County renewal

Impact of Proposed Rates on Solid Waste Assessment

	Assessment Rates		% Increase
Container Size	Current	2 Year	
Mini	\$ 184.73	\$ 241.37	31%
35	\$ 210.49	\$ 267.13	27%
64	\$ 264.56	\$ 321.20	21%
96	\$ 322.68	\$ 379.32	18%
Contract Value	\$ 3,850,363.80	\$ 5,211,026.52	35%

Impact of Proposed Rates on Solid Waste Assessment

	Assessment Rates		% Increase
Container Size	Current	3 Year	
Mini	\$ 184.73	\$ 223.85	21%
35	\$ 210.49	\$ 249.61	19%
64	\$ 264.56	\$ 303.68	15%
96	\$ 322.68	\$ 361.80	12%
Contract Value	\$ 3,850,363.80	\$ 4,790,143.56	24%

Collaboration with City of Gainesville

- Zero Waste Plan Meetings in March 2020
- Joint Solid Waste Contract Meetings August 2020
 - Yard Waste
 - Bulky Waste
 - Multi-Family
 - Fleet Fueling Options
 - Recycling Collection
 - Organics Collection
 - Commercial Waste

In-House Solid Waste Collection

Residential Collection : Garbage; Recycling; Yard Waste,
Bulk Materials

Commercial Collection : Garbage; Recycling

Similar Programs in the State:

- Miami-Dade provides residential solid waste collection
- Escambia County provides residential and commercial collection

Cumulative Total Expenses by Year

Expenses : Vehicles; Containers; Staff & Staff Building; Operational;
Compressed Natural Gas Fueling Station; Parking Lot; Fleet
Technicians & Fleet Building

FY2021	FY2022	FY2023	FY2024	FY2025
\$30,100,000	\$11,500,000	\$11,500,000	\$12,400,000	\$11,900,000

Next Steps

- Conduct a market analysis to evaluate alternatives for establishing an exclusive franchise for residential and commercial solid waste collection
- Continue to work with City of Gainesville on potential Joint Request for Bids for an exclusive franchise agreement
- Update the Board by December 2020

Questions?



Date: 9-24-2020

Re: Alachua County / WCA of Florida
Residential Curbside Collection Contract (Renewal)

To: Mr. Jim Harriott – Deputy County Manager

Dear Mr. Harriott,

WCA of Florida is pleased to present to you and the Alachua Board of County Commissioners options for our residential solid waste contract extension. Currently, our contract is set to expire on 10-1-2021 with the option to renew for the remaining five (5) year term. However, during the September 22nd, 2020 County Commission meeting, the Board voted unanimously to reject WCA's five (5) year renewal offer. We understand that the Commission has the desire to negotiate a shorter-term contract so in good faith, WCA will provide the following two (2) contract renewal options for the County to consider.

Two (2) year renewal option. Effective date 10-1-2021 through 9-30-2023

- Residential rate adjustment effective 10-1-2021.
 - Increase of \$4.72 per home per month effective 10-1-2021 through 9-30-2023.
- WCA retains ownership of all carts / recycling bins.

Three (3) year renewal option. Effective date 10-1-2021 through 9-30-2024

- Residential rate adjustment effective 10-1-2021.
 - Increase of \$3.26 per home per month effective 10-1-2021 through 9-30-2024.
- WCA retains ownership of all carts / recycling bins.

The above adjusted rates are exclusively for the Alachua County contract. Should the County and the City of Gainesville agree to partner their solicitation efforts, and agree on one of WCA's proposed renewal options, WCA will revisit the rate adjustment for both government entities. WCA appreciates our Public / Private Partnership and will continue to respectively support the agenda set by the Alachua County Commission. We hope that you, along with the residents of Alachua County, have a safe and prosperous remaining 2020 and please do not hesitate to contact me directly should you have any questions.

Sincerely,

Matt Cartier
District Manager – Gainesville Hauling
5002 SW 41st Blvd.
Gainesville, FL 32608