

Tuesday, October 11, 2016 – 9:00 A.M. & 5:00 P.M.
County Administration Building
Jack Durrance Auditorium
12 Southeast First Street
Gainesville, Florida

The Alachua County Commission met in regular session.

PRESENT: Chair Hutch Hutchinson; Vice Chair Ken Cornell Commissioners Chuck Chestnut, Mike Byerly, and Lee Pinkoson

ALSO PRESENT: County Manager Lee Niblock, Assistant County Manager Jim Harriot, County Attorney Michele Lieberman, Assistant County Attorney Sylvia Torres, Clerk of Court J.K. Irby, Assistant Clerk/Finance Director Todd Hutchison, and Deputy Clerk Steve Donahey

The meeting was televised live on Cox Cable Channel 12.

Invocation

Pastor Robert Shelter of First Presbyterian of Gainesville gave the Invocation.

Pledge of Allegiance
Approval of Agenda (9:00AM)

1. [Approve the Agenda](#)

Amount: N/A

Recommended Action: A Motion to Approve the Agenda: (a) approve any amendments to the Regular and Consent Agenda; (b) adopt the Regular Agenda; and (c) approve all items on the Consent Agenda.

County Manager Niblock presented the following change to the agenda

ADDED TO THE SUPPLEMENTAL AGENDA

[An Amended October 2014 - September 2017 Collective Bargaining Agreement \(CBA\) between Alachua County and Local #3852 International Association of Fire Fighters \(IAFF\) \(to follow Item #32\)](#)

Chair Hutchinson requested that the following items be pulled from consideration to be schedule at a future time:

Tuesday, October 10, 2016 – 9:00 A.M. & 5:00 P.M.

4. [Upon Arrival: Step Up Together Alachua County Presentation](#)
Amount: N/A
Recommended Action: Hear presentation on Step Up Together Alachua County upon arrival of the presenters.

13. [City of Gainesville Annexation: Status Update and Discussion of Appeal Process](#)
Amount: N/A
Recommended Action: If the Board wishes to appeal the City of Gainesville's annexation ordinance, then the Board should direct staff to initiate the procedures of Chapter 164 Florida Statutes, the "Florida Governmental Conflict Resolution Act".

Commissioner Pinkoson moved adoption of the agenda as amended. The motion carried 5-0.

(Approval of items on the Consent Agenda are generally considered to be routine and the motion to adopt the Agenda approves all items on the Consent Agenda and is the first action taken by the Board at the beginning of the meeting. There will be no discussion on these items unless requested. Anyone wishing to speak to an item on the Consent Agenda may come forward and request the item be moved to the Regular Agenda prior to the approval of the agenda.)

Announcements

2. [Announcements](#)
Amount: N/A
Recommended Action: Hear Announcements by Mark Sexton Communications and Legislative Affairs Director

Communications Coordinator Mark Sexton presented the above item.

Time Certain Items
Public Comments (9:30AM)

3. [AM Public Comments](#)
Amount: N/A
Recommended Action: Hear Public Comments

Kali Blount, Joanna Scott , Scott Hesch , and Chair Hutchinson presented comments.

Time Certain

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4. ~~[Upon Arrival: Step Up Together Alachua County Presentation](#)~~

~~**Amount:** N/A~~

~~**Recommended Action:** Hear presentation on Step Up Together Alachua County upon arrival of the presenters.~~

Community Outreach
Recognitions and Proclamations

5. [Length of Service Milestone Recipients](#)

Amount: N/A

Recommended Action: Request to recognize County Employees, who have reached a Length of Service or Career Milestone in September, 2016.

Human Resources Director Karen Gerding presented the above item.

6. [Recognition of Benny Beckham's Retirement from the Alachua County Board of County Commissioners](#)

Amount: N/A

Recommended Action: Recognize Mr. Beckham for his forty-three years of dedicated service by presenting him a token of appreciation.

Growth Management Director Steve Lachnicht and Zoning Administrator Benny Beckham presented comments.

7. [Approval of a Proclamation Declaring October 2016 as "Manufacturing Month" in Alachua County, FL](#)

Amount: N/A

Recommended Action: Proclaim October 2016 as "Manufacturing Month" in Alachua County, FL

Commissioner Cornell read and presented the Proclamation to Ryan Loftus who accepted it with gratitude.

Presentations (15 Minute Time Limit)

8. [Three Minute Local History Presentation by the Alachua County Historical Commission](#)

Amount: N/A

Recommended Action: Hear the presentation

Senior Planner Kathleen Pagan and Historical Commission Member Bonita Dewiliby presented the above item.

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9. [Alachua County League of Cities Discussion](#)

Amount: N/A

Recommended Action: Hear presentation by representatives of the Alachua County League of Cities.

League of Cities President Matthew Surrency presented the above item.

Commissioner Byerly, Commissioner Cornell, Commissioner Pinkoson, County Attorney Michelle Lieberman, Commissioner Byerly, Hawthorne Mayor Matthew Surrency, Commissioner Byerly, Waldo Mayor Louie Davis, Commissioner Chestnut, Commissioner Cornell, and Commissioner Byerly presented comments.

Commissioner Byerly moved to refer the information provided today by the League of Cities to the County Attorney for an opinion as to whether the League of Cities is operating within the Sunshine Law and provide information explaining the difference between the Florida Association of Counties and the League of Cities.

City of Waldo Manager Kim Worley, Kali Blount, Karen Herrington Tamara Robins, City of Alachua Commissioner Gib Coeper, Mayor of Micanopy Virginia Mance, and City of Waldo Mayor Louie Davis presented comments.

The motion carried 5-0.

Governmental Units
Constitutional Officers/Other Governmental Units

COMMISSION RECESSED AT: 11:05 A.M.

COMMISSION RECONVENED: 11:15 P.M.

10. [Lethality Assessment Program Presentation](#)

Amount: N/A

Recommended Action: Hear a presentation by Sheriff Sadie Darnell on the Alachua County Sheriff's Office Lethality Assessment Program.

Alachua County Sheriff Sadie Darnell, Bureau Chief Laura Knudson, Captain Steve Maynard, Director of Peaceful Paths Theresa Beachy, Bureau Chief Laura Knudson, Captain Steve Maynard, and Bureau Chief Laura Knudson presented the above item.

Commissioner Cornell presented comments to the Board.

County Manager

11. [City of High Springs Community Redevelopment Plan](#)

Amount: N/A

Recommended Action: Hear presentation

City of High Springs CRA Manager Amanda Rodriguez presented the above item.

County Attorney Michelle Lieberman presented comments.

Commissioner Cornell moved to reject the proposed changes and refer the matter back to the County Manager under previous directions.

Commissioner Pinkoson, County Attorney Lieberman, Chair Hutchinson, presented comments.

Commissioner Byerly moved the following substitute motion:

1. Reschedule the High Springs CRA when staff is ready with the following: High Springs is to provide a breakout of what percentage of their personal and operating expense (the recurring \$150,000.00) is physical construction projects. The information should be provided prior to the meeting.
2. Refer the documentation provided today by High Springs to staff so they can provide an analysis to the Board comparing this CRA with its peers.

Chair Hutchinson recognized Bob Barnas and Kali Blount presented comments to the Board.

The motion carried 5-0.

Community Planning Group

12. [Haile Plantation \(Haile\) Entry Sign Landscaping](#)

Amount: \$6,964.00

Recommended Action: Approve funding for the attached landscaping, irrigation, and lighting and approve attached budget amendment.

County Engineer Ramon Gavarrete presented the above item.

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Commissioner Byerly moved to approve funding for the attached landscaping, irrigation, and lighting and approve and that the funding source be the MSTU Unincorporated Reserve which is to be replenished during the carry forward process.

Commissioner Pinkoson, Commissioner Cornell, County Manager Niblock, Commissioner Chestnut, and OMB Director Crosby presented comments.

The motion carried 5-0.

~~13. [City of Gainesville Annexation: Status Update and Discussion of Appeal Process](#)~~

~~**Amount:** N/A~~

~~**Recommended Action:** If the Board wishes to appeal the City of Gainesville's annexation ordinance, then the Board should direct staff to initiate the procedures of Chapter 164 Florida Statutes, the "Florida Governmental Conflict Resolution Act".~~

Community Services Group

14. [CHOICES Funding Recommendations](#)

Amount: \$465,000.00

Recommended Action: Approve the CHOICES Evaluation Review Committee funding recommendations

Community Support Services Director Claudia Tuck presented the above item.

Commissioner Byerly moved to approve the CHOICES Evaluation Review Committee funding recommendations.

CHOICES Program Manager Gene Tysowsky and Mrs. Mansfield presented comments.

Candice King, Kali Blount, Judy Broward, Brandon Shortly, Telford Cartwright, and Joanne Walker presented comments to the Board.

The motion carried 5-0.

By consensus Commissioner Cornell requested to have a policy discussion of the evergreen issue with CHOICES and CAPP and how staff would envision that process working.

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Chair Hutchinson presented comments.

15. [WellFlorida Council Inc. Children's Services Needs Assessment Presentation](#)

Amount: N/A

Recommended Action: Receive the presentation and refer the findings to the Children's Services Advisory Board for further review and subsequent recommendations to the BoCC.

Assistant Director of Community Support Services Tom Tonkavich and Well Florida Representative Lindsey Redding presented the above item.

Commissioner Cornell moved to receive the presentation and refer the findings and details to the Children's Services Advisory Board for further review and subsequent recommendations to the BoCC. Staff is to forward a copy of the report to the School Board and the municipalities.

Chair Hutchinson recognized Telford Cartwright, Dorothy Benson, Candice King, Assistant Director of Community Support Services Tom Tonkavich, Well Florida Representative Lindsey Redding, Community Support Services Director Claudia Tuck, and County Manager Lee Niblock who presented comments to the Board.

The motion carried 5-0.

Commissioner Chestnut left the room at 2:01 P.M.

16. [CAPP Supplemental Funding Distribution Recommendations](#)

Amount: \$150,000.00

Recommended Action: Approval CAPP Supplemental Funding Distribution Recommendations

County Manager Lee Niblock presented the above item.

Chair Hutchinson recognized OMB Director Tommy Crosby who presented comments to the Board.

Commissioner Cornell moved to approve the CAPP Supplemental Funding Distribution Recommendations provided by staff.

Chair Hutchinson recognized County Manager Lee Niblock, Anne Koterba, Telford Cartwright, Rebecca Howland, Candice King, and Sally Stein who presented comments to the Board.

Commissioner Byerly moved the substitute motion to reallocate the \$150,000.00 that has been made available to CAPP on the same basis as the

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\$100,000.00 that was allocated in staff's recommendation. The motion failed for lack of a second.

Chair Hutchinson recognized Community Support Services Director Claudia Tuck who presented comments to the Board.

The motion carried 3-1 with Commissioner Byerly voting "Nay" and Commissioner Chestnut out of the room.

Closing Comments

Public Comments - 15 Minutes

17. [Closing Comments from the Public](#)

Amount: N/A

Recommended Action: Hear Closing Comments from the Public

Chair Hutchinson recognized Ann Koterba who presented comments to the Board.

County Attorney Comments

18. [County Attorney Comments](#)

Amount: N/A

Recommended Action: Hear County Attorney Comments.

County Manager Comments

19. [County Manager's Comments](#)

Amount: N/A

Recommended Action: Hear Manager's Comments

Storm Cleanup Update

Assistant Director of Waste Management Sally Palmi stated that after the Hurricane Matthew Event County staff patrolled all neighborhoods and County Roads. She advised the Board that so far the debris from the event is minimal. She stated that they have sent out daily press releases as well as facebook posts to advise citizens on how the debris pickup will be handled.

Commissioner Byerly stated that there was an article in the paper that stated that the County was retroactively qualified for funding from Hurricane Hermine. He stated that he would like for County staff to look into the matter to see if the County can recover funds spent.

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Commissioner Cornell stated that he would like for the Board to receive a written report regarding issues and needs that came up during these hurricane events and how the County moving forward will address the matters.

Chair Hutchinson stated the two issues that come to mind for him is the need for a generator out at the jail and the cancelation of the football game at the University of Florida. He stated that he is concerned that the decision to cancel the game is up to athletic association staff. He would like to see emergency management officials have authority in the matter.

Deputy County Manager James Harriott stated that staff was going to conduct a review of the process of dealing with the hurricane once operations are complete. He stated that he will provide a report to the Board and if the Board wishes to have a workshop on the matter he would schedule that as well.

Commission Comments

20. [Commission Comments](#)

Amount: N/A

Recommended Action: Commission Comments

Commissioner Byerly stated that he would like to know if the Sheriff Office Association has rendered an opinion as to the transfer of funds between categories. He would like for staff to determine what if anything has been determined.

Chair Hutchinson stated that he would call Sheriff Darnell and discuss the matter with her and report back to the Board.

County Attorney Michelle Lieberman that last Monday she received a letter from the Sheriff's Office regarding the MSTU funding and the lawsuit. It states their belief is that the order would no longer apply. She stated that if the Board wishes she would review the matter to determine the legal matters involved.

By consensus, the Board directed the County Attorney to review the matter and report back to the Board.

Chair Hutchinson stated that the Veteran's Affairs Advisory Board discussed the matter of the Old Joe Statue located outside of the County Administration Building. He stated that they have not reached a determination at that meeting and will have further discussions. He stated that there were a dozen people in attendance who all spoke in support of leaving the Statue at its current location. He stated that there was one solid offer willing to pay for a historical marker that would explain the context of the placement of the statue. He did advise that the Board said they are going to take their time and do the job right.

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Chair Hutchinson stated that the President of the NAACP Evelyn Fox has made request for souls to the polls event at the Supervisor of Elections building on October 30, 2016. She is fully aware of the previous request but stated they are a different organization which prides itself on bipartisanship.

By consensus the Board agreed to follow the Board's current policy.

Chair Hutchinson recommended that the NAACP arrange with the City of Gainesville to use Roper Park which is with a blocks distance to host their event.

COMMISSION RECESSED AT: 2:57 P.M.

COMMISSION RECONVENED: 5:02 P.M.

Evening Community Outreach and Public Hearing
Proclamations, Recognitions and Presentations

21. [Approval of a Proclamation Declaring October 21st as "United Nations Day"](#)

Amount: N/A

Recommended Action: Consider Proclaiming October 21st as "United Nations Day" In Alachua County, FL

Chair Hutchinson read and presented the Proclamation.

Commissioner Byerly entered at 5:07 p.m.

22. [Approval of a Proclamation Declaring October 2016 as "Entrepreneur Month" in Alachua County, FL](#)

Amount: N/A

Recommended Action: Proclaim October 2016 as "Entrepreneur Month" in Alachua County, FL

Commissioner Cornell read and presented the Proclamation.

23. [Approval of a Proclamation Declaring October 2nd through 8th as "National 4-H Week" in Alachua County, FL](#)

Amount: N/A

Recommended Action: Proclaim October 2nd through 8th as "National 4-H Week" in Alachua County, FL

Commissioner Pinkoson read and presented the Proclamation to Savannah Banner who accepted with gratitude.

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24. [Approval of a Proclamation Declaring October 2016 as "White Cane Safety Awareness Month" in Alachua County, FL](#)

Amount: N/A

Recommended Action: Proclaim October 2016 as "White Cane Safety Awareness Month" in Alachua County, FL

Commissioner Byerly read and presented the Proclamation to Spencer Morton and Maxine Stallings who accepted it with gratitude.

25. [Envision Alachua - Hawthorne proposed Comprehensive Plan Amendments](#)

Amount: \$0.00

Recommended Action: Receive presentation by County staff and provide direction to staff on comments to be provided to the City of Hawthorne as part of the agency review process under Chapter 163, Part II, Florida Statutes.

Senior Planner Ben Chumley presented the above item.

Commissioner Cornell, Natural Resources Program Supervisor Steve Hofstetter, Senior Planner Ben Chumley, Commissioner Pinkoson, Commissioner Byerly, Commissioner Pinkoson, County Attorney Lieberman, Commissioner Byerly, Chair Hutchinson, Commissioner Cornell, Commissioner Pinkoson, Commissioner Byerly, and City of Hawthorne Manager Ellen Vause presented comments.

Commissioner Byerly moved the following:

1. Direct staff to return to the Board with a letter for Board Consideration at the October 25, 2016 meeting that expresses the Board's concerns to the City of Hawthorne on several points regarding their proposed land use changes:
 - a. That the protections the City has adopted regarding wetlands are being applied to wetlands that also part of wetland ecosystems that are part of the unincorporated County and the impacts will exceed perhaps dramatically the protections in place for the County ecosystems just across the municipal boundary. The letter should request that the City consider bringing their protections in line with the County or exceeding the County's standards.
 - b. That the City considers incorporating a cluster concept into the proposed development other than simply designating all the areas that are wetlands

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as conservation areas. This would concentrate the impacts in smaller areas and transfer the protections to larger areas.

- c. That the City considers some specific standards for compatibility between adjacent land uses that addresses light pollution, noise, flooding, and traffic and other impacts and attach examples from the County Code.

The motion carried 5-0.

Public Comments - then resume Public Hearing (5:30PM)

26. [PM Public Comments](#)

Amount: N/A

Recommended Action: Hear PM Public Comments

Chair Hutchinson recognized Caroline Maple, Telford Cartwright , and Doug Jones who presented comments.

Chair Hutchinson recognized Scott Hesch who expressed concerns regarding the actions taken at Dignity Village during Hurricane Matthew.

Commissioner Byerly moved to refer this matter of the response to the two hurricanes at the Grace Market Place and Dignity Village to the Grace Marketplace Oversight Board. Staff is expected to make a presentation at the meeting. The motion carried 4-0 with Commissioner Chestnut out.

Public Hearings
Legislative items

27. [Second Public Hearing to Amend the Unified Land Development Code to Permit Remote Parking](#)

Amount: N/A

Recommended Action: Hold the second public hearing on and adopt the ordinance to amend the ULDC

Senior Planner Chris Dawson presented the above item.

The Board of County Commissioner recessed and the Land Development Advisory Committee convened at 7:03 p.m.

Commissioner Pinkoson moved to find the changes consistent with the Comprehensive Plan. The motion carried 4-0 with Commissioner Chestnut absent.

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The Land Development Advisory Committee adjourned and the Board of County Commissioners reconvened at 7:04 p.m.

Commissioner Pinkoson moved to hold the second public hearing on and adopt Ordinance 16-19 to amend the ULDC. The motion carried 4-0 with Commissioner Chestnut out.

Quasi-Judicial/Zoning Items
Closing Comments
Public Comments - 15 minutes

28. [PM Closing Comments from the Public](#)

Amount: N/A

Recommended Action: Hear Closing Comments from the Public

Chair Hutchinson recognized Scott Hesch, Telford Cartwright, and Commissioner Byerly who presented comments.

There being no further business before the Board the meeting was adjourned at 7:15 P.M.

CONSENT/Community Outreach
Recognitions and Proclamations

29. [Affordable Housing Advisory Committee \(AHAC\) Appointments](#)

Amount: N/A

Recommended Action: Appoint one citizen to the Affordable Housing Advisory Committee (AHAC) to represent as actively engaged in the residential home building industry in connection with affordable housing. The appointments will be for a partial term ending June 30, 2020.

CONSENT/Governmental Units
Constitutional Officers/Other Governmental Units

30. [Approval of Board of County Commission Minutes](#)

Amount: N/A

Recommended Action: Approve the attached minutes.

County Attorney

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31. [Request for Approval to Hire Outside Counsel \(Eminent Domain Case\)](#)
Amount: N/A
Recommended Action: Approve the retroactive (from October 1, 2016) hiring of outside counsel to provide services related to the SW 8th Avenue Extension eminent domain case.

County Manager

32. [Report of Contracts and Grants Signed by County Manager and Staff for August 2016](#)
Amount: N/A
Recommended Action: Accept the report and include a copy of the documents in the minutes of the Board of County Commissioners.

ADDED ITEM:

[An Amended October 2014 - September 2017 Collective Bargaining Agreement \(CBA\) between Alachua County and Local #3852 International Association of Fire Fighters \(IAFF\) \(to follow Item #32\)](#)

Amount: \$0.00

Recommended Action: Approve the negotiated amended October 2014 - September 2017 Collective Bargaining Agreement with Local #3852 International Association of Fire Fighters. Approve FY17 of pay for all covered employees (Attachment A), effective the first full pay period beginning on or October 1, 2016, in accordance with the negotiated Collective Bargaining Agreement. Approve Fiscal Year 2017 IAFF General Unit Pay Plan.

Support Services Group

33. [Project No. 6363 SW 63rd Blvd and SW 62nd Ave Rehabilitation: Bid 16 521](#)
Amount: \$3,219,940.84
Recommended Action: Approve the Finance Report to award Bid 16-521: Project No. 6363 - SW 63rd Blvd - SW 62nd Ave Rehabilitation to V. E. Whitehurst & Sons, Inc. as the lowest responsive and responsible bidder(s) meeting specifications and, authorize staff to negotiate a contract.

Community Planning Group

34. [Land Conservation Board 2016 Accomplishments Report and 2017 Work Plan](#)
Amount: N/A
Recommended Action: Receive the report.
35. [Newnans Lake Improvement Initiative Correction of Scrivener's Error](#)

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Amount: \$456,000.00

Recommended Action: Approve the revision to Resolution 16-110 to correct the scrivener's error and approve the Budget Amendment to reallocate the budget from Fund 260 to Fund 259.

36. [Real Estate Gift Agreement for the Lochloosa Creek Page Tract Extending the Due Diligence and Closing Dates, First Amendment](#)

Amount: N/A

Recommended Action: Execute the First Amendment to the Real Estate Gift Agreement to receive the donation of the Lochloosa Creek Page Tract.

Community Services Group

37. [Agreement for the Administration of the Influenza Vaccine Using CHOICES Funds, First Amendment](#)

Amount: \$1,500,000.00

Recommended Action: Approve the First Amendment between Alachua County and the Alachua County Health Department.