

John R. "Jack" Durrance Auditorium  
County Administration Building  
12 Southeast First Street  
Gainesville, Florida



Board of County Commission Minutes

Tuesday, January 9, 2018

9:00 A.M.

**Board of County Commissioners**

District 1 Commissioner Mike Byerly

District 2 Vice Chair Lee Pinkoson

District 3 Robert "Hutch" Hutchinson

District 4 Chair Ken Cornell

District 5 Charles "Chuck" Chestnut

County Manager

Michele Lieberman

County Attorney

Sylvia Torres

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Invocation

Pledge of Allegiance

Approval of Regular and Consent Agendas

1. Approve the agenda

**Fiscal Consideration:**

**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.

**Commissioner Cornell moved** adoption of the agenda as amended. The motion carried 4-0 with Commissioner Hutchinson absent.

Announcements

2. Announcements

**Fiscal Consideration:** N/A

**Recommended Action:** Hear Announcements by Mark Sexton Communications and Legislative Affairs Director.

Advisory Board

3. Nominate and appoint one Hotel Owner/Operator to Tourist Development Council

**Fiscal Consideration:** N/A

**Recommended Action:** Review applications and nominate a Hotel Owner/Operator to Tourist

**Commissioner Cornell moved** appointment of Brad McCreedy as the Hotel Owner/Operator to a partial term ending October 31, 2020 and Adam McGovern as the Hotel Owner/Operator to a term ending December 31, 2021.

Chair Pinkoson recognized Brad McCreedy and Adam McGovern who expressed their desire to serve on the Tourist Development Council

**The motion carried 4-0 with Commissioner Hutchinson out of the room.**

PUBLIC COMMENTS 9:30 A.M.

4. Public comments

**Fiscal Consideration:** N/A

**Recommended Action:** Hear Public Comments.

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Jim Konish, Susan Bottcher, Commissioner Cornell, and Chair Pinkoson presented comments.

19. First Amendments to the Alachua County Advisory Boards & Committees Guidelines

**Fiscal Consideration:** N/A

**Recommended Action:** Adopt the Resolution to amend the Advisory Boards & Committees Guidelines.

Chair Pinkoson stated that the only change that he would like to see made to the proposed guidelines is that he would like staff to be able to serve on committees provided it does not conflict with the position as an employee.

County Attorney Sylvia Torres presented comments.

**Commissioner Cornell moved** to adopt the Resolution with the an amended policy to allow employees to serve on Advisory Boards provided the County Manager signs a statement that there is no conflict of interest based on their employment. The motion carried 4-0 with Commissioner Hutchinson out of the room.

20. Request to Advertise Ordinance Regarding Pedestrian/Vehicle Interactions

**Fiscal Consideration:** N/A

**Recommended Action:** Approve the Request to Advertise the ordinance, amending Chapter 117 of the Alachua County Code to prohibit interactions between pedestrians and the operators or occupants of vehicles on public streets, bike paths or lanes, or the entrance or exit ramps of interstate highways.

County Attorney Sylvia Torres presented the above item.

**Commissioner Cornell moved** to approve the Request to advertise the ordinance, amending Chapter 117 of the Alachua County Code to prohibit interactions between pedestrians and the operators or occupants of vehicles on public streets, bike paths or lanes, or the entrance or exit ramps of interstate highways. The motion carried 4-0 with Commissioner Hutchinson out of the room.

6. Ordinance for Emergency Boating Regulations to Implement Idle Speed / No Wake Zones During Flooding

**Fiscal Consideration:** N/A

**Recommended Action:** Provide additional direction to staff regarding the development of idle speed no wake areas during flood events.

Director of Parks and Conservation Lands Charlie Houser presented the above item.

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Commissioner Cornell and Commissioner Byerly presented comments.

**Commissioner Cornell moved** to authorize staff to meet with Florida Wildlife Commission for the potential creation of an Ordinance for temporary no wake zones during floods and high water events.

Chair Pinkoson requested that the conversation with the FWC include a discussion of how the no wake zone would be implemented.

Chair Pinkoson recognized Jim Konish who presented comments to the Board.

**The motion carried 4-0 with Commissioner Hutchinson out of the room.**

#### ACTION ITEMS

##### Parks & Conservation Land

5. Implementation of the Tree Planting Program by the Department of Parks and Conservation Lands

**Fiscal Consideration:** \$258,974 for tree mitigation is budgeted within the General Fund (001.41.4100.572.46.00).

**Recommended Action:** Confirm the goals and objectives of the Tree Planting Program under the Department of Parks and Conservation Lands and provide direction for prioritizing the use of available funds.

Director of Parks and Conservation Lands Manager Charlie Houder presented the above item.

Commissioner Byerly, Growth Management Director Steve Lachnicht, Deputy County Manager Harriot, Commissioner Cornell, Assistant County Manager Crosby, Commissioner Chestnut, Commissioner Cornell, and Commissioner Chestnut presented comments.

#### **Commissioner Byerly moved the following:**

Staff is directed to incorporate the following with in the tree planting program:

1. A prohibition of the use of funds within CRAs.
2. Prohibit the use of funds and staff for the function of safety inspections on roadway corridors.
3. Direct that the \$45,000.00 for tree planting be moved from public works into the Parks and Conservation Lands Budget.
4. ~~Allow Public Works Department to submit tree projects related to its ongoing transportation maintenance work to the tree planting program for evaluation and consideration on a competitive basis.~~

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5. Finalize a policy that would allow for the planting of trees from the tree planting program on private property if circumstances warrant it.
6. Develop a policy that would allow utility lines to be placed under roadways.
7. Amend the policy language regarding prioritization of projects to make it clear that small dispersed projects are acceptable.
8. If the current pool of applicants does not yield a new position within the next two weeks then immediately begin another hiring process.
9. Establish a tree planting program that does not rely on the use of contracted labor. The only exception is on a case by case basis approved by the Board. Day labor can be used under the direct supervision by County staff.
10. The Board is not authorizing a project list at this time. Once the arborist is on staff a list of projects should be developed.
11. The County should investigate the possibility of a County owned tree nursery where smaller trees can mature before planting.
12. Staff is to return within 90 days with a progress report of all the items in this motion.

County Attorney Sylvia Torres stated that she would redistribute the Memo regarding authority of planting trees in right of ways.

Commissioner Hutchinson entered at 11:02 a.m.

**The motion carried 5-0.**

Commissioner Chestnut, Director Houder, Commissioner Hutchinson, Meg Niederhofer, Chair Pinkoson, and Commissioner Byerlywho presented comments.

**Commissioner Cornell moved** to direct the County Manager or Assistant County Manager attend the City of Gainesville staff meeting regarding tree planting to express the Board's direction today and request a meeting between the two Boards on the matter prior to GRU finalizing their policy. Staff is to develop a draft landscape policy revising the County's right of way policy to provide for greater incorporation and flexibility for landscaping for consideration by the Board and discussion with the City of Gainesville.

Commissioner Chestnut and Meg Niederhofer presented comments.

**The motion carried 5-0.**

Deputy County Manager Harriot presented comments.

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## CLOSING COMMENTS

7. Closing comments from the public  
**Fiscal Consideration:** N/A  
**Recommended Action:** Hear closing comments from the public.

There was no one present who wished to address the Board.

8. County Attorney comments  
**Fiscal Consideration:** N/A  
**Recommended Action:** Hear County Attorney Comments.

## **ADDED ITEM:**

Amendment to Contract with Outside Counsel re: Eminent Domain for the SW 8<sup>th</sup> Avenue Extension Road Project

**Fiscal Consideration:**

**Recommended Action:** Approve the amendment and authorize the Chair to sign.

**Commissioner Cornell moved** to approve the amendment and authorize the Chair to sign. The motion carried 5-0.

9. County Manager comments  
**Fiscal Consideration:** N/A  
**Recommended Action:** Hear County Manager Comments.

Canvassing Board

County Manager Lieberman stated that previously the Board appointed a Canvassing Board Representative but an oversight occurred and a required Alternate was not appointed. She requested that the Board chose a member to serve as an Alternate.

Commissioner Chestnut volunteered to serve as the Alternate on the Canvassing Board.

Surplus Federal Property Letter

Deputy County Manager Harriot stated that the County received a letter regarding a 5 acre property in the middle of the Plum Creek Property. The County does have a potential use for the site as a transmission tower location for the next generation radio communications plan.

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**Commissioner Cornell moved** to authorize the Chair letter of response. The motion carried 5-0.

10. Board Reports by Commissioners

**Fiscal Consideration:**

**Recommended Action:** Hear reports if applicable.

Grace MarketPlace

Commissioner Hutchinson stated that the two groups that were mentioned as possible candidates to operate the shelter have withdrawn. He stated that the Boards are going to have to deal with the current operators at some point and encouraged the Board to move forward with the goals of helping the homeless.

11. Commission comments

**Fiscal Consideration:** N/A

**Recommended Action:** Hear Commission Comments.

Tracking of Motions

Commissioner Chestnut stated that he would like to have access to a system of tracking the progress of motions made by the Board. He stated that it is very difficult as a Commissioner to track the progress of motions the Board has made.

Assistant County Manager Gina Peebles stated that she can provide a report for the Board on a monthly basis so that they may review staff progress.

County Manager Lieberman stated that the report can be customized so that staff will work with the Commission to ensure that the information they are looking for is in the report.

Levy County Mental Health

Commissioner Hutchinson stated that the Levy County Board is moving towards a grant to deal with mental health and drug addiction similar to Alachua County. He stated that the cost of treatment in incarceration is prohibitive and they are seeking alternatives.

Tower Road Repaving Update

County Engineer Gavarrete stated that the bid for the project opens tomorrow. He stated that if the bids come in as staff is expecting construction would start in March of this year. He will keep the Board informed of the status of the project.

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### Understanding Racial Inequality in Alachua County

Commissioner Cornell stated that this Friday at noon there will be a meeting for the Understanding Racial Inequality in Alachua County report. He encouraged other Board member to attend if possible.

### Evening of the January 23 agenda

The Board discussed the heavy agenda for the evening of January 23, 2018 meeting.

### Local Building Code

Commissioner Hutchinson stated that there is a process by which the County can create a local building code that would allow things such as tiny homes that the State of Florida does not allow. He would like for the County to look into the matter to see what would have to be done.

**Commissioner Hutchinson moved** to refer to staff for recommendations regarding the process to establish a local building code and how that would be implemented. The motion carried 5-0.

There being no further business before the Board the meeting was adjourned at 12:04 p.m.

Adjourn

CONSENT ITEMS

Other Governmental Units

12. Remove Alachua County Unaccounted for Property from the County's Amounts Invested in Property  
**Fiscal Consideration:** Dispose items listed in Attachment A.  
**Recommended Action:** Adopt Resolution authorizing the Clerk of Court to record the loss of the items. The disposal would be effective as of December 12, 2017.

### Budget & Fiscal Services

13. FY18 Alachua County Board of County Commissioners Quarterly Financial Report 1<sup>st</sup> Quarter  
**Fiscal Consideration:** FY18 expenditures are within budgetary appropriations and the financial position of the County remains strong.  
**Recommended Action:** Accept the FY18 Alachua BoCC Quarterly Financial Report 1<sup>st</sup> Quarter.



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14. Approve Resolution to Amend to the FY18 Fee Schedule Sheriff and Environmental Protection Department

**Fiscal Consideration:** No fiscal impact from the Sheriff change. There will likely be a small amount of revenue from the EPD additional fee; it would go into the general fund. There are approximately 512 applicable incidents each year which would result in \$500 \$1200 of revenue per fiscal year.

**Recommended Action:** Approve the resolution to amend the fee schedule.

Community Support Services

15. Children's Services Advisory Board Program Agreement with Healthy Start of North Central Florida for the NewboRN Home Visits

**Fiscal Consideration:** Funds are budgeted for FY18 001.29.2910.569.82.00 \$400,000.

**Recommended Action:** Approve the agreement and authorize the Chair to sign.

16. Veterans Advisory Board nomination for Korean War Veterans of America confirmation

**Fiscal Consideration:** N/A

**Recommended Action:** Confirm the Korean War Veterans of America nomination of Thomas (Norm) Tankersley to the Veterans Advisory Board term ending 8/31/22. Mr. Tankersley will complete partial term ending 8/31/18 and full term ending 8/31/22.

Commission Services Office

17. Approval of a Proclamation Declaring December 30th, 2017 as "Commissioner Thomas Coward Memorial Day" in Alachua County, FL

**Fiscal Consideration:** N/A

**Recommended Action:** Proclaim December 30th, 2017 as "Commissioner Thomas Coward Memorial Day" in Alachua County, FL.

County Attorney's Office

18. Authorization of Filing of Ejection Action; Adoption of Resolution Declaring Tax Parcel17743011000 as Surplus and Authorizing Sale

**Fiscal Consideration:** N/A

**Recommended Action:**

1. Authorize the County Attorney to file an ejection action.
2. Adopt resolution to declaring Tax Parcel 17743011000 as surplus and authorize sale in accordance with Florida Statutes.

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3. Authorize Chair to execute any additional documents, approved by the County Attorney, necessary to complete surplus and sale.

County Manager's Office

21. Request approval of Amended City of High Springs interlocal agreement for joint projects funded through Wild Spaces Public Places  
**Fiscal Consideration:** Not to exceed \$350,000 for the City of High Springs funded through the County's Wild Spaces Public Places allocation.  
**Recommended Action:** Approve the Amended Interlocal Agreement executed by the City of High Spring as presented and authorize the Chair and Clerk to execute the same.

Court Services

22. Meridian Behavioral Health Care, Inc. (MBHC, Inc.) agreement for the provision of services for Court Service clients  
**Fiscal Consideration:** \$59,000 is within the current budgeted appropriations. General Fund and Substance Abuse Trust Fund  
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221.36.3600.622.34.00  
001.36.3640.523.34.00  
**Recommended Action:** Authorize the Chair to sign the MBHC, Inc. agreement for the provision of services for Court Service clients.

Fire Rescue

23. Adopt the Emergency Medical Services (EMS) Grant Application Resolution  
**Fiscal Consideration:** Receive the grant award of \$44,336.00. The grant award was anticipated and is currently budgeted in FY18. The application requires no matching funds.  
**Recommended Action:** Adopt the Resolution for the EMS Grant Application. The Grant application was approved on December 12, 2017.
24. Grant Agreement for Community Shelter Retrofit Project by Emergency Management  
**Fiscal Consideration:** Receive the \$105,000.00 in Grant funds. An interfund loan, not to exceed \$105,000.00 is required for this agreement.  
**Recommended Action:** Approve the Shelter Retrofit Grant Agreement (2 copies) and budget amendment. Adopt the Resolution and authorize an interfund loan not to exceed \$105,000.00.

Growth Management

25. Final Plat for Arbor Greens PD Phase II, Unit III

**Fiscal Consideration:** N/A

**Recommended Action:** Approve the proposed Final Plat for Arbor Greens Planned Development Phase II, Unit III based on the recommendation by the Development Review Committee and a finding of consistency with Florida Statutes, the Alachua County Comprehensive Plan, and the Alachua County Unified Land Development Code.

Human Resources

26. Approve amendments to the FY 20172018 Non Bargaining Pay Plan

**Fiscal Consideration:** New classifications that are added, as opposed to changing an existing classification, can be expected to be followed by requests to create/add a new FTE for that class which increases the budget/expense via the new salary and benefit costs. The change in pay grade/range is a lower level and the exemption status is changing from exempt to nonexempt which would result in overtime pay if overtime is worked.

**Recommended Action:** Approve amendments to the FY 20172018 Non Bargaining Pay Plan as presented.

27. Approve additional .1 for Parks and Conservation Lands current vacant .9 Senior Environmental Specialist to make it a 1.00 FTE

**Fiscal Consideration:** Departmental funds would need to be considered for requesting the additional .1 to the .9. The Department requesting this is responsible to conduct the cost analysis with the Budget and Fiscal Services Department.

**Recommended Action:** Approve the (.1) for the current vacant (.9) Parks and Conservation Lands position to make it a (1.00) FTE.

Public Works

28. Perpetual Transportation Easement from City of Gainesville in connection with the SW 8 Avenue Extension project

**Fiscal Consideration:** Accept the Perpetual Transportation Easement from the City of Gainesville.

**Recommended Action:** Waive the County's Policy against contractual indemnity set forth in Resolution 210433, and accept and authorize the Chair to execute the Perpetual Transportation Easement from the City of Gainesville in connection with the SW 8th Avenue Extension project.

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Solid Waste and Resource Recovery

29. Request for Authorization to Advertise Notice of Intent to use Uniform Method of Collecting Non Ad Valorem Assessment

**Fiscal Consideration:** By approving the request to Advertise Notice of Intent and the public hearing, the County will continue to fund the collection, disposal, recycling and management of solid waste throughout Alachua County and fund community maintenance in the Sugarfoot Oaks/Cedar Ridge Preservation and Enhancement District through Non Ad Valorem Assessments on the property tax bill. If the request to Advertise Notice of Intent is denied, the County will not collect approximately \$7.7 million in Non Ad Valorem Assessment revenue.

**Recommended Action:** Approve and Authorize the publication of the Notice of Intent and the public hearing for using Non Ad Valorem Assessments for the collection, disposal, recycling and management of solid waste throughout Alachua County and for community maintenance in the Sugarfoot Oaks/Cedar Ridge Preservation and Enhancement District for Fiscal Year 2018-2019.

Visitors and Convention Bureau

30. 1st Amendment to Agreement #10103 Between Alachua County and Santa Fe College Foundation for Tourist Development Tax Funding for the Construction of a WalkThrough Aviary at Santa Fe College Teaching Zoo

**Fiscal Consideration:** N/A

**Recommended Action:** Approve 1st amendment to the contract.