

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



Board of County Commission Minutes

Tuesday, September 11, 2018

9:00 A.M.

Board of County Commissioners

District 1 Commissioner Mike Byerly

District 2 Chair Lee Pinkoson

District 3 Robert "Hutch" Hutchinson

District 4 Commissioner Ken Cornell

District 5 Vice-Chair Charles
"Chuck" Chestnut

County Manager

Michele Lieberman

County Attorney

Sylvia Torres

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Invocation

Vice-Chair Chestnut gave the 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.

Chair Pinkoson held a moment of silence for the victims of the 9/11 tragedy.

Commissioner Hutchinson presented comments.

Commissioner Byerly left the room at 9:00 A.M.

Interim County Manager requested to move Item 23 to the Regular Agenda making it Item 8A and adding a walk on Proclamation.

Commissioner Byerly entered the room at 9:05 A.M.

Commissioner Hutchinson moved the approval of the agenda as amended.
The motion carried 5-0.

Item moved from Consent to the Regular Agenda:

23. Regional Transit System Fiscal Year 2018/2019 Agreements

Fiscal Consideration: The Base Level Transit Services Agreement will require the County to pay a total of \$434,198 to the City in quarterly payments. The Route 75 Transit Services Agreement will require the County to pay a total \$589,918 to the City in quarterly payments.

Recommended Action: Approve and authorize the Chair's signature on the FY 18/19 RTS Service Agreements for the RTS Service provided to the County.

Approval of items on the Consent Agenda are generally considered to be routine matters 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.

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Announcements

2. Announcements

Fiscal Consideration: N/A

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

Communications and Legislative Affairs Director Mark Sexton presented the above Item.

Commissioner Cornell, Vice-Chair Chestnut, Commissioner Hutchinson, Claudia Tuck, Commissioner Byerly and Chair Pinkoson presented comments.

2a. Approval of a Proclamation declaring September, 2018 as “Public Education Awareness” Month in Alachua County, FL.

Fiscal Consideration: N/A

Recommended Action: Proclaim September, 2018 as “Public Education Awareness” Month in Alachua County, FL.

Chair Pinkoson read and presented the Proclamation to Executive Director of MBA Career Services & Employer Alliance Megan Hendricks who accepted it with gratitude.

Executive Director of MBA Career Services & Employer Alliance Megan Hendricks thanked the Board of County Commissioners for their support of Public Schools.

Recognitions

3. Accept a plaque from the Federal Emergency Management Agency for participation in the Community Rating System (CRS) and achieving Class 5 rating

Fiscal Consideration: Accept the plaque and recognize County staff who participated in the CRS audit. No expected fiscal impact.

Recommended Action: Accept the plaque and recognize County staff who participated in the CRS audit.

CRS Coordinator & Floodplain Administrator Lawit Lawani presented the plaque from the Federal Emergency Management Agency for participation in the Community Rating System and achieving Class 5 rating to the Board of County Commissioners.

Advisory Board

4. Approve Appointment to the Arts Council of Alachua County (ACAC)

Fiscal Consideration: N/A

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Recommended Action: Appoint one Applicant to Citizen At Large (Alternate) Vacancy For A Partial Term Ending 9/30/2020.

Deputy Clerk Steve Donahey called on each Commissioner for their nomination for the Citizen At Large (Alternate) Vacancy For A Partial Term Ending 9/30/2020.

Commissioners Byerly, Hutchinson, and Vice-Chair Chestnut nominated Sarah Bonner.

Chair Pinkoson nominated Nicholas Gratto.

Commissioner Cornell moved the appointment of Sarah Bonner to Citizen At Large (Alternate) Vacancy for a Partial Term Ending 9/30/2020.**The motion carried 5-0.**

7. County Attorney's Opinion on Removal of Signs from the Right Of Way

Fiscal Consideration: N/A

Recommended Action: Hear presentation of information.

Assistant County Attorney Corbin Hanson presented the above Item to the Board.

Commissioner Byerly moved the following:

1. To advertise the Ordinance Revision with the wording as proposed.
2. Staff is to provide revised policy language that specifies that illegal signs collected by County Staff are to be disposed of.

Interim County Attorney Torres, Assistant County Attorney Hanson, Commissioner Hutchinson, Commissioner Byerly, and Interim County Attorney Torres presented comments.

Chair Pinkoson, without objection, stated that the Board would continue the Road Way Signs Discussion after Public Comments.

Vice-Chair Chestnut, Assistant County Attorney Hanson, Commissioner Cornell, and Interim County Attorney Torres presented comments.

The motion carried 5-0.

PUBLIC COMMENTS 9:30 A.M.

5. Public comments

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Fiscal Consideration: N/A

Recommended Action: Hear Public Comments.

Jim Konish presented comments.

Commissioner Cornell and Interim County Manager Lieberman presented comments.

ACTION ITEMS

County Attorney's Office

6. Presentation re proposed IP Policy

Fiscal Consideration: N/A

Recommended Action: Provide direction regarding "decision points" and adopt the Intellectual Property policy, as revised.

Intellectual Property and Technology Attorney, GrayRobinson PA, Tom McThenia presented the above Item to the Board.

Commissioner Hutchinson, Interim County Attorney Torres, Commissioner Cornell, Commissioner Byerly, Vice-Chair Chestnut, Commissioner Byerly, Commissioner Cornell, Chair Pinkoson, Interim County Attorney Torres, Commissioner Cornell, Vice-Chair Chestnut, Commissioner Byerly, GrayRobinson PA, Shareholder Stephanie Marchman, Interim County Attorney, and Commissioner Cornell presented comments.

Commissioner Cornell moved to adopt the Intellectual Property policy, as presented with the following decision points as amended:

1. Duration of employment: The payment to the employee extends during the term of their employment and would terminate at the cap or death of the individual.
2. The innovative share would be 20% to the innovator and 80% to General Fund.
3. The amount of the cap would be up to \$250,000.
- ~~4. Percentage of Payments for Innovators: Policy 10.2, Section 9.4. The percentage for Employee Innovators is 5%. Universities have higher percentages due to the role of researchers in securing outside grants to fund the research. Said researchers are highly sought after and have the ability to move said research to other universities. Additionally, the Universities receive an administrative percentage of the grant that funds other university programs. Private companies have policies ranging from~~

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~~no additional compensation to set payments per patent on the order of \$500 to \$2500. We have not found other counties with employee percentages. 5% should therefore be considered generous and appropriate for the County.~~

- ~~5. Varying Payment Percentage Set on Case by Case. Policy 10., Section 9.4. Would the County Manager have discretion to vary the percentage of payments to the Employee Innovator on a case by case basis or lower to 0%? If the percentage is a set number, it would be more difficult to challenge that if the County Manager had discretion to vary the number in a situation. Varying the number may invite more challenges.~~
- 6. Consistent with the memo: The Policy is structured to pay payments June 1 and Dec 1 of each year based on revenues received during a time period.
- 7. That the County Manager adopts the procedures to implement policies 8.1 through 8.4 and notify the Board within 120 days.

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MEMORANDUM

TO: Sylvia Torres
FROM: Thomas C. McThain, Jr.
DATE: September 5, 2018
SUBJECT: Decision Point of Alekhan County Board for IP Policy

In follow-up to our discussion, we are providing a list of "Decision Points" for consideration with the County management and the Board. We have included decision points that are identified with Section of the Intellectual Property Policies as well as other general considerations.

1. **Duration of Payments to Employees:** Policy 10.2, Section 9.4.1 is structured to have payments to employees extend only during the term of their employment with Alekhan County and terminate with the termination of employment with Alekhan County. This payment duration is consistent with industry pay and so acknowledges that the payments to Employees are not a property right of the Employee.
2. **Allocation of Costs of the Payments:** Policy 10.2, Section 9.4.1 is structured to have Payments divided equally among qualifying Employee Innovators such that the total percentage amount proposed at 7% and the total Cap Expenditure per innovation (projected at \$750,000) would be divided among multiple Employee Innovators and not paid separately to each Employee Innovator. Additional CapEx of payments certain elements of County IP assets by definition in conjunction with paid employment. Royalties are generally construed as "bonus" for non-employee employees. A bonus that financially exceeds more salary may not be looked upon favorably by the public. (\$150,000 may be 2-3 year's salary for many County employees.)
3. **Amount of Cap. Policy 10.2, Section 9.4.** The proposed cap of \$250,000 is a number that should be considered in view of the compensation of County Employees and lower than research institutions. A much lower cap may also be justified such as \$100,000 in view of the compensation levels.

4. **Percentage of Payments for Innovations:** Policy 10.2, Section 9.4. The percentage for Employee Innovators is 7%. Universities have higher percentages due to the role of researchers in sectors outside grants to fund the research. Such researchers are highly sought after and have the ability to move and research to other universities. Additionally, the Universities receive an administrative percentage of the grant that funds their necessary programs. Private companies have policies ranging from no additional compensation to set payments per patent on the order of \$500 to \$2500. We have not found other counties with employee percentages. 5% should therefore be considered generous and appropriate for the County.

5. **Varying Payment Percentage Set on Case by Case:** Policy 10., Section 9.4. Would the County Manager have discretion to vary the percentage of payments to the Employee Innovator on a case by case basis or lower to 0%? If the percentage is a set number, it would be more difficult to challenge that if the County Manager had discretion to vary the number in a situation. Varying the number may invite more challenges.

6. **How will Alekhan County Present the Distribution of Payments?** Policy 10.2 Section 9.4. The Policy is structured to pay payments June 1 and Dec 1 of each year based on revenues received during a time period. Is there a more preferred approach for making these distributions?

7. **Duration of Payments:** Payments should cease with the expiration, termination or the applicable patent, the termination of an applicable copyright or cessation of use of the qualifying IP as a commercialization. This is consistent with payments not being a property right.

8. **Other considerations:**

- 8.1 **Objective Criteria:** Consider establishing a procedure and potential evaluation process for the evaluation and determination of County IP and or qualifications of the Employee as Innovator for a particular invention. This would affect the County Manager's power discretion, while maintaining objective standards without inviting challenges.
- 8.2 **Appeal Process:** Policy 10, Section 14. The Policy considers an appeal for Employee Innovators such as an appeal for determining what qualifies as County IP. Consider defining the appeal process with appeal to County Manager or appeal to Employees seeking appeal to court. Also consider establishing a system of innovation for appealing final decisions.
- 8.3 **Preempting Policy Changes:** Consider establishing a procedure for notifying employees and their partners of changes to the established policy. We recommend having employees and vendors sign an Employee (Vendor) IP and Confidentiality Agreement. This provides (consistency of our external) notice and limits potential litigation.
- 8.4 **Failing to Comply with County IP policies:** To be effective these generally need to be an incentive for complying with the established policy and a penalty for failing to comply.

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We recommend considering the circumstances in which an employee/Third Party fails to comply with the IP policies and when certain penalties may be appropriate.

8.4.1 **Loss of Rights** – This may include a permanent loss of rights for serious violations, and temporary loss for minor infractions of the IP policies.

8.4.2 **Loss of Royalties** – Loss of royalties may be viewed as a variant of a loss of rights or may be associated with Employee job performance and not necessarily infractions of the IP policies.

8.4.3 **Third Party Violations** – Like employees, third-party vendors and their employees can, and, should be held accountable for complying with the County's IP Policies.

Chair Pinkoson, GrayRobinson PA, Shareholder Stephanie Marchman, Commissioner Byerly and Chair Pinkoson presented comments.

Interim County Manager Lieberman stated that with the exception of the executive service for employees, anyone who is terminated from the County goes through a due process before their employment is fully terminated.

GrayRobinson PA Shareholder Stephanie Marchman presented comments.

The motion carried 4-1 with Vice-Chair Chestnut voting "Nay".

Commissioner Hutchinson presented comments.

Parks & Conservation Land

8. Tree Planting Program Operating Procedure

Fiscal Consideration: Total budget of \$281,405 for FY19. Includes \$58,165 for personal services and \$223,240 for operations, including Tree Mitigation funding. Operating expenses for the program include: \$45,000 annual appropriation for trees, tools, and materials directly associated with planting and establishing trees, \$46,820 for temp staff and supplies related to planting trees, and \$6,420 for other costs (travel, training, vehicle replacement, etc.). The budget also includes \$125,000 from Tree Mitigation Funds. In addition, there will be unspent Tree Mitigation Funds from FY18 that will be carried forward and used to mitigate tree removal.

Recommended Action: 1) To approve the proposed operating procedure for the tree planting program; and 2) To adopt resolution 18-78 establishing the tree sponsorship policy.

Parks & Conservation Land Director Charlie Houser presented the above item to the Board.

Commissioner Byerly moved the following:

1. Amend policy language below as follows:

The County Arborist shall develop and maintain a list of proposed tree planting projects, and shall provide a list for the proposed work for the coming year in conjunction with the presentation and the department's budget. Accompanying project descriptions should include addresses or locations, estimated tree quantities, estimated cost and aerial photos. A complete project list shall also be compiled with actual tree locations, quantities, species, and final installation cost.

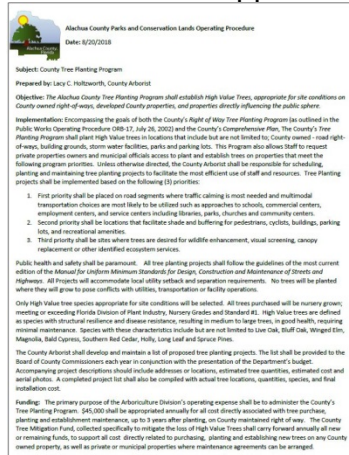
2. To revise the policy priorities as follows:

Tree Planting projects shall be implemented based on the following ~~(3)~~ (2) priorities:

1. First priority shall be placed on road segments where traffic calming is most needed and multimodal transportation choices are most likely to be utilized such as approaches to schools, commercial centers, employment centers, and service centers including libraries, parks, churches and community centers.
2. Second priority shall be locations that facilitate shade and buffering of pedestrians, cyclists, buildings, parking lots, and recreational amenities.

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3. ~~Third priority shall be sites where trees are desired for wildlife enhancement, visual screening, canopy replacement or other identified ecosystem services.~~
3. To alter the wording on the Alachua County Tree Sponsorship Policy to read as follows: "Developers are not precluded from sponsoring trees but this does not supplant the requirements under the code".



3. Amend the following procedure as follows:

Overview of Intended Parties

- a. The County Arborist shall/may enter tree sponsorship agreements with individual homeowners or homeowner associations, ~~but not with developers~~. For the purposes of this policy, developers are those who construct, redevelop or refurbish buildings in order to make a profit. (Staff should provide language that states Developers are not precluded from sponsoring trees but this does not supplant the requirements under the code".)

Alachua County Tree Sponsorship Policy	
Policy No.: Resolution 18-____	Effective: _____
Revision No.: 01	Review Date: _____
<hr/>	
OVERVIEW: The Board of County Commissioners hereby establishes this Policy for planting trees on or near private property.	
PROVISIONS:	
1. Trees to be Planted On or Near Private Property.	3. Overview of Intended Parties
a. The County Arborist shall plant trees in County right-of-way when, in the Arborist's professional opinion, these trees will not impermissibly conflict with other uses of the right-of-way, such as utility lines, or cause safety or operational concerns for the roadway.	a. The County Arborist shall may enter tree sponsorship agreements with individual homeowners or homeowner associations, but not with developers. For the purposes of this policy, developers are those who construct, redevelop or refurbish buildings in order to make a profit.
b. When it is not feasible to plant on County Property, the County Arborist shall seek the permission of the private property owner, to plant trees on private property, near the right-of-way.	b. The County Arborist may enter tree sponsorship agreements with a homeowner associations where the homeowner associations seeks to sponsor a tree or trees in the right-of-way near subdivisions or on property the homeowner's association owns (i.e., the common areas of a neighborhood).
c. The choice of type of tree and placement of the tree or trees shall be at the sole discretion of the County Arborist.	c. In the event a owner seeks to sponsor a tree or trees, the County Arborist must enter a tree sponsorship agreement with both the owner and property owner prior to planting a tree.
2. Tree Sponsorship Agreement	4. Selection and Maintenance of Tree or Trees
a. In cases where a private property owner agrees to sponsor a tree or trees either on private property or in the right-of-way near private property, the private property owner shall enter into a tree sponsorship agreement with the County. The County Arborist is delegated the authority to enter tree sponsorship agreements on behalf of the County. Tree sponsorship agreements shall include, but not be limited to:	a. The County Arborist shall determine which trees are suitable based on the conditions of each planting site. Once this determination is made, the tree sponsor may pick a tree or trees based on this list.
i.) A promise on behalf of the County to plant a tree or trees;	b. The County Arborist shall instruct the tree sponsor on how to best maintain the tree or trees. Such maintenance will include, but is not limited to, the following:
ii.) A promise on behalf of the tree sponsor to properly maintain a tree or trees;	i.) Watering the tree or trees according to a schedule to be determined by the County Arborist.
iii.) A provision establishing the right of the County to care for the tree or trees if it is not being properly cared for by the tree sponsor;	ii.) Fertilizing the tree or trees according to a schedule to be determined by the County Arborist.
iv.) A waiver of any claims the tree sponsor have against the County for any damages to the body of property caused by the tree or trees, or caused by the County's installation or maintenance of the tree or trees.	iii.) Proper pruning of the tree or trees; and
b. The County Arborist shall inform the tree sponsor of the estimated establishment period for the tree or trees (i.e., the required maintenance period) before the tree sponsor executes the tree sponsorship agreement.	iv.) Proper care of the surroundings of the tree or trees.
Resolution 18 - ____	Resolution 18 - ____
08/14/2018, p. 1	08/14/2018, p. 2

Chair Pinkoson, Interim County Attorney Torres, and Arborist Lacy Holtzworth presented comments.

The motion carried 5-0.

8A.23. Regional Transit System Fiscal Year 2018/2019 Agreements

Fiscal Consideration: The Base Level Transit Services Agreement will require the County to pay a total of \$434,198 to the City in quarterly payments. The Route 75 Transit Services Agreement will require the County to pay a total \$589,918 to the City in quarterly payments.

Recommended Action: Approve and authorize the Chair's signature on the FY 18/19 RTS Service Agreements for the RTS Service provided to the County.

Transportation Planning Manager Jeff Hays presented the above Item to the Board.

Commissioner Cornell moved to approve and authorize the Chair's signature on the Fiscal Year 18-19 RTS Service Agreement for the RTS Service provided for the County for the 6 months ending March 31st and to authorize a Chair Letter to request a joint meeting with the City of Gainesville to discuss the long term direction of the RTS and the Counties contribution to funding this strategic direction.

Commissioner Byerly and Chair Pinkoson presented comments.

Kali Blount presented comments.

The motion failed 1-4 with Chair Pinkoson, Vice-Chair Chestnut, and Commissioners Byerly and Hutchinson voting "Nay".

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Transportation Planning Manager Hays stated that the agreements need to be in place on October 1st.

Commissioner Byerly moved to approve and authorize the Chair's signature on the FY 18/19 RTS Service Agreements for the RTS Service provided to the County. **The motion carried 4-1 with Commissioner Cornell voting "Nay".**

CLOSING COMMENTS

9. Closing comments from the public

Fiscal Consideration: N/A

Recommended Action: Hear closing comments from the public.

Kali Blount presented comments before the Board.

10. County Attorney comments

Fiscal Consideration: N/A

Recommended Action: Hear County Attorney Comments.

No comments were presented.

11. County Manager comments

Fiscal Consideration: N/A

Recommended Action: Hear County Manager Comments.

Interim County Manager Lieberman stated that Staff received a letter from Mayor Poe regarding appointment to a Utility Advisory Board. Further, she would like information on how the Board would prefer to proceed on the issue.

Chair Pinkoson presented comments.

Commissioner Hutchinson volunteered to serve on the Utility Advisory Board.

Commissioner Byerly moved the appointment of Commissioner Hutchinson to serve as the County's designee on the Utility Advisory Board for GRU and to provide response to Mayor Poe's letter. **The motion carried 5-0.**

Interim County Manager Lieberman asked the Board which of the two potential dates for a Joint Meeting with Marion County they would prefer: December 12th at 10 A.M. or January 7th at 10 A.M. Further, currently on the agenda to be discussed are ~~175~~ ~~Connecter~~, Regional Tourism Efforts, Water Quality, and Airboats.

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

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Commissioner Byerly asked if the discussion regarding Water Quality would include a presentation from Staff would entail and asked if the Board should request that Staff make a presentation during the Joint Meeting for the Board to respond to.

Chair Pinkoson suggested that the Alachua County and Marion County Staff present presentations regarding Water Quality or the two Staffs can work together to show the progress made regarding Water Quality.

Commissioner Cornell presented comments.

Commissioner Byerly suggested that the Board communicate to each County Staff what they would like them to jointly present to meet the State's and pending mandate. Further, he asked what is to be expected of the discussion regarding Tourism.

Commissioner Cornell stated that on the Tourist Development Council (TDC), Ocala and Gainesville have a joint marketing system, while the regional planning council is separate. He would like to more done with Eco-Tourism and North Central Florida through the TDC to visit Florida. Further, he stated that he will be bringing up the North Central Florida Planning Councils recent meeting to inquire about working together on Tourism.

Commissioner Byerly asked if the Board would like a presentation from the Marion County Staff.

Commissioner Cornell stated that he would like a joint presentation from both Staff's regarding joint marketing efforts. Further, the airboat discussion would entail a presentation from the Alachua County Staff what the Board's Ordinance is.

Interim County Manager Lieberman requested a Chair Letter be sent to the City of Gainesville regarding the radio update/study that was recently completed and Staff is searching for a date for the Radio Consultant to present said information before the Board. Further, Staff is potentially considering October 9, but is waiting for confirmation from the Radio Consultant. She also stated that Staff sent over an invoice to the City of Gainesville representing half of the bill months ago and to date they have yet to pay the bill.

Commissioner Cornell asked whether the City of Gainesville is disputing the bill or if the Board has not received payment yet.

Finance Director Todd Hutchison stated that the Clerk's Office has sent a bill in December of 2017 along with the Chair Letter among many other attempts and their finance department can't pay it without a signed agreement.

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Chair Pinkoson requested a motion to send the City of Gainesville a Chair letter or whatever is necessary to secure the payment.

Commissioner Byerly asked who needs to be the signers of the agreement.

Finance Director Hutchison stated that it is an Interlocal agreement displaying the reimbursement process.

Chair Pinkoson, Commissioner Hutchinson, and Finance Director Hutchison presented comments.

Commissioner Byerly moved to send a Chair Letter to the City Commissioners copied to Staff outlining the agreement with the chronology of events including the billing and requesting payment.

Interim County Manager Lieberman and Commissioner Hutchinson presented comments.

The motion carried 5-0.

CRA Discussion

Interim County Manager Lieberman stated that the proposed Ordinance regarding the reduction in the contributions is now slated for the first reading by the City in October and Staff received a draft of the Ordinance and is currently being reviewed. Further, the budget for the CRA and the County neither reflect a reduction that would result.

Chair Pinkoson presented comments.

Interim County Manager Lieberman stated that when County Staff approached the City of Gainesville regarding Joint Meetings, the issue of the CRA has been raised and County Staff has been told that they are not prepared to discuss it.

Commissioner Cornell and Chair Pinkoson presented comments.

Interim County Manager Lieberman clarified that the funds that would be remitted are not in the County's budget but are reflected in the budget.

Chair Pinkoson presented comments.

Legislative Affairs and Communications Director Mark Sexton stated that Staff spoke with Senator Perry's office and he was anticipating the first delegation meeting

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this year to be in December or January. Further, there is a possibility to hold meetings between now and when the delegation is scheduled to run a local bill.

Commissioner Hutchinson and Chair Pinkoson presented comments.

12. Board Reports by Commissioners

Fiscal Consideration:

Recommended Action: Hear reports if applicable.

Commissioner Byerly discussed the Joint City-County Water Board's three motions:

August 27th, 2018 Water Policy Committee Meeting Motions that Require BOCC Approval:

1. Commissioner Hutchinson moved to examine costs and benefits of co-location of City and County regulatory and environmental functions by referring this item to both City and County Commissions for Staff and applicable Advisory Boards (County: EDAC). Commissioner Hayes-Santos seconded and the motion passed unanimously.
2. Commissioner Hutchinson moved to refer to respective Boards to ask Staff to get community involvement on selecting a name for the Weiss property that recognizes the unique features of the property, while being easy to pronounce. The Joint Water Policy Committee prefers Four Creeks Preserve as the name. The motion passed 4-1 with City Commissioner Hayes-Santos in dissent.
3. Commissioner Hutchinson moved to refer to the County Commission to ask Staff to research County landlord licensing with a goal of implementing water and energy efficiency minimums. The motion was seconded by Commissioner Ward and passed unanimously.

Commissioner Byerly, Commissioner Hutchinson and Commissioner Cornell presented comments.

Commissioner Hutchinson moved to refer to Staff to examine costs and benefits of co-location of City and County regulatory and environmental functions by referring this item to both City and County Commissions for Staff and applicable Advisory Boards (County: EDAC).

Chair Pinkoson, Commissioner Byerly and Commissioner Hutchinson presented comments.

The motion carried 5-0.

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Commissioner Hutchinson moved to prefer the name Four Creeks Preserve for the Weis Property.

Commissioner Byerly and Commissioner Hutchinson presented comments.

The motion carried 5-0.

Commissioner Hutchinson, Chair Pinkoson, and Commissioner Hutchinson presented comments.

Commissioner Byerly moved the following:

1. To refer the issue of County landlord licensing and associated goals to the next available policy discussion and invite the pertinent parties.
2. To refer to Staff that at the next policy meeting on October 2nd there are two items on the agenda: the MMTM and the landlord licensing. Staff to provide a list of pending topics for discussion for the Board to provide direction.

Chair Pinkoson and Commissioner Hutchinson presented comments.

Assistant County Manager Gina Peebles stated that the current items on the October agenda include MMTM project review, including churches, JPA, County Incentive Grant Program, County Property and Affordable Housing.

Interim County Manager Lieberman, Chair Pinkoson and Commissioner Byerly presented comments.

Interim County Manager Lieberman asked if the Board could review previous motions regarding certain subjects that directed Staff to bring information back to the Board.

Commissioner Byerly presented comments.

Interim County Manager Lieberman stated that Staff could create a list of topics for meetings with the proposed motion and bring it back to the Board. Further, if the Board would like to change direction then Staff would take those items off the list to be discussed.

The motion carried 5-0.

Committee Discussions

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Commissioner Cornell discussed updates from the North Central Florida Planning Council meeting regarding the subject of Region 3.

Commissioner Hutchinson and Vice-Chair Chestnut presented comments.

Commissioner Byerly asked if the Board would like to refer to Staff to assess whether or not the relationship with the Regional Planning Council is beneficial for Alachua County.

Commissioner Hutchinson moved to direct Staff to come back to the Board with a cost benefit analysis of both the membership in the Regional Planning Council and the contract for MTPO services. **The motion carried 5-0.**

Commissioner Cornell discussed the Empowerment Board and that there was an enormous amount of frustration at the last meeting focused around RTS. **Commissioner Cornell moved** to schedule a discussion about the County's role in Grace for the October 2nd meeting. **The motion carried 5-0.**

13. Commission comments

Fiscal Consideration: N/A

Recommended Action: Hear Commission Comments.

Commissioner Hutchinson discussed the Community Land Trust called Communities That Care and one of their first projects that is going to be to tackle the air problem. Further, he would like to request that the Board allow the County Attorney and recommend to at least three constitutional officers that they find ways to cooperate with this effort, such as the Tax Collectors, Property Appraiser, and the Clerk of the Court. **Commissioner Hutchinson moved** to authorize the County Attorney to work with the Tax Collectors, Property Appraiser, and the Clerk of the Court to come up with ways the County can help. **The motion carried 5-0.**

Commissioner Byerly moved to refer to Staff to take a look at the list of non-conservation parcels and to return to the Board with recommendations about whether or not they believe that there are any parcels that should be disposed of.

Interim County Manager Lieberman presented comments.

The motion carried 5-0.

Commissioner Byerly asked the County Manager to brief the Board on the Fairgrounds update and what is to be done next.

Interim County Manager Lieberman stated that Staff is doing due diligence on the Canterbury property so that appraisals and value of the building can be determined.

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Further, October 9th is slotted to bring all newfound information, including the City of Newberry's offer on the cost to split the function to the Board.

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

Commissioner Byerly moved to schedule at the second Regular meeting in September an open discussion regarding the issue of the Fairgrounds.

Interim County Manager Lieberman stated that the direction was to look into Newberry and Staff is negotiating what options would provide the best financial benefit.

Commissioner Cornell, Vice-Chair Chestnut, Commissioner Byerly, and Chair Pinkoson presented comments.

The motion carried 3-2 with Chair Pinkoson and Commissioner Cornell voting "Nay".

Interim County Manager Lieberman stated that Staff will report back on the 25th and wait for further direction on how to negotiate any potential terms.

Commissioner Cornell asked if the ability to look up parcels and inform people on what their assessment would be at the 5:00 P.M. Public Hearing was possible.

Interim County Manager Lieberman stated that no consultants would be present to provide assessments during the 5:00 P.M. Public Budget Hearing.

Legislative Affairs and Communications Director Mark Sexton stated that Staff sent out the press release when the TRIM notice was sent out when the fees were not showing along with a link to look up their tax bill.

Commissioner Cornell, Commissioner Hutchinson, and Interim County Manager Lieberman presented comments.

Commissioner Byerly inquired about the budget for the Comprehensive Plan and wanted to confirm with Staff the deadline for transmitting.

Deputy County Manager Harriott stated that the deadline date is every 7 years. Interim County Manager Lieberman and Deputy County Manager Harriott presented comments.

Adjourn

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There being no further business before the Board, the meeting was adjourned at 1:01 P.M.

CONSENT ITEMS

Other Governmental Units

14. Request Extension of the 2018 Tax Roll
Fiscal Consideration: N/A
Recommended Action: Approve Extension of the 2018 Tax Roll.
15. Annual Audit Contract with Purvis, Gray and Company, LLP
Fiscal Consideration: Annual fee of \$175,000 for the FY2018 Audit.
Recommended Action: Approve the audit contract with Purvis, Gray and Company, LLP and authorize the Chair and Clerk to sign the agreement.
16. Request for Ratification of the Warrant List
Fiscal Consideration: N/A
Recommended Action: That the Board of County Commissioners ratifies the attached Warrant List.
17. Request approval of the attached Board of County Commission Minutes
Fiscal Consideration: N/A
Recommended Action: Approve the attached Board of County Commission Minutes.

Community Support Services

18. 2018 State Housing Initiatives Partnership (SHIP) Annual Report
Fiscal Consideration: 2018 State Housing Initiatives Partnership (SHIP) Annual Report Alachua County SHIP Housing Trust Fund 247,248 and 249 NO FISCAL IMPACT.
Recommended Action: Accept the 2018 Ship Annual Report for SFY 2016, 2017, 2018. Authorize the Chair to sign the report certification form.
19. Second Amendment to the NewboRN Nurse Home Visit Program agreement with Healthy Start of North Central Florida, Inc.
Fiscal Consideration: Adequate budget exist in the FY19 Budget 001.29.2910.569.82.00 \$1,212,831 Amount requested \$400,000.
Recommended Action: Approve the Second Amendment to the NewboRN Nurse Home Visit Program agreement with Healthy Start of North Central Florida, Inc.

Court Services

20. Fourth Amendment to the Agreement on Medical Claims for Arrestees and Detainees between Alachua County and Corizon Health, Inc.
Fiscal Consideration: Sufficient budget exists for FY19. 001.36.3661.529.31.60 \$2,500,000.
Recommended Action: Approve and sign the Fourth Amendment to the Agreement on Medical Claims for Arrestees and Detainees between Alachua County and Corizon Health, Inc.

Environmental Protection

21. Springs Grant Funding, Habitat Restoration through Aeration and Revegetation at Hornsby Spring
Fiscal Consideration: This is a reimbursement grant that will be paid at the completion of each deliverable. Therefore, this is also a request for an interfund loan for \$210,000, to be repaid at the completion of the project.
Recommended Action: Approve the Budget Amendment, adopt the Resolution to recognize unanticipated revenue, approve an Interfund loan for 50% of the full amount for the project and authorize the Chair to sign the agreement for the Habitat Restoration through Aeration and Revegetation at Hornsby Spring Grant.
22. Bid 1981: Annual EScrap Disposal, to A1 Assets, Inc. and Agreement with A1 Assets, Inc.
Fiscal Consideration: Funding for this service is budgeted in Fund 401.55.5541.537.31.00 which is funded by the Solid Waste Assessment. This is a unit price agreement and the total cost to the County will vary with the amount and type of EScrap collected and recycled. The estimated cost of this agreement for FY19 is \$90,000.00 and is reflected in the FY19 proposed budget.
Recommended Action: That the previous award of Bid 1981 to Secure Recycling be rescinded and to approve the award of Bid 1981: Annual EScrap Disposal, to A1 Assets, Inc., in the amount of \$90,000.00, as the lowest responsible and responsive bidder meeting specifications. To approve the Agreement for contractual services between Alachua County and A1 Assets Inc. for the provision of collection, recycling and demanufacturing services for end of life electronics.

Growth Management

24. Alachua Skilled Nursing Facility MultiModal Transportation Mitigation Agreement
Fiscal Consideration: Adoption of the MMTM Agreement will allow the developer to utilize the MMTM Program. Payment of MMTM fees will occur prior to Certificate of Occupancy for any use. Fees will be utilized for eligible projects in the Capital Improvements Element of the Comprehensive Plan. 3547910329.3150 \$136,850 in FY19.

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Recommended Action: Approve and authorize the Chair's signature on the Multimodal Transportation Mitigation Agreement between Alachua County and Alachua County HRC, LLC.

25. New fee for Administrative Review of Replacement Docks

Fiscal Consideration: This is an amendment to the County's fee schedule to include a \$600 fee for administrative development plan approval of replacement docks.

Recommended Action: Adopt the amendment to the fee schedule to include a fee for an Administrative Development Plan approval for replacement docks.

Information and Telecommunications Services

26. Renewal of Two Microsoft Enterprise Agreements

Fiscal Consideration: This is a 3 year agreement that pays \$179,964.02 annually. There is sufficient budget for this expenditure as this is an identified expenditure in the Computer Replacement Fund.

Recommended Action: Approve both Microsoft Enterprise Agreements.

Organizational Development and Training

27. Approval of second amendment to Skillsoft Skillport8 learning management System contract

Fiscal Consideration: Currently budgeted for Year Three (FY19) \$54,946.00. Account #0011818545134600.

Recommended Action: Approve the second amendment to the Skillsoft Skillport8 contract.

Parks & Conservation Land

28. Recreation and Open Space Advisory Board (ROSCO) Appointment

Fiscal Consideration: N/A

Recommended Action: Appoint one (1) applicant, Nicholas J. Gratto, to Citizen at Large term ending February 28, 2020.

29. Requesting permission to pursue donation of Walker Property in Honor of Jane B. Walker

Fiscal Consideration: Because the Property is a donation, the associated transaction costs are minimal and estimated at \$7500. These will come from one or several of the following accounts 001414100, 008414100, 167414100, 021414100 or impact fees. The master plan for the donated property will be developed through the overall Parks Master Plan, and the interim custodial maintenance cost will be covered in the existing Parks budget.

Recommended Action: Request permission to work with the Walker Family on the donation of approximately 18 acres of the Walker Property known as parcel number 06303040000 to be used as a neighborhood park named in honor of Jane B. Walker.

Public Works

30. Northside Park, transfer a portion of Tax Parcel 07879003005 to the City of Gainesville

Fiscal Consideration: Installation of new emergency caution light at the County's Waldo Fire Rescue Station is considered equitable to estimated value of property being transferred.

Recommended Action: Adopt the Resolution authorizing the transfer of a portion of County owned property identified by Tax Parcel Number 07879003005 to the City of Gainesville. Authorize the Chair to execute any additional documents approved by the County Attorney necessary to complete this transaction.

31. SW 8th Avenue Extension Phase II Construction

Fiscal Consideration: There is currently \$5,339,439 in available budget for SW 8th Avenue Extension Phase II in the following funds and amounts. The agreement including contingency is \$5,008,985. SW 8th Ave Debt Fund (Fund 314) = \$2,144,034 FDOT Incentive Grant Fund (Fund 317) = \$2,427,683 Impact FeeSW Trans District (Fund 337) = \$ 767,722 There is currently \$302,398.52 in available budget for SR 26 at NW 122nd St. The estimated costs for the signal work is \$200,000.

Recommended Action: 1. Approve Capital Construction Agreement for County Project 6396SW 8th Avenue Extension Phase II and Signalization of Project No. 9187905, SR 26 at NW 122nd St Intersection Improvements, Bid #18810 with V.E. Whitehurst & Sons, Inc.

2. Approve Memorandum of Understanding with Gainesville Regional Utilities for Project No. 6396 SW 8th Ave Extension Phase II. 3. Approve Budget Amendment 183952 for unanticipated revenues. 4. Adopt Resolution 18XX to administer unanticipated revenues received from Gainesville Regional Utilities.

Purchasing

32. Ring Power CorpGVL: Finance Report and Change Order 1 to Purchase Order 2018291

Fiscal Consideration: This change order is charged to an asset inventory account until it is billed to the department so there is no budget for the account on the purchase order. When it is billed to the department it is charged against the expense line. The expense lines for 52.00 to 52.99 have sufficient budget to cover the charges when they are billed to the departments.

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Recommended Action: Approve the issuance of Change Order 1 to Purchase Order 2018291, to Ring Power CorpGVL, in the amount of \$30,000.00, for the purchase Parts, Supplies and Miscellaneous Services.

33. FY 2019 Annual Blanket Purchase Orders Over \$50K (Public Works, Fleet)
Fiscal Consideration: Sufficient funds exist to cover the issuance of Annual Blanket Purchase Orders. The amount budgeted, funds & account codes all varies.
Recommended Action: Approve the Finance Report and issuance of FY 2019 Annual Blanket Purchase Orders.
34. Annual Transport and Disposal of Hazardous Waste: Bid 19193 Award/ Negotiate
Fiscal Consideration: Funding for this service is budgeted in Fund 401.55.5541.537.31.00 which is funded by the Solid Waste Assessment. This is a unit price agreement and the total cost to the County will vary with the amount and type of hazardous waste collected and transported for disposal. The estimated cost of this agreement for FY19 is (\$200,000) and is reflected in the FY19 proposed budget.
Recommended Action: Approve the award of Bid 19193 Annual Transport and Disposal of Hazardous Waste Bid, to US Ecology Tampa, Inc., in the amount of \$200,000.00, as the lowest responsible and responsive bidder meeting specifications and authorize staff to negotiate an agreement.
35. FY 2019 Annual Purchase Orders Over \$50K (Fire Rescue)
Fiscal Consideration: Sufficient funds exist to cover the issuance of Annual Blanket Purchase Orders. The amount budgeted, funds & account codes all varies.
Recommended Action: Approve the Finance Report and issuance of FY 2019 Annual Blanket Purchase Orders.

Sustainability

36. Trail Towns Memorandum of Understanding (MOU)
Fiscal Consideration: The MOU allows for Cities to apply for Trail Town related funding requests where a local government partner is needed.
Recommended Action: Approve the MOU language, send to the municipalities, and authorize the Chair to sign as municipalities return signed MOUs to the County.

Notation for Record

37. Arts Council of Alachua County July 23 Meeting Minutes
Fiscal Consideration: N/A

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Recommended Action: Arts Council of Alachua County July 23 Meeting Minutes. For informational purposes only.

38. Rural Concerns Advisory Board Minutes of June 27, 2018 and July 3, 2018

Fiscal Consideration: N/A

Recommended Action: No Action necessary. For Informational purposes only.

39. Children's Services Advisory Board Meeting Minutes of August 8, 2018

Fiscal Consideration: N/A

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

40. Minutes of the Alachua County Historical Commission (March, April, May & June) 2018

Fiscal Consideration: N/A

Recommended Action: Accept the March, April, May and June 2018 minutes as prepared by the Staff Liaison and approved by ACHC.