

Tuesday, May 24, 2011 – 9:00 A.M. & 5:00 P.M.
County Administration Building
John R. “Jack” Durrance Auditorium
12 Southeast First Street
Gainesville, Florida

The Alachua County Commission met in regular session.

PRESENT: Chair Lee Pinkoson presiding, Vice Chair Paula M. DeLaney Commissioners Susan Baird, Mike Byerly, and Rodney J. Long

ALSO PRESENT: County Manager Randall Reid Assistant County Manager Richard Drummond, County Attorney David Wagner, Agenda Coordinator Darlene Ryon, Clerk of the Court Irby, Assistant Clerk/Finance Director Todd Hutchison, and Deputy Clerk Steve Donahey

The meeting was televised live on Cox Cable Channel 12.

Chair Pinkoson called the meeting to order at 9:00 A.M.

* * * * *

Invocation

1. Invocation by Pastor Harry Holloman, Celebration United Methodist Church.
Amount: N/A
Recommended Action: Hear Invocation by Pastor Harry Holloman, Celebration United Methodist Church.

Pledge of Allegiance

2. Pledge
Amount: N/A
Recommended Action: Hear Pledge

Approval of [Agenda](#)

3. 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.

Tuesday, May 24, 2011 – 9:00 A.M. & 5:00 P.M.

Mr. Reid stated that Item #42, CHOICES Enrollment Update was moved from the Consent Agenda to the Regular Agenda for consideration.

Item #45, Coast2Coast Discount Prescription Card was pulled from consideration to be scheduled for a future Informal Meeting discussion per Commissioner Long's request.

Item #14, Proposed CVS Pharmacy at NW 23rd Avenue and NW 43rd Street was removed from consideration per Public Works Director Richard Hedrick's request.

Item #29, Regional Drug Enforcement Strike Force "Pill Mill" Grant has the staff recommended action amended to include adoption of the Resolution and Budget Amendment.

Commissioner Baird asked if the funding for Item #37, SW 8th Avenue: in connection with the SW 8 Avenue to SW 20th Connection - Connect to SW 61 Street improvement project is part of the 1.3 million estimated cost for the project and where the funding is coming from.

Development Program Manager Michael Fay stated that the project would be funded from campus development funds.

Chair Pinkoson recognized Elizabeth Rush who stated that she wished to speak about the CHOICES Item.

Commissioner Baird requested that Item #46, Grant Application for Neighborhood Stabilization Program (NSP) 3 be moved to the Regular Agenda for the purpose of the vote.

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

46. [Grant Application for Neighborhood Stabilization Program \(NSP\) 3](#)

Amount: \$1,029,844

Recommended Action: Approve the application for the Neighborhood Stabilization Program 3 Grant Application and authorize the Chair to sign as amended.

Commissioner Long moved to approve the application for the Neighborhood Stabilization Program 3 Grant Application and authorize the Chair to sign as amended. The motion carried 4-1 with Commissioner Baird voting “Nay”.

Announcements

4. Announcements, Mark Sexton, Communications Coordinator

Amount: N/A

Recommended Action: Hear Announcements by Mark Sexton Communications Coordinator

Communications Coordinator Mark Sexton presented the following announcements:

1. Mr. Sexton expressed appreciation to the Commission and staff who braved the storm for the Rotary Baseball Fields ribbon cutting ceremony.
2. Mr. Sexton stated that the County is seeking citizens to serve on the Community Agency Partnership Program to review applications for the process and make recommendations to the Board of County Commissioners. Citizens who are interested can contact Lee Roberts at 264-6707.
3. The Alachua County Waste Management Department is teaming up with the Alachua County Master Gardener Program and offer compost bins for \$47.00 at the Home Depot on NW 13th Street on May 28, 2011.

Time Certain Items

Public Comments (9:30 AM)

5. A.M. Public Comments

Amount: N/A

Recommended Action: Hear Public Comments

Chair Pinkoson recognized Bruce Nelson, Joyce Hallman, Bob Hallman, Robin Rush, Tamara Robins, and Theresa Summerall who presented comments to the Board.

Community Outreach

Recognitions and Proclamations

6. [Proclamation: "Memorial Day" in Alachua County, Florida.](#)

Amount: N/A

Recommended Action: Present a proclamation declaring May 30, 2011 as "Memorial Day" in Alachua County, Florida.

Chair Pinkoson read and presented the Proclamation to Veterans Services Director Major Stroupe who accepted it with gratitude.

Support Services Group

12. [Local Vendor Preference Report](#)

Amount: N/A

Recommended Action: Accept the Local Vendor Preference report and schedule a special meeting to discuss all the issues and details required to pursue a local vendor preference policy.

Purchasing Manager Larry Sapp presented the above item.

Commissioner Long moved to accept the Local Vendor Preference report and schedule a special meeting after 5:00 P.M. to discuss all the issues and details required to pursue a local vendor preference policy and that staff work with all stake holders. The motion carried 5-0.

Governmental Units

County Attorney

11. [Issuance of Bonds by the Alachua County Health Facilities Authority for Bonita Springs Retirement Village, Inc. \(Santa Fe Health Care, Inc.\)](#)

Amount: N/A

Recommended Action: Approve the resolution to approve issuance of bonds by the Alachua County Health Facilities Authority to finance capital improvements (amount not to exceed \$165,000,000) for Bonita Springs Retirement Village, Inc., and authorize Chair to sign. Authorize the County Attorney to submit an invoice for \$5,000.00 for County services to Bonita Springs Retirement Village, Inc.

County Attorney David Wagner presented the above item.

Chair Pinkoson recognized John Stokes, Esq., and Troy Hart who presented comments to the Board.

Commissioner Long moved to approve Resolution 11-53 to approve issuance of bonds by the Alachua County Health Facilities Authority to finance capital improvements (amount not to exceed \$165,000,000) for Bonita Springs Retirement Village, Inc., and authorize Chair to sign. Authorize the County Attorney to submit an invoice for \$5,000.00 for County services to Bonita Springs Retirement Village, Inc. The motion carried 4-1 with Commissioner Byerly voting “Nay”.

42. [CHOICES Enrollment Update](#)

Amount: N/A

Recommended Action: Accept the CHOICES Health Services Program Enrollment Update

CHOICES Director Bob Bailey presented the above item.

Commissioner DeLaney moved to accept the CHOICES Health Services Program Enrollment Update. The motion carried 5-0.

Presentations

7. [Presentation by CHOICES Advisory Board on the use of CHOICES Funds](#)

Amount: N/A

Recommended Action: Hear the CHOICES Advisory Board Presentation and consider Advisory Board recommendation on CHOICES future as a possible option.

Chair Pinkoson recognized Cynthia Chestnut who presented the above item.

Chair Pinkoson recognized Dr. Hughes who presented comments to the Board.

8. [Presentation by Community Support Services & Health Department on Use of CHOICES Funds](#)

Amount: N/A

Recommended Action: Hear presentation and provide direction on use of CHOICES Fund Balance.

CHOICES Director Bob Bailey and Community Support Services Director Elmira Warren presented the above item.

Chair Pinkoson recognized Zoellen Warren, Mary Anderson, Theresa Summerall, Akilah Brown, Laytona Von Hammerville, Eric Sandburg, Dr. James Palodino, Dr. Vann, Roy Huntsmen, Dr. Hart, Anna Ho, Debra Massey, Community Support Services Director Elmira Warren, Finance Director Todd Hutchison, Social Services Director Candie Nixon, Debra Massey, and Assistant Health Department Director Paul Myer who presented comments to the Board.

Commissioner Long moved to accept the advisory board recommendation to maintain the program at current enrollment levels for as long as possible.

Chair Pinkoson recognized Mary Anderson and Cynthia Chestnut who presented comments to the Board.

The motion carried 3-2 with Commissioner Byerly and Baird voting “Nay”.

9. [Presentation: Changes to CHOICES Surtax Use Plan to permit Santa Fe Students to be eligible](#)
Amount: N/A
Recommended Action: Approve the change to CHOICES Surtax Use Plan to permit Santa Fe Students to be eligible

CHOICES Director Bob Bailey presented the above item.

Commissioner Long moved to approve the change to CHOICES Surtax Use Plan to permit Santa Fe Students to be eligible. The motion carried 3-2 with Commissioners Baird and Pinkoson voting “Nay”.

COMMISSION RECESSED AT: 12:52 P.M.

COMMISSION RECONVENED: 2:00 P.M. – Commissioner Baird, Long, and Pinkoson present.

10. [2011 Hurricane Season Briefing from County Emergency Management](#)
Amount: N/A
Recommended Action: Receive the presentation of the 2011 Hurricane Season Briefing

Emergency Management Director David Donnelly presented the above item.
Commissioner DeLaney entered at 2:10 P.M.

Community Planning Group

13. [Unified Land Development Code Update 2011](#)

Amount: N/A

Recommended Action: Hear the presentation to describe the ULDC update currently underway to implement the recently adopted EAR-based Comprehensive Plan Amendments

Senior Planner Missy Daniels presented the above item.

15. [Proposed Alachua County Eastside Community Redevelopment Area](#)

Amount: N/A

Recommended Action: Authorize staff to proceed with data collection and analysis, field work and documentation of community conditions necessary to: prepare a Finding of Necessity for the conceptual study area; Develop the Resolutions necessary to establish an Alachua County Community Redevelopment Agency; and, bring the Finding of Necessity and Resolutions to the Board of County Commissioners with a request for authorization to advertise the Public Hearing to consider adoption of the resolutions.

Planner Mike Castine presented the above item.

Commissioner Long moved to authorize staff to proceed with data collection and analysis, field work and documentation of community conditions necessary to: prepare a Finding of Necessity for the conceptual study area; Develop the Resolutions necessary to establish an Alachua County Community Redevelopment Agency; and, bring the Finding of Necessity and Resolutions to the Board of County Commissioners with a request for authorization to advertise the Public Hearing to consider adoption of the resolutions. The motion carried 5-0.

14. [~~Proposed CVS Pharmacy at NW 23rd Avenue and NW 43rd Street~~](#)

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

~~**Recommended Action:** Direct staff to prepare an agreement between Alachua County and Boos Development Group, Inc. for construction reimbursement in connection with proposed CVS Pharmacy at the northwest corner of the intersection of NW 43rd Street and NW 23rd Avenue.~~

County Manager Reports

18. [County Manager's Report](#)

Amount: N/A

Recommended Action: Accept County Manager's Report

1. Principal Planner Ken Zeichner stated that the Governor's Energy Office has informed the County that a \$20,000.00 mini grant has been made available to Alachua County that could be used for Community Redevelopment Areas to develop a report for provisions that could assist such areas.

16. [FY11 Capital Improvement Program 2nd Quarter Report](#)

Amount: N/A

Recommended Action: Accept the FY11 Capital Improvement Program 2nd Quarter Report and amend the CIP as appropriate.

Office of Management and Budget Director Suzanne Gable presented the above item.

Commissioner DeLaney moved to accept the FY11 Capital Improvement Program 2nd Quarter Report and amend the CIP as appropriate.

Chair Pinkoson recognized Mary Anderson who presented comments to the Board.

The motion carried 5-0.

17. [Technical Advisory Committee establishment: to review alternative potential organics recycling technologies for the Sustainable Solid Waste System](#)

Amount: N/A

Recommended Action: Adopt the resolution for Establishment of an eight (8) member technical advisory committee to include five (5) regular members, two (2) ex-officio members and one (1) alternate to review alternative potential organics recycling technologies for the Sustainable Solid Waste System.

Waste Alternatives Manager Sally Palmi presented the above item.

Commissioner Long moved to adopt Resolution 11-54 for Establishment of an eight (8) member technical advisory committee to include five (5) regular members, two (2) ex-officio members and one (1) alternate to review alternative potential organics recycling technologies for the Sustainable Solid Waste System. The motion carried 5-0.

Closing Comments

Public Comments - 15 minutes

19. Closing Comments from the Public

Amount: N/A

Recommended Action: Hear Closing Comments from the Public

Chair Pinkoson recognized Mary Anderson who presented comments to the Board.

Commission Comments

20. Commission Comments

Amount: N/A

Recommended Action: Commission Comments

Commissioner Long stated that the NACO Conference is July 15 through July 19, 2011 in Portland Oregon. Mr. Long stated that he has been the representative for the County for the past several years and he will be in attendance again this year. He requested authority to represent the County if no other Commissioner wished to do so.

Commissioner DeLaney moved to appoint Commissioner Long to represent the County for the purposes of voting at the NACO conference in July. The motion carried 5-0.

Chair Pinkoson stated that he would like to send a letter to the President of the United States regarding the Koppers Superfund Site detailing the problems and concerns of the area residents.

Commissioner DeLaney moved to authorize the Chair to send a letter to the President of the United States regarding the Koppers Superfund Site.

Chair Pinkoson recognized Mary Anderson who presented comments to the Board.

The motion carried 5-0.

COMMISSION RECESSED AT: 4:30 P.M.

COMMISSION RECONVENED: 5:00 P.M.

Evening Community Outreach and Public Hearing (5:00 PM)

Proclamations, Recognitions and Presentations

21. [Proclamation: "Take 25 Day" in Alachua County, Florida.](#)

Amount: N/A

Recommended Action: Present a proclamation declaring May 25, 2011 as "Take 25 Day" in Alachua County, Florida.

Chair Pinkoson read and presented the Proclamation to Frank Williams and Sherry Kitchens who accepted it with gratitude.

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

22. [P.M. Public Comments](#)

Amount: N/A

Recommended Action: Hear PM Public Comments

Public Hearings

Regular Matters

23. [Public Hearing for Board consideration to adopt a Resolution to vacate portions of certain platted streets within the plat of Rochelle](#)

Amount: N/A

Recommended Action: Adopt the Resolution to vacate portions of certain platted streets within the plat of Rochelle and execute the four (4) County Deeds to Reginald L. and Lanita H. Brown; Thomas H. and Cleo B. Jenkins; Rollin J. and Joan M. Hogan and Franklin S. and Cynthia J. Morgan. That the Chair be authorized to execute any additional documents approved by the County Attorney, necessary to complete this transaction.

Bob Wigglesworth, County Surveyor, presented the above item.

Commissioner Byerly moved to adopt the Resolution to vacate portions of certain platted streets within the plat of Rochelle and execute the four (4) County Deeds to Reginald L. and Lanita H. Brown; Thomas H. and Cleo B. Jenkins; Rollin J. and Joan M. Hogan and Franklin S. and Cynthia J. Morgan. That the Chair be authorized to

Tuesday, May 24, 2011 – 9:00 A.M. & 5:00 P.M.

execute any additional documents approved by the County Attorney, necessary to complete this transaction.

Chair Pinkoson opened the Public Hearing at 5:06 P.M.

Chair Pinkoson recognized Harold Hogan and County Attorney David Wagner who presented comments to the Board.

Commissioner Byerly moved the substitute motion to defer the item to allow staff to verify that all property owners will have legal access.

Chair Pinkoson recognized Reginald Brown, Cleo Jenkins, Harold Hogan, Frank Morgan, Tommy Hogan, County Surveyor Bob Wigglesworth, Marjory Hogan Bowers, and Cleo Jenkins who presented comments to the Board.

Chair Pinkoson closed the Public Hearing at 5:44 P.M.

Commissioner Byerly moved the substitute motion to defer the item to the June 28, 2011 meeting at 5:00 P.M. or as soon thereafter to allow staff to verify that all property owners will have legal access. The motion carried 5-0.

Quasi-Judicial/Zoning Items

Closing Comments

Public Comments - 15 minutes

24. P.M. Closing Comments from the Public

Amount: N/A

Recommended Action: Hear Closing Comments from the Public

Chair Pinkoson recognized Laurie Newsome, Vernon Howe, Rod Gonzalez, John Reiskind, Mary Anderson, Mark Glazer, and Richard Feagle who presented comments to the Board.

Chair Pinkoson recognized Ted Kubisek who presented comments to the Board regarding his dog being held in solitary confinement for indefinite period of time due to problems with the County Animal Ordinance.

Tuesday, May 24, 2011 – 9:00 A.M. & 5:00 P.M.

Commissioner Byerly stated that he would like a memo detailing any issues with the County Animal Control Ordinance so that the Board can consider the issue.

Chair Pinkoson recognized Marty Goodkind, John Martin, Bruce Nelson, Tamara Robins, and Ted Kubisek who presented comments to the Board.

There being no further business before the Board the meeting was adjourned at 7:17 P.M.

Adjourn
CONSENT / Community Outreach
Recognitions and Proclamations

25. [Proclamation: "Innovation Month" in Alachua County, Florida.](#)
Amount: N/A
Recommended Action: Approve a proclamation declaring May 2011 as "Innovation Month" in Alachua County, Florida. The proclamation will be presented by Chair Pinkoson at an event on May 25, 2011.
26. [Proclamation: "Law Enforcement Memorial Day" in Alachua County, Florida.](#)
Amount: N/A
Recommended Action: Approve a proclamation declaring May 10, 2011 as "Law Enforcement Memorial Day" in Alachua County, Florida. Although no Commissioners were available to present this proclamation, it was made available to the event organizers.
27. [Proclamation: "Public Works Week" in Alachua County, Florida.](#)
Amount: N/A
Recommended Action: Approve a proclamation declaring May 15 - 21, 2011 as "Public Works Week" in Alachua County, Florida.
28. [Proclamation: "Daddy Mick Pool Day" in Alachua County, Florida. \(Amended\)](#)
Amount: N/A
Recommended Action: Present a proclamation declaring May 27, 2011 as "Daddy Mick Pool Day" in Alachua County, Florida.

CONSENT /Governmental Units

Constitutional Officers/Other Governmental Units

29. [Regional Drug Enforcement Strike Force "Pill Mill" Grant](#)

Amount: \$101,971.00

Recommended Action: Approve the Grant to provide overtime funding to the Regional Drug Enforcement Strike Force to pursue doctors and other healthcare officials who engage in fraud against private insurance companies and federal/state public benefit programs and accept the \$101,971.

30. [Constitutional Officers' Quarterly Report for FY2011 Quarter 2](#)

Amount: N/A

Recommended Action: Accept the Constitutional Officers' Quarterly Reports of Budget and Actual Expenditures for FY 2011 Quarter 2

County Attorney

31. [Amend the Board of County Commissioners' Rules of Procedure](#)

Amount: N/A

Recommended Action: Approve the resolution to amend the Board of County Commissioners' Rules of Procedure in accordance with the attached summary document and authorize the Chair to sign.

Support Services Group

32. [Annual Self Funded Insurance Renewal](#)

Amount: \$257,000.00

Recommended Action: Approve the Self Insurance Review Committees recommendation to offer a self funded health plan, Blue Options 3766, for FY12 at a 4.7 percent funded increase.

33. [W W Gay Fire and Integrated Systems, Inc.: Change Order 3 to Purchase Order 110197.](#)

Amount: \$5,000.00

Recommended Action: Approve Change Order 3 to Purchase Order 110197, issued to W W Gay Fire and Integrated Systems, Inc. for work to be done at the Criminal Courthouse.

Community Planning Group

34. [Development \(Site\) Plan Consistency Determination for Elementary School "H"](#)

Amount: N/A

Recommended Action: The County Commission should make a written determination that the final development (site) plan for Elementary School "H" is consistent with the Comprehensive Plan and land development regulations, by approving the attached Development Review Committee (DRC) Staff Report.

35. [Professional Services Agreement for post design services for the Three Interim Projects included with the SW 62nd Boulevard Connector Project.](#)

Amount: \$25,000.00

Recommended Action: Approve the Fifth Amendment to the Professional Services Agreement with HNTB Corporation for post design services for the Three Interim Projects included with the SW 62nd Boulevard Connector Project.

36. [Infrastructure improvements in Oakmont Phase 1 Unit 1a.](#)

Amount: N/A

Recommended Action: That the Board approve and accept the Bill of Sale from Parker Road Community Development District to Alachua County for infrastructure improvements in Oakmont Phase I Unit 1a.

37. [SW 8th Avenue: in connection with the SW 8 Avenue to SW 20th Connection - Connect to SW 61 Street improvement project. \(Amended\)](#)

Amount: \$495,000.00

Recommended Action: Approve and execute the Purchase and Sale Agreement in connection with SW 8 Avenue to SW 20 Connection-Connect to SW 61 St improvement project. That the Chair be authorized to execute any additional documents necessary to complete this transaction.

38. [Corrected Resolution for the Construction and Maintenance Agreement for improvements associated with Archer Braid Bike Path/Trail from the City of Archer to SW 91st Street](#)

Amount: N/A

Recommended Action: Adopts the resolution authorizing the County to enter into a Construction and Maintenance Agreement between Alachua County and the FDOT for improvements associated with Archer Braid Bike Path/Trail from the City of Archer to SW 91st Street and authorize the signature of the chair.

39. [MOU with the Tourist Development Council](#)
Amount: N/A
Recommended Action: Approve the 1st Amendment to the Amended and Restated Memorandum of Understanding between the County and the Tourist Development Council
40. [Annual Liquid Asphalt Material: Annual Bid 12-49.](#)
Amount: Annual Estimated Budget \$300,000.00
Recommended Action: Approve the award of Annual Bid 12-49; Annual Liquid Asphalt Material to North Florida Emulsions, Inc., as the lowest responsive and responsible bidder meeting specifications and authorize the Purchasing Manager to sign the purchase orders.
41. [Authorization to Advertise Public Hearing on Change to Reserve Area for City of Gainesville](#)
Amount: \$750.00
Recommended Action: Authorize advertisement of Public Hearing on updated Reserve Area and associated Statement of County Services for the Gainesville Reserve Area in accordance with the Boundary Adjustment Act.

Community Services Group

43. [Letter to State on Expiration of CHOICES surtax](#)
Amount: N/A
Recommended Action: Authorize Chair to sign and send letter to State Department of Revenue expressing the Boards intent to allow the CHOICES .25 percent Surtax to expire December 2011.
44. [Neighborhood Stabilization Program \(NSP\) Deeds 001 and 008](#)
Amount: N/A
Recommended Action: Approve the form of the deeds for the Neighborhood Stabilization Program 001 and 008 for these buyers.
45. [Coast2Coast Discount Prescription Card](#)
Amount: N/A
~~**Recommended Action:** Authorize Chair to approve and sign agreement between Alachua County and Financial Marketing Concepts, Inc. for Coast2Coast Discount Prescription Card~~

Tuesday, May 24, 2011 – 9:00 A.M. & 5:00 P.M.