Tuesday, December 13, 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 Paula M. DeLaney presiding, Vice Chair Mike Byerly Commissioners

Susan Baird, Rodney J. Long, and Lee Pinkoson

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

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#### Invocation

1. <u>Invocation by Pastor Max Wilkins, The Family Church, Gainesville</u>

Amount: N/A

**Recommended Action:** Hear Invocation by Pastor Max Wilkins.

Pastor Max Wilkins, The Family Church, gave the invocation.

### Pledge of Allegiance

2. <u>Pledge</u>

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.

County Manager Reid stated that a letter of support for Paul Meyers as the new Alachua County Health Department Director has been added to follow Item #14. Mr. Reid further stated that two Proclamations are being added to the Evening agenda before Item #18 they are the King Celebration 2012 and Martin Luther King Hall of Fame Day Proclamations.

Mr. Reid stated that the following items have had additional backup material added:

- 13. Selection of an Interim County Manager
- 32. County Commission Appointments to Boards and Committees for 2011-2012

Mr. Reid stated that Item #18, Public Workshop on the Unified Land Development Code Update 2011 Chapter 407 Development Standards be removed from consideration.

Commissioner Baird requested that Item #32, County Commission Appointments to Boards and Committees for 2011-2012 be moved to the Regular Agenda for consideration.

Commissioner Baird requested that the following items be pulled from the Consent Agenda for the purposed of voting:

46. <u>Elder Care of Alachua County, Inc. Agreement FY2011-12</u>

**Amount:** \$107,400.00

**Recommended Action:** Approve the FY2011-12 Elder Care of Alachua County, Inc. Agreement and authorize the Chair to sign.

47. Gainesville Harvest Inc. FY2011/12 Agreement

**Amount:** \$60,000.00

**Recommended Action:** Approve the FY2011/12 Gainesville Harvest, Inc. Agreement and authorize the Chair to sign.

48. <u>Violence Against Women Act (VAWA) Interlocal Agreement between the City of Gainesville and Alachua County</u>

**Amount:** \$106,491.00

**Recommended Action:** Approve and execute the 2011-2013 Violence Against Women Act (VAWA) Interlocal Agreement Between Alachua County Board of Commissioners Victim Services Rape Crisis Center and the City of Gainesville Police Department. Approve an inter fund loan for \$25,000.

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

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**Commissioner Long moved** approval of Items 46, 47, and 48. 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

- 1. The County has a survey posted on its website and encouraging people with contact with the Alachua County Jail to provide feedback that will allow the Board of County Commissioners to better operate the Jail.
- 2. A number of requests have been received for the video of the Board of County Commissioners Retreat. The video has been posted and is available on the website for all to see.

# **Time Certain Items** Public Comments (9:30 AM)

5. A.M. Public Comments

Amount: N/A

**Recommended Action:** Hear Public Comments

Chair DeLaney recognized Trish Riley, Mike Sanford, Harold Saive, and Bruce Nelson who presented comments to the Board.

# **Community Outreach Recognitions and Proclamations**

6. **Length of Service Milestone Recipients** 

Amount: N/A

Recommended Action: Recognize County Employees that have reached a Length of Service or Career Milestone in November, 2011.

Human Resources Manager Kim Baldry presented the above item.

7. Recognition of Raymond E. Griffin's retirement from the Alachua County Board of County Commissioners (Public Works Department) after 29 years of dedicated service to the citizens of Alachua County.

Amount: N/A

**Recommended Action:** Recognize Mr. Griffin's 29 years of dedicated service by presenting him a token of appreciation.

County Manager Reid presented the above item.

# **Appointments**

8. Original Florida Tourism Task Force Appointment

Amount: N/A

**Recommended Action:** Appoint one citizen to a citizen-at-large position on the Original Florida Tourism Task Force, to a partial term ending April 2012 followed by a full term ending April 2014, and one to a citizen-at-large position with a term ending April 2013.

Chair DeLaney recognized Lois Nevins who expressed her desire to serve on the Original Florida Tourism Task Force.

**Commissioner Pinkoson moved** appointment of Lois Nevins to a partial term ending April 2012 followed by a full term ending April 2014 and Anna Mikell to a full term ending April 2013.

Chair DeLaney recognized Tourist Development Director Roland Loog who presented comments to the Board.

#### The motion carried 5-0.

### 9. Tourist Development Council Appointments

Amount: N/A

**Recommended Action:** Appoint five citizens to the Tourist Development Council: appoint two citizens to the category of 'Hotel Owner/Operator', to terms ending October 2015; appoint one to the category of 'Involved in Tourist Industry/Tourist Development', to a term ending October 2015; appoint one to the category 'Elected Official', term ending October 2015; one to the category 'Alternate', term ending November 2015.

Chair DeLaney recognized Megan Eckdahl who expressed her desire to serve on the Tourist Development Council.

**Commissioner Baird moved** appointment of Christopher Kehn and Lucie Regensdorf as the Hotel Owner/Operator to full terms ending October 2015 and Carolyn Wade as the Elected Official Representative to a full term ending October 2015. The motion carried 5-0.

Clerk Irby called on each Commissioner for their nomination for the Involved in Tourist Industry/Tourist Development Representative.

Commissioners Baird, Byerly, Long, Pinkoson, and DeLaney nominated Donald Robertson.

# <u>Tuesday</u>, <u>December 13</u>, <u>2011 – 9:00 A.M. & 5:00 P.M.</u>

Clerk Irby announced the results of the roll call.

**Commissioner Long moved** appointment of Donald Robertson to a full term ending October 2015. The motion carried 5-0.

Clerk Irby called on each Commissioner for their nomination for the Alternate Representative.

Commissioners Baird, Byerly, Long, Pinkoson, and DeLaney nominated John Glanzer.

Clerk Irby announced the results of the roll call.

**Commissioner Byerly moved** appointment of John Glanzer as the Alternate Representative to a full term ending November 2015. The motion carried 5-0.

Commissioner Byerly exited at 9:54 P.M.

# 10. Recreation and Open Space Advisory Committee Appointments

Amount: N/A

**Recommended Action:** Appoint two citizens to positions on the Recreation and Open Space Advisory Committee, one to a citizen-at-large position with a term ending September 2013, and one to the Alternate position with a partial term ending April 2012 followed by a full term ending April 2014.

Clerk Irby called on each Commissioner for their nomination for the Citizen-At-Large Representative to a term ending September 2013.

Commissioners Baird, Long, Pinkoson, and DeLaney nominated Nam Henderson.

Clerk Irby announced the results of the roll call.

**Commissioner Pinkoson moved** appointment of Nam Henderson as the Citizen-at-Large Representative to a full term ending September 2013. The motion carried 4-0 with Commissioner Byerly out of the room.

Clerk Irby called on each Commissioner for their nomination for the Citizen-at-Large to a partial term ending April 2012 followed by a full term ending April 2014.

Commissioners Baird, Long, Pinkoson, and DeLaney nominated Bob Stevens.

Commissioner Long moved appointment of Bob Stevens to a partial term ending April 2012 followed by a full term ending April 2014. The motion carried 4-0 with Commissioner Byerly out of the room.

11. <u>Victim Services and Rape Crisis Center Advisory Council Appointment</u>

Amount: N/A

**Recommended Action:** Appoint two citizens to citizen-at-large positions on the Victim Services and Rape Crisis Center Advisory Council, terms ending May 2013.

Chair DeLaney recognized Dottie Baker who presented comments to the Board.

Commissioner Long moved appointment of Dottie Baker and Georgianna Thompson as the Citizen-at-Large Representatives to full terms ending May 2013. The motion carried 4-0 with Commissioner Byerly out of the room.

#### **Presentations**

12. Recognition of Participants in the Alachua County "Strike Out Hunger" Community-wide Food Drive

Amount: N/A

**Recommended Action:** Recognize participants in the Alachua County "Strike Out Hunger" Community-wide Food Drive

Commissioner Long presented the above item.

# **Governmental Units County Manager**

13. Selection of an Interim County Manager

Amount: N/A

**Recommended Action:** Select an Interim County Manager

County Manager Reid presented the above item.

Commissioner Byerly entered at 10:32 A.M.

**Commissioner Long moved** appointment of Betty Baker as the Interim County Manager until the selection of a permanent County Manager. The motion failed for lack of a second.

**Commissioner Pinkoson moved** appointment of Richard Drummond as the Interim County Manager with the condition that he will not be eligible for the permanent position and direct the Chair and County Attorney to negotiate a contract.

Chair DeLaney recognized D.J. Ferguson, Evelyn Foxx, and Diyonne McGraw who presented comments to the Board.

The motion carried 4-1 with Commissioner Long voting "Nay".

**Commissioner Byerly moved** to unanimously support Richard Drummond as the Interim Manager. The motion carried 5-0.

#### ADDED ITEM:

<u>Letter of Support for Paul Meyers, Health Department</u>

**Commissioner Pinkoson moved** to authorize the Chair to sign a letter of support and transmit it to the Dr. Farmer.

Chair DeLaney recognized Jim Stringfellow who presented comments to the Board.

The motion carried 5-0.

#### **Support Services Group**

14. <u>Creation of four new classifications: Non-Certified Firefighter EMT (40 and 56 hour) and Non-Certified Firefighter Paramedic (40 & 56 hour).</u>

Amount: N/A

**Recommended Action:** Approve the creation of the four new classifications, Non-Certified Firefighter EMT/40 hour (\$13.9569 per hour); Non-Certified Firefighter EMT/56 hour (\$8.7686 per hour); Non-Certified Firefighter Paramedic/40 hour (\$15.4755 per hour) and Non-Certified Firefighter Paramedic/56 hour (\$9.7227 per hour) and approve the addition of these classifications to the IAFF Bargaining Unit pay Plan.

Fire Chief Ed Bailey and Human Resources Manager Kim Baldry presented the above item.

**Commissioner Long moved** to approve the creation of the four new classifications, adopt the pay plan and approve the addition of these classifications to the IAFF Bargaining Unit pay Plan.

Chair DeLaney recognized Greg Salmon, Jean Prince, and Deputy Chief Bill Northcutt who presented comments to the Board.

The motion carried 4-1 with Commissioner Baird voting "Nay".

32. County Commission Appointments to Boards and Committees for 2011-2012

Amount: N/A

**Recommended Action:** Appoint County Commissioners to boards and committees for 2011-2012 as approved by the County Commission Chair.

Chair DeLaney inquired if Commissioner Baird would be interested in serving on the Library District Governing Board.

Chair DeLaney stated that she would make corrections to the appointments list and circulate it. She requested that if any Commissioner has a problem with the list that they contact Mrs. Gainey and let her know of the issue.

Chair DeLaney informed the County Attorney that he should begin the process of finding an alternate representative for the Canvassing Board. She would do the primary election but not the presidential election.

42. Poe Springs Retaining Wall Agreement and Budget Amendment

**Amount:** \$86,250.00

**Recommended Action:** Approve the Budget Amendment and the agreement with Florida Fill and Grading, Inc. for the Poe Springs retaining wall.

Parks Superintendent Rob Avery presented the above item.

Commissioner Byerly moved to approve the Budget Amendment and the agreement with Florida Fill and Grading, Inc. for the Poe Springs retaining wall. The motion carried 4-1 with Commissioner Baird voting "Nay".

# **County Manager Reports**

15. County Manager's Report

Amount: N/A

Recommended Action: Accept County Manager's Report

(There were no items submitted.)

# **Closing Comments Public Comments - 15 minutes**

16. Closing Comments from the Public

Amount: N/A

**Recommended Action:** Hear Closing Comments from the Public

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

#### **Commission Comments**

17. **Commission Comments** 

Amount: N/A

**Recommended Action:** Commission Comments

There were no comments offered.

COMMISSION RECESSED AT: 12:13 P.M. COMMISSION RECONVENED: 5:00 P.M.

**Evening Community Outreach and Public Hearing (5:00 P.M.) Proclamations, Recognitions and Presentations** 

#### ADDED ITEM:

### King Celebration 2012 Proclamation

Commissioner Long read and presented the Proclamation to Mrs. Small who accepted it with gratitude.

#### ADDED ITEM:

### Martin Luther King Jr. Hall of Fame Day

Commissioner Long read and presented the Proclamation to Mrs. Small who accepted it with gratitude.

18. Public Workshop on the Unified Land Development Code Update 2011 Chapter 407 Development Standards

Amount: N/A

Recommended Action: Hold the public workshop and provide direction to staff on the Unified Land Development Code update.

# **Public Comments - then resume Public Hearing** (5:30 P.M.)

P.M. Public Comments 19.

Amount: N/A

**Recommended Action:** Hear PM Public Comments

Chair DeLaney recognized Harold Saive, Laurie Newsome, Rod Gonzalez, and Clara Horton who presented comments to the Board.

# **Public Hearings Regular Matters**

20. Solid Waste: Resolution of Intent to Use the Uniform Method of Collecting Non-Ad Valorem Assessments

Amount: N/A

**Recommended Action:** That the Board hold the Public Hearing and adopt the Resolution of Intent to use the uniform method of collecting non-ad valorem assessments for 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 2012-13.

Commissioner Byerly moved that the Board hold the Public Hearing and adopt the Resolution of Intent to use the uniform method of collecting non-ad valorem assessments for 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 2012-13. The motion carried 5-0.

21. <u>Kincade and Tabone Tracts: Acquisition of Conservation Easements on Lake Forest Creek - Kincade and Tabone Tracts by Alachua County Forever.</u>

Amount: Acquisition \$202,390. Stewardship \$550.

**Recommended Action:** (1) Execute the Third Amendment to the Option Contract to purchase a Conservation Easement on the Lake Forest Creek - Kincade and Tabone Tract, (2) Exercise the Option Contract, (3) Accept the donation of a Conservation Easement on the adjacent Lake Forest Creek - Kincade and Tabone (Thomas) Tract, and (4) Direct staff to execute documents as necessary to close the transactions.

Lands Biologist Sandra Vardaman presented the above item.

Commissioner Byerly moved to (1) Execute the Third Amendment to the Option Contract to purchase a Conservation Easement on the Lake Forest Creek - Kincade and Tabone Tract, (2) Exercise the Option Contract, (3) Accept the donation of a Conservation Easement on the adjacent Lake Forest Creek - Kincade and Tabone (Thomas) Tract, and (4) Direct staff to execute documents as necessary to close the transactions. The motion carried 5-0.

22. <u>Acquisition of Conservation Easement on Lake Forest Creek - Smith Tract by Alachua County Forever.</u>

**Amount:** Acquisition \$77,602. Stewardship \$550

**Recommended Action:** The Board should Exercise the Option Contract to purchase a Conservation Easement on the Lake Forest Creek - Smith Tract and authorize staff to execute documents as necessary to close the transactions.

Lands Biologist Sandra Vardaman presented the above item.

**Commissioner Pinkoson moved** that the Board should Exercise the Option Contract to purchase a Conservation Easement on the Lake Forest Creek - Smith Tract and authorize staff to execute documents as necessary to close the transactions. The motion carried 5-0.

23. <u>Acquisition of Lochloosa Creek - Little Orange Creek Tracts by Alachua County</u> Forever.

**Amount:** Acquisition \$855,213. Stewardship \$550.

**Recommended Action:** The Board should (1) Execute and Exercise the Option Contract to acquire the Lochloosa Creek - Little Orange Creek Tract, (2) Execute the Cooperative Agreement with Alachua Conservation Trust to manage the Tract, (3) execute the Notice of Grant Requirements, and (4) authorize staff to close the transaction.

Lands Biologist Sandra Vardaman presented the above item.

Commissioner Byerly moved to (1) Execute and Exercise the Option Contract to acquire the Lochloosa Creek - Little Orange Creek Tract, (2) Execute the Cooperative Agreement with Alachua Conservation Trust to manage the Tract, (3) execute the Notice of Grant Requirements, and (4) authorize staff to close the transaction.

Chair DeLaney recognized Robert Hutchinson and Sabrina Mickel who presented comments to the Board.

#### The motion carried 5-0.

24. <u>Public Hearing for "Subdivision of Sections 15 and 22, Tp 11 S, R 18 E", plat</u> vacation

Amount: N/A

**Recommended Action:** Adopt the Resolution to vacate a portion of the "Subdivision of Sections 15 and 22, Tp 11 S, R 18 E" plat.

**Commissioner Pinkoson moved** to adopt Resolution 11-142 to vacate a portion of the "Subdivision of Sections 15 and 22, Tp 11 S, R 18 E" plat.

Chair DeLaney opened the Public Hearing at 6:03 P.M.

There was no one who wished to speak in support of or in opposition to the above item.

Chair DeLaney closed the Public Hearing at 6:03 P.M.

The motion carried 5-0.

#### Legislative items

25. <u>ULDC: Amend Table 403.04.1 of the Unified Land Development Code to eliminate the lot depth dimension requirement in the A-RB (Agriculture/Rural Business)</u> district

Amount: N/A

**Recommended Action:** Staff recommends that the Board convene as the Land Development Regulation Commission (LDRC) and find the proposed changes consistent with the Comprehensive Plan. The Board should then reconvene, hear the item and approve Ordinance 11-xx eliminating lot depth requirements for the A-RB district.

Senior Planner Missy Daniels presented the above item.

The Board of County Commissioners recessed as the Board of Commissioners and reconvened as the Land Development Regulations Committee at 6:07 P.M.

**Commissioner Pinkoson moved** to find the changes consistent with the Comprehensive Plan. The motion carried 5-0.

The Land Development Regulations Committee adjourned and the Board of County Commissioners reconvened at 6:08 P.M.

**Commissioner Pinkoson moved** that the Board hear the item and approve Ordinance 11-19 eliminating lot depth requirements for the A-RB district. The motion carried 5-0.

Quasi-Judicial/Zoning Items Closing Comments

**Public Comments - 15 minutes** 

26. P.M. Closing Comments from the Public

Amount: N/A

**Recommended Action:** Hear Closing Comments from the Public

Chair DeLaney recognized Rod Gonzalez and John Martin who presented comments to the Board.

There being no further business before the Board the meeting was adjourned at 6:10 P.M.

Adjourn
CONSENT/Community Outreach
CONSENT/Governmental Units

#### **Constitutional Officers/Other Governmental Units**

27. <u>FY2011 Alachua BOCC Investment Report and FY2011 Interest Earnings Report by Fund</u>

Amount: N/A

**Recommended Action:** Accept the FY2011 Alachua BOCC Investment Report and FY2011 Interest Earnings Report by Fund.

# 28. Report of Interfund Loans

Amount: N/A

**Recommended Action:** Accept the Interfund Loans Report of outstanding loans that span the fiscal year end.

### 29. Ratification of the warrant list.

**Amount:** \$2,924,223.11

**Recommended Action:** Ratify the warrant list.

## 30. <u>Board of County Commission Minutes.</u>

Amount: N/A

**Recommended Action:** Approval of the Board of County Commission Minutes from: June 28, 2011, July 12, 2011, August 23, 2011, September 13, 2011 and September 27, 2011.

# **County Attorney**

31. <u>Authorization to Advertise Public Hearing for Ordinance Amending Chapter 63 of the Alachua County Code (Alcohol Sales)</u>

Amount: N/A

**Recommended Action:** Authorize the County Attorney to advertise an ordinance that amends Chapter 63 of the Alachua County Code.

# **County Manager**

33. <u>County Attorney's annual performance review</u>

Amount: N/A

**Recommended Action:** Arrive at a final rating for the County Attorney's annual performance reviews.

34. Resolutions Supporting the Naming of Streets after Alachua County Citizens

Amount: N/A

**Recommended Action:** Approve resolutions supporting the naming of streets in honor of Hope Powell, Lamar Tucker, Chad Hood, and Robert "Buddy" Gasche.

### **Support Services Group**

35. IBM Direct: Finance Report and Purchase Order 120936

**Amount:** \$112,715.32

**Recommended Action:** Approve the Finance Report and Purchase Order 120936, issued to IBM Direct for the purchase of hardware for the implementation of the ONE Solution software. (H.T.E. Financial system replacement / upgrade).

36. <u>Lease Agreement between Partnership For Strong Families (PFSF) and Alachua County Board of County Commissioners</u>

Amount: \$120.00 Revenue

**Recommended Action:** Approve the Lease Agreement between Partnership for Strong Families (PFSF) and Alachua County Board of County Commissioners.

37. Support Services Group Minutes

Amount: N/A

**Recommended Action:** Accept and approve the minutes of the SSG meetings for January through November 2011.

38. <u>Commissioning Agent for the Alachua County Civil Courthouse HVAC Renovation:</u> RFP 11-446.

**Amount:** \$0.00

**Recommended Action:** Request that the Board approve the Finance Report to rank RFP #11-446: Commissioning Agent for the Alachua County Civil Courthouse HVAC Renovation and authorize staff to negotiate an agreement with the top ranked firm and, then the next, until an agreement is reached.

39. <u>Construction Manager at Risk for the Alachua County Civil Courthouse HVAC Renovation: RFP 11-445 Rebid</u>

**Amount:** \$0.00

**Recommended Action:** Request that the Board approve the Finance Report to rank RFP #11-445 Rebid; Construction Manager at Risk for the Alachua County Civil Courthouse HVAC Renovation and authorize staff to negotiate an agreement with the top ranked firm and, then the next, until an agreement is reached.

# **Community Planning Group**

40. <u>Incentive Grant Program Agreement between the County, the FDOT and Gainesville for the roadway reconstruction of Depot Avenue from Main Street to SW 13th Street</u>

Amount: N/A

**Recommended Action:** That the Board adopt the resolution authorizing the County to enter into a County Incentive Grant Program Agreement with the State of Florida Department of Transportation and the City of Gainesville for the roadway reconstruction, including bicycle and pedestrian facilities on Depot Avenue from US 441/SR 45/SW 13th Street to Main Street. That the Chair be authorized to execute any additional documents, approved by the County Attorney, necessary to complete this transaction.

41. Regional Transit Service (RTS) 5311 Grant Application Support Letter

Amount: N/A

**Recommended Action:** Approve support letter to allow RTS to apply for the 5311 Grant funds for Alachua County.

43. <u>City of Gainesville Easement over the County's Kanapaha Park Community</u> Center property.

Amount: N/A

**Recommended Action:** Adopt the Resolution and authorize the Chair to execute the easement to the City of Gainesville over the County's Kanapaha Park Community Center property.

# **Community Services Group**

44. MV Transport: 4th Amendment to Agreement with MV

**Amount:** \$190,000.00

**Recommended Action:** Approve and execute the 4th Amendment to the Agreement between Alachua County and MV Contract Transportation, Inc., a for profit corporation serving as the Coordinated Transportation Provider.

45. <u>Fire Rescue: Request to advertise Public Hearing to amend Chapter 335 Code of Ordinances relating to the Uniform Roadway Naming and Property Numbering System.</u>

Amount: N/A

**Recommended Action:** Authorize advertisement of the public hearing to amend Chapter 335 of the Alachua County Code of Ordinances relating to the Uniform Roadway Naming and Property Numbering System.