

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 – Cyndi Stevenson

District 2 – Ron Sanchez

District 3 – William (Bill) A. McClure, Vice-Chair

District 4 – Jay Morris, Chair

District 5 – Rachael L. Bennett



REGULAR MEETING AGENDA

County Auditorium
500 San Sebastian View

Michael D. Wanchick, County Administrator
Patrick F. McCormack, County Attorney

TUESDAY, NOVEMBER 19, 2013 – 9:00 A.M.

❖*Please be sure all cellular devices are silenced for the duration of the County Commission Meeting*❖

REGULAR MEETING

- ❖ Call to Order by Chair
- ❖ Roll Call by the Clerk of the Court
- ❖ Invocation
- ❖ Pledge of Allegiance
- ❖ *Recognition of the St. Johns County Office of the Medical Examiner and Dr. Predrag Bulic for receiving accreditation from the National Association of Medical Examiners*
- ❖ *Proclamation declaring November 17 through November 23, 2013 as Hunger and Homeless Awareness Week*
- ❖ *Acceptance of Proclamation*
- ❖ Public Comment
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

Presenter – Patrick F. McCormack, County Attorney and Melissa S. Glasgow, Director of Economic Development

- 1. Consider a Resolution authorizing the issuance by St. Johns County Industrial Development Authority of tax-exempt and taxable bonds and a loan of the proceeds to BVM Coral Landing and BVM The Bridges, LLC to finance the acquisition of senior living and healthcare facilities.** BVM Coral Landing and BVM The Bridges, LLC (collectively, the "BVM Florida Obligated Group") have requested the St. Johns County Industrial Development Authority ("IDA") to issue, and the Board of County Commissioners, to approve, for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 125.01(z), Florida Statutes, the issuance by the IDA of tax-exempt and taxable Series 2013A and Series 2013B Bonds (BVM Florida Obligated Group Project) for the benefit of the BVM Florida Obligated Group, in an aggregate principal amount not to exceed \$22,000,000, to finance the acquisition of senior

living and healthcare facilities in St. Johns County and Hillsborough County. The IDA previously approved a larger iteration of this project on January 28, 2013, but the project was subsequently scaled back to remove a portion of the facilities being acquired which necessitated restarting the approval process. The IDA approved this request at their meeting on November 4, 2013. Said Bonds shall not constitute a debt, liability or obligation of St. Johns County, Hillsborough County, the State of Florida or of any political subdivision thereof, but will be payable out of funds pledged and assigned under a Loan Agreement between the IDA and the BVM Florida Obligated Group. The Board of County Commissioners approval with respect to the Bond proceeds spent in Hillsborough County will be conditioned upon the receipt of similar approval from Hillsborough County.

- 2. Consider a Resolution Authorizing the issuance by Capital Trust Agency of tax-exempt bonds and a loan of the proceeds to Silver Creek St. Augustine LLLP to finance the construction of a senior living facility in St. Johns County.** Silver Creek St. Augustine LLLP has requested the Capital Trust Agency ("CTA") to issue, and the Board of County Commissioners (Board), to approve, for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 125.01(z), Florida Statutes, the issuance by CTA of tax-exempt bonds for the benefit of the Silver Creek St. Augustine LLLP, in an aggregate principal amount not to exceed \$37,500,000, to finance the acquisition, construction, development, installation and equipping of a senior living facility to be known as Silver Creek Senior Care Facility to be located within St. Johns County. On October 18, 2011, the Board approved an economic development grant agreement with Silver Creek LLLP to provide up to \$619,862 in incentives for the construction of a 157,000+/- square foot assisted living/medical office facility expected to create 190 jobs along SR 207, just west of Holmes Boulevard in St. Augustine. On September 18, 2012, the Board approved a resolution supporting a Community Development Block Grant application requesting \$750,000 be allocated to Silver Creek LLLP to provide for public infrastructure dedicated to the project. Said Bonds shall not constitute a debt, liability or obligation of St. Johns County or of any political subdivision thereof, but will be payable out of funds pledged and assigned under a Loan Agreement between the CTA and the Silver Creek St. Augustine LLLP.

Presenter – Chelsea Glenn, Planner

District 3

- 3. Public Hearing - MAJMOD 2013-08 Moultrie Bluff Plaza PUD (Residential).** Request to modify existing Moultrie Bluff Plaza PUD to change and clarify the phasing schedule so that Phase II, Residential may begin in 2013 and be constructed simultaneously with Phase I, Commercial. Staff recommends approval of the request based on its consistency with the Future Land Use Designation of Residential-C, consistency with development trends in the area and compatibility with surrounding properties. The Planning and Zoning Agency recommended approval of the request at its October 3, 2013 meeting by a vote of 7 to 0.

Presenter – Georgia Katz, Senior Planner

District 2

- 4. Public Hearing - COMPAMD 2013-01 Sunshine 16 Parcel 4 – Adoption Hearing.** This is an adoption hearing for COMPAMD 2013-01. This is a proposed Comprehensive Plan Amendment request to amend the Future Land Use Map from Residential B to Residential C for approximately 17.57 acres located on SR 16 about a quarter mile east of Pacetti Road and International Golf Parkway, including a proposed Text amendment that limits the total number of units to 52. On August 6, 2013, the Board of County Commissioners transmitted this amendment to the required State and regional agencies. Staff received no comments from these agencies. The Planning and Zoning Agency recommended adoption of COMPAMD 2013-01 by a unanimous vote of 5-0 at its October 3, 2013 meeting.

Presenter – Georgia Katz, Senior Planner

District 2

- 5. Public Hearing - MAJMOD 2013-02 Sunshine 16 Parcel 4.** This is a proposed Major Modification to the Sunshine 16 Planned Unit Development Text and Map to add Parcel 4, a 17.57 acre parcel with a designated density of 52 units. The property is located south of SR 16 about a quarter mile east of the intersection of Pacetti Road and International Golf Parkway. The Planning and Zoning Agency recommended approval of the MAJMOD 2013-02 by a unanimous vote of 5-0 at their October 3, 2013 meeting.

Presenter – Michael Roberson, Senior Planner

District 5

- 6. Public Hearing - PUD 2011-07 Tomoka Forest.** Request to rezone 41 acres from Open Rural (OR) to Planned Unit Development (PUD) to develop up to 44 single-family residential units. Staff recommends approval of the request, upon approval of the waiver, based on consistency with the Future Land Use Designation of Residential-B, consistency with development trends in the area and compatibility with surrounding properties. Planning and Zoning Agency (PZA) recommended approval of the request at the October 3, 2013 meeting by a 7-0 vote, including approval of the waiver request.

Presenter – Phong T. Nguyen, Transportation Development Division Manager

District 5

- 7. Public Hearing - DEVAGRMOD 2013-02 SR16 Property Development Agreement Modification.** The SR 16 Property Development Agreement was approved by the Board of County Commissioners on May 2, 2006 for the SR 16 Property Comprehensive Plan Amendment (aka Tomoka Forest PUD) to address identified public facility deficiencies for the development of 54 single family units. The Agreement provided no assurance of concurrency, and included provisions for the Developer to participate in a school concurrency system, proportionate fair share program, and utility agreements with the St. Johns County Utility Department if adopted after the Agreement was approved. The request seeks to terminate the Development Agreement based on the updated concurrency review finding that adequate transportation, water and wastewater capacity is available; and the stipulation that mitigation for schools through a School Concurrency Proportionate Share Mitigation Agreement is required. Two public hearings are required to modify or terminate a Development Agreement. The second public hearing is scheduled before the BCC on December 17, 2013.

Presenter – Rebecca C. Lavie, Assistant County Attorney

- 8. Public Hearing - First Hearing of Hazardous Materials Ordinance.** First reading of an Ordinance of the Board of County Commissioners, St. Johns County, Florida, creating the St. Johns County Hazardous Material Cost Recovery Ordinance, making findings, stating intent, providing scope, providing definitions, providing for liability of responsible parties for costs associated with a hazardous material incident, providing for collection of costs associated with a hazardous material incident, providing for enforcement, permitting reimbursement from other sources, providing for severability, and providing an effective date. Second reading and enactment of this Ordinance will be December 3, 2013.

Presenter – David M. Migut, Senior Assistant County Attorney

- 9. Public Hearing - First Public Hearing of Flavored Tobacco Ordinance.** First reading of an Ordinance of the Board of County Commissioners of St. Johns County, Florida, restricting the display and sale of flavored tobacco products; providing for definitions; providing for incorporation of recitals; providing for enforcement; providing for severability; and providing for an effective date. Second hearing and enactment of this Ordinance will be on December 3, 2013.

Presenter – Rebecca C. Lavie, Assistant County Attorney

- 10. Public Hearing - First Public Hearing on repealing outdated and superseded St. Johns County Ordinances and removing repealed Ordinances from County Code.** In support of the Board's goals and objectives, the Office of the County Attorney is working to identify ordinances that have been superseded by statute or that are outdated, redundant, or no longer in the public interest. Once identified, these ordinances can be removed from the County Code, thereby providing the public with more efficient access to the County's ordinances that are still in effect. This ordinance is the first step in this process. It identifies ordinances that have either been repealed or that have been superseded by state law. It removes the ordinances that have already been repealed from the County Code, and it repeals the superseded ordinances and directs their removal from the County Code, as well. The ordinance also directs the Clerk to maintain a compilation of the repealed ordinances separate from the County Code.

Presenter – Melissa A. Lundquist, Assistant to the Board of County Commissioners

- 11.** Consider appointments to the Ponte Vedra Zoning & Adjustment Board.
- 12.** Consider an appointment to the Health & Human Services Advisory Council.
- 13.** Consider appointment to the Housing Finance Authority.

- ❖ **Commissioners' Reports**
- ❖ **County Administrator's Report**
- ❖ **County Attorney's Report**
- ❖ **Clerk of Court's Report**

End of Regular Agenda

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CONSENT MEETING AGENDA

County Auditorium
500 San Sebastian View

Michael D. Wanchick, County Administrator
Patrick F. McCormack, County Attorney

TUESDAY, NOVEMBER 19, 2013

CONSENT AGENDA

1. **Approval of the Cash Requirement Report.** *For information, contact Allen MacDonald, County Finance Director at 819-3669, and a copy of this report is available in the County Commission office.*
2. **Minutes:**
 - BCC Special Meeting 10/29/13
3. Motion to adopt a Resolution **accepting five easements for Utilities for water and sewer service to the residents at the north end of Doe Run Road** that choose to connect to Utility Service. No funding is required. *For information, contact Mary Ann Blount, Land Management Director, at 209-0762.*
4. Motion to **schedule the Twin Creeks DRI Substantial Deviation (DRI 2012-01) for Public Hearing** on January 21, 2014. *For information, contact Teresa Bishop, AICP, Long Range Planner Manager, at 209-0581.*
5. Motion to adopt a Resolution approving the **final plat for Coastal Oaks at Nocatee Phase 2G Unit 2.** *For information, contact Kathy Nielsen, Application Review Manager, at 209-0698.*
6. Motion to adopt a Resolution approving the terms and conditions of a **contract between the Board of County Commissioners of St. Johns County, Florida and the St. Johns County Council on Aging, Inc.,** to provide fiscal year 2014 funds for Sunshine Bus services, paratransit services and enhanced veteran services for a period of 12 months, and authorizing the County Administrator, or designee, to execute the contract on behalf of the County. *For information, contact Gary L. Mackey, Transit Grant Specialist, at 209-0630.*
7. Motion to adopt a Resolution approving and authorizing the **Execution of the Construction and Maintenance Agreement for the State Road A1A Scenic and Historic Coastal Byway Signs.** *For information, contact Press Tompkins, P.E., County Engineer, at 209-0110.*

8. Motion to adopt a Resolution approving and authorizing the **Execution of Local Agency Program (LAP) agreement** between the State of Florida and St. Johns County for the design and construction of State Road A1A Scenic and Historic Coastal Byway Signs; **AND** Motion to adopt a Resolution **recognizing unanticipated revenue** in the amount of \$600,691.00 and increasing the Transportation Trust Fund (1111-33140) from the FDOT and \$10,000 cash from Flagler County and authorize its expenditure on the State Road A1A Scenic and Historic Coastal Byway Signs. *For information, contact Press Tompkins, P.E., County Engineer, at 209-0110.*
9. Motion to **approve an additional Lead Operator position and transfer from the PV Utility Services Fund Reserves** the associated salary and benefits related to this position. *For information, contact William G. Young, Director of Utilities, at 209-2703.*
10. Motion to adopt a Resolution authorizing the County Administrator, or his designee, to **purchase One (1) New Gradall XL3100 Excavator 4X4** from Florida Sheriff's Association & Florida Association of Counties Contract # 13-11-0904 from Ring Power Corporation in the amount of \$320,334.00. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
11. Motion to adopt a Resolution authorizing the County Administrator, or his designee, to **purchase One (1) 2014 Braun Ambulance** from Ten-8 Fire Equipment Inc from the Florida Fire Chiefs Association, Florida Sheriff's Association & Florida Association of Counties Contract # 11-10-1202 in the amount of \$238,401.00. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
12. Motion to adopt a Resolution authorizing the County Administrator, or his designee, to **negotiate with, and if negotiations are successful, to enter into a contract with the top ranked firm, Universal Engineering Science, Inc for inspection services (RFP# 13-68 Inspection Services for SHIP Rehabilitation Program).** If negotiations with the top ranked firm are not successful, the County Administrator, or his designee, may negotiate with the second ranked firm and enter into an agreement upon successful negotiations. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
13. Motion to adopt a Resolution approving the execution of a **Joinder to Interlocal Agreement with Florida Development Finance Corporation (FDFC)** for the purpose of authorizing the FDFC to exercise its power and authority within the corporate limits of St. Johns County. The FDFC is proposing to issue bonds in order to finance a multi-jurisdictional project, a portion of which will be located in St. Johns County. The project involves the installation of a fiber optic network by Allied Fiber, LLC. The network will run from Miami to Atlanta and will track existing railroad routes. *For information, contact Rebecca C. Lavie, Assistant County Attorney, at 209-0805.*
14. Motion to adopt a Resolution **amending the Fiscal Year 2014 Budget to receive unanticipated Veteran Affairs revenue and authorize its expenditure** within the General Fund Health & Human Services Department. *For information, contact Jesse Dunn, Office of Management & Budget, at 209-0568.*
15. Motion to authorize the Chair to sign the **Functional Classification Map** based on the 2010 Census. *For information, contact Phong T. Nguyen, Transportation Development Division Manager, at 209-0613.*
16. Motion to approve a **transfer from LETF Reserves (1194-59920) in the amount of \$2,000 to LETF – Transfer to Officers (1194-59101)** to pay for programs and services provided through the KinderVision organization in fiscal year 2014. *For information, contact Sheriff David Shoar, at 824-8304.*
17. Motion to **approve the Fiscal Year 2013 end-of-year fund reserve transfers** per the attached schedule to ensure fiscal year-end account balances do not reflect a negative balance per the Administrative Code. *For information contact Andrea Matzke, Office of Management & Budget, at 209-0572.*

18. Motion to **authorize the reprioritization of the FY 2014 Capital Maintenance Project List by approving the transfer of \$257,900 from General Fund Parks Department Maintenance to the Golf Course Fund for an irrigation system replacement;** and, Motion to **approve the transfer of \$48,125 from the General Fund Parks Department Maintenance to the Sheriff Complex Department for water storage tank and piping replacement.** As part of the FY 14 Budget, the BCC approved funding for deferred maintenance projects of approximately \$2.4 million. OMB has determined that a grant award for the Vilano Fishing Pier maintenance project will not become available until late FY 14 (see cover sheet for more info) and reprioritization is now recommended for its funding in the amount of \$612,050. *For information contact Jesse Dunn, Office of Management & Budget, at 209-0568.*

19. Proofs:

- a. Proof: Notice of Meeting, Legislative Delegation on Nov 12, 2013, published in the St. Augustine Record on October 28, 2013
- b. Proof: Notice of Meeting, Special Meeting on Oct 22, 2013 & Oct 29, 2013, published in the St. Augustine Record on October 15, 2013
- c. Proof: Notice of Meeting, Value Adjustment Board on Oct 18, 2013, published in the St. Augustine Record on October 11, 2013
- d. Proof: Misc. Notice, Community Outreach Presentation/Workshop, published in the St. Augustine Record on November 5, 2013
- e. Proof, Certificate of Liability Insurance: Southeastern Surveying and Mapping Corporation
- f. Proof: Request for Qualifications, RFQ# 14-05 – Engineering Services, published in the St. Augustine Record on October 10, 2013 and October 17, 2013
- g. Proof: Request for Qualifications, RFQ# 14-06 – Environmental Services, published in the St. Augustine Record on October 17, 2013 and October 24, 2013
- h. Proof: Request for Qualifications, RFQ# 14-07 – Geotechnical Services, published in the St. Augustine Record on October 24, 2013 and October 31, 2013
- i. Proof: Request for Qualifications, RFQ# 14-11 – WaterWell Assess/Rehab, published in the St. Augustine Record on September 30, 2013 and October 7, 2013
- j. Proof: Request for Qualifications, RFQ# 14-12 – Rehab for SHIP Programs, published in the St. Augustine Record on October 7, 2013 and October 14, 2013
- k. Proof: Request for Qualifications, RFQ# 14-15 – ATM Amphitheatre & PV Concert Hall, published in the St. Augustine Record on October 2, 2013 and October 9, 2013
- l. Proof: Request for Bid #14-03, Bid# 14-03 – Annual Hot Mix Asphalt, published in the St. Augustine Record on September 27, 2013 and October 4, 2013
- m. Proof: Request for Bid# 14-10 – Household Haz. Waste Collection, published in the St. Augustine Record on October 7, 2013 and October 14, 2013
- n. Proof: Request for Bid# 14-19 –Printing for St. Johns County, published in the St. Augustine Record on October 8, 2013 and October 15, 2013
- o. Proof: Request for Bid# 14-16 – Construction Well NW 4, published in the St. Augustine Record on October 28, 2013 and November 4, 2013
- p. Proof: Request for Bid# 14-27 – Purchase Sign Faces, published in the St. Augustine Record on October 22, 2013 and October 29, 2013
- q. Proof: Request for Bid# 14-28 – Purchase Sign Materials, published in the St. Augustine Record on October 21, 2013 and October 28, 2013
- r. Proof: Request for Bid# 14-29 – Purchase MOT Devices, published in the St. Augustine Record on October 21, 2013 and October 28, 2013