

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 – Cyndi Stevenson

District 2 – Ron Sanchez

District 3 – William (Bill) A. McClure

District 4 – Jay Morris, Chair

District 5 – Rachael L. Bennett, Vice-Chair



REGULAR MEETING AGENDA

County Auditorium
500 San Sebastian View

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

TUESDAY, FEBRUARY 18, 2014 – 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 Joseph “Mac” McDermott as this year’s recipient of the Colonel George E. Taylor Award*
- ❖ *Proclamation recognizing the 125th Anniversary of Florida Public Health*
- ❖ *Acceptance of Proclamations*
- ❖ 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

1. Consider motion to adopt a resolution authorizing the issuance of the County’s Taxable Capital Improvement Revenue Bond, Series 2014, in a principal amount not to exceed \$4,500,000.

Presenter – Melissa S. Glasgow, Economic Development Director

2. Presentation by the St. Johns County Chamber of Commerce – EDC Update.

Presenter – Chelsea Glenn, Planner

District 4

- 3. Public Hearing – PNZVAR 2013-02 Palm Valley Dentistry.** This is a request for a non-zoning variance to allow a second sign on the side elevation for property located at 3791 Palm Valley Road, Suite 204-205 in the Palm Valley Shopping Center. Staff finds the request for a Planning Non-Zoning Variance to Section 3.06.09.C.2 and 3 of the Land Development Code substantially meets the requirements of the Comprehensive Plan and the Land Development Code, specifically Section 10.04.03.B and Section 7.00.02.B. This finding is based upon the following information: the application materials, consistency with the Future Land Use designation of Commercial, and consistency with the intent of the Land Development Code, including Part 3.06.00. This finding may be subject to other competent substantial evidence received, including that received at the quasi-judicial public hearing. The Ponte Vedra Architectural Review Committee recommended approval of the Non-Zoning Variance at its January 22, 2014 meeting with a vote of 4 to 1.

Presenter – Caitlin Cerame, Planner

District 3

- 4. Public Hearing – NZVAR 2013-04 Ross Dress for Less.** This is a request for a Non-Zoning Variance to Land Development Code Sections 7.02.01.A and B to allow a maximum Advertising Display Area of 252.8 square feet in lieu of 180 square feet for building signs. The subject property is located at 1783 US 1 South, just northwest of the US 1 and State Road 312 intersection. Based on the information available to staff, the Growth Management Department recommends approval of the request for a Non-Zoning Variance finding that the application substantially meets the requirements of the Comprehensive Plan and the Land Development Code. This finding may be subject to other competent substantial evidence received, including testimony and materials received at the quasi-judicial public hearing

Presenter – Chelsea Glenn, Planner

District 4

- 5. Public Hearing – REZ 2013-09 Enclave at Palm Valley.** Request to rezone approximately 9.6 acres of property from Open Rural (OR) to Residential, Single Family (RS-2). Staff recommends approval of the request based on consistency with the Future Land Use Designations of Residential-A and Residential-B Coastal, consistency with development trends in the area, and compatibility with surrounding properties. The Planning and Zoning Agency recommended approval of the request at its January 23, 2014 meeting by a vote of 6 to 0.

Presenter – Vickie Renna, Long Range Planning Division

District 1

- 6. Public Hearing – COMPAMD 2013-02 Heritage Oaks – Adoption Hearing.** This is a proposed Comprehensive Plan Amendment request to amend the Future Land Use Map from Rural Silviculture (R/S) to Residential – C and add a text amendment establishing a site specific density cap not to exceed 99 lots on 37.24 acres for property located on the south side of Russell Sampson Road. This is an adoption hearing for COMPAMD 2013 – 02. The Planning and Zoning Agency unanimously recommended adopting COMPAMD 2013-02 with a 7- 0 vote at its January 23, 2014 meeting.

District 1

- 7. Public Hearing – PUD 2013-05 Heritage Oaks.** Request to rezone 37.24 acres from Open Rural (OR) to Plan Unit Development (PUD) to construct a maximum of 99 single family lots on the south side of Russell Sampson Road. Staff recommends approval of this request, approval of the two (2) waivers, based on the Future Land Use designation of Residential – C, Land Development Code requirements, consistency with the development trends in the area and compatibility with the surrounding properties. The Planning and Zoning Agency recommends approval of this request at its January 23, 2014 meeting with a 7 – 0 vote. The motion included approval of the requested waivers.

Presenter – Phong T. Nguyen, Transportation Development Division Manager

District 2

- 8. Public Hearing – DEVAGRMOD 2013-05 Turnbull Development Agreement Modification.** The Turnbull Development Agreement (DEVAGREE 2006-14) was approved by the Board of County Commissioners on August 21, 2007 to demonstrate financial feasibility for both the Turnbull and Wildcat Ventures Comprehensive Plan Amendments (CPA) for the subject property, and to demonstrate adequate transportation capacity for issuance of a Final Certificate of Concurrency (CONMAJ 2005-40) for the development of 813 single family units. The concurrency certificate is expired for all public facilities except transportation, which remains in effect for 10 years, consistent with the Turnbull Development Agreement and will otherwise expire on August 21, 2017. The request seeks to terminate the Development Agreement based on the results of a new Application for Concurrency Determination (CONMAJ 2013-04) for Phase I of the Encanta PUD consisting of 580 single family units (Encanta Phase I). The Development Agreement is proposed to be replaced by a Proportionate Fair Share Agreement (PFS AGREE 2013-03) to mitigate transportation impacts, and forfeiture of all trips reserved under the Turnbull Development Agreement in excess of the trips required for Encanta Phase I. Two public hearings are required to modify or terminate a Development Agreement. This is the second of two required public hearings. The first public hearing was held on February 4, 2014.

Presenter – Phong T. Nguyen, Transportation Development Division Manager

District 2

- 9. PFS AGREE 2013-03 Encanta Phase I.** LTI Property Jacksonville, LLC (Owner) and C&A Turnbull, LLC (Developer) have proposed a Proportionate Fair Share Agreement (Agreement) to mitigate the project's proportionate share of the transportation impacts to SR 16 and Four Mile Road pursuant to Section 11.09.04.B of the Land Development Code in order to meet transportation concurrency requirements for the development of 580 single family units (Encanta Phase I). The project's proportionate fair share is calculated to be \$545,414.00 as detailed in Exhibit B of the Agreement. The Developer is proposing to pay the proportionate share prior to Subdivision Construction Plan approval or within one year, whichever occurs first. Impact fee credits in the amount of the total value of the proportionate fair share are included as a component of the Agreement.

Presenter – Chelsea Glenn, Planner

District 2

- 10. Public Hearing – PUD 2013-04 Encanta PUD.** Request to rezone 433.30 acres from Open Rural (OR) to Planned Unit Development (PUD) in order to develop up to 580 single family units and 90,000 square feet of commercial and/or office space. Item was continued from the February 4, 2014 Board of County Commissioners public hearing. At this time, staff is awaiting revised application materials to review. Staff recommends approval of the request, based on the proposal's consistency with the Future Land Use designation of Residential-B, consistency with development trends in the area and compatibility with surrounding properties. The Planning and Zoning Agency recommended approval of the request at its December 19, 2013 meeting by a vote of 7 to 0. The motion included approval of the requested waivers and an additional recommendation that every attempt be made to provide interconnectivity with Whisper Ridge at the southeast portion of the site.

Presenter – Phong T. Nguyen, Transportation Development Division Manager

District 2

- 11. Public Hearing – DEVAGRMOD 2013-06 Mill Creek Development Agreement Modification.** The Mill Creek Development Agreement (Agreement) was approved by the Board of County Commissioners on May 2, 2006 in support of the Mill Creek Comprehensive Plan Amendment (CPA). The Agreement was required by state statute to demonstrate financial feasibility for public facility deficiencies identified in the CPA review for the development of 459 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 recently completed review of the Application for Concurrency Determination (CONMAJ 2013-01) for the Arbor Mill PUD consisting of 252 single family units to be replaced by a Proportionate Fair Share Agreement (PFS AGREE 2013-03) to mitigate transportation impacts. Two public hearings are required to modify or terminate a Development Agreement. This is the second of two required public hearings. The first public hearing was held on February 4, 2014.

Presenter – Phong T. Nguyen, Transportation Development Division Manager

District 2

- 12. PFS AGREE 2013-04 Arbor Mill PUD.** N&D Land Trust, LLC (Owner) and Clay Investment Fund XIII, LLC (Developer) have proposed a Proportionate Fair Share Agreement (Agreement) to mitigate the project's proportionate share of the transportation impacts to SR 16 pursuant to Section 11.09.04.B of the Land Development Code in order to meet transportation concurrency requirements for the development of 252 single family units in the Arbor Mill PUD. The project's proportionate fair share is calculated to be \$281,473.00 as detailed in Exhibit B of the Agreement. The Developer is proposing to pay the proportionate share prior to Subdivision Construction Plan approval or within one year, whichever occurs first. Impact fee credits in the amount of the total value of the proportionate fair share are included as a component of the Agreement.

Presenter – Chelsea Glenn, Planner

District 2

- 13. Public Hearing – PUD 2013-09 Arbor Mill PUD.** Request to rezone 144.6 acres from Open Rural (OR) to Planned Unit Development (PUD) for a 252 unit single family development. Item was continued from the February 4, 2014 Board of County Commissioners public hearing. At this time, staff is awaiting revised application materials to review. Staff recommends approval of the request, upon approval of the three waivers, based on the proposals consistency with the Future Land Use designation of Residential-B, consistency with development trends in the area and compatibility with surrounding properties. The Planning and Zoning Agency recommended approval of the request at its December 19, 2013 meeting by a vote of 7 to 0. The motion included approval of the requested waivers and a condition to address the concerns of a specific adjacent property owner.

Presenter – Phong T. Nguyen, Transportation Development Division Manager

District 5

14. Public Hearing – DEVAGRMOD 2013-04 H.E. Wolfe Development Agreement Modification. The H.E. Wolfe Development Agreement (DEVAGREE 2006-05) was approved by the Board of County Commissioners on November 15, 2006 to demonstrate financial feasibility for the H.E. Wolfe Trust Comprehensive Plan Amendments (CPA). The agreement also demonstrated adequate transportation capacity for issuance of a Final Certificate of Concurrency (CONMAJ 2006-30) for the development of 801 residential units and 181,603 sq. ft. of commercial and office uses. The concurrency certificate is expired for all public facilities except transportation, which remains in effect for 10 years, consistent with the H.E. Wolfe Trust Development Agreement, and will otherwise expire on November 15, 2016. The request seeks to terminate the Development Agreement based on the results of a new Application for Concurrency Determination (CONMAJ 2013-06) for the development of 345 single family units. The roadway improvements previously contemplated by the H.E. Wolfe Development Agreement are no longer necessary for concurrency approval given the reduced number of units proposed in the Southaven PUD. All trips in excess of the those required for the reduced plan of development will be forfeited upon termination of the Development Agreement. Two public hearings are required to modify or terminate a Development Agreement. This is the first of two required public hearings. The second public hearing is scheduled for March 18, 2014.

Presenter – Rebecca C. Lavie, Assistant County Attorney

15. Public Hearing - First Hearing of Repealer Ordinance. In support of the Board's goals and objectives, the Office of the County Attorney is continually 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 – John H. Morris, County Commission Chairman

16. Consider appointments to the County Canvassing Board for Fall Elections.

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

End of Regular Agenda

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CONSENT AGENDA

County Auditorium
500 San Sebastian View

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

TUESDAY, FEBRUARY 18, 2014

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:**
 - October 22, 2013 - Special Meeting
3. Motion to adopt a Resolution accepting a Grant of **Drainage Easement for removal and replacement of an existing outfall drainage pipe on South Roscoe Boulevard.** *For information, contact Mary Ann Blount, Land Management Director, at 209-0762.*
4. Motion to adopt a Resolution approving the **Final Plat for Greenleaf Lakes Phase 1.** *For information, contact Kathy Nielsen, Application Review Manager, at 209-0698.*
5. Motion to adopt a Resolution approving the **Final Plat for Oasis Club.** *For information, contact Kathy Nielsen, Application Review Manager, at 209-0698.*
6. Motion to adopt a Resolution approving the **Final Plat for Riverwood by Del Webb Phase 3A Unit 2.** *For information, contact Kathy Nielsen, Application Review Manager, at 209-0698.*
7. Motion to adopt a Resolution approving the **Final Plat for Villages of Valencia Phase 2B.** *For information, contact Kathy Nielsen, Application Review Manager, at 209-0698.*
8. Motion to adopt a Resolution approving the **Final Plat for Glen St. Johns Phase 2B.** *For information, contact Kathy Nielsen, Application Review Manager, at 209-0698.*
9. Motion to adopt a Resolution authorizing the County Administrator to execute the **Impact Fee Credit Agreement with Alsop, Inc. (IFA 2013-03)**, with a road impact fee credit in the amount of \$75,800.00. *For information, contact Phong T. Nguyen, Transportation Development Division Manager, at 209-0613.*
10. Motion to **transfer \$92,398 from General Fund Reserve (0083-59920) to Code Enforcement Contractual Services (0043-53120)** to cover unanticipated abatement expenses. *For information, contact James L. Acosta, Code Enforcement Manager, at 209-0690.*

11. Motion to adopt a Resolution authorizing the County Administrator, or his designee, to enter into a **contract to purchase four (4) 2014 ½ Ton (6,800 GVWR) 4X4 Extended Cab Pickup Trucks, 6 ½' Bed from Don Reid Ford from Bid No: 14-50** in the amount of \$101,744.00. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
12. Motion to adopt a Resolution authorizing the County Administrator, or his designee, to enter into a **Memorandum of Understanding between Southern Wrecker and Recover and St. Johns County for Mutual Response of Heavy Tow/Recovery Company for St. Johns County Fire Rescue.** *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
13. Motion to adopt a Resolution authorizing the County Administrator, or his designee, to **enter into negotiations with, and if negotiations are successful, enter into contract with the top twelve (12) ranked firms for Engineering Services.** If an agreement cannot be reached with one or more of the top twelve (12) ranked firms, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached with twelve (12) respondents. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
14. Motion to adopt a Resolution authorizing the County Administrator, or his designee, to **enter into negotiations with, and if negotiations are successful, enter into contract with the top six (6) ranked firms for Environmental Services.** If an agreement cannot be reached with one or more of the top six (6) ranked firms, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached with six (6) respondents. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
15. Motion to adopt a Resolution **revising the County's Fee Schedule** to reflect revision and addition of fees with an effective date of February 18, 2014. *For information, contact Jesse Dunn, Assistant Management & Budget Director, at 209-0568.*
16. Motion to approve the **transfer of \$49,800 from General Fund Reserves to the Animal Control Department in order to enter into an agreement with Mallen Construction Incorporated to construct an animal containment area.** *For information, contact Paul Studivant, Animal Control Manger, at 209-0748.*
17. Motion to adopt a Resolution approving the **appropriation of FY 2013 library donations in the amount of \$655 from General Fund Reserves and the recognition and appropriation of FY 2014 library donations in the amount of \$7,547.** *For information, contact Debra Rhodes Gibson, Library Services Director, at 827-6925.*
18. Motion to adopt a Resolution authorizing **submittal of an amendment to revise the activity work plan to more accurately reflect the current pace of the Community Development Block Grant (CDBG)#13 DB-OI-04-65-01-E07 project.** *For information, contact Benjamin Coney, Housing & Community Services Manager, at 827-6892.*
19. Motion to adopt a Resolution **supporting the Visitors Convention Bureau request to the Florida Department of Transportation to install reference signage along Interstate 95 and Interstate 4 guiding motorist to St. Augustine and Ponte Vedra.** *For information, contact Glenn Hastings, TDC Executive Director, at 209-4420.*
20. Proofs:
 - a. Proof: Notice of Meeting, Concurrence Workshop on February 7, 2014, published 01/24/14.
 - b. Proof: Notice to Bidders, Bid No. 14-59, published 01/15/14 and 01/22/14.
 - c. Proof: Notice to Bidders, Bid No. 14-60, published 01/15/14 and 01/22/14.
 - d. Proof: Notice to Bidders, Bid No. 14-61, published 01/15/14 and 01/22/14.
 - e. Proof: Notice to Bidders, Bid No. 14-62, published 01/15/14 and 01/22/14.

- f. Proof: Notice to Bidders, Bid No. 14-63, published 01/15/14 and 01/22/14.
- g. Proof: Notice to Bidders, Bid No. 14-64, published 01/15/14 and 01/22/14.
- h. Proof: Notice to Bidders, Bid No. 14-65, published 01/15/14 and 01/22/14.
- i. Proof: Notice to Bidders, Bid No. 14-67, published 01/17/14 and 01/24/14.
- j. Proof: Notice to Bidders, Bid No. 14-68, published 01/18/14 and 01/25/14.
- k. Proof: Notice to Bidders, Bid No. 14-66, published 01/22/14 and 01/29/14.
- l. Proof: Notice to Bidders, Bid No. 14-01, published 01/22/14 and 01/29/14.
- m. Proof: Notice to Bidders, Bid No. 14-56, published 01/11/14 and 01/18/14.
- n. Proof: Notice to Bidders, Bid No. 14-55, published 01/11/14 and 01/18/14.
- o. Proof: Notice to Bidders, Bid No. 14-57, published 01/14/14 and 01/21/14.
- p. Proof: Notice to Bidders, Bid No. 14-54, published 01/14/14 and 01/21/14.
- q. Proof: Notice to Bidders, Bid No. 14-33, published 01/14/14 and 01/21/14.
- r. Proof: Notice to Bidders, Bid No. 14-52, published 01/14/14 and 01/21/14.
- s. Proof: Notice of Meeting, Joint Meeting of the Board of County Commissioners and City of St. Augustine Beach Commissioners, published 01/20/14.

End of Consent Agenda