

# 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, APRIL 1, 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
- ❖ *Proclamation designating April 2014 as Child Abuse Prevention Month, with guest speaker 2013 Miss California United States*
- ❖ *Proclamation designating April 2014 for celebration of the 25<sup>th</sup> Anniversary of St. Augustine Youth Services*
- ❖ *Proclamation designating April 2014 as Water Conservation Month*
- ❖ *Acceptance of Proclamations*
- ❖ Public Comment
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

### **Presenter – Neal Shinkre, P.E., Director of Public Works**

- 1. Solid Waste Transfer Operations and Solid Waste Removal Contract.** Since 1999, St. Johns County has outsourced its solid waste transfer operations and disposal of its waste services to a private Contractor. In 2005 (RFP #05-84), the County contracted these services with Waste Management Inc. of Florida (WMIF), for a term ending July 31, 2015, with a 7-year renewal option. Following the provisions in the agreement, WMIF has requested to renew their contract for 7 years beyond their current expiration on July 31, 2015. The proposed contract will amend and restate the current terms and extend the contract to July 31, 2022. The proposed negotiated contract provides the following benefits to the County: 1) Reduces the current waste disposal rate from \$42.02/ton to \$36.95/ton. The \$5.07/ton rate reduction will provide an upfront (from Jan 1, 2014 to July 31, 2015) savings of approximately \$1.07 million; 2) Provides clarity in contract terms in several areas of the existing contract that allows better co-ordination between the County and WM; 3) Should other landfill disposal options be available to the County that provide for competitive pricing, the proposed contract terms allow the County to further re-negotiate the waste disposal price. This option is available to the County until December

31, 2016; 4) Allows the County to share savings toward any future use of alternative fuels (by WM or its contracted haulers) that can reduce transportation costs; 5) Caps future CPI increases to a maximum of 4%.

**Presenter – Theresa Bishop, AICP, Long Range Planning Manager**

**District 4**

- 2. Public Hearing – CPA (SS) 2013-02 Ponte Vedra Croquet Court.** This is a request for approval of a small scale amendment from Public (P) to Residential – B. The applicant seeks to construct a croquet court park located on approximately 3.5 acres of land at 100 Mosquito Control Road. The applicant is leasing the subject property from the Anastasia Mosquito Control Board. Residential-B allows for outdoor passive activities, which the croquet park provides. The Residential-B Future Land Use designation is compatible with the surrounding area. The Planning and Zoning Agency recommended approval at its February 20, 2014 meeting with a 7-0 vote.

**Presenter – John P. Burnham, P.E., Chief Engineer, Transportation Development**

**District 4**

- 3. Public Hearing – NZVAR 2013-08 Ponte Vedra Croquet Club.** This is a request for a Non-Zoning Variance to Section 6.04.07.M.1, which states, “Existing non-paved and stabilized base (e.g. soil cement, fast track, open graded emulsion mix, etc.) or other non-paved County-maintained Roadways used for Project access shall be required to be improved to meet the requirements of this Code from the Development’s point of access on the non-paved Roadway to the terminus with the closest paved Roadway for approval of..... non-residential Development.” The proposed Ponte Vedra Croquet Club is proposed at the western terminus of Mosquito Control Road, an unpaved County roadway. The Variance also requests relief from Section 6.05.02.H.1, which states “...every off-street Parking Area and Vehicular Use Area shall be surfaced with asphaltic or portland cement binder pavement or an equivalent Improvement, so as to provide a durable and dustless surface with adequate drainage and Stormwater management provisions... unless a Special Use Permit has been approved...” The applicant requests permission to provide no asphalt paving for the croquet club.

**Presenter – Teresa Bishop, AICP, Long Range Planning Manager**

**District 1**

- 4. Public Hearing – COMPAMD 2013-05 Bartram Park.** This is the adoption hearing for a proposed Comprehensive Plan amendment to amend the Future land Use Map from Residential-A to Residential-B with a Textual Policy limiting the number of residential units to 616. The subject property is approximately 583 acres located along the north side of Race Track Road, west of St. Johns Parkway, within the Bartram Park DRI. The property is currently approved for 366 dwelling units and this proposed amendment will add 250 units. The Commission transmitted this amendment on December 3, 2013. The Florida Department of Education recommends the County and School District continue work on a plan to address the effects of amendments upon the school system. The applicant has worked with the School District and has agreed upon mitigation amounts, however, the timing of payment is not resolved. It is anticipated a payment plan will be determined prior to April 1. The Planning and Zoning Agency recommended approval at its March 6, 2014 meeting with a 6-0 vote.

**Presenter – Teresa Bishop, AICP, Long Range Planning Manager**

**District 1**

- 5. Public Hearing – NOPC 2013-01 Bartram Park.** This is a Notice of Proposed Change for the Bartram Park Development of Regional Impact (DRI). The proposed changes increase the number of dwelling units from 367 to 616 in St. Johns County, modify the phasing to add Legislative extensions, contribute funding to the Race Track Road four-lane improvements, and remove a five-acre park site from Race Track Road. The DRI contains approximately 3,928 acres and is located in both St. Johns and Duval Counties. The Planning and Zoning Agency recommended approval of at its March 6, 2014 meeting with a 6-0 vote.

**District 1**

- 6. Public Hearing – MAJMOD 2013-04 Bartram Park.** This is a Major Modification for the Bartram Park Planned Unit Development (PUD). The proposed changes increase the number of dwelling units from 366 to 616 in St. Johns County, and remove a proposed five-acre park site located along Race Track Road. The subject property contains approximately 582 acres within St. Johns County and is part of the Bartram Park Development of Regional Impact. The additional dwelling units add school impacts, and school mitigation is not yet determined. The applicant is working with the School District and has agreed upon the mitigation amount; however, the timing of such payment is not resolved. It is anticipated a payment plan will be determined prior to April 1, 2014. The Planning and Zoning Agency recommended approval at its March 6, 2014 meeting with a 6-0 vote.

**Presenter – Teresa Bishop, AICP, Long Range Planning Manager**

**District 1**

- 7. Public Hearing – DRI 2012-01 Twin Creeks – Application for Development of Regional Impact (DRI) Substantial Deviation Request.** This item was continued from the March 4, 2014 meeting. The Twin Creeks Development of Regional Impact (DRI) was approved in 2005 and has not developed. This Substantial Deviation request reduces the overall number of dwelling units, increases the non-residential uses, revises the development schedule and revises the proposed mitigation provisions, especially in the categories of transportation and schools. There are two property owners within the DRI; South Jacksonville Properties, LLC (Falcon) which is designated as the Master Developer, and Heartwood 23, LLC (Heartwood). Both of these entities have obligations under the proposed amended DRI. These entities are in disagreement as to entitlements, obligations and timing of such obligations. The Planning and Zoning Agency (PZA) continued this item three times and on February 20, 2014 recommended approval with a vote of 6-1. On March 6, 2014 the applicant submitted a revised Development Order (DO), attached. Staff will provide a summary of this draft DO at the meeting. Florida Statute requires DRIs to be scheduled and heard by the Board of County Commissioners within 90 days after the notice of the Regional Council that a public hearing may be set, unless an extension is requested by the applicant. The Regional Council notified the County May 9, 2013, and the applicant requested three extensions since the notification.

**Presenter – Jan Brewer, Environmental Division Manager**

- 8. Final Programmatic Environmental Impact Statement for offshore oil and gas exploration activities that include seismic, high resolution and electromagnetic surveys.** The Bureau of Ocean Energy Management (BOEM) has prepared the Final Programmatic Environmental Impact Statement (Programmatic EIS) to assess the environmental impacts of authorizing geological and geophysical survey activities (G&G activities) in the Mid- and South Atlantic Outer Continental Shelf area (OCS) and adjacent State waters between 2012 and 2020. The area covered by the Programmatic EIS extends from the mouth of the Delaware Bay to just south of Cape Canaveral and from the shoreline (excluding estuaries) to 403 miles from shore. The Programmatic EIS was noticed on March 7, 2014 with the comment period set to close on April 7, 2014. Administration

recommends the County request that the comment period be extended for at least an additional 45 days to allow a comprehensive review of the complex and lengthy reports and data associated with this Final EIS and then allow time to gain feedback from the community.

***Regular Agenda Item 9 is Time Certain for 1:30pm***

**Presenter – Cheryl Strickland, Clerk of Court**

- 9. *Public Hearing - Investment Policy Revisions.*** After review of the current Investment Policy by PFM Asset Management, LLC, and to achieve greater investment flexibility while minimizing risk, the Clerk recommends approval of the attached Ordinance and Resolution. As interest rates continue to change, the attached amendments will provide greater overall earnings potential for the surplus funds that are invested by the Clerk's Finance Department.

**Presenter – Rebecca C. Lavie, Assistant County Attorney**

- 10. *Public Hearing – First reading of Third 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.

**Presenter – Glen Hastings, Executive Director, Tourist Development Council**

- 11. *TDC 2015 Arts/Culture/Heritage Funding Program Addendum.*** The 2015 Arts, Culture and Heritage Funding Program Guidelines were reviewed and approved at the County Commission meeting on March 4, 2014. One of the objectives in the guidelines is to attract visitors during Non-Peak Periods. The attached "Tourism Demand" document is a clarification in support of TDC commentary for guidelines that define specific peak demand periods by zip codes. If approved, this language will become part of the 2015 Arts/Culture and Heritage Funding Program Guidelines previously approved.

- ❖ **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

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TUESDAY, APRIL 1, 2014

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## 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:**
  - 02/18/2014 BCC Regular Meeting
  - 02/25/2014 BCC Special Meeting
  - 03/13/2014 BCC Emergency Meeting
3. Motion to adopt a Resolution approving the terms and authorizing the County Administrator, or designee, to execute a **Purchase Agreement for a Temporary Construction Easement extension for Phase II of the CR210/I95 Roadway Improvement** Project. *For information, contact Mary Ann Blount, Land Management Director, at 209-0762.*
4. Motion to adopt a Resolution accepting a **Deed of Dedication for right-of-way needed along Collins Avenue** to bring the road to minor collector standards in connection with the construction of a Family Dollar Store. No funding is required. *For information, contact Mary Ann Blount, Land Management Director, at 209-0762.*
5. Motion to adopt a Resolution approving the terms and authorizing the County Administrator, or designee, to execute the **Memorandum of Agreement with Farm to Family to provide fresh fruits and vegetables to residents living in “food deserts”** in St. Johns County. No funding is required. *For information, contact Mary Ann Blount, Land Management Director, at 209-0762.*
6. Motion to adopt a Resolution accepting the terms of a **1<sup>st</sup> Amendment to a Lease Agreement between St. Johns County and Flagler Estates Community Improvement Association** and authorizing the County Administrator, or designee, to execute said Amendment. No funding is required. *For information, contact Mary Ann Blount, Land Management Director, at 209-0762.*
7. Motion to adopt a **Resolution urging tobacco retailers to stop the sale and marketing of flavored tobacco in St. Johns County, Florida**, and setting an effective date. *For information, contact David M. Migut, Senior Assistant County Attorney, at 209-0805.*
8. Motion to adopt Resolution approving the terms and authorizing the County Administrator, or designee, to execute the **Memorandum of Agreement with Pie in the Sky to provide office space for distribution of food and other services** to the impoverished and underserved residents living in Hastings, Florida. No funding is required. *For information, contact Mary Ann Blount, Land Management Director, at 209-0762.*

9. Motion to adopt a Resolution approving the terms and authorizing the County Administrator, or designee, to execute the **Lease Agreement with Toys for Tots for space at the former Fire Station located at County Road 208**. No funding is required. *For information, contact Mary Ann Blount, Land Management Director, at 209-0762.*
10. Motion to adopt a Resolution authorizing the County Administrator to execute the **Impact Fee Credit Agreement with Coquina Ridge, LLC (IFA 2014-01)**, with a road impact fee credit in the amount of \$468,936.00. *For information, contact Phong T. Nguyen, Transportation Development Division Manager, at 209-0613.*
11. Motion to adopt a Resolution **setting a Public Hearing date of May 6, 2014 at 9:00am to hear a request for the vacation of a portion of Escambia Street**. *For information, contact John P. Burnham, P.E., Chief Engineer, Transportation Development Division, at 209-0672.*
12. Motion to adopt a Resolution approving the County Administrator or his designee to **submit and execute a Federal Transit Administration (FTA) section 5307 grant to receive \$250,000 in State Transportation Program (STP) funding and to recognize these funds in the FY 2014 transit budget**. *For information, contact Gary L. Mackey, Transit Grant Specialist, at 209-0630.*
13. Motion to adopt a Resolution authorizing the County Administrator or his designee, to enter into a **contract with Sensus, Inc. for the purpose of furnishing all labor, materials, equipment and other items necessary to complete the Ponte Vedra Utility System Water Meter Replacement and Automated Meter Reading project**. *For information, contact Frank Kenton, Utility Administrative Manager, at 209-2705.*
14. Motion to adopt a Resolution authorizing the County Administrator, or his designee, to negotiate with, and if negotiations are successful, to **enter into contract with the responding firm, St. Johns Housing Partnership for financial literacy and foreclosure intervention educational services** for the SJC Housing & Community Services Department according to the requirements of RFP No: 14-25. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
15. 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 ranked firm (Presidio Networked Solutions, Inc.) for Mobile Device Management Solution**. If an agreement cannot be reached with the top ranked firm, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
16. Motion to **declare miscellaneous computer equipment as surplus** and authorize the County Administrator, or his designee, to dispose of same in accordance with the Purchasing Policy 308 and Florida Statute 274. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
17. Motion to **declare miscellaneous equipment as surplus** and authorize the County Administrator, or his designee, to dispose of same in accordance with the Purchasing Policy 308 and Florida Statute 274. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
18. Proofs:
  - a. Proof: Notice to Bidders, Bid # 14-74, published March 1, 2014 and March 8, 2017 in *The St. Augustine Record*.
  - b. Proof: Request for Proposals, RFQ #14-26R, published March 5, 2014 and March 12, 2014 in *The St. Augustine Record*.
  - c. Proof: Notice of Collective Bargaining meeting on March 10, 2014, published March 6, 2014 in *The St. Augustine Record*.
  - d. Proof: Notice to Bidders, Bid # 14-76, published March 6, 2014 and March 13, 2016 in *The St. Augustine Record*.

*End of Consent Agenda*