

ORDINANCE 96- 70

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA ESTABLISHING THE FUNCTIONS, DUTIES AND POWERS OF THE COUNTY ADMINISTRATOR; REPEALING ST. JOHNS COUNTY ORDINANCE 90-10 AND AMENDMENTS THERETO; PROVIDING A SHORT TITLE; REFERRING TO STATUTORY BASIS; PROVIDING PURPOSE; PROVIDING FOR APPOINTMENT, QUALIFICATION, AND COMPENSATION OF THE COUNTY ADMINISTRATOR; PROVIDING FOR THE WORKING RELATIONSHIP BETWEEN COUNTY COMMISSIONERS AND COUNTY EMPLOYEES UNDER THE SUPERVISION OF THE COUNTY ADMINISTRATOR; PROHIBITING CERTAIN POLITICAL ACTIVITY BY THE COUNTY ADMINISTRATOR; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. SHORT TITLE. This Ordinance shall be known as and may be referred to as the ST. JOHNS COUNTY ADMINISTRATOR ORDINANCE.

Section 2. STATUTORY BASIS. This Ordinance is enacted pursuant to Section 125.01, Florida Statutes.

Section 3. PURPOSE. The Purpose of this Ordinance is to establish a form of County administration that best assures the adequate and efficient provision of services to the citizens of St. Johns County, Florida; provide for coordinated administration of County departments to better protect the health, welfare, safety and quality of life of the residents of St. Johns County, Florida; and place in the hands of a County Administrator the multitude of details which must necessarily arise from the operation of the County as a unit of local government and thus, enable the Board of County

Commissioners to perform, without unnecessary interruption, its fundamental intended purpose of making policies and providing direction to the County Administrator pertaining to administration within the framework of law applicable to County government in this state. Further, the purpose of this Ordinance is to provide a structure for the economic and efficient conduct of County affairs by making the County Administrator responsible for handling all matters necessary to accomplish and bring to fruition the policies and directives established by the Board of County Commissioners.

Section 4. COUNTY ADMINISTRATOR, APPOINTMENT, QUALIFICATIONS, AND COMPENSATION.

a. The County Administrator shall be the Administrative Head of the Board of County Commissioners of St. Johns County, Florida and shall be responsible for the administration of all Departments of County Government (with the exception of the Office of the County Attorney) which the Board of County Commissioners has authority to control pursuant to this Ordinance, the General Laws of Florida and other applicable legislation. (It is intended that the Office of the County Attorney report directly to the Board of County Commissioners.)

b. The County Administrator shall be appointed, and may be terminated with cause (after a hearing, if such be requested by the County Administrator), by a vote of a majority plus one of the membership of the Board of County Commissioners.

c. Minimum Qualifications: The County Administrator shall, at a minimum, have

earned a Bachelor's Degree in Public or Business Administration or related field from an accredited college or university and shall have at least five years of responsible administrative experience in City Government, County Government and/or in the private sector. The County Administrator shall have experience in growth management, public utilities, economic development, financing and budgeting, and management of staff.

d. Compensation: The compensation of the County Administrator shall be fixed by the Board of County Commissioners unless otherwise provided by law. The County Administrator shall be hired on a contract basis only which contract will be automatically renewed on November 30th of each odd (non election) year unless such renewal is opposed by a majority vote of the membership of the Board of County Commissioners in the manner to be provide in the employment contract.

Section 5. COUNTY ADMINISTRATOR FUNCTIONS AND DUTIES.

1. The County Administrator shall be responsible for the administration of all departments (except the legal department) that are responsible to the Board of County Commissioners of St. Johns County, Florida and for the proper administration of all affairs (excluding the affairs of the legal department) under the jurisdiction of the Board of County Commissioners. To that end, the County Administrator shall, by way of enumeration and not by way of limitation, have the following specific powers and duties pertaining thereto:

a. Administer and carry out the directives and policies of the Board of County Commissioners of St. Johns County, Florida (hereafter, the "Board") and enforce all orders, resolutions, ordinances, and regulations of the Board to assure that they are faithfully executed.

b. Report to the Board on action taken pursuant to any Board directive or policy within the time set by the Board and provide an annual report to the Board on the state of the County, the work of the previous year, and any recommendations as to actions or programs the County Administrator deems necessary for the improvement of the County and the welfare of its residents.

c. Provide the Board, or individual members thereof, upon request, with data or information concerning County government and provide advice and recommendations on County government operations to the Board.

d. Prepare and submit to the Board for its consideration and adoption an annual operating budget, a capital budget, and a capital program.

e. Establish the schedules and procedures to be followed by all County departments, offices, and agencies in connection with the Board's budget and supervise and administer all phases of the Board's budgetary process.

f. Prepare and submit to the Board after the end of each fiscal year a complete report on the finances and administrative activities of the County for the preceding year and submit

recommendations.

g. Supervise the care and custody of all property that is under the control or ownership of the Board.

h. Recommend to the Board a current position classification and pay plan for all positions under the Board.

i. Develop, install, and maintain centralized budgeting, personnel, and purchasing procedures at the direction of the Board and in accordance with Florida Statutes.

j. Organize the work of the departments and offices (other than the legal department) that are under the jurisdiction of the Board, subject to an administrative policy developed by the County Administrator and adopted by the Board, and review the departments, administration, and operation thereof and make recommendations pertaining thereto for reorganization by the Board.

k. Select, employ, and supervise all non-legal personnel and fill all non-legal vacancies, positions, or employment under the jurisdiction of the Board. The employment of all department heads shall require confirmation by the Board. As used in this ordinance, the term "non-legal" shall refer to County personnel or functions that are not part of the County legal department.

l. Suspend, discharge, or remove any non-legal employee under the jurisdiction

of the Board pursuant to procedures adopted by the Board.

m. Negotiate leases, contracts, and other agreements, including consultant services, for the Board, subject to approval of the Board, and make recommendations concerning the nature and location of Board funded improvements.

n. See that all terms and conditions in all Board leases, contracts, and agreements are performed and notify the Board of any noted violation thereof.

o. Order, and promptly advise the Board thereof, any department or agency under the County Administrator's jurisdiction to undertake any task for any other department or agency on a temporary basis when the County Administrator deems it necessary for the proper and efficient administration of the County government to do so.

p. Attend all meetings of the Board with authority to participate in the discussion of any matter, and to make recommendations to the Board.

q. Propose a project priority list, revised semi-annually, for confirmation or revision by the Board, and prepare and submit quarterly status reports on each project.

r. Prepare an agenda for all Board meetings and workshops in accordance with Board instructions.

s. Maintain a citizen suggestion system to prevent possible deficiencies within Board Departments, Offices and activities.

t. Cooperate with other County officers in the performance of their duties.

u. Perform such other duties as may be required by the Board.

v. Negotiate and execute contracts, leases, purchase orders, and other agreements, including consulting services, for the Board pursuant to procedures authorized or approved by the Board.

w. Delegate any of the powers set forth in paragraph 1 of Section 5 to County employees operating under the direction and control of the County Administrator.

x. Maintain an employee suggestion system to prevent possible deficiencies or grievances within Board Departments, offices and activities.

2. It is intended that this Ordinance grant to the County Administrator only those powers and duties which are administrative or ministerial in nature and not to delegate any governmental power imbued in the Board of County Commissioners as the governing body of the County pursuant to Section 1(e), Art. VIII of the Florida Constitution. To that end, the above specifically enumerated powers shall be construed as administrative in nature, and in any exercise of governmental power the

County Administrator shall only be performing the duty of advising the Board in its role as the policy-setting governing body of St. Johns County.

Section 6. COUNTY COMMISSIONERS WORKING RELATIONSHIPS TO EMPLOYEES UNDER THE SUPERVISION OF THE COUNTY ADMINISTRATOR: Board instruction or directives to non-legal employees of County government under the jurisdiction and control of the Board of County Commissioners shall be issued only through the County Administrator. A County Commissioner shall not give orders or instructions, publicly or privately, to any County official or employee who is subject to the direction and supervision of the County Administrator. However, interaction, communication and observance will be permitted so long as no direction is given.

Section 7. The County Administrator shall not engage in political activity involving candidates for St. Johns County elective office other than casting his or her ballot at the polls.

Section 8. St. Johns County Ordinance 90-10 and its amending ordinances numbered 90-32 and 91-31 are hereby repealed.

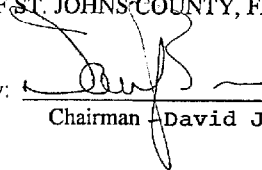
Section 9. SEVERABILITY. It is declared to be the intent of the Board of County Commissioners of St. Johns County that if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision, and such

holding shall not effect the validity of the remaining portion hereof.

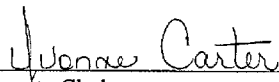
Section 10. EFFECTIVE DATE. This Ordinance shall take effect immediately upon filing with the Florida Department of State.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, State of Florida, this 10 day of December, 1996.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

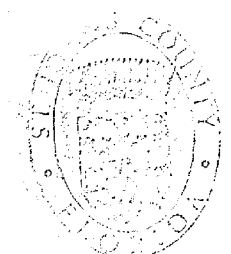
By: 
Chairman David J. Bruner

ATTEST: CARL "BUD" MARKEL, CLERK

By: 
Deputy Clerk

Adopted at a regular meeting December 10, 1996.

Effective 12/19/96



The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____
Sandra D. Oliver _____ who on oath says that she is
Accounting Clerk _____ of the St. Augustine Record, a
daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being a _____
Notice of Public Hearing _____
in the matter of Dec 10, 1996 1:30pm _____
in the _____ Court, was published in said newspaper in the
issues of Nov 25, 1996 _____

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 25 day of Nov, 1996,
by Sandra D. Oliver who is personally
known to me or who has produced _____ as
(Type of Identification)
identification.

Zoe Ann Moss
(Signature of Notary Public)

Zoe Ann Moss
(Print, Type or Stamp Commissioned Name of Notary Public)



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COPY OF ADVERTISEMENT

NOTICE OF PUBLIC HEARING BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS. NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at a regular meeting on Tuesday, December 10, 1996, at 1:30 p.m. in the County Auditorium at the County Administration Complex, 4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida, will hold a

public hearing to consider passage of the following ordinance:

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA ESTABLISHING THE FUNCTIONS, DUTIES AND POWERS OF THE COUNTY ADMINISTRATOR; REPEALING ST. JOHNS COUNTY ORDINANCE 90-10 AND AMENDMENTS THERETO; PROVIDING A SHORT TITLE; REFERRING TO STATUTORY BASIS; PROVIDING PURPOSE; PROVIDING FOR APPOINTMENT, QUALIFICATION, AND COMPENSATION OF THE COUNTY ADMINISTRATOR; PROVIDING FOR THE WORKING RELATIONSHIP BETWEEN COUNTY COMMISSIONERS AND COUNTY EMPLOYEES UNDER THE SUPERVISION OF THE COUNTY ADMINISTRATOR; PROHIBITING CERTAIN POLITICAL ACTIVITY BY THE COUNTY ADMINISTRATOR; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16A and U.S. #1), St. Augustine, Florida and may be examined by

parties interested prior to the public hearing.

Interested parties may appear at the public hearing and be heard with respect to the public hearing.

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the public hearing, he/she will need a record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation, or an interpreter to participate in the proceedings should contact ADA Coordinator, at (904) 823-2501, or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY,

FLORIDA
CARL "BUD" MARTEL, ITS CLERK
By Patricia DeGrande, Deputy Clerk
L668 Nov. 25, 1996

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing

MEMBER OF THE FLORIDA CABINET



FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State
DIVISION OF ELECTIONS

HISTORIC PRESERVATION BOARDS

Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County Preservation Board

RINGLING MUSEUM OF ART

December 19, 1996

Honorable Carl Markel
Clerk to Board of County Commissioners
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32085-0300

Attention: Patricia DeGrande, Deputy Clerk

Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter dated December 17, 1996, and certified copy each of St. Johns County Ordinance Nos. 96-70 and 96-71, which were filed in this office on December 19, 1996.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

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ST. JOHNS COUNTY COMMISSIONERS
96 DEC 27 4 9:21
RECEIVED