

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
NOVEMBER 19, 2013
9:00 A.M.**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Present: John H. Morris, District 4, Chair
William A. McClure, District 3, Vice Chair
Cyndi Stevenson, District 1
Ron Sanchez, District 2
Rachael Bennett, District 5
Michael Wanchick, County Administrator
Patrick McCormack, County Attorney
Sindy Wiseman, Deputy Clerk

The following were covered under the Special Meeting: call the meeting to order, roll call, the Pledge of Allegiance, and the invocation.

(11/19/13 - 1 - 9:06 a.m.)

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

Wanchick spoke about Dr. Predrag Bulic, Medical Examiner and their national accreditations, and introduced Dr. Bulic. Dr. Bulic spoke about the accreditation, and said that the medical examiners' office exceeded the criteria of the National Association of Medical Examiners. He thanked his staff and the County for their continued support.

(11/19/13 - 1 - 9:13 a.m.)

PROCLAMATION DECLARING NOVEMBER 17 THROUGH NOVEMBER 23, 2013, AS HUNGER AND HOMELESS AWARENESS WEEK

Bennett spoke on the Hunger and Homeless awareness and asked that Melissa Lundquist read the proclamation.

(9:15 a.m.) Debi Redding, Executive Director of the Homeless Coalition, said they would be hosting a dinner for the homeless on Thursday, November 21, 2013, at 5:30 p.m., which was also open to the public, and invited the public to participate. She said the guest speaker would be Tom Hancock, a local comedian, whose goal was working with the homeless.

(11/19/13 - 1 - 9:18 a.m.)

ACCEPTANCE OF PROCLAMATION

Motion by Sanchez, seconded by McClure, carried 5/0, to accept the proclamation.

(11/19/13 - 1 - 9:18 a.m.)

PUBLIC COMMENT

Dwala Willis, 895 S. Orange Street, thanked the Board on behalf of the West Augustine CRA, West Augustine Weed and Seed, and the residents of West Augustine. She spoke

about the meeting with the City of St. Augustine, and their quest for Sew Expansion, and Economic Development in West Augustine. She commended the Board for sticking with the Weed and Seed program, and looked forward to the great things coming to West Augustine. Bennett thanked Dwala for her dedication to her community.

(11/19/13 - 2 - 9:21 a.m.)

DELETIONS TO CONSENT AGENDA

McClure requested to pull Consent Item 13, which was added to the Regular Agenda as Item 14. Stevenson requested to pull Consent Item 9, which was added to the Regular Agenda as Item 15.

(11/19/13 - 2 - 9:24 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Bennett, seconded by McClure, carried 5/0, to approve the Consent Agenda, as amended.

1. Approval of the Cash Requirement Report
2. Minutes:
BCC Special Meeting 10/29/13
3. Motion to adopt **Resolution No. 2013-244**, 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

RESOLUTION NO. 2013-244

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING FIVE EASEMENTS FOR UTILITIES NEEDED FOR WATER AND SEWER SERVICE, TO THE RESIDENTS THAT CHOOSE TO CONNECT TO UTILITY SERVICE ON THE NORTH END OF DOE RUN ROAD

4. Motion to schedule the Twin Creeks DRI Substantial Deviation (DRI 2012 01) for Public Hearing on January 21, 2014
5. Motion to adopt **Resolution No. 2013-245**, approving the final plat for Coastal Oaks at Nocatee, Phase 2G, Unit 2

RESOLUTION NO. 2013-245

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR COASTAL OAKS AT NOCATEE, PHASE 2G, UNIT 2

6. Motion to adopt **Resolution No. 2013-246**, 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, para-transit 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

RESOLUTION NO. 2013-246

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, 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., IN ORDER TO PROVIDE FISCAL YEAR 2014 FUNDS FOR SUNSHINE BUS SERVICE, 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

7. Motion to adopt **Resolution No. 2013-247**, approving and authorizing the Execution of the Construction and Maintenance Agreement for the State Road A1A Scenic and Historic Coastal Byway Signs

RESOLUTION NO. 2013-247

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF A CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN THE STATE OF FLORIDA, AND ST. JOHNS COUNTY FOR THE STATE ROAD A1A SCENIC AND HISTORIC COASTAL BYWAY SIGNS; AND PROVIDING AN EFFECTIVE DATE

8. Motion to adopt **Resolution No. 2013-248**, 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 **Resolution No. 2013-249**, recognizing unanticipated revenue in the amount of \$600,691.00; increasing the Transportation Trust Fund (1111-33140) from the FDOT; \$10,000 cash from Flagler County; and authorize its expenditure on the State Road A1A Scenic and Historic Coastal Byway Signs

RESOLUTION NO. 2013-248

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF A LOCAL AGENCY PROGRAM (LAP) AGREEMENT BETWEEN THE STATE OF FLORIDA AND ST. JOHNS COUNTY, FOR DESIGN OF THE STATE ROAD A1A WAYFINDING SIGNS; AND PROVIDING AN EFFECTIVE DATE

RESOLUTION NO. 2013-249

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2013 "TRANSPORTATION TRUST FUND", IN ORDER TO RECEIVE UNANTICIPATED REVENUE, AND AUTHORIZE ITS EXPENDITURE FOR STATE ROAD

**A1A WAYFINDING SIGNS PROJECT FROM THE
FLORIDA DEPARTMENT OF TRANSPORTATION AND
FLAGLER COUNTY**

(This item was pulled and added to the Regular Agenda as Item 15.)

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

10. Motion to adopt **Resolution No. 2013-250**, 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

RESOLUTION NO. 2013-250

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO PURCHASE AND TO EXECUTE A
PURCHASE ORDER FOR A NEW EXCAVATOR**

11. Motion to adopt **Resolution No. 2013-251**, authorizing the county administrator, or his designee, to purchase One (1) 2014 Braun Ambulance from Ten-8 Fire Equipment Inc., from the Florida Fire Chief's Association, Florida Sheriff's Association & Florida Association of Counties Contract # 11-10-1202 in the amount of \$238,401

RESOLUTION NO. 2013-251

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO PURCHASE AND TO EXECUTE A
PURCHASE ORDER FOR ONE NEW 2014 BRAUN
AMBULANCE**

12. Motion to adopt **Resolution No. 2013-252**, 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 NO. 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

RESOLUTION NO. 2013-252

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO ENTER INTO NEGOTIATIONS, AND
UPON SUCCESSFUL NEGOTIATIONS, AWARD AND
EXECUTE A LEGALLY SUFFICIENT AGREEMENT FOR
RFP NO. 13-68, INSPECTION SERVICES FOR SHIP
REHABILITATION PROGRAM**

(This item was pulled and added to the Regular Agenda as Item 14.)

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
14. Motion to adopt **Resolution No. 2013-253**, amending the Fiscal Year 2014 Budget to receive unanticipated Veteran Affairs revenue, and authorize its expenditure within the General Fund Health & Human Services Department

RESOLUTION NO. 2013-253

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING INCREMENTAL COSTS RELATED TO A LEASE AGREEMENT BETWEEN THE COUNTY AND THE VETERANS SERVICES OFFICE TO AMEND THE FISCAL YEAR 2014 BUDGET TO RECEIVE UNANTICIPATED REVENUE, AND TO AUTHORIZE ITS EXPENDITURE WITHIN THE GENERAL FUND HEALTH AND HUMAN SERVICES CENTER DEPARTMENT

15. Motion to revise the St. Johns County Purchasing Procedure Manual as included in the County's Administrative Code by adding a new section for "Public-Private Partnerships" in accordance with Florida Statute 287.05712
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
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
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
19. Proofs:
 - a. Proof: Notice of Meeting, Legislative Delegation on November 12, 2013, published in *The St. Augustine Record* on October 28, 2013
 - b. Proof: Notice of Meeting, Special Meeting on October 22, 2013, & October 29, 2013, published in *The St. Augustine Record* on October 15, 2013

- c. Proof: Notice of Meeting, Value Adjustment Board on October 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, 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 Hazardous 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

(11/19/13 - 6 - 9:24 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

McCormack requested to add an item for a Resolution to borrow funds through the Pooled Commercial Paper Loan Program/Acquisition of Fire Rescue Equipment. It was added on the Regular Agenda as Item 1A. McClure requested that Consent Item 13 be added to the Regular Agenda as Item 14. Stevenson requested that Consent Item 9 be added to the Regular Agenda as Item 15.

(11/19/13 - 6 - 9:25 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Bennett, seconded by Stevenson, carried 5/0, to approve the Regular Agenda, as amended.

(11/19/13 - 7 - 9:25 a.m.)

- 1a. CONSIDER A RESOLUTION TO BORROW FUNDS THROUGH THE POOLED COMMERCIAL PAPER LOAN PROGRAM/ACQUISITION OF FIREFIGHTER EQUIPMENT

RESOLUTION NO. 2013-245

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THAT SUPPLEMENTS ST. JOHNS COUNTY RESOLUTION NO. 2012-341; MAKES FINDINGS; PROVIDES DEFINITIONS; AUTHORIZES THE COUNTY TO BORROW \$1,037,000 (THE "SECOND LOAN") FOR THE PROJECT DESCRIBED HEREIN FROM THE POOLED COMMERCIAL PAPER LOAN PROGRAM OF THE FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION; PLEDGES CERTAIN NON-AD VALOREM FUNDS TO THE PAYMENT OF THE SECOND LOAN; APPROVES THE TERMS AND CONDITIONS OF THE NOTE THAT WILL EVIDENCE THE SECOND LOAN; AUTHORIZES A NEGOTIATED SALE OF THE SECOND LOAN NOTE; AUTHORIZES THE EXECUTION AND DELIVERY OF THE SECOND LOAN NOTE; DIRECTS THE COUNTY ADMINISTRATOR TO ENSURE THAT CERTAIN TASKS ARE PERFORMED; AUTHORIZES THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS; AMENDS THE FISCAL YEAR 2014 FIRE DISTRICT BUDGES TO RECEIVE UNANTICIPATED COMMERCIAL PAPER LOAN PROGRAM LOAN PROCEEDS; AND AUTHORIZE AN EXPENDITURE FOR THE PURCHASE OF FIREFIGHTER EQUIPMENT; AND PROVIDES AN EFFECTIVE DATE

Jesse Dunn, Budget Analyst, gave the presentation. He said the National Fire Protection Association (NFPA) said the current self-breathing apparatus no longer met compliance, and requested a recommendation to pursue commercial paper program for the purchase of a replacement self-breathing apparatus, which would be paid by the Fire District Fund for a total cost of \$1,037,000. He said the interest rate for October with this program would be 0.11561

(9:30 a.m.) McClure questioned whether this would decrease the budget by \$1,000,000 which Dunn explained that it would not. Discussion ensued on clarifying the requested funding amount.

(9:33 a.m.) Motion by Stevenson, seconded by Sanchez, carried 4/1, with McClure dissenting, to adopt Resolution No. 2013-254, authorizing the execution and delivery of the loan note and other related documents associated with the County's participation of Florida Legal Government Finance Communication Pool Commercial Paper Loan Program; and the borrowing of \$1,037,000 to acquire firefighter equipment and an adjustment to the Fire District Fund revenue and expenditure budgets to account for an unanticipated funds in the amount of \$1,037,000.

Continued after Item 15. Wanchick requested a motion for a sole source procurement vender for Item 1a.

(12:08 p.m.) **Motion by Bennett, seconded by Stevenson, carried 4/1, to allow St. Johns County to purchase the self-contained breathing apparatus equipment from Ten-8 Fire Equipment as a sole source vender.**

Meeting moved to commissioners' reports.

(11/19/13 - 8 - 9:34 a.m.)

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

McCormack gave an overview of the item and was available for questions.

(9:36 a.m.) **Motion by Morris, seconded by McClure, carried 5/0, to adopt Resolution No. 2013-255, approving the issuance by St. Johns County Industrial Development Authority 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.**

RESOLUTION NO. 2013-255

A RESOLUTION APPROVING THE ISSUANCE BY THE ST. JOHNS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY OF ITS HEALTHCARE FACILITIES REVENUE BONDS IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$22,000,000 THE PROCEEDS OF WHICH ARE TO BE

LOANED TO BVM CORAL LANDING, LLC, AND BVM THE BRIDGES, LLC, FOR THE PRINCIPAL PURPOSES OF FINANCING THE COST (OR PROVIDING FOR REIMBURSEMENT OF PRIOR EXPENDITURES FOR) ACQUIRING SENIOR LIVING AND HEALTH CARE FACILITIES AND RELATED COMMON AREAS; PROVIDING FOR CERTAIN RELATED MATTERS IN CONNECTION THEREWITH; AND FOR AN EFFECTIVE DATE

(11/19/13 - 9 - 9:37 a.m.)

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

McCormack gave the presentation. He talked about some housekeeping issues pertaining to wording in the proposed bonds for Silver Creek facility.

(9:42 a.m.) Bennett inquired whether all the necessary changes had been made to protect the County. Regina Ross gave some proposed wording for the motion to show a party interest for Silver Creek St. Augustine, LLLP.

(9:43 a.m.) McClure clarified that this was just to make the application and Ross concurred that they were still in the application process and no funds had been extended.

(9:44 a.m.) Mitch Montgomery, Montgomery Land Company, 13400 Sutton Park Drive South, Jacksonville, FL 32224, stated that he was available for any questions the Board may have along with Rick Lore, Managing Director, BB&T Capital Markets, 21 Waterway Ave, Woodlands, TX, who was also available for questions.

(9:48 a.m.) Motion by McClure, seconded by Bennett, carried 5/0, to adopt Resolution No. 2013-256 approving the issuance by Capital Trust Agency of tax-exempt bonds for the benefit of Silver Creek St. Augustine LLLP, in an aggregate principal amount not to exceed \$37,500,000, to finance the construction of a senior living facility in St. Johns County.

(9:49 a.m.) Motion by Bennett, seconded by McClure, carried 5/0, authorizing the county attorney's office to finalize amendments to the Economic Development Grant Agreement, the Participating Party Agreement and the Developer Agreement to add Silver Creek St. Augustine LLLP, as a party to each; authorizing the county administrator to execute each of the documents.

RESOLUTION NO. 2013-256

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE ISSUANCE BY THE CAPITAL TRUST AGENCY OF ITS REVENUE BONDS, FOR THE PURPOSE OF FINANCING A SENIOR LIVING FACILITY TO BE LOCATED IN UNINCORPORATED PORTION OF ST. JOHNS COUNTY, FLORIDA, AND FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE; PROVIDING FOR OTHER RELATED MATTERS

(11/19/13 - 10 - 9:49 a.m.)

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

The applicant requested this item be continued to December 17, 2013, at 9:00 a.m.

(9:49 a.m.) Motion by Sanchez, seconded by McClure, carried 5/0, to continue the Moultrie Bluff agenda item to December 17, 2013, at 9:00 a.m.

(11/19/13 - 11 - 9:51 a.m.)

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

Proof of publication of the notice of public hearing on COPMAMD 2013-01 - Sunshine 16 Parcel 4 was received, having been published in *The St. Augustine Record* on September 18, 2013.

Georgia Katz, Growth Management, gave the presentation on Items 4 and 5 together, *Exhibit A*. She gave the location of the property to be ¼ mile south on SR16, from the intersection of Pacetti Road and International Gulf Parkway. She said the property was an undeveloped parcel and said the justification was to provide additional density to support the existing and new commercial property in the area. She said there was a waiver request for a landscape buffer screening to be provided, which the HOA would be responsible for irrigating and maintaining.

(9:57 a.m.) Stevenson requested to see the bike paths which Katz pointed out on an overhead, *Exhibit B*.

(10:00 a.m.) McClure asked what the plan was for concurrency and parks. Katz said there was a park on the property that was for that community. Phong T. Nguyen, Transportation Development Division Manager, spoke about the concurrency requirements. Theresa Bishop, Long Range Planning Manager, commented that the parks were within the countywide level of service.

(10:05 a.m.) Stevenson asked about the mitigation offsetting impact fees. Bishop said the developer would pay impact fees.

(10:06 a.m.) Bennett disclosed that when projects were reviewed by staff they use the goals and policies of the Comprehensive Plan which was specific about how much regional parkland would be maintained.

(10:07 a.m.) Susan Bloodworth, 81 King Street, was available to answer questions.

(10:08 a.m.) **Motion by Sanchez, seconded by McClure, carried 5/0, to enact Ordinance 2013-32, known as COMPAMD 2013-01, adopting findings of fact 1-3 to support the motion.**

ORDINANCE NO. 2013-32

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL B TO RESIDENTIAL C AND ADD A TEXTUAL POLICY TO LIMIT THE DENSITY TO 52 UNITS FOR APPROXIMATELY 17.57 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF SR 16 IMMEDIATELY ADJACENT TO THE SUNSHINE 16 PLANNED UNIT DEVELOPMENT; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/19/13 - 11 - 10:09 a.m.)

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

Proof of publication of the notice of public hearing on MAJMOD 2013-02 - Sunshine 16 hearings was received, having been published in *The St. Augustine Record* on May 28, 2013.

Item 5 presented with Item 4.

Morris noted that this item was an ex parte item and he had none. Bennett had ex parte communication with Beth Breeding about MDP issues. Stevenson had ex parte communication with either staff, or Breeding some time ago.

(10:10 a.m.) Ed Riggs, 121 E. Franchetta Ln., spoke in support of the motion, however had concerns with the traffic congestion.

(10:11 a.m.) **Motion by Sanchez, seconded by McClure, carried 5/0, to enact Ordinance 2013-33, known as MAJMOD 2013-02, adopting findings of fact 1-6 to support the motion.**

ORDINANCE NO. 2013-33

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, APPROVING A MAJOR
MODIFICATION TO THE SUNSHINE 16 PLANNED
UNIT DEVELOPMENT, ORDINANCE NUMBER 2005-32,
AS AMENDED, MAKING FINDINGS OF FACT;
REQUIRING RECORDATION; AND PROVIDING FOR
AN EFFECTIVE DATE**

(11/19/13 - 12 - 10:12 a.m.)

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

Michael Roberson, Senior Planner, gave the presentation, *Exhibit A*. He said the traffic concurrency was adequate, however the high school capacity was inadequate so the builder was to go through in the School Concurrency Proportionate Fare Share Mitigation Agreement.

(10:15 a.m.) Stevenson inquired if they would be adding a sidewalk segment. John Burnham, Growth Management, said the sidewalks would be a commitment of the developer. Stevenson inquired if there was access for Timberland's management, which Roberson said it was being addressed.

(10:17 a.m.) Doug Burnett, St. Johns Law Group, 509 Anastasia Blvd., spoke about the sidewalks and access to the property. He explained the purpose of the reduced number of lots was because of environmental constraints.

(10:19 a.m.) Discussion ensued on access to the property and an existing timber road located on the property, *Exhibit B*. Morris stated that this was an ex parte item and there was none. Burnett stated that the property was owned by the church and the adjacent properties around it.

(10:22 a.m.) **Motion by Bennett, seconded by Morris, carried 5/0, to enact Ordinance 2013-34, known as PUD 2011-07, Tomoka Forest, adopting findings of facts 1-8, and approving the waiver request.**

ORDINANCE NO. 2013-34

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM OPEN RURAL (OR)
TO PLANNED UNIT DEVELOPMENT (PUD),
PROVIDING FINDINGS OF FACT; PROVIDING A
SAVINGS CLAUSE; REQUIRING RECORDATION; AND
PROVIDING AN EFFECTIVE DATE

The meeting recessed at 10:26 a.m. and reconvened at 10:38 a.m.

(11/19/13 - 13 - 10:38 a.m.)

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

Phong T. Nguyen, Transportation Development Division Manager, gave an overview of the Item, *Exhibit A*. The SR 16 Property Development Agreement was approved in 2006, when there was no proportionate fare share program, and no concurrency system, but was contemplated, that if the programs became available they would be requested.

(10:41 a.m.) Stevenson asked for understanding on the agreement that required them to bring the transportation up to standard. Discussion ensued on the changes in the concurrency system. Nguyen said the State required an agreement to provide assurance to address any deficiency in order to change land use designation.

Discussion ensued on changes since the agreement from 2006. Wanchick suggested that they keep in mind that this was the first of several projects that would be coming to the Board that had pre-existing agreements, and they would decide whether to keep that original agreement or work with applicants under the new program. Stevenson inquired about the Boards responsibility to the surrounding community. Discussion ensued on other land projects that had been in the area longer.

(11:00 a.m.) Bennett spoke about changes in the requirements since the developer received his agreement, and clarified that the developer was asking for today's requirements which Nguyen confirmed. Sanchez clarified that impact fees were reduced on commercial property only. Discussion ensued on old policy versus new policy. Burnett confirmed that this project was before the fair share and concurrency programs, and spoke about some of the unique language in the agreement.

(11:13 a.m.) The chair announced that the second required public hearing was scheduled for December 17, 2013.

(11/19/13 - 14 - 11:14 a.m.)

7b. CONSIDER 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

Ryan Angel, 390 North Orange Ave., Orlando, Florida 32801, gave his name and address. McClure asked if the agreement would include connectivity for the County for a fee, and Angel said they would have direct access to the network, along with other counties.

Bennett clarified that Angel represented the bonding agent and was not a member of Allied Fiber, so he could not negotiate an access charge. Stevenson said there were many entities that would appreciate the opportunity to connect with them.

(11:21 a.m.) Motion by McClure, seconded by Bennett, carried 5/0, to adopt Resolution No. 2013-257, approving the execution of a Joinder to Interlocal Agreement with Florida Development Finance Corporation, for the purpose of authorizing the FDFC to exercise its power and authority within the corporate limits of St. Johns County.

RESOLUTION NO. 2013-257

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE EXECUTION OF A JOINDER TO INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA DEVELOPMENT FINANCE CORPORATION, FOR THE PURPOSE OF AUTHORIZING THE FLORIDA DEVELOPMENT FINANCE CORPORATION TO EXERCISE ITS POWER AND AUTHORITY WITHIN THE

**CORPORATE LIMITS OF ST. JOHNS COUNTY; AND
PROVIDING AN EFFECTIVE DATE**

(11/19/13 - 15 - 11:22 a.m.)

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 ON DECEMBER 3, 2013

Rebecca C. Lavie, Assistant County Attorney, gave the presentation, *Exhibit A*. She talked about key provisions, like making a responsible party reliable for the cost of cleanup of hazardous material, and gave the definition of the responsible party. She said Bennett requested a provision in section 8a of the Ordinance that the venue for any action filed would lie exclusively in St. Johns County.

(11:28 a.m.) Bennett requested it be policy to have a venue provision in each ordinance. In response to an inquiry from McClure, Lavie advised that the language would strictly deal with the recovery of County cost associated with hazardous waste cleanup, but would work in conjunction with other provisions or local laws concerning cleanup. Discussion ensued on hazardous waste spills requiring immediate action.

(11:31 a.m.) Morris noted that the second reading for this item was scheduled for December 3, 2013.

(11/19/13 - 15 - 11:32 a.m.)

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

David M. Migut, Senior Assistant County Attorney, gave the presentation, *Exhibit A*. He mentioned that the proposed ordinance would be a supplement to Ordinance No. 2000-44, and would require any flavored tobacco be placed in a restricted area. He said the enforcement of the Ordinance would be a maximum fine not to exceed \$500, or a maximum incarceration of 60 days. He said the second hearing for this item would be scheduled for December 3, 2013. Discussion ensued on including e-cigarettes, and holding persons responsible, for purchasing for a minor under the age of 18.

(11:36 a.m.) Stevenson inquired if either Ordinance addressed e-cigarettes or vapors, because she had concerns from parents. Migut said a bill had been filed in the House and the State Senate to ban the sale of e-cigarettes to minors under the age of eighteen. McClure concurred with Stevenson about the concerns of the e-cigarettes. Discussion ensued on e-cigarettes.

(11:42 a.m.) Mary Anne Steinberg, Tobacco Free St. Johns, 2048 Belle Grove Trace, thanked the Board for the concerns of the e-cigarettes, and said Tobacco Free St. Johns could provide additional information and research for any tobacco topics. Discussion ensued on the second hand smoke in respect to the e-cigarettes.

(11:45 a.m.) Morris noted that the second reading would be held on December 3, 2013.

Migut asked for clarification, to add language to ban the sale of e-cigarettes, and the Board requested he continue with the existing proposal and they would work on the e-cigarettes separately.

(11/19/13 - 16 - 11:47 a.m.)

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

Rebecca C. Lavie, Assistant County Attorney, gave the presentation, *Exhibit A*. She said there would be a series of Ordinances, identifying the outdated ordinances and repeals, to clean up the Code Enforcement. McClure commended staff for identifying the outdated items.

(11:51 a.m.) Morris noted the second reading was scheduled for December 3, 2013.

(11/19/13 - 16 - 11:51 a.m.)

11. CONSIDER APPOINTMENTS TO THE PONTE VEDRA ZONING & ADJUSTMENT BOARD

Melissa A. Lundquist, Assistant to the Board of County Commissioners, gave the presentation. Morris commented that all three candidates were excellent candidates and very qualified.

(11:53 a.m.) Motion by Morris, seconded by Sanchez, carried 5/0, to appoint Margaret Castello, to the Ponte Vedra Zoning & Adjustment Board for a full four-year term, scheduled to expire November 19, 2017.

(11:53 a.m.) Motion by Morris, seconded by Sanchez, carried 5/0, to appoint Charles White, to the Ponte Vedra Zoning & Adjustment Board for a full four-year term, scheduled to expire November 19, 2017.

(11/19/13 - 17 - 11:54 a.m.)

12. CONSIDER AN APPOINTMENT TO THE HEALTH & HUMAN SERVICES ADVISORY COUNCIL

Melissa Lundquist, Assistant to the Board of County Commissioners, gave the presentation.

Stevenson acknowledged all the good applicants for this board. McClure also commented on the quality of the applicants.

(11:57 a.m.) Motion by McClure, seconded by Stevenson, carried 5/0, to appoint Denise Marzillo, to the Health & Human Services Advisory Council for a full two-year term, scheduled to expire November 19, 2015.

(11/19/13 - 17 - 11:58 a.m.)

13. CONSIDER APPOINTMENT TO THE HOUSING FINANCE AUTHORITY

Melissa Lundquist, Assistant to the Board of County Commissioners, gave the presentation.

(12:00 p.m.) Motion by Bennett, seconded by Sanchez, carried 5/0, to appoint Mande McAloon, to the Housing Finance Authority for a full four-year term, scheduled to expire November 19, 2017.

(12:00 p.m.) Motion by Bennett, seconded by Stevenson, carried 5/0, to suspend Board Rules and Policies Rule number 2.203(C), limiting terms of service to, two consecutive terms.

(12:01 p.m.) Motion by Bennett, seconded by Sanchez, carried 5/0, to reappoint Linda DeGrande, to the Housing Finance Authority for a full four-year term, scheduled to expire June 2, 2017.

(12:01) Motion by Bennett, seconded by Stevenson, carried 5/0, to reinstate Board Rules and Policies Rule number 2.203(C), reestablishing the extent of consecutive term limits.

(11/19/13 - 17 - 12:02 a.m.) *(Formerly Consent Item 13 - subsequently moved as Item 7b.)*

14. 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

(11/19/13 - 17 - 12:02 a.m.) *(Formerly Consent Item 9.)*

15. 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

Stevenson stated this was an amendment to the budget and talked about other employers outbidding our county staff, which left the County to train new people.

(12:04 p.m.) Darryl Locklear spoke on the Ponte Vedra Utility position, and explained the need for an additional position. McCormack commented on the reduction in staff, due to the drop in the economy, and noted that as the economy strengthened, additional positions would need to be added.

(12:07 p.m.) **Motion by Stevenson, seconded by Morris, carried 5/0, 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.**

The meeting moved back to Item 1a.

(11/19/13 - 18 - 12:09 a.m.)
COMMISSIONERS' REPORTS

Commissioner Stevenson:

Stevenson voiced her concern with bike and pedestrian issues. She said bike advocates were working on a program for education. She said she would like to see meetings with stakeholder groups, to prioritize the gap analysis, for bike and pedestrian improvements, and she talked about bike safety.

(12:20 p.m.) Sanchez noted that the last eight out of ten accidents were the cyclists fault.

(12:24 p.m.)
Commissioner Bennett:

Bennett mentioned an interactive website she gave to Suzanne Konchan that included bicycle and pedestrian traffic, and requested Konchan forward it to the rest of the Board. She mentioned how well she liked the meeting with the City of St. Augustine, and requested the Board give consensus to hold a similar meeting with the City of St. Augustine Beach. Consensus was given for staff to coordinate the meeting. She spoke about students she interviewed that applied to the Rotary exchange program. She was impressed with their maturity and enthusiasm. She talked about the green house at the Florida School for the Deaf and Blind School. She said on December 17, 2013, there would be a Santa run sponsored by Sunliner Realty called Suits on the Loose.

(12:29 p.m.)
Commissioner Sanchez:

Sanchez spoke about how productive the meeting with the City of St. Augustine was.

(12:29 p.m.)
Commissioner McClure:

McClure also spoke about the City of St. Augustine meeting. He commented on how unsafe it was having bike lanes alongside of regular traffic. He spoke about legislation being in session, and pushing for State tax reform, water quality, Department of Juvenile Justice, Medicaid Reform, communication services tax, and having State funding for homeless.

(12:32 p.m.)
Commissioner Morris:

No report.

(11/19/13 - 19 - 12:31 p.m.)
COUNTY ADMINISTRATOR'S REPORT

No report.

(11/19/13 - 19 - 12:32 p.m.)
COUNTY ATTORNEY'S REPORT

McCormack requested the Board to appoint Stevenson to the Board for Florida Association of Counties (FACT). *Consensus was given.*

(11/19/13 - 19 - 12:33 p.m.)
CLERK OF COURT'S REPORT

No report.

With there being no further business to come before the Board, the meeting adjourned at 12:33 p.m.

(12:34 p.m.)The meeting was reopened for public comment.

Lee Bicknell, 19 Milton Street, spoke about a permitting issue he had with the County, and McClure said he would meet with Bicknell after the meeting. Sanchez clarified that staff had done what the State or the Board had instructed them to do. Discussion ensued about the County staff.

With there being no further business to come before the Board, the meeting adjourned at 12:43 p.m.

REPORTS

- St. Johns County Board of County Commissioners Check Register, Check Nos. 501548-501740, totaling \$401,536.29 (11/05/13)
- St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 14913-14947, totaling \$80,580.67 (11/05/13)
- St. Johns County Board of County Commissioners Check Register, Check Nos. 501741-501744, totaling \$155,147.38 (11/07/13)
- St. Johns County Board of County Commissioners Check Register, Check No. 501745, totaling \$35,964.80 (11/08/13)
- St. Johns County Board of County Commissioners Check Register, Check Nos. 501746-501953, totaling \$644,101.85 (11/12/13)
- St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 14948-14999, totaling \$347,991.48 (11/07/13)
- St. Johns County Board of County Commissioners Check Register, Check Nos. 501954-501956, totaling \$3,768 (11/13/13)
- St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 15000-15011, totaling \$13,816 (11/13/13)
- St. Johns County Board of County Commissioners Check Register, Check Nos. 501957-501980, totaling \$80,533.71 (11/14/13)
- St. Johns County Board of County Commissioners Check Register, Check No. 501981, totaling \$1,071.77 (11/15/13)

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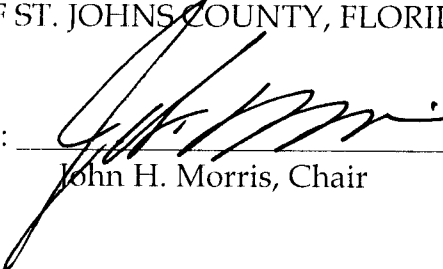
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Approved March 18, 2014

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
John H. Morris, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Pam Halterman
Deputy Clerk

