

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
NOVEMBER 1, 2011
(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: J. Ken Bryan, District 5, Chair
Mark Miner, District 3, Vice Chair
Cyndi Stevenson, District 1
Ron Sanchez, District 2
Jay Morris, District 4
Michael Wanchick, County Administrator
Patrick McCormack, County Attorney
Lenora Newsome, Deputy Clerk

Also present: James Whitehouse, Deputy County Attorney

(11/01/11 - 1 - 9:00 a.m.)
CALL TO ORDER

Bryan called the meeting to order.

(11/01/11 - 1 - 9:01 a.m.)
ROLL CALL

The clerk called the roll, and all members were present.

(11/01/11 - 1 - 9:01 a.m.)
INVOCATION

Rev Ronnie Warren, Christ Redeemer Church, led the Invocation.

(11/01/11 - 1 - 9:01 a.m.)
PLEDGE OF ALLEGIANCE

Commissioner Cyndi Stevenson led the Pledge of Allegiance.

(11/01/11 - 1 - 9:04 a.m.)
PROCLAMATION RECOGNIZING NOVEMBER 11, 2011, AS VETERANS DAY

Bryan commented on Veterans and their programs. Joseph McDermott, Veterans Service Officer, St. Johns County; thanked the Board and distributed plaques to all the commissioners. Also present were: Dan Blackman, Vice Chairman, St. Johns County Veterans Council, and Bob Johnson, Rolling Thunder, Inc., Florida Chapter 4.

(11/01/11 - 1 - 9:08 a.m.)
SPECIAL PRESENTATION TO THE COUNTY COMMISSION OF A POW/MIA VETERANS COMMEMORATIVE COIN BY THE VETERANS GROUP ROLLING THUNDER

Bob Johnson, Rolling Thunder, Inc., Florida Chapter 4, distributed commemorative coins to all the commissioners. Jerry Cameron, Michael Wanchick, and Darrel Locklear were also presented a coin for all they had done. Dermott announced the upcoming Veteran shows and programs.

(11/01/11 - 2 - 9:16 a.m.)

PROCLAMATION DECLARING NOVEMBER 2011, AS ADOPTION MONTH IN ST. JOHNS COUNTY

Ven Thomas, Director of Health & Human Services, thanked the Commissioners for their strong support of the Integrity Program, and stated they were proud to say that they helped to find families for more than 30 children who needed adopting. She announced the event coming up Friday, November 4, 2011, at the Solomon Calhoun Center to celebrate and commemorate adoption day. Also present were: Myra Henry, Supervisor of Licensing and Adoption Unit of the Family Integrity Program; Jeanne Heaton, Supervisor of Prevention Unit, Family Integrity Program; Kim Kelly and Claudia Sheremeta, Adoption Unit Workers; and Richard Zicht, Rory Evans, and Pat Swan, Licensing Unit Workers.

(11/01/11 - 2 - 9:23 a.m.)

SPECIAL PRESENTATION TO THE COUNTY COMMISSION OF THE 2011 FLORIDA HERITAGE BOOK FESTIVAL PLAQUE HONORING THIS YEAR'S LITERARY LEGENDS

Peter Wintish thanked the commissioners for inviting them to come down. He reviewed the history of the Florida Heritage Book Festival and presented the Commission a plaque honoring this year's Literary Legends. Miner left the meeting.

(11/01/11 - 2 - 9:29 a.m.)

ACCEPTANCE OF PROCLAMATIONS

Motion by Sanchez, seconded by Stevenson, carried 4/0 with Miner absent, to accept the proclamations.

(9:29 a.m.) Wanchick spoke regarding Veterans Day and honoring veterans. *He recommended honoring the Veterans on staff, by having them wear their uniform from the military branch they served in, on Thursday November 10, 2011, before Veterans Day, Friday. There was a consensus of the Board to allow it.* Miner returned to the meeting.

(11/01/11 - 2 - 9:31 a.m.)

DELETIONS TO CONSENT AGENDA

There were none. Bryan mentioned not pulling Consent Item 11, but discussing it later.

(11/01/11 - 2 - 9:32 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Miner, seconded by Stevenson, carried 5/0, to approve the Consent Agenda as submitted.

1. Approval of the Cash Requirement Report
2. Minutes: - BCC Regular Minutes 10/18/11
3. Motion to adopt **Resolution No. 2011-308**, accepting an Easement for Utilities for water and sewer service to serve the businesses on Horton's Trace, off International Golf Parkway, west of I-95

RESOLUTION NO. 2011-308

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO SERVE THE BUSINESSES ALONG THE RIGHT-OF-WAY OF HORTON'S TRACE, OFF INTERNATIONAL GOLF PARKWAY, WEST OF I-95

4. Motion to adopt **Resolution No. 2011-309**, accepting an Easement for Utilities for water and sewer service to serve Courtyard Villas of Monterey Subdivision, Phase 2

RESOLUTION NO. 2011-309

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO SERVE COURTYARD VILLAS OF MONTEREY SUBDIVISION, PHASE 2

5. Motion to adopt **Resolution No. 2011-310**, accepting an Easement for Utilities for water service to serve the residents along Bayforest Road, off Holmes Boulevard

RESOLUTION NO. 2011-310

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER SERVICE TO THE RESIDENTS ALONG BAYFOREST ROAD, OFF HOLMES BOULEVARD

6. Motion to adopt **Resolution No. 2011-311**, accepting an Easement for Utilities for water and sewer service to serve Seaside Villas of Anastasia Condominium

RESOLUTION NO. 2011-311

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO SERVE SEASIDE VILLAS OF ANASTASIA CONDOMINIUM

7. Motion to adopt **Resolution No. 2011-312**, authorizing the Board Chair to execute a Release of Sub-Lease and Assignment and Assumption of Lease for the Excelsior Building

RESOLUTION NO. 2011-312

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE BOARD CHAIR TO EXECUTE A RELEASE OF SUB-LEASE AND ASSIGNMENT AND ASSUMPTION OF THE LEASE FOR THE EXCELSIOR BUILDING TO RELEASE ALL RIGHTS IN THE PROPERTY OWNED BY BOARD OF TRUSTEES OF THE

**INTERNAL IMPROVEMENT TRUST FUND OF THE
STATE OF FLORIDA**

8. Motion to adopt **Resolution No. 2011-313**, 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 Sunshine Bus Service, paratransit services, Department of Transportation vans 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. 2011-313

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 SUNSHINE BUS SERVICE, PARATRANSIT SERVICE, DEPARTMENT OF TRANSPORTATION VANS 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

9. Motion to adopt **Resolution No. 2011-314**, setting a Board of County Commissioners Public Hearing date of December 6, 2011, at 9:00 a.m. to hear a request for the vacation of a portion of Russell Sampson Road

RESOLUTION NO. 2011-314

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SETTING A PUBLIC HEARING DATE OF DECEMBER 6, 2011, AT 9:00 A.M., TO HEAR A REQUEST FOR THE VACATION OF A PORTION OF RUSSELL SAMPSON ROAD

10. Motion to adopt **Resolution No. 2011-315**, approving the terms, conditions, and requirements of the Memorandum of Understanding (MOU), and the Hold Harmless Agreement between St. Johns County and Putnam-St. Johns Behavioral Healthcare, and authorizing the Chair to execute each on behalf of the County

RESOLUTION NO. 2011-315

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHN COUNTY, FLORIDA, AND PUTNAM-ST. JOHNS BEHAVIORAL HEALTHCARE, AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

11. Motion to adopt **Resolution No. 2011-316**, approving the Second Amendment to Research Agreement #0909-001 with UNF and St. Johns County for Small Business Development Services, and to authorize the County Administrator, or designee, to execute the amendment on behalf of the County. St. Johns County and University of North Florida originally entered into an Agreement for Small Business Development Services for the County on October 19, 2009

RESOLUTION NO. 2011-316

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONER OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A SECOND AMENDMENT #0909-001 WITH THE UNIVERSITY OF NORTH FLORIDA FOR SMALL BUSINESS DEVELOPMENT SERVICES, ON BEHALF OF ST. JOHNS COUNTY; AND PROVIDING FOR THE EFFECT OF RECITALS; PROVIDING FOR THE CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE

12. Motion to transfer \$2,733 from the St. Johns County Community Redevelopment Agency (CRA) Debt Service Fund reserve account (2252-59922), to the '07 Flagler Estates \$6M Bond Department interest account (2252-57200), to cover the FY 11 negative balance
13. Motion to adopt **Resolution No. 2011-317**, approving the terms, conditions, provisions and requirements of a Grant Contract for the Vilano Beach Fishing Pier Floating Dock Addition, Phase II, the contract is between the Florida Inland Navigation District and St. Johns County, Florida, and authorizing the County Administrator, or designee, to execute the Contract on behalf of St. Johns County. On October 14, 2011, the St. Johns County Recreation and Parks Department received notification from the Florida Inland Navigation District of funding for this project in the amount of \$160,000. Matching funds for this project will be provided by the St. Augustine Port, Waterway and Beach District

RESOLUTION NO. 2011-317

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A GRANT CONTRACT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT, FOR THE VILANO BEACH FISHING PIER FLOATING DOCK ADDITION, PHASE II, AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

14. Motion to adopt **Resolution No. 2011-318**, to authorize the County Administrator, or his designee, to enter into a contract for one (1) year with three (3) one year extensions available, with Azar's Uniforms and Patrick's Uniforms of FL, Inc., for the supply of uniforms for St. Johns County Fire Rescue as described in Bid No: 11-95, Documents/Specifications and the firms' submitted Bid Proposals

RESOLUTION NO. 2011-318

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 11-95, AND TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF ST. JOHNS COUNTY FIRE RESCUE UNIFORMS

15. Proofs:
- a. Proof: Notice to Bidders, Bid #11-99, published August 26, 2011, and September 2, 2011, in *The St. Augustine Record*
 - b. Proof: Notice to Bidders, Bid #11-98, published August 25, 2011, and September 1, 2011, in *The St. Augustine Record*
 - c. Notice of Public Hearing of the Board of County Commissioners on Oct 4, 2011, on amending Ordinance 2011-25, published Sept 23, 2011, in *The St. Augustine Record*
 - d. Notice of Public Hearing of the Board of County Commissioners on Oct 4, 2011, on Ordinance for Noise - Unicorp Area, published Sept 23, 2011, in *The St. Augustine Record*
 - e. Notice of Public Hearing of the Board of County Commissioners on Oct 4, 2011, on LDC ART II, VI, VII, XII Ordinance, published Sept 21, 2011, in *The St. Augustine Record*
 - f. Notice of Public Hearing of the Board of County Commissioners on Oct 18, 2011, on amending Ordinance 2006-99, Economic Development Agency, published Oct 7, 2011, in *The St. Augustine Record*
 - g. Notice of Meetings for Redistricting, published Oct 9, 2011, in *The St. Augustine Record*
 - h. Notice of Meeting for Value Adjustment Board - Tax Roll Meeting on October 17, 2011, published Oct 10, 2011, in *The St. Augustine Record*
 - i. Notice of Meeting for Value Adjustment Board - Certify Tax Roll Meeting on September 27, 2011, published September 10, 2011, in *The St. Augustine Record*
 - j. Notice of Meeting for IAFL Collection Bargaining on September 6, 2011, published September 2, 2011, in *The St. Augustine Record*

(11/01/11 - 6 - 9:32 a.m.)

PUBLIC COMMENT

Mary Savard, 2785 Stratton Blvd., commented on the PUD across from her home having long and loud construction hours.

(9:35 a.m.) Greg McLeod, 1447 Barrington Circle, introduced himself as the provost of the St. Augustine campus of St. Johns River State College located at 2990 College Drive. He invited the commission to come out to the campus to meet the faculty staff and students. He announced that next Wednesday between 11:00 a.m. and 2:00 p.m., they would be having their annual fall frolic event.

(9:37 a.m.) Judith Seraphin, 102 South Street, invited the Commission to the Lincolnvile Farmer's Market on Sunday, from 11:00 a.m. to 3:00 p.m.

(9:38 a.m.) Michael Russo, 10704 Quail Ridge Drive, addressed the Consent Agenda as a process. He recalled a heated discussion from about a year ago, regarding the County Administrator's contract. He spoke on the appointment of Mr. Green to the Zoning Board, and was not sure if it was a paid position or not. Miner stated that all appointees to all County Boards and Committees were regular agenda items and were discussed. Stevenson added that no one was paid.

(11/01/11 - 7 - 9:42 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested to add as Item 5, Project Watch, which had a short time frame, so that was why it was being added to the agenda.

(11/01/11 - 7 - 9:43 a.m.)

APPROVAL OF REGULAR AGENDA

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

(11/01/11 - 7 - 9:43 a.m.)

1. PRESENTATION BY MR. SLAVIN ON A PROPOSED ST. AUGUSTINE NATIONAL HISTORICAL PARK & NATIONAL SEASHORE ACT

Bryan clarified that this item was not an issue developed or initiated by the Board of County Commissioners. He explained how the item would be handled. Wanchick reemphasized Bryan's point, that this was not an initiative brought forward by the Board of County Commissioners or Administration; it was simply a citizen's right to be heard. McCormack said this issue was not a quasi judicial item.

(9:47 a.m.) Ed Slavin gave a presentation, *Exhibit A*. He spoke on saving money, and having a national historical park and seashore.

(10:00 a.m.) Judith Seraphia, 102 South Street, covered some of the frequently asked questions about the St. Augustine National Historic Park and Seashore regarding donations, how it would affect local businesses, allowing federal money to come in to help preserve buildings and parks, and property values increasing.

(10:03 a.m.) Robin Nadeau, 26 Mickler Blvd., continued with the frequently asked questions; improve the quality of historic and environmental interpretation, preservation and protection, renourishment, good jobs at the National Park Service, and beach driving.

(10:07 a.m.) Joaquin Demoreta-Folch, 3925 Estate Road 16, spoke on the law, *Exhibit A*. McCormack mentioned that any documents presented to the Board had to be retained for the minutes.

(10:10 a.m.) Marty Miller, 29 Hildreth Drive, commented in opposition of the proposal. He urged the Board to leave everything under local control.

(10:13 a.m.) Faye Armitage, 1450 Wentworth Ave., commented on protecting historical areas and the beautiful shoreline. She urged the Commissioners to support the proposal.

(10:15 a.m.) Robert Johnson, 804 Shore Drive, urged the Board to keep everything under local control.

(10:17 a.m.) Dan Holiday, 11 Aviles Street, urged the Board to keep everything under local control.

(10:19 a.m.) Cindy Falco-Delando, 132 San Marco Ave., spoke on keeping everything under local control.

(10:22 a.m.) Doug Russo, 317 JW Court, commented in opposition to the proposal.

(10:24 a.m.) James Arpaya, Kings Road, commented in opposition to the proposal.

(10:27 a.m.) John Brendel, 943 Espinado Avenue, commented in favor of the proposal.

(10:30 a.m.) Karen Miles, 7507 A1A South, commented in opposition to the proposal, *Exhibit B*.

(10:32 a.m.) Randy Covington, 619 Scrub Jay Drive, commented in opposition to the proposal, *Exhibit C*.

(10:35 a.m.) Jim McCartney, 124 Edgewater Road, commented in opposition to the proposal, and read a comment from Ed Taylor, *Exhibit D*.

(10:37 a.m.) Jim Humphries, 6779 Magnolia Lane, commented that only thing in life that was free, was a hard time, and even that would cost you before it was over.

(10:37 a.m.) Sarah Bailey, 2202 Bishop Estates Road, commented; read an excerpt from a book entitled "*Sea Change*," by Sylvia Earl.

(10:41 a.m.) Theresa Henry, 646 McKenzie Circle, commented in opposition to the proposal.

(10:45 a.m.) Harry Waldron, 118 Colon Avenue, commented in opposition to the proposal.

(10:46 a.m.) Mike Kuhne, 5165 SR 13, commented in opposition to the proposal.

(10:50 a.m.) Wendy Grudzinskas, 224 Gull Circle, commented in opposition to the proposal.

(10:51 a.m.) Slavin mentioned preserving what was ours forever and protecting the historical park and shoreline.

(10:55 a.m.) Miner stated that the National Park Service, by its own admission, said it had a \$3,000,000,000 maintenance backlog. He said that he was not comfortable with moving forward with the proposal.

(10:58 a.m.) Sanchez mentioned that he appreciated the time that Slavin put into the proposal, but he would not support it. He said the County and State parks were in better condition than any national park anywhere, and some of the national parks were being closed down.

(11:05 a.m.) Morris read from a report on the National Park System, and stated that he was against the proposal.

(11:06 a.m.) Stevenson said St. Johns County was a bright spot in Florida, and that she was against the proposal.

(11:11 a.m.) Bryan voiced concern about the Country being in deficit, and stated that St. Johns County was doing well in comparison to other counties. He said that he was in opposition of the proposal.

(11:12 a.m.) Motion by Miner, seconded by Stevenson, carried 5/0, that the St. Johns County Board of County Commissioners reject the proposed St. Augustine National Historical Park and National Seashore proposal.

The meeting recessed at 11:14 a.m. and reconvened at 11:30 a.m.

(11/01/11 - 9 - 11:30 a.m.)

2. PUBLIC HEARING - REZ 2011-06, OFFICE/WAREHOUSE. THIS IS A REQUEST TO REZONE +/- 1.5 ACRES FROM OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI). THE SUBJECT PROPERTY IS LOCATED AT ON THE WEST SIDE OF US 1, SOUTH OF WATSON ROAD. BASED ON THE INFORMATION AVAILABLE TO STAFF, THE PLANNING & ZONING SECTION FINDS THE REQUEST TO REZONE TO CI, 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 MATERIAL RECEIVED AT THE QUASI-JUDICIAL PUBLIC HEARING. THE PLANNING & ZONING AGENCY (PZA) RECOMMENDED APPROVAL OF THIS ITEM AT THE OCTOBER 6TH MEETING BY A 7-0 VOTE

Proof of publication of the notice of public hearing on REZ 2011-06, Office Warehouse, was received, having been published in *The St. Augustine Record* on September 21, 2011.

Michael Blackford, Planning & Zoning Manager, gave a presentation, *Exhibit A*.

(11:32 a.m.) **Motion by Miner, seconded by Sanchez, carried 5/0, to enact Ordinance No. 2011-40, approving Rezoning 2011-06, adopting findings of fact 1-4 to support the motion.**

ORDINANCE NO. 2011-40

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED, HEREINAFTER, FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(11/01/11 - 9 - 11:33 a.m.)

3. CONSIDER A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO NEGOTIATE AND ENTER INTO A PERFORMANCE CONTRACT WITH TRANE U.S. INC., FOR STAFF-IDENTIFIED ENERGY EFFICIENCY IMPROVEMENTS TO COUNTY PROPERTIES AND TO PURSUE THIRD PARTY FINANCING IN ORDER TO FUND THE ENERGY-SAVINGS IMPROVEMENTS PER FLORIDA STATUTE 489.145

Jesse Dunn, Office of Management & Budget, gave a presentation, *Exhibit A*. He reviewed the grant and stated that this would be to enter into a negotiation contract. Bryan said it was a very good initiative.

(11:38 a.m.) Mike Rubin, Director of Construction, thanked Gene Burns, Facilities Maintenance Manager, for working on this project for two years.

(11:39 a.m.) Stevenson said that this represented many hours of staff time and saved a lot of money in operating costs. Burns stated that this was Phase I, and spoke on areas that needed attention. Stevenson encouraged staff to do an annual report to the Board of the savings.

(11:41 a.m.) Morris said that it was a great first step, and wanted confirmation that the \$80,000 savings per year covered the principal and interest on it. Burns replied yes it did.

(11:42 a.m.) Miner thanked Burns and Dunn for doing a good job.

(11:42 a.m.) **Motion by Stevenson, seconded by Bryan, carried 5/0, to adopt Resolution No. 2011-319, authorizing the County Administrator, or his designee, to negotiate and enter into a performance contract with Trane U.S. Inc., for staff-identified energy efficiency improvements to County properties, and to pursue third party financing in order to fund the energy-savings improvements per Florida Statute 489.145.**

RESOLUTION NO. 2011-319

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO NEGOTIATE AND ENTER INTO A GUARANTEED ENERGY PERFORMANCE SAVINGS CONTRACT WITH TRANE U.S., INC., AND PURSUE THIRD-PARTY FINANCING IN ORDER TO FUND THE ENERGY-SAVINGS IMPROVEMENTS IDENTIFIED WITHIN THE INVESTMENT GRADE ENERGY AUDIT

(11/01/11 - 10 - 11:43 a.m.)

4. CONSIDER A RESOLUTION AUTHORIZING THE SALE OF THE HEALTH AND HUMAN SERVICES CENTER PROPERTY ON U.S. 1 SOUTH TO LOWE'S HOME CENTERS, INC. LOWE'S HOME CENTERS, INC. APPROACHED THE COUNTY TO PURCHASE THE HEALTH AND HUMAN SERVICES CENTER PROPERTY ON U.S. 1 SOUTH AND DEVELOP A HOME IMPROVEMENT AND GARDEN CENTER RETAIL STORE. THE PROPOSED PURCHASE AGREEMENT IS FOR \$8,662,000 (APPRAISED VALUE IS \$7,836,000). THE AGREEMENT INCLUDES A DUE DILIGENCE PERIOD PRIOR TO CLOSING IN MID TO LATE 2012. FOLLOWING CLOSING, THE COUNTY WILL LEASE THE SITE FOR TWO YEARS FOR \$1.00. DURING THE TWO YEAR LEASE, THE COUNTY WOULD BUILD A NEW FACILITY ON THE EXISTING COUNTY ADMINISTRATION COMPLEX PROPERTY TO HOUSE THE DEPARTMENTS AND SERVICES CURRENTLY PROVIDED AT THE EXISTING HEALTH AND HUMAN SERVICES CENTER. DUE TO SPACE AND OPERATING EFFICIENCIES OF A NEW BUILDING, COST AVOIDANCE OF NEEDED IMPROVEMENTS AT THE EXISTING FACILITY AND INCREASES IN PROPERTY AND SALES TAXES, THE MONETARY BENEFIT TO THE COUNTY IS EXPECTED TO EXCEED \$3,000,000. SALE OF THE PROPERTY IS GOVERNED BY FLORIDA STATUTE, SECTION 125.35(3), AND COUNTY ORDINANCE 2011-17

Darrel Locklear, Assistant County Administrator of Operations, gave a presentation, *Exhibit A*. He reviewed the history of the Health & Human Services Facility. He said that they could construct a new Health and Human Services Center on existing county owned property located immediately south of the Administration Building. He reviewed the Lowe's Home Centers, Inc., proposal. He gave a summary of the benefits of the purchase and sale agreement with Lowe's Home Center, Inc. He said the project would break even within three years.

(11:56 a.m.) Bryan said that local workers and contractors would be hired.

(11:56 a.m.) Miner said the project was in District 3 and that he was very excited about it.

(11:57 a.m.) Stevenson said it was a very good project and that Mary Ann Blount, Real Estate, worked very hard on the project.

(11:59 a.m.) Locklear stated that it was truly a team effort.

(11:59 a.m.) Sanchez commented on it being a win-win situation.

(12:00 a.m.) Wanchick commented on it being more than constructing a Lowe's. He said they would be demoing an existing building, building a Lowe's, and building a new building that would house the services that they were talking about that would be in the new building. He mentioned that Lowe's was sensitive to the County's local contractors, and the appearance of the new building.

(12:02 p.m.) Daniel Blackman, 486 Diosa Court, Vice chair St. Johns County Veterans Council, commented on supporting the consolidated move of the current Health facilities to a joint location near the Administration Building.

(12:04 p.m.) Ray Quinn, 1097 Winterhawk Drive, commented in support of the proposed facility.

(12:06 p.m.) Loyd Carson, General Services Director St. Johns County Health Department, said it would be a definite benefit not only for the Health Department, but for all the agencies involved.

(12:07 p.m.) Chris Jones, 514 South Millview Way, Director of Real Estate for Lowe's, spoke on relocating the facility, paying property tax, foregoing credits on impact fees, and taking two years for the County to relocate their facility, with no expense or rent to the County. He said it was a pleasure to work with County staff and they were looking forward to being a corporate citizen of St. Johns County. Sanchez extended appreciation to Jones and said that St. Johns County was ready to work with them in any way they had to.

(12:10 p.m.) Ven Thomas, Director Health and Human Services, spoke in support of the proposal. Locklear mentioned the Chamber of Commerce in the endeavor.

(12:13 p.m.) Stevenson mentioned that the co-location of Lowe's was a big win-win situation for the residents.

(12:14 p.m.) **Motion by Miner, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2011-320, approving the terms of an agreement between St. Johns County, Florida, and Lowe's Home Centers, Inc., for the purchase of the existing Health and Human Services Center, recognizing the importance of economic development within St. Johns County, and authorizing the County Administrator, or designee, to execute the Agreement to Purchase on behalf of St. Johns County.**

RESOLUTION NO. 2011-320

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND LOWE'S HOME CENTERS, INC., TO SELL COUNTY-OWNED REAL ESTATE FOR THE PURPOSE OF INCREASING ECONOMIC DEVELOPMENT WITHIN ST. JOHNS, COUNTY AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT TO PURCHASE ON BEHALF OF ST. JOHNS COUNTY

(11/01/11 - 12 - 12:15 p.m.)

5. PROJECT WATCH - QTI PARTICIPATION/ECONOMIC DEVELOPMENT GRANT APPLICATION

Wanchick explained that they were going to put this item on the November 15th BCC meeting, but it needed to go on sooner.

(12:16 p.m.) Melissa Glasgow, Director of Economic Development, said that she was presenting a request to provide economic development incentive great prospect looking to locate in St. Johns County. She said the project was known as Project Watch, a German manufacturer of clean energy power generation systems. She said they were interested in opening their first U.S. manufacturing operations. She summarized the project by giving the history of it. She said the project proposed to create 100 new jobs that would be phased at 20 jobs a year over a five year period. She said for the project, they qualified for consideration of Qualified Target Industry (QTI) funds of \$6,000 per job. She mentioned in order for the State to consider providing the incentive, the County must first pass a resolution offering financial commitment for the QTI incentive.

(12:21 p.m.) Bryan said that he was pleased to see these kinds of projects coming to St. Johns County.

(12:21 p.m.) Sanchez mentioned it was a good job by everyone.

(12:22 p.m.) **Motion by Sanchez, seconded by Miner, carried 5/0, to adopt Resolution No. 2011-321, recommending Project Watch be approved as a Qualified Target Industry Business for the State of Florida QTI tax refund program to commit to pay up to \$120,000 as 20% local financial support to attract a new power generator manufacturing facility; and instructing the County Attorney to draft an Economic Development Grant Agreement of \$76,917 for later considerations by the Board upon final selection of St. Johns County as the Project Watch site.**

RESOLUTION NO. 2011-321

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOMMENDING PROJECT WATCH, BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES; PROVIDING FOR LOCAL FINANCIAL SUPPORT IN THE FORM OF CASH FOR THE QUALIFIED TARGET INDUSTRY TAX REFUND WITH HIGH IMPACT SECTOR BONUS; DIRECTING THE COUNTY ATTORNEY TO DRAFT AN ECONOMIC DEVELOPMENT GRANT AGREEMENT; PROVIDING FOR THE CORRECTION OF ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

(12:23 p.m.) Stevenson asked about the time table regarding the project. Glasgow said that they would send the resolution to the State this day and the State had ten days in order to prepare their offer. She said they were hoping to hear from the State within ten days, so they could present that offer to the prospect. Wanchick said that he wanted to thank Doug Timms because he was the financial guru on these deals. He mentioned that Timms suggested creating an economic development bank, so when they had to lay out incentives, there would be a place to draw the funds until they got the return on investment.

(12:25 p.m.) Bryan discussed Consent Item 11. He mentioned working with small businesses. Discussion followed.

(11/01/11 - 13 - 12:28 p.m.)
COMMISSIONERS' REPORTS

Commissioner Morris:

No report.

(12:28 p.m.) Commissioner Sanchez:

Sanchez spoke on the Good Samaritan Health Center.

Sanchez mentioned that the Florida Power and Light Company had the lowest rate around.

Sanchez mentioned that he had been listed as a leadership supporter for Adam Hasner on the Senate race, and probably should not serve on the Canvassing Board. He said that he would find out from Vicky Oakes, if he could serve on that Board.

Sanchez said that he explained to the gentleman about Henry Green being placed on the Planning and Zoning board.

(12:31 p.m.) Commissioner Miner:

Miner announced that the POW/MIA Documentary was scheduled for Sunday, November 6, 2011, at 1:30 p.m. at Anastasia Baptist Church.

Miner said he appreciated Bryan and Quinn representing the County, being at the ribbon cutting ceremony regarding a new business.

Miner said that there was a constitute upset about not getting the time he deserved to talk regarding Item 1. He mentioned that he put a lot of effort into being firm but fair, and when your time was up, it was up, no matter who you were.

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

Stevenson thanked Sarah Bailey for bringing the shells during Item 1.

Stevenson mentioned the reorganization of the Board, and formal priorities in the budget document that needed updating.

Stevenson commented on all the new jobs coming to St. Johns County.

(12:36 p.m.) Commissioner Bryan:

Bryan asked for a consensus of the Board to sign a proclamation for Hunger & Homeless Awareness Week for the Homeless Coalition, *Exhibit A. There was consensus of the Board to do so.*

Bryan mentioned taking a ride in a C1-30 in Jacksonville and being there for the employee support guard reserve.

Bryan mentioned participating in a fundraiser Thursday night called Bratina at the Serenata Beach Club to help raise awareness for breast cancer.

Bryan read a document regarding pay and compensation evaluation of employee jobs, which determined if employees were being compensated adequately and appropriately for the work they were hired to do. He spoke on making sure the County Attorney's Office was also working efficiently and the attorneys as well, were being compensated and utilized in the best interest in their ability. Legal Office Management Assistant Service (LOMAS), *Exhibit B*. (12:40 p.m.) ***There was consensus of the Board to allow Bryan to research it.***

(12:41 p.m.) Stevenson commented on the good news regarding being under contract with Fire Rescue. Wanchick stated that they ratified the contract and the Board would receive a copy of the contract this day. He mentioned that the contract was scheduled to be on the agenda on November 15, 2011, for the Board's ratification.

(11/01/11 - 14 - 12:42 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick reminded the Board of the reorganization of the Board on November 15, 2011.

Wanchick said that the Fire Rescue contract was schedule to be on the agenda on November 15, 2011.

Wanchick mentioned that the food banks throughout the County needed food. He stated that the County employees brought in food to be able wear a Halloween costume, and the Library requested a *Food for Fines Program*, where they would waive each dollar of outstanding fines for two cans of food. He asked the Board's indulgence to allow the Library to conduct that activity. (12:46 p.m.) ***There was a consensus of the Board to do so.***

(11/01/11 - 14 - 12:46 p.m.)

COUNTY ATTORNEY'S REPORT

Whitehouse asked for a consensus from the Board to authorize the County Administrator to sign a Settlement Agreement Subsequent Release, for a settlement on a bond claim. He said they brought it to the Board because that particular agreement required a sworn affidavit from the County Administrator stating that he had the authorization to do so. He said that a bond was issued for some work at the West Augustine Park, Phase II project, in which the initial contractor did not do some of the work, so another contractor had to come in and do the work. So now the County was making claim on the bond to get reimbursed for it, and then they would reimbursed the contractor who did the work. (12:47 p.m.) **There was consensus of the Board.**

McCormack reminded the Board of the Joint School Board and BCC meeting this night at 6:00 p.m.

McCormack spoke on Agenda Item 1, regarding the Board's Rules and Policies administered in the meeting by the Vice chair working extremely well. He mentioned the comments made about the Federal government and the National Park Service.

Miner asked if a letter could be sent to the Legislative Delegation notifying them of the outcome of Item 1.

(11/01/11 -14 - 12:50 p.m.)

CLERK OF COURT'S REPORT

No report.

With there being no further business to come before the Board, the meeting adjourned at 12:50 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 475793, totaling \$4,752 (10/17/11)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 475794-475994, totaling \$2,562,000.75 (10/18/11)
3. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 7316-7372, totaling \$1,222,732.14 (10/18/11)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 475995-476008, totaling \$14,492 (10/19/11)
5. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 7373-7384, totaling \$14,258.94 (10/19/11)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 476009-476038, totaling \$62,282.78 (10/20/11)
7. St. Johns County Board of County Commissioners Check Register, Check No. 476039, totaling \$3,750 (10/20/11)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 476040-476050, totaling \$185,654 (10/24/11)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 476051-476292, totaling \$1,961,737.37 (10/25/11)
10. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 7385-7437, totaling \$1,293,451.51 (10/25/11)
11. St. Johns County Board of County Commissioners pay grade and step summary

CORRESPONDENCE:

1. Letter dated October 19, 2011 to Liz Cloud, Program Administrator, Department of State, filing St. Johns County Ordinance No. 2011-39

Approved November 15, 2011

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Mark Miner
Mark Miner, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland
Deputy Clerk

