

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
FEBRUARY 4, 2014
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
Rachael Bennett, District 5, Vice Chair
Cyndi Stevenson, District 1
Ron Sanchez, District 2
William A. McClure, District 3
Michael Wanchick, County Administrator
Darrel Locklear, Assistant County Administrator
Jerry Cameron, Assistant County Administrator
Patrick McCormack, County Attorney
Natasha Lirette, Deputy Clerk

(02/04/14 - 1 - 9:00 a.m.)
CALL TO ORDER

Morris called the meeting to order.

(02/04/14 - 1 - 9:00 a.m.)
ROLL CALL

The clerk called the roll: All board members were present.

(02/04/14 - 1 - 9:00 a.m.)
INVOCATION

Pastor Ken Becker gave the invocation.

(02/04/14 - 1 - 9:01 a.m.)
PLEDGE OF ALLEGIANCE

Morris led the Pledge of Allegiance.

(02/04/14 - 1 - 9:02 a.m.)
PROCLAMATION DECLARING FEBRUARY 2014 AS ST. JOHNS COUNTY READS MONTH

The proclamation was read and presented to Debra Rhodes-Gibson, Director of Library Services. Rhodes-Gibson thanked the Board for the recognition and spoke on the 2014 St. Johns Reads event, stating that this year's featured "One Book, One Community" book was *A Land Remembered* by Patrick Smith.

(02/04/14 - 1 - 9:09 a.m.)
PROCLAMATION RECOGNIZING THE 25TH ANNIVERSARY OF ST. JOHNS COUNTY AG CENTER AND EXHIBIT OF HISTORIC ART, TOOLS, AND FARMING EQUIPMENT THAT WILL HONOR ST. JOHNS COUNTY'S RICH AND DIVERSE AGRICULTURE COMMUNITY

The proclamation was read and presented to Dr. Daniel Cantliffe, who thanked the Board for the recognition and spoke on the 100 year anniversary of the Extension Service.

(02/04/14 - 2 - 9:18 a.m.)

ACCEPTANCE OF PROCLAMATIONS

Motion by Stevenson, seconded by McClure, carried 5/0, to accept the proclamations.

(02/04/14 - 2 - 9:19 a.m.)

PUBLIC COMMENT

BJ Kalaidi, 8 Newcomb St., spoke on homestead exemption application deadlines for seniors, *Exhibit A*, encouraged attendance of the transportation planning concurrency workshop, scheduled for February 7, 2014, and commented on the joint meeting the Board had with the City of St. Augustine Beach Commission.

(02/04/14 - 2 - 9:22 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(02/04/14 - 2 - 9:22 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Minutes: None.
3. Motion to adopt **Resolution No. 2014-22**, accepting a Bill of Sale and Schedule of Values for the water and sewer lines serving Las Calinas, Parcel 3D, Unit 5. No funding is required

RESOLUTION NO. 2014-22

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A BILL OF SALE AND SCHEDULE OF VALUES CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER LINES TO SERVE LAS CALINAS, PARCEL 3D, UNIT 5 OFF US 1 NORTH

4. Motion to adopt **Resolution No. 2014-23**, approving the Final Plat for Durbin Crossing Village Center - Unit 2

RESOLUTION NO. 2014-23

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR DURBIN CROSSING VILLAGE CENTER - UNIT 2

5. Motion to adopt **Resolution No. 2014-24**, approving the Final Plat for Palms of Ponte Vedra

RESOLUTION NO. 2014-24

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR PALMS OF PONTE VEDRA

6. Motion to adopt **Resolution No. 2014-25**, approving the Final Plat for Durbin Crossing North, Phase 2E, Unit 3

RESOLUTION NO. 2014-25

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR DURBIN CROSSING NORTH, PHASE 2E, UNIT 3

7. Motion to adopt **Resolution No. 2014-26**, approving the Final Plat for Segovia

RESOLUTION NO. 2014-26

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR SEGOVIA

8. Motion to adopt **Resolution No. 2014-27**, authorizing the county administrator to execute the Impact Fee Credit Agreement with The Alterra Group, LLC (IFA 2013-02 Mill Creek Plantation PUD), with a road impact fee credit in the amount of \$250,000.00

RESOLUTION NO. 2014-27

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT WITH THE ALTERRA GROUP, LLC

9. Motion to adopt **Resolution No. 2014-28**, for the funding of an application to the State's Florida Forever Program to establish an Ocala-Matanzas corridor; and authorizing the county administrator, or designee, to execute task orders and agreements, as necessary, to complete this task; and motion to approve the transfer and expenditure of \$5,000.00 from Tree Bank Fund Reserves (1231-59927) to Aide to Private Organizations (1231-58200)

RESOLUTION NO. 2014-28

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE TRANSFER OF FUNDING FROM THE TREE BANK FUND RESERVES TO FUND AN APPLICATION TO THE STATE'S FLORIDA FOREVER PROGRAM TO ESTABLISH AN OCALA-MATANZAS ECOLOGICAL GREENWAY CORRIDOR; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE ANY DOCUMENTS ASSOCIATED WITH THE APPLICATION; AND PROVIDING AN EFFECTIVE DATE

10. Motion to authorize the transfer of \$40,827 from General Fund Reserves (0083-59920) to Growth Management - Professional Fees (0101-53100) in support of the creation of the Northeast Florida Regional Transportation Commission
11. Motion to adopt **Resolution No. 2014-29**, approving the terms, provisions, conditions, and requirements of a Contract for operation of The Players Community Center and for the provision of financial assistance to the St. Johns County Council on Aging, Inc.; and authorizing the county administrator, or designee, to execute the contract on behalf of the County

RESOLUTION NO. 2014-29

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONTRACT FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE ST. JOHNS COUNTY COUNCIL ON AGING, INC.; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE CONTRACT ON BEHALF OF THE COUNTY

12. Motion to adopt **Resolution No. 2014-30**, approving the terms, provisions, conditions, and requirements of a Contract for operation of Trout Creek Community Center and for the provision of financial assistance to the St. Johns County Council on Aging, Inc.; and authorizing the county administrator, or designee, to execute the contract on behalf of the County

RESOLUTION NO. 2014-30

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONTRACT FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE ST. JOHNS COUNTY COUNCIL ON AGING, INC.; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE CONTRACT ON BEHALF OF THE COUNTY

13. Proofs:
 - a. Proof: Notice to Bidders, Bid #14-43, published December 26, 2013 and January 2, 2014, in *The St. Augustine Record*
 - b. Proof: Notice of Proposed Exchange of County Property, published December 26, 2013, and January 9, 2014, in *The St. Augustine Record*
 - c. Proof: Notice of a Canceled Regular Meeting of the St. Johns County Board of County Commissioners from January 7, 2014, published December 31, 2013, in *The St. Augustine Record*
 - d. Proof: Notice to Bidders, Bid #14-38, published January 6, 2014 and January 13, 2014, in *The St. Augustine Record*
 - e. Proof: Notice to Bidders, Bid #14-39, published January 6, 2014 and January 13, 2014, in *The St. Augustine Record*
 - f. Proof: Notice of Meeting in the matter of Firefighting Negotiations (three meetings), published January 7, 2014, in *The St. Augustine Record*
 - g. Proof: Notice to Bidders, Bid #14-22, published January 9, 2014 and January 16, 2014, in *The St. Augustine Record*
 - h. Proof: Notice to Bidders, Bid #14-21, published January 9, 2014 and January 16, 2014, in *The St. Augustine Record*

- i. Proof: Notice to Bidders, Bid #14-58, published January 10, 2014 and January 17, 2014, in *The St. Augustine Record*

(02/04/14 - 5 - 9:23 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

McCormack explained that an error occurred in the mailed notices for Items 10 and 11, necessitating the items being heard at 1:30 p.m.

(02/04/14 - 5 - 9:26 a.m.)

APPROVAL OF REGULAR AGENDA

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

(02/04/14 - 5 - 9:26 a.m.)

1. PRESENTATION BY THE UNIVERSITY OF NORTH FLORIDA SMALL BUSINESS DEVELOPMENT CENTER

Melissa Glasgow, Economic Development Director, introduced Area Director Cathy Hagan and Certified Business Analyst Marge Cirillo from the Small Business Development Center, who gave an update on the programs and activities at the Center.

(9:27 p.m.) Hagan reported on some statistics on the program's impact in the county, *Exhibit A*, the effectiveness of the program, and that their focus was working with growing businesses to help drive economic development in the county. She reviewed the services and tools they provided to small businesses.

(9:30 p.m.) Cirillo commented on the program's relationships with Flagler College, St. Johns River State College, the Small Business Council with the Chamber, and IFAS. She said a Tri-county International Trade Fair was planned for February 25, 2014, and that planning for a Business Expo Fair was in progress.

(02/04/14 - 5 - 9:33 a.m.)

2. PRESENTATION OF THE VISITORS CONVENTION BUREAU ANNUAL REPORT

Glenn Hastings, TDC Executive Director, gave a presentation, *Exhibit A*. He spoke on the return of tourism to prerecession levels, and influencing factors that led visitors to choose St. Augustine as their destination.

(9:36 a.m.) Richard Goldman, SJC Visitors Convention Bureau, outlined their monitoring process and goals, *Exhibit B*. He reviewed bed tax collections, occupancy/room rate and demand statistics, revenue per available room, partner participation, and social media, advertising and website efforts. He played some videos of their TV ads from the "Not the Same Old Story" campaign.

(9:45 a.m.) The commissioners expressed their appreciation and questioned Goldman about data tracking. Bennett commented on the emphasis placed on forming partnerships.

(02/04/14 - 5 - 9:50 a.m.)

3. PRESENTATION OF THE CULTURAL COUNCIL ANNUAL REPORT

Andy Witt, St. Johns Cultural Council, gave a presentation on the St. Johns Cultural Council's 2013 Year End Report, *Exhibit A*. He spoke on their funding goals and the 2015 ACH funding program, the plan elements of the 2013 cultural program, cultural

and tourism marketing, services to the cultural industry, advertising and their strategic plan. He presented a flyer titled *Marketing, Public Relations & More, Exhibit B*.

(10:03 a.m.) Discussion ensued on authentic historical experiences, like reenactments; making the development of authentic arts, cultural and heritage events the Council's top goal; the Council's focus on growth; and measuring the Cultural Council's success.

(10:15 a.m.) Glenn Hastings, TDC Executive Director, addressed the Board members and thanked them for their time. Discussion ensued on the adequacy of the county's facilities and venues, and acquiring funding for the Council from outside sources.

(10:22 a.m.) Paolo Soria, Assistant County Attorney, entered the meeting.

(02/04/14 - 6 - 10:22 a.m.)

4. CONSIDER AN APPOINTMENT TO TOURIST DEVELOPMENT COUNCIL

Melissa Lundquist, Assistant to the County Commissioners, presented this item to the Board. Morris recommended the appointment of Tom Manno.

(10:24 a.m.) **Motion by Morris, seconded by Bennett, carried 5/0, to appoint Tom Manno to the Tourist Development Council for a partial term, scheduled to expire on February 19, 2017, representing the owner/operator requirement.**

(10:25 a.m.) Rebecca Lavie, Assistant County Attorney, left the meeting.

(02/04/14 - 6 - 10:25 a.m.)

District 5

5. PUBLIC HEARING - PNZVAR 2013-01 ANASTASIA SQUARE PYLON SIGNS/MADRB 2013-10. THIS IS A REQUEST FOR APPROVAL OF NON-ZONING VARIANCE ALONG WITH MID-ANASTASIA DESIGN REVIEW BOARD APPLICATION TO LAND DEVELOPMENT CODE SECTIONS 3.08.07 A AND B., ALLOWING APPROVAL TO RECONFIGURE THE EXISTING PYLON SIGN, TO ALLOW FOR A HEIGHT OF 23 FEET, EXCEEDING THE MAXIMUM 12 FEET ALLOWED BY CODE, AS WELL AS UTILIZING A PYLON SIGN IN LIEU OF THE REQUIRED WIDE-BASED MONUMENT STYLE. ALSO REQUESTED IS AN OVERALL ADVERTISING DISPLAY AREA OF 183.33 SQUARE FEET, EXCEEDING THE MAXIMUM 32 SQUARE FEET ALLOWED BY CODE FOR EACH FACE AND TO ALLOW INTERNAL ILLUMINATION OF BACKGROUND PANELS TO BE OPAQUE WITH HIGH PERFORMANCE BLACK VINYL

Proof of publication for PNZVAR 2013-01, Anastasia Square pylon signs, and MADRB 2013-10, was received, having been published in *The St. Augustine Record* on January 20, 2014.

Marie Colee, Assistant Program Manager, Growth Management, presented the details of the variance request, *Exhibit A*. Discussion followed on code compliance and the improved aesthetic of the new sign.

(10:30 a.m.) **Motion by Bennett, seconded by Sanchez, carried 5/0, to approve Non-Zoning Variance application PNZVAR 2013-01, based upon findings of fact 1 through 6, and subject to suggested conditions 1 through 3.**

(10:31 a.m.) **Motion by Bennett, seconded by Sanchez, carried 5/0, to approve Mid-Anastasia Design Review Board application MADRB 2013-10, based upon the one finding of fact, and subject to suggested conditions 1 through 2.**

The meeting recessed at 10:32 a.m. and resumed at 10:48 a.m.

(02/04/14 - 7 - 10:49 a.m.)

District 4

6. PUBLIC HEARING - VACPLA 2013-02 ST. AUGUSTINE CIRCLE PLAT VACATION. THE SUBJECT OF THIS RESOLUTION IS A PLAT VACATION OF ST. AUGUSTINE CIRCLE SUBDIVISION. THE PROPERTY IS LOCATED SOUTH OF ST. AUGUSTINE PARK (VENETIAN BOULEVARD AREA) AND EAST OF US 1 NORTH. THIS REQUEST WILL ELIMINATE 123 LOTS AND ALLOW FOR A NEW PUD DEVELOPMENT OF 68 LOTS, IF APPROVED. THE COMPANION APPLICATION IS THE CHASEWOOD PUD, WHICH NEEDS TO BE HEARD CONCURRENTLY, AND IF THE PUD IS TO BE DENIED, THE APPLICANT WOULD LIKE TO WITHDRAW THE VACATION REQUEST. ALL TECHNICAL COMMENTS HAVE BEEN ADDRESSED THROUGH THE DEVELOPMENT REVIEW PROCESS, THEREFORE, STAFF HAS NO OBJECTIONS. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL (7/0) AT ITS NOVEMBER 7, 2013, MEETING

Proof of publication for VACPLA 2013-02, St. Augustine Circle plat vacation, was received, having been published in *The St. Augustine Record* on September 17 and October 1, 2013.

Items 6 and 7 were presented together.

Chelsea Glenn, Growth Management, explained that she would be presenting Items 6 and 7 together. She presented the details of the plat vacation and PUD requests, *Exhibit A*, including the surrounding property types and zoning and the requested waivers. She stated that she handed out a packet of documents, including a revised application, indicating a name change, a revision to the MDP text, and three adjacent property owner responses, *Exhibit B*.

Commissioners Morris, Bennett, Sanchez and Stevenson disclosed ex parte with Karen Taylor and the property owner.

(10:59 a.m.) Karen Taylor, 77 Saragossa St., said they were reconfiguring an old plat, with 123 lots, to 68 lots, with better emergency access, interconnectivity and sidewalks.

(11:01 a.m.) Bennett pointed out the drainage easement on the old plat map and aerial map, *Exhibit C*, and questioned if the applicant would agree to grant the easement with the new plat: Taylor replied yes. Discussion followed on specimen trees, road widths and street parking, concurrency, the utility provider, and the 313 Extension disclosure process.

(11:10 a.m.) BJ Kalaidi, 8 Newcomb St., questioned if the project would have a homeowners association, with jurisdiction over parking, and if the roads would be public or private. Taylor responded. John Burnham, Growth Management, discussed street parking.

(11:20 a.m.) Frank Romanello, 6130 Old Dixie Dr., spoke in favor of the project, but was concerned about street parking affecting his business operations and his privacy. He asked for some form of protection between the development and his property.

(11:26 a.m.) Doug Burnett, St. Johns Law Group, 509 Anastasia Blvd., displayed an aerial map, *Exhibit D*, and addressed Romanello's concerns. Stevenson, McCormack and Darrell Locklear, Assistant County Administrator, discussed parking regulations on public roads.

(11:40 a.m.) **Motion by Morris, seconded by Sanchez, carried 5/0, to approve Resolution No. 2014-31, approving the petition to vacate the St. Augustine Circle plat.**

RESOLUTION NO. 2014-31

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
VACATING ST. AUGUSTINE CIRCLE SUBDIVISION

(02/04/14 - 8 - 11:36 a.m.)

District 4

7. PUBLIC HEARING - PUD 2013-07, CHASEWOOD PUD. REQUEST TO REZONE 38.37 ACRES FROM OPEN RURAL (OR) AND RESIDENTIAL, SINGLE FAMILY (RS-3) TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO DEVELOP 68 SINGLE FAMILY UNITS AND 24,000 SQUARE FEET OF COMMERCIAL/OFFICE SPACE. STAFF RECOMMENDS APPROVAL OF THE REQUEST, UPON APPROVAL OF THE WAIVER, BASED ON CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF MIXED USE DISTRICT AND RESIDENTIAL-B, CONSISTENCY WITH DEVELOPMENT TRENDS IN THE AREA AND COMPATIBILITY WITH SURROUNDING PROPERTIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST AT ITS NOVEMBER 7, 2013, MEETING BY A VOTE OF 7 TO 0. THE MOTION INCLUDED APPROVAL OF THE REQUESTED WAIVER

Proof of publication for PUD 2013-07, Chasewood PUD, was received, having been published in *The St. Augustine Record* on January 20, 2014.

Discussion of this item occurred with Item 6.

(11:37 a.m.) **Motion by Morris, seconded by Sanchez, carried 5/0, to enact Ordinance 2014-6, known as PUD 2013-07, adopting findings of fact 1 through 8 to support the motion, conditioned and subject to approval of VACPLA 2013-02 (vacation of plat), and the applicant agreeing to ensure the granting of a drainage easement to St. Johns County as a substitute for, and a functional equivalent to, the drainage easement depicted in the northeast corner of the plat depicted on map book 10, page 21, and authorizing staff to include this drainage easement requirement in the master development plan text.**

ORDINANCE NO. 2014-6

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM OPEN RURAL (OR)
AND RESIDENTIAL, SINGLE FAMILY (RS-3) TO
PLANNED UNIT DEVELOPMENT (PUD), PROVIDING
FINDINGS OF FACT; PROVIDING A SAVINGS
CLAUSE; REQUIRING RECORDATION; AND
PROVIDING AN EFFECTIVE DATE

The meeting reconvened at 1:30 p.m. with the commissioners, Paolo Soria, Assistant County Attorney, and Deputy Clerk Lenora Newsome present, and the Board addressing Items 10 and 11.

(02/04/14 - 8 - 3:00 p.m.)

District 2

8. PUBLIC HEARING - PUD 2013-04 ENCANTA PUD. REQUEST TO REZONE 433.30 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO DEVELOP UP TO 580 SINGLE FAMILY UNITS AND 90,000 SQUARE FEET OF COMMERCIAL AND/OR OFFICE SPACE. STAFF RECOMMENDS APPROVAL OF THE REQUEST, BASED ON THE PROPOSAL'S CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF RESIDENTIAL-B, CONSISTENCY WITH DEVELOPMENT

TRENDS IN THE AREA AND COMPATIBILITY WITH SURROUNDING PROPERTIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST AT ITS DECEMBER 19, 2013, MEETING BY A VOTE OF 7/0. THE MOTION INCLUDED APPROVAL OF THE REQUESTED WAIVERS AND AN ADDITIONAL RECOMMENDATION THAT EVERY ATTEMPT BE MADE TO PROVIDE INTERCONNECTIVITY WITH WHISPER RIDGE AT THE SOUTHEAST PORTION OF THE SITE

Proof of publication for PUD 2013-04, Encanta PUD, was received, having been published in *The St. Augustine Record* on January 20, 2014.

Chelsea Glenn, Growth Management, gave the presentation and reviewed the application, *Exhibit A*. Commissioners Morris, Sanchez, Bennett, and Stevenson disclosed ex parte communication with various parties, including Karen Taylor, Jesse Killebrew and Kathryn Whittington.

(3:05 p.m.) Karen Taylor, 77 Saragossa St., reviewed the project. She explained that there had been a reduction in the number of units planned from the original application, the design of the entrance, the desire for interconnectivity with Whisper Ridge, *Exhibit B*, the phasing, and community meetings.

(3:16 p.m.) Tom Welch, Connelly & Wicker, 10060 Skinner Lake Dr., Jacksonville, project engineer, discussed the permitting process and the drainage model. Discussion followed on the commercial component of the project, urban sprawl, possible future signalization on State Road 16, and interconnectivity for emergency access with Whisper Ridge. Glenn displayed a map of the Whisper Ridge PUD to illustrate the interconnectivity points, *Exhibit C*.

(3:28 p.m.) Dennis Stewart, 245 Whisper Ridge Dr., spoke in opposition to the project for reasons including the reduction in the commercial development portion from the previous application, possible flooding, traffic and urban sprawl concerns.

(3:32 p.m.) Taylor and Welch addressed Stewart's concerns regarding the commercial development and drainage; discussion ensued on ingress/egress and signalization.

(3:37 p.m.) Suzanne Konchan, Growth Management, suggested continuing this item to allow for modifications to the development agreement and master development plan and to give Fire Rescue time to review the emergency access.

(3:39 p.m.) Jeff Prevatt, Assistant Chief, Fire Rescue, addressed emergency access regulations and the access options for Encanta. He requested that the Board give staff time to review the options and spoke on changes that Fire Rescue will be making to information supplied to applicants on future projects. Discussion ensued on access through the Whisper Ridge community, and access points in general.

(3:48 p.m.) Taylor said they would make the emergency access available, and if Whisper Ridge decided they wanted it, it would be there, *Exhibit D (Whisper Ridge Tract JJ)*. Discussion followed on interconnectivity, continuing the item to address the emergency access issue and development agreement revisions, and working with Whisper Ridge to resolve the access issue. (*Exhibit E, ingress/egress plan, Exhibit F, Encanta location map.*)

(3:59 p.m.) Motion by Morris, seconded by McClure, carried 5/0, to continue this item to a date/time certain of February 18, 2014, at 9:00 a.m.

(02/04/14 - 10 - 3:59 p.m.)

District 2

9. PUBLIC HEARING - PUD 2013-09 ARBOR MILL PUD. REQUEST TO REZONE 144.6 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) FOR A 252 UNIT SINGLE FAMILY DEVELOPMENT. STAFF RECOMMENDS APPROVAL OF THE REQUEST, UPON APPROVAL OF THE THREE WAIVERS, BASED ON THE PROPOSAL'S CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF RESIDENTIAL-B, CONSISTENCY WITH DEVELOPMENT TRENDS IN THE AREA AND COMPATIBILITY WITH SURROUNDING PROPERTIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST AT ITS DECEMBER 19, 2013, MEETING BY A VOTE OF 7 TO 0. THE MOTION INCLUDED APPROVAL OF THE REQUESTED WAIVERS AND A CONDITION TO ADDRESS THE CONCERNS OF A SPECIFIC ADJACENT PROPERTY OWNER

Proof of publication for PUD 2013-09, Arbor Mill PUD, was received, having been published in *The St. Augustine Record* on January 20, 2014.

Chelsea Glenn, Growth Management, gave the presentation and reviewed the application and requested waivers, *Exhibit A*. Commissioners Morris, Bennett, Sanchez, and Stevenson disclosed ex parte with Kathryn Whittington and her client. Stevenson asked for an explanation of the "recreational pond" portion of the application, questioned if there would be a CDD and if the water lines would be extended via the CDD.

(4:07 p.m.) Kathryn Whittington, 75 Fullerwood Dr., representing Clay Investment Fund XIII, reviewed the project, *Exhibit B (MDP map)*. She explained that the lake would be private, and not intended as recreation for the whole project; and that the concerns raised at the community workshop related to drainage and bees.

(4:11 p.m.) Keith Pack, 3030 Hartley Rd., Jacksonville, project engineer, spoke on drainage and flooding, stating there would be no impacts.

(4:13 p.m.) Whittington explained that an adjacent property owner kept bees, so her client agreed to construct an eight foot fence, across 12 lots, to protect the bees, but the Board would need to approve a waiver for the fence height. There was additional discussion regarding digging the lake; including timing, screening and storage. Whittington stated there would be no CDD for this project.

(4:22 p.m.) John Burnham, Growth Manager, said he would like to reserve the right to inspect the pond/borrow pit and roadway. Whittington concurred and explained the possible uses of the agriculture portion of the property.

(4:28 p.m.) Darrell Locklear, Assistant County Administrator, questioned how the pond/borrow pit would be accessed. Whittington explained that access would be on the local road. He recommended having a construction road, as he calculated up to 30,000 loads being hauled over county roads, otherwise. Whittington said her client would commit to repair any damage to the roads. McClure said there were other safety issues to consider besides road damage.

(4:32 p.m.) Commissioner Sanchez left the meeting, due to another commitment.

(4:32 p.m.) Morris suggested asking the applicant if, and when, he intended to dig the pond. Whittington explained that the project was planned for one five-year phase, and her client could make that decision during construction.

(4:35 p.m.) Pat Adams, 6405 County Road 16 A, said she supported the project and asked the Board to support the rezoning. Edward Machek, 6450 County Road 16 A, spoke in support of the project and asked the Board to approve it.

(4:37 p.m.) **Motion by McClure, seconded by Stevenson, carried 4/0 with Sanchez absent, to continue agenda item number 9, to a date/time certain of February 18, 2014, at 9:00 a.m.**

(02/04/14 - 11 - 1:30 p.m.)

District 2

10. PUBLIC HEARING - DEVAGRMOD 2013-05 TURNBULL DEVELOPMENT AGREEMENT MODIFICATIONS. THE TURNBULL DEVELOPMENT AGREEMENT (DEVAGREE 2006-14) WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON AUGUST 21, 2007, TO DEMONSTRATE FINANCIAL FEASIBILITY FOR BOTH THE TURNBULL AND WILDCAT VENTURES COMPREHENSIVE PLAN AMENDMENTS (CPA) FOR THE SUBJECT PROPERTY, AND TO DEMONSTRATE ADEQUATE TRANSPORTATION CAPACITY FOR ISSUANCE OF A FINAL CERTIFICATE OF CONCURRENCY (CONMAJ 2005-40) FOR THE DEVELOPMENT OF 813 SINGLE FAMILY UNITS. THE CONCURRENCY CERTIFICATE IS EXPIRED FOR ALL PUBLIC FACILITIES EXCEPT TRANSPORTATION, WHICH REMAINS IN EFFECT FOR 10 YEARS, CONSISTENT WITH THE TURNBULL DEVELOPMENT AGREEMENT, AND WILL OTHERWISE EXPIRE ON AUGUST 21, 2017. THE REQUEST SEEKS TO TERMINATE THE DEVELOPMENT AGREEMENT BASED ON THE RESULTS OF A NEW APPLICATION FOR CONCURRENCY DETERMINATION (CONMAJ 2013-04) FOR PHASE I OF THE ENCANTA PUD CONSISTING OF 580 SINGLE FAMILY UNITS (ENCANTA PHASE I). THE DEVELOPMENT AGREEMENT IS PROPOSED TO BE REPLACED BY A PROPORTIONATE FAIR SHARE AGREEMENT (PFS AGREE 2013-03) TO MITIGATE TRANSPORTATION IMPACTS, AND FORFEITURE OF ALL TRIPS RESERVED UNDER THE TURNBULL DEVELOPMENT AGREEMENT IN EXCESS OF THE TRIPS REQUIRED FOR ENCANTA PHASE I. TWO PUBLIC HEARINGS ARE REQUIRED TO MODIFY OR TERMINATE A DEVELOPMENT AGREEMENT. THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS. THE SECOND PUBLIC HEARING IS SCHEDULED FOR FEBRUARY 18, 2014

Proof of publication for DEVAGRMOD 2013-05, Turnbull Development Agreement Modifications, was received, having been published in *The St. Augustine Record* on January 20, 2014.

Phong Nguyen, Transportation Development Manager, gave the presentation, *Exhibit A*, and reviewed the background, and current commitments and findings of the property. He announced that the second required public hearing was scheduled for February 18, 2014. (1:37 p.m.) McCormack elaborated that the next hearing on this item was scheduled at 9:00 a.m. on February 18, 2014, in the County Auditorium, located at 500 San Sebastian View.

(1:37 p.m.) Stevenson questioned the concurrency deficiencies and mitigation. Nguyen explained where deficiencies existed, where mitigation was planned, the costs of the interim roadway improvements, \$1.4 million, and where the funds to pay for the improvements would come from: Currently, there was \$150,000 available, this project, and the Arbor Mill PUD, would contribute, leaving a deficit of about \$400,000. Discussion ensued on when fair share funds were collected and expended, relative to State law, using impact fees to fill in the gaps, gaps in the overall transportation system of the county and concurrency approval, investing in a systematic manner in the county's infrastructure, and what development agreements could be used for and how they're enforced.

(2:07 p.m.) Morris clarified that the needed transportation improvement funding would fall short by about \$400,000. He asked if the developers could agree to pay the shortfall and pass the costs on to their buyers. Nguyen said that was possible, but the County could not require it; the developers would have to do it voluntarily. Stevenson commented that that would be enough for a segment improvement, but that the entire road would still be deficient and would require several million dollars to resolve.

(2:15 p.m.) Ellen Whitmer, 1178 Natures Hammock Rd. S., felt that roadway deficiencies should be resolved prior to considering new development. She opposed approval of the modification.

(2:18 p.m.) Dennis Stewart, 245 Whisper Ridge Dr., requested that the Board deny the request to terminate the agreement, citing traffic, and other concerns.

(2:22 p.m.) Kathryn Whittington, 75 Fullerwood Dr., representing CNA Turnbull, LLC, commented that the development agreement approved 813 units; but that the revised plan reduced the number of units to 580. A 90,000 square foot commercial/office component was planned, which was not included in the proposed fair share agreement. The commercial component would pay its own proportionate fair share of \$400,000. She said that their project could not cure all the transportation issues. They worked with staff to calculate their fair share and where those dollars would be spent. She said other sources of revenue were available: She calculated that the impact fees for this project, which would be collected when the certificate of occupancy was issued, would net the County \$2,069,000. She said other pending applications, Ace Hardware, for example, would pay their fair share, and that the County also had ad valorem tax revenues to rely upon. She said her clients would commit to the proportionate fair share payments, regardless of any changes in the law requiring those payments.

(2:32 p.m.) McCormack disagreed with Whittington's assertion that the County was required to accept a proportionate fair share agreement with a developer with an existing development agreement.

(02/04/14 - 12 - 2:36 p.m.)

District 2

11. PUBLIC HEARING - DEVAGRMOD 2013-06 MILL CREEK DEVELOPMENT AGREEMENT MODIFICATIONS. THE MILL CREEK DEVELOPMENT AGREEMENT (AGREEMENT) WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON MAY 2, 2006, IN SUPPORT OF THE MILL CREEK COMPREHENSIVE PLAN AMENDMENT (CPA). THE AGREEMENT WAS REQUIRED BY STATE STATUTE TO DEMONSTRATE FINANCIAL FEASIBILITY FOR PUBLIC FACILITY DEFICIENCIES IDENTIFIED IN THE CPA REVIEW FOR THE DEVELOPMENT OF 459 SINGLE FAMILY UNITS. THE AGREEMENT PROVIDED NO ASSURANCE OF CONCURRENCY AND INCLUDED PROVISIONS FOR THE DEVELOPER TO PARTICIPATE IN A SCHOOL CONCURRENCY SYSTEM, PROPORTIONATE FAIR SHARE PROGRAM, AND UTILITY AGREEMENTS WITH THE ST. JOHNS COUNTY UTILITY DEPARTMENT IF ADOPTED AFTER THE AGREEMENT WAS APPROVED. THE REQUEST SEEKS TO TERMINATE THE DEVELOPMENT AGREEMENT BASED ON THE RECENTLY COMPLETED REVIEW OF THE APPLICATION FOR CONCURRENCY DETERMINATION (CONMAJ 2013-01) FOR THE ARBOR MILL PUD, CONSISTING OF 252 SINGLE FAMILY UNITS, TO BE REPLACED BY A PROPORTIONATE FAIR SHARE AGREEMENT (PFS AGREE 2013-03) TO MITIGATE TRANSPORTATION IMPACTS. TWO PUBLIC HEARINGS ARE REQUIRED TO MODIFY OR TERMINATE A DEVELOPMENT AGREEMENT. THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS. THE SECOND PUBLIC HEARING IS SCHEDULED FOR FEBRUARY 18, 2014

Proof of publication for DEVAGRMOD 2013-06, Mill Creek Development Agreement Modifications, was received, having been published in *The St. Augustine Record* on January 20, 2014.

Ellen Whitmer, 1178 Natures Hammock Rd. S., spoke on “reverter” clauses in development agreements.

(2:38 p.m.) Phong Nguyen, Transportation Manager, gave the presentation, *Exhibit A*, reviewed the details of the request, and announced that the second required public hearing was scheduled for February 18, 2014, at 9:00 a.m., in the County Auditorium, located at 500 San Sebastian View.

(2:43 p.m.) Kathryn Whittington, 75 Fullerwood Dr., representing Clay Investment Fund XIII, LLC, stated that there was a 45% reduction in the number of units being proposed, and that the utility plan had been updated and improved. She said road impact fees from this project would net the County \$854,599, with a total net amount of \$2.8 million overall from impact fees.

The meeting recessed at 2:47 p.m. and reconvened at 3:00 p.m., with the Board addressing Item 8.

(02/04/14 - 13 - 4:38 p.m.)

District 3

12. PUBLIC HEARING - COMPAMD 2013-04 VALENCIA APARTMENTS. THIS IS A TRANSMITTAL HEARING FOR COMPREHENSIVE PLAN AMENDMENT, KNOWN AS VALENCIA APARTMENTS. THE AMENDMENT PROPOSES TO CHANGE THE FUTURE LAND USE FROM RESIDENTIAL C TO RESIDENTIAL D FOR APPROXIMATELY 31.57 ACRES AND A TEXT AMENDMENT TO LIMIT THE DENSITY TO 10 UNITS PER ACRE, OR NOT TO EXCEED 288 MULTIFAMILY UNITS. THE PROPERTY IS LOCATED ON EAST WATSON ROAD ON U.S. 1 SOUTH, NORTH OF THE SHORES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL TO TRANSMIT COMPAMD 2013-04 BY A UNANIMOUS VOTE OF 7-0 AT THE DECEMBER 19, 2013, MEETING

Proof of publication for COMPAMD 2013-04, Valencia Apartments, was received, having been published in *The St. Augustine Record* on December 4, 2013.

Georgia Katz, Senior Planner, Growth Management, gave the presentation, *Exhibit A*. She explained that this was a transmittal hearing, and outlined the requested amendment and the surrounding uses. She said that one written comment in opposition to the increase in density had been received, *Exhibit B*.

(4:45 p.m.) Chris Shee, applicant, reviewed the proposed project and the location and MDP maps, *Exhibit C*. He outlined some features of the project/buildings, ingress/egress points, emergency access, and said the rent would be market rate. Discussion ensued on concurrency along US 1 and pedestrian and bicycle access to the surrounding shopping areas.

(4:55 p.m.) Motion by McClure, seconded by Bennett, carried 4/0 with Sanchez absent, to transmit COMPAMD 2013-04, adopting findings of fact 1 through 3 to support the motion.

David Migut, Assistant County Attorney, entered the meeting.

(02/04/14 - 14 - 11:41 a.m.)

13. CONSIDER REQUEST FOR ADDITIONAL STAFFING DUE TO CONTINUED INCREASE IN PLAN REVIEWS, PERMITTING, AND INSPECTIONS BY THE BUILDING SERVICES DEPARTMENT (OVER 50% PROJECTED INCREASE FROM FY 2012)

Howard White, Director of Building Services, gave an overview of the request for increased staffing, *Exhibit A*, highlighting the increases in permitting activity in all areas of the Building Services Division. Discussion followed on how the department was funded.

(11:56 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. S., commented on increased costs to taxpayers. BJ Kalaidi, 8 Newcomb St., addressed funding the department. Dennis Stewart, 245 Whisper Ridge Dr., spoke in favor of the item.

(12:01 p.m.) **Motion by Sanchez, seconded by Bennett, carried 5/0, to approve eight additional staff positions and transfer \$338,817 from Building Services Fund Reserves to the associated salary, benefits, and ancillary equipment lines related to these positions.** Discussion ensued on organizational stress due to understaffing.

(02/04/14 - 14 - 4:56 p.m.)

14. MEDIATION SETTLEMENT AGREEMENT BETWEEN CITY OF ST. AUGUSTINE BEACH AND ST. JOHNS COUNTY CONCERNING SOLID WASTE COST AND FEES

McCormack reviewed the settlement agreement and advised the Board that the City of St. Augustine Beach approved the agreement at a meeting held the evening before.

(4:58 p.m.) **Motion by Bennett, seconded by Morris, carried 4/0 with Sanchez absent, to approve the Mediated Settlement Agreement between St. Johns County and City of St. Augustine Beach; and to request a transfer of funds in the amount of \$34,500 from Solid Waste to the General Fund for payment of the settlement.**

(02/04/14 - 14 - 4:59 p.m.)

COMMISSIONERS' REPORTS

Commissioner Stevenson:

Stevenson spoke about correspondence received from Henry Manford, on behalf of the Oldest City Detachment No. 383 Marine Corp Leagues of St. Augustine, Florida, who were the group that handled the Marines' Toys for Tots program. She explained that the group was looking for storage space for their program. She noted that staff found some modest space for their use and asked the Board for consensus to support their use of the space. *Consensus was given by the Board.*

She voiced appreciation to the Board for their serious undertaking of the discussion on the county's infrastructure.

She mentioned hit and run accidents in the county and said the Legislature had introduced the Aaron Cowen Statute, which would include stiffer penalties. She asked the Board for a letter of support of the proposed legislation. *Consensus was given to draft a letter of support of the legislation from the Board.*

She said that the St. Johns River Alliance meeting would be held in Deland on February 10, 2014.

She asked that the agenda not be renumbered, but to add a letter to the existing agenda number for added agenda items, ie: 1A, 2A, etc.

(5:04 p.m.) Commissioner Bennett:

Bennett noted that the Teacher of the Year celebration would be held at the Renaissance World Golf Village Resort on February 17, 2014.

She thanked Administration and the City of St. Augustine Beach for the recently held joint meeting, and pointed out that it was the first time both jurisdictions had a joint meeting.

She spoke on the Vilano Beach Town Center and the history of the CRA, which had an annual bond debt of \$879,000, of which the general fund supplemented with \$681,000 annually. She noted that someone was interested in developing, in accordance with the mixed use concept with commercial on bottom and residential on top. She stated that Vilano did not allow the transfer of development rights. She explained that when the overlay was created, the number of units in the area was capped and was done by acreage. She suggested that staff research policy to help the CRA to see whether the units could be transferred within the Vilano Town Center area to help bring development and to eliminate the annual cost to the general fund. *Consensus was given to direct staff to research the issue and bring it back to the Board.* She pointed out that moving units around would not increase the total number of units per acreage. Wanchick noted that staff had received an active development proposal for Vilano.

Bennett provided a roster, of 145 people who were on boards or committees, to the Board. She noted that the document showed the composition of the boards and term expirations for those members. She encouraged the commissioners to familiarize themselves with the roster to help find citizens to serve the community by being appointed to the boards. She asked for consensus for Administration to work with the BCC office to manage the 145 position. *Consensus was given to allow Administration to purchase a computer program that would ease the work involved with those boards.*

(5:13 p.m.) Commissioner McClure:

McClure spoke about Frontier Airlines coming to the St. Augustine airport, and asked that funding requests for 501(c)(3) organizations be placed on the regular agenda for complete transparency.

He mentioned that the County had an agreement at the St. Johns County golf course for maintenance in and around the golf course, which involved only two of the four separate communities, with four separate homeowners associations (HOAs) in the Cypress Lakes development; although all four HOAs shared roads and common grounds. He suggested that the Board attempt a Municipal Service Benefit Unit (MSBU) to ensure that all four HOAs paid the maintenance costs.

Stevenson noted that those requests normally came to the Board from citizens. Discussion ensued regarding a MSBU for Cypress Lakes. Wanchick clarified the MSBU process to the Board. Bennett voiced that she would hesitate to talk about imposing a tax on people who clearly were not interested. Wanchick stated that in order to fairly evaluate the issue staff would need to hear from all four groups.

(5:25 p.m.) Commissioner Morris:

In regards to the mentioned transparency issue on Consent Item 9, Morris stated that the individual involved had talked with all commissioners on the matter at least two weeks prior to the meeting. He voiced that the issue was very transparent and was published on the County's website. He pointed out that each commissioner had the opportunity to pull any item from the consent agenda and place it on the regular agenda for further discussion.

He noted that Frontier Airlines would be a great asset to the community, and stated that the new detox center had recently opened. He suggested that everyone take a tour of the center.

(02/04/14 - 16 - 5:27 p.m.)
COUNTY ADMINISTRATOR'S REPORT

Wanchick advised that the county was beginning to see some economic recovery and noted that the Board's meetings would be lengthy for the next several months.

(02/04/14 - 16 - 5:27 p.m.)
COUNTY ATTORNEY'S REPORT

McCormack stated that the first hearing for the repeal ordinances would be held on February 18, 2014, with a second hearing in March. He noted that the underage drinking and fortune teller ordinances would be before the Board in the near future.

(02/04/14 - 16 - 5:29 p.m.)
CLERK OF COURT'S REPORT

No report.

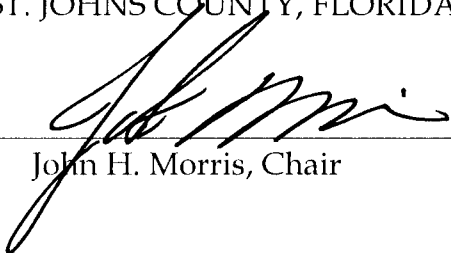
With there being no further business to come before the Board, the meeting adjourned at 5:30 p.m.

REPORTS:

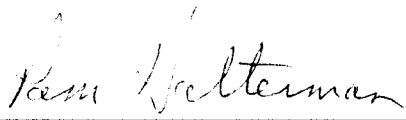
1. St. Johns County Board of County Commissioners Check Register, Check Nos. 503684-503750; Voucher Nos. 15519-15529, totaling \$198,649.75 (01/07/14)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 503988-503991; Voucher Nos. 15581-15591, totaling \$20,096.00 (01/15/14)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 504176-504200, totaling \$86,328.35 (01/23/14)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 503992-504175; Voucher Nos. 15592-15625, totaling \$2,153,672.03 (01/24/14)

Approved March 18, 2014

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
John H. Morris, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

