

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
OCTOBER 21, 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  
Patrick McCormack, County Attorney  
Lenora Newsome, Deputy Clerk

Also present were: Darrell Locklear, Assistant County Administrator and Paolo Soria, Assistant County Attorney.

(10/21/14 - 1 - 9:03 a.m.)  
CALL TO ORDER

Morris called the meeting to order.

(10/21/14 - 1 - 9:04 a.m.)  
ROLL CALL

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

(10/21/14 - 1 - 9:04 a.m.)  
INVOCATION

Pastor Ronnie Warren, Christ the Redeemer Church of St. Augustine, gave the invocation.

(10/21/14 - 1 - 9:04 a.m.)  
PLEDGE OF ALLEGIANCE

Morris led the Pledge of Allegiance.

(10/21/14 - 1 - 9:06 a.m.)  
PROCLAMATION DESIGNATING OCTOBER 21, 2014, AS K-9 BARON DAY

Bennett asked Deputy Sheriff/K-9 Officer Farrah Ashe and any other members of the St. Johns County Sheriff's Office to come to the Dais. She said a few words about Baron and the important contributions K-9 officers made to law enforcement. Melissa Lundquist read the proclamation into the record.

(9:10 a.m.) Farrah Ashe spoke about Baron and his personality.

(10/21/14 - 2 - 9:12 a.m.)

PROCLAMATION DESIGNATING NOVEMBER 2014, AS PANCREATIC CANCER AWARENESS MONTH

Sanchez announced the above proclamation, and it was read into the record.

(10/21/14 - 2 - 9:17 a.m.)

ACCEPTANCE OF PROCLAMATION

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

(10/21/14 - 2 - 9:17 a.m.)

PUBLIC COMMENT

(9:18 a.m.) Ben Rich, 136 Moses Creek Blvd., explained search warrants and how they were served. He said anyone in a government position serving the public, should resign if involved in a criminal act.

(9:24 a.m.) Tom Reynolds, 880 A1A Beach Blvd. #1106, spoke on the Sunshine Bus Company being mismanaged. Bennett responded to Reynolds remarks, and suggested adding a discussion to the next agenda on inviting St. Augustine Beach to contribute towards funding the Sunshine Bus Company.

(9:29 a.m.) Robert Buck, 4101 Bent Tree Circle, spoke on riding bicycles, the different bike routes through St. Johns County, and one of the bike routes being closed. Locklear said that Item 15 on the Consent Agenda was to set a hearing date on vacating Palm Valley Road, and that hearing date was scheduled for November 18, 2014, at 9:00 a.m. Discussion ensued.

(9:35 a.m.) Stacey Rewis, 225 Water Street, Jacksonville, spoke on Consent Item 15, regarding setting a hearing date on the proposed vacation of Palm Valley Road.

(9:36 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke on the West Augustine septic tanks, and voting on the Mayor of St. Augustine.

(10/21/14 - 2 - 9:38 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(10/21/14 - 2 - 9:39 a.m.)

APPROVAL OF CONSENT AGENDA

**Motion by Sanchez, seconded by McClure, 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. 2014-281**, accepting two Easements for Utilities for water service along Adams Acres Road off County Road 214

**RESOLUTION NO. 2014-281**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO EASEMENTS FOR UTILITIES FOR WATER SERVICE TO SERVE THE CITIZENS ALONG ADAMS ACRES ROAD, OFF COUNTY ROAD 214**

4. Motion to adopt **Resolution No. 2014-282**, accepting Grant of Easements from certain property owners to St. Johns County for maintenance of drainage facilities located off Capo Island Road

**RESOLUTION NO. 2014-282**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING GRANT OF EASEMENTS FROM CERTAIN PROPERTIES OWNERS TO ST. JOHNS COUNTY FOR MAINTENANCE OF DRAINAGE FACILITIES LOCATED OFF CAPO ISLAND ROAD**

5. Motion to adopt **Resolution No. 2014-283**, accepting an Easement for Utilities for water and sewer service to Island Villas Condominium on Pope Road

**RESOLUTION NO. 2014-283**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO ISLAND VILLAS CONDOMINIUM ON POPE ROAD**

6. Motion to adopt **Resolution No. 2014-284**, accepting a Bill of Sale and Schedule of Values for the water and sewer lines serving Las Calinas, Parcel 3A, Unit 2, Phase 2B

**RESOLUTION NO. 2014-284**

**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 3A, UNIT 2, PHASE 2B, OFF US 1 NORTH**

7. Motion to adopt **Resolution No. 2014-285**, approving the Special Warranty Deed and accepting property to complete the widening of Race Track Road as provided in the October 7, 2014, Impact Fee Credit Agreement with Winslow Farms, Ltd.

**RESOLUTION NO. 2014-285**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING PROPERTY FOR THE WIDENING OF RACETRACK ROAD AS PROVIDED IN THE BARTRAM**

**PARK IMPACT FEE CREDIT AGREEMENT APPROVED  
ON OCTOBER 7, 2014**

8. Motion to adopt **Resolution No. 2014-286**, approving the terms and authorizing the county administrator, or designee, to execute Contract Agreements with occupants and owners of mobile homes located on County property for security purposes

**RESOLUTION NO. 2014-286**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE CONTRACT AGREEMENTS WITH OCCUPANTS AND OWNERS OF MOBILE HOMES LOCATED ON COUNTY PROPERTY FOR SECURITY PURPOSES**

9. Motion to adopt **Resolution No. 2014-287**, accepting an Easement for Utilities for the water meters to serve the residents of Villas of Casa Bay, and accepting a Bill of Sale conveying all personal property associated with the offsite water and sewer lines

**RESOLUTION NO. 2014-287**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR THE WATER METERS TO SERVE THE RESIDENTS OF VILLAS OF CASA BAY; AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE OFFSITE WATER AND SEWER LINES**

10. Motion to adopt **Resolution No. 2014-288**, approving the final plat for Addison Park at Town Center

**RESOLUTION NO. 2014-288**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR ADDISON PARK AT TOWN CENTER**

11. Motion to adopt **Resolution No. 2014-289**, approving the final plat for Riverwood by Del Webb, Phase 3B, Unit 1

**RESOLUTION NO. 2014-289**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RIVERWOOD BY DEL WEBB, PHASE 3B, UNIT 1**

12. Motion to adopt **Resolution No. 2014-290**, approving the final plat for Riverwood by Del Webb, Phase 3A, Unit 3

**RESOLUTION NO. 2014-290**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RIVERWOOD BY DEL WEBB, PHASE 3A, UNIT 3**

13. Motion to adopt **Resolution No. 2014-291**, approving the final plat for Greenleaf Lakes, Phase 3

**RESOLUTION NO. 2014-291**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR GREENLEAF LAKES, PHASE 3**

14. Motion to adopt **Resolution No. 2014-292**, approving the final plat for Bartram Creek Boulevard

**RESOLUTION NO. 2014-292**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR BARTRAM CREEK BOULEVARD**

15. Motion to adopt **Resolution No. 2014-293**, setting a Public Hearing date of November 18, 2014, at 9:00 a.m. to hear a request for the vacation of a portion of Palm Valley Road

**RESOLUTION NO. 2014-293**

**RESOLVED, THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, IN THE COUNTY AUDITORIUM OF ST. JOHNS COUNTY ADMINISTRATION BUILDING, ON NOVEMBER 18, 2014, AT 9:00 A.M., UPON PETITION OF QUALIFIED LANDOWNERS, WILL CONSIDER THE ADVISABILITY OF EXERCISING THE POWER GRANTED TO IT BY SECTION 336.09, FLORIDA STATUTES 2007, AND DETERMINE WHETHER IT WILL VACATE, ABANDON, DISCONTINUE, AND CLOSE PORTIONS OF CERTAIN STREETS, ALLEYWAYS, OR ROADS DESCRIBED; AND THE NOTICE REQUIRED BY SECTION 336.10, FLORIDA STATUTES 2007, IS HEREBY AUTHORIZED AND DIRECTED TO BE PUBLISHED**

16. Motion to approve the Crescent Key School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2014-06)
17. Motion to adopt **Resolution No. 2014-294**, approving the terms, provisions, conditions, and requirements of a Memorandum of Agreement between the City of Atlantic Beach, Clay County Utility Authority, City of Gainesville, City of Jacksonville Beach, JEA, City of Neptune Beach, Town of Orange Park, and St. Johns County to assess groundwater resource sustainability in Northeast Florida;

and authorizing the county administrator, or his designee to execute on behalf of St. Johns County, any documents associated with this project

**RESOLUTION NO. 2014-294**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A MEMORANDUM OF AGREEMENT BETWEEN CITY OF ATLANTIC BEACH, CLAY COUNTY UTILITY AUTHORITY, CITY OF GAINESVILLE, CITY OF JACKSONVILLE BEACH, JEA, CITY OF NEPTUNE BEACH, TOWN OF ORANGE PARK, AND ST. JOHNS COUNTY TO ASSESS GROUNDWATER RESOURCE SUSTAINABILITY IN NORTHEAST FLORIDA; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE ON BEHALF OF ST. JOHNS COUNTY, ANY DOCUMENTS ASSOCIATED WITH THIS PROJECT**

18. Motion to adopt **Resolution No. 2014-295**, authorizing the county administrator, or his designee, to award Bid No. 14-24R, U.S. 1 and Health Park Boulevard Signal Replacements Re-Bid to J. D. Hinson Electric Contracting Co., Inc., as the lowest responsive, responsible bidder in the amount of \$437,115; and to execute an agreement in substantially the same form and format as attached to bid documents

**RESOLUTION NO. 2014-295**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 14-24R; AND TO EXECUTE AN AGREEMENT FOR U.S. 1 AND HEALTH PARK BOULEVARD SIGNAL REPLACEMENTS RE-BID**

19. Motion to adopt **Resolution No. 2014-296**, authorizing the county administrator, or his designee, to negotiate with and enter into an agreement with the top ranked firm, Alcalde & Fay, for Federal Lobbying Services as provided in RFP 14-85R; and if an agreement cannot be reached, to negotiate and enter into an agreement with the next successively ranked respondent(s) until an agreement is reached

**RESOLUTION NO. 2014-296**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 14-85R; AND TO EXECUTE AGREEMENTS FOR FEDERAL LOBBYING SERVICES**

20. Motion to adopt **Resolution No. 2014-297**, authorizing the county administrator, or his designee, to enter into negotiations with, and if negotiation mechanical and electrical engineering services. If an agreement cannot be reached with one or more of the top four (4) ranked firms, authorization is requested to begin

negotiations with the next ranked respondent and continue until an agreement is reached with four (4) respondents

**RESOLUTION NO. 2014-297**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ NO. 14-97; AND TO EXECUTE AGREEMENTS FOR MECHANICAL AND ELECTRICAL ENGINEERING SERVICES**

21. Motion to approve the transfer of General Fund Reserves in the amount of \$44,187 in order to expend the FY 2014-2105 Federal Election Activities Grant, approved on August 19, 2014
22. Motion to approve the amendment to the Fiscal Year 2015 Utility Services budget as part of the reconciliation process that occurs annually, to ensure compliance with the St. Johns County BCC Administrative Code Section 200, per the attached schedule
23. Motion to approve a transfer of \$20,000 from LETF Reserves (1194-59920) to be used for programs and services provided through Project SOS, an organization which promotes healthy life style choices through counseling, mentorship, and life coaching services
24. Motion to adopt **Resolution No. 2014-298**, approving the terms, conditions, provisions, and requirements for an extension to the Letter of Agreement with Florida Drug Testing, Inc., to provide drug screening and related services (Adult Drug Court); and authorizing the county administrator, or his designee, to execute the Agreement on behalf of the County

**RESOLUTION NO. 2014-298**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF A LETTER OF AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND FLORIDA DRUG TESTING INC., TO PROVIDE DRUG SCREENINGS AND RELATED SERVICES FOR FISCAL YEAR 2015; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE LETTER OF AGREEMENT ON BEHALF OF ST. JOHNS COUNTY; PROVIDING FOR THE CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE**

25. Motion to adopt **Resolution No. 2014-299**, approving the terms, conditions, and requirements of the Business Associate Agreement and Services Agreement between St. Johns County, Florida, and Community Based Care Integrated Health, LLC, for the purpose of coordinating the provision of Medicaid services to children in child welfare, who are eligible Medicaid enrollees; and authorizing the county administrator, or his designee, to execute the Agreements on behalf of the County; and recognizing unanticipated revenue in the Community Based Care Fund in the amount of \$66,000; and appropriating to CBC Administration

**RESOLUTION NO. 2014-299**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A BUSINESS ASSOCIATE AGREEMENT AND A SERVICES AGREEMENT BETWEEN ST. JOHNS COUNTY AND COMMUNITY BASED CARE INTEGRATED HEALTH, LLC. (CBCIH); AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENTS ON BEHALF OF THE COUNTY; AND RECOGNIZING AND APPROPRIATING THE UNANTICIPATED REVENUE IN THE AMOUNT OF \$66,000 IN THE COMMUNITY BASED CARE FUND**

26. Motion to adopt **Resolution No. 2014-300**, approving the terms, conditions, and requirements of Amendment #2 to the Community Based Care contract # NJ206, between St. Johns County, Florida, and the State of Florida, Department of Children and Families; and authorizing the county administrator, or designee, to execute Contract Amendment #2 on behalf of the County. This adds specific provision for human trafficking

**RESOLUTION NO. 2014-300**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE SECOND AMENDMENT TO THE CONTRACT NJ206 BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE DEPARTMENT OF CHILDREN AND FAMILIES**

27. Motion to adopt **Resolution No. 2014-301**, approving the terms, conditions, and requirements of the Agreement between St. Johns County, Florida, and Family Support Services of North Florida, Inc., to provide certain child protection services previously performed by the Department of Children and Families (DCF), including adoption recruitment services in St. Johns and surrounding Counties; authorizing the county administrator, or designee, to execute the Agreement on behalf of the County

**RESOLUTION NO. 2014-301**

**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. JOHNS COUNTY, FLORIDA, AND FAMILY SUPPORT SERVICES OF NORTH FLORIDA, INC.; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

28. Motion to adopt **Resolution No. 2014-302**, approving the terms, conditions, and requirements of the Agreement between St. Johns County, Florida, and Family Support Services of North Florida, Inc., to provide children's welfare services to youth in Duval and Nassau Counties, Florida; authorizing the county administrator, or designee, to execute the Agreement on behalf of the County



RESOLUTION NO. 2014-302

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. JOHNS COUNTY, FLORIDA, AND FAMILY SUPPORT SERVICES OF NORTH FLORIDA, INC.; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

29. Motion to adopt **Resolution No. 2014-303**, approving the Library System's Notary Services policy and procedures. Notary services will be provided to the public for a fee

RESOLUTION NO. 2014-303

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE LIBRARY SYSTEM'S NOTARY SERVICES POLICY; AND PROVIDING AN EFFECTIVE DATE

30. Motion to approve the total earned, unused, and undistributed revenue collected for the 2013-2014 tax year
31. Proofs:
- a. Proof: Request for Bids - BID No. 15-10, Project 25 Communic Analyzer, published September 15, 2014, and September 22, 2014, in *The St. Augustine Record*
  - b. Proof: Notice of Meeting, HHS Evaluation Review Meeting September 29, 2014, published September 25, 2014, in *The St. Augustine Record*
  - c. Proof: Request for Bids - Bid No. 15-05, Lawn Maintenance - Utilities Property, published September 19, 2014, and September 26, 2014, in *The St. Augustine Record*
  - d. Proof: Notice of Meeting, IAFF Negotiation Meeting, Meeting Schedule, published September 26, 2014, in *The St. Augustine Record*
  - e. Proof: Notice of Meeting - TPO Draft Cost Plan - Meeting October 6, 2014, published September 29, 2014, in *The St. Augustine Record*

(10/21/14 - 9 - 9:39 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

McCormack requested that Items 12 and 14 be pulled.

(10/21/14 - 9 - 9:40 a.m.)

APPROVAL OF REGULAR AGENDA

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

(10/21/14 - 9 - 9:41 a.m.)

DISTRICT 4

1. PUBLIC HEARING - NOPC 2014-04, CABALLOS DEL MAR DRI. THE APPLICANT IS SEEKING A NOTICE OF PROPOSED CHANGE TO THE CABALLOS DEL MAR DEVELOPMENT OF REGIONAL IMPACT (DRI) IN ORDER TO COMBINE AND RECONFIGURE SEVERAL VACANT, TOUR-

OWNED PARCELS. THE CABALLOS DEL MAR DRI WAS APPROVED IN JULY 1975 AND CONTAINS APPROXIMATELY 3,670 ACRES OF LAND. THE PORTION OF THE DRI THAT IS SUBJECT TO THE PROPOSED MODIFICATIONS CONSISTS OF APPROXIMATELY 185.5 ACRES OF VACANT LAND. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST AT ITS AUGUST 7, 2014, MEETING

Proof of publication of the notice of public hearing on NOPC 2014-04, Caballos Del Mar, was received, having been published in *The St. Augustine Record* on October 6, 2014.

McCormack recommended that the Board make a motion to continue Item 1 to November 4, 2014, at 9:00 a.m. (9:41 a.m.) **Motion by Sanchez, seconded by Bennett, carried 5/0, to continue Item 1 to November 4, 2014, at 9:00 a.m.**

(10/21/14 - 10 - 9:41 a.m.)

DISTRICT 4

2. PUBLIC HEARING - MAJMOD 2014-10, PGA. THE APPLICANT IS SEEKING A MAJOR MODIFICATION TO THE PLAYERS CLUB PUD IN ORDER TO COMBINE AND RECONFIGURE SEVERAL VACANT, TOUR-OWNED PARCELS. IN ADDITION TO MODIFYING THE MASTER DEVELOPMENT PLAN MAP, THE APPLICANT IS SEEKING WAIVERS TO VARIOUS PROVISIONS OF THE LAND DEVELOPMENT CODE. THE PALM VALLEY ARCHITECTURAL REVIEW COMMITTEE RECOMMENDED APPROVAL OF THE REQUEST WITH ONE SUGGESTED CONDITION AT ITS JULY 23, 2014, MEETING. FURTHER, THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL AT ITS AUGUST 7, 2014, MEETING

Proof of publication of the notice of public hearing on MAJMOD 2014-10, PGA Tour, was received, having been published in *The St. Augustine Record* on October 6, 2014.

McCormack recommended the same motion as Item 1. (9:41 a.m.) **Motion by Bennett, seconded by Sanchez, carried 5/0, to continue Item 2 to November 4, 2014, at 9:00 a.m.**

(10/21/14 - 10 - 9:41 a.m.)

DISTRICT 1

3. PUBLIC HEARING - CDD 2014-01, TROUT CREEK - COMMUNITY DEVELOPMENT DISTRICT (CDD). THE TROUT CREEK COMMUNITY DEVELOPMENT DISTRICT (CDD) PETITION IS A TOTAL OF 997 ACRES. THIS CDD IS NOT CONTERMINOUS WITH THE ASHFORD MILLS DRI PROJECT BOUNDARY AREA, CONTAINING A TOTAL OF 1,521 ACRES. THE MAJORITY OF THE LAND LEFT OUT OF THE TROUT CREEK CDD BOUNDARY IS DESIGNATED AS WETLANDS WITHIN THE ASHFORD MILLS DRI. THE ASHFORD MILLS DRI WAS APPROVED FOR 2,633 DWELLING UNITS; 250,000 SQUARE FEET RETAIL; 30,000 SQUARE FEET GENERAL OFFICE; 37 ACRES OF PARKS; AND APPROXIMATELY 26.8 ACRES FOR A K-8 SCHOOL SITE. THE TROUT CREEK CDD PROPOSES TO PROVIDE INFRASTRUCTURE IMPROVEMENTS INCLUDING, MASTER STORMWATER SYSTEM, WATER AND SEWER SYSTEM, ROADWAY IMPROVEMENTS, MASTER UTILITIES (ELECTRICAL), RECREATION IMPROVEMENTS, LANDSCAPING, AND HARDSCAPE IMPROVEMENTS. IN ADDITION THE CDD REQUESTS ADDITIONAL RECREATION AND SECURITY POWERS PURSUANT TO FLORIDA STATUTES 190.012 (2)

Proof of publication of the notice of public hearing on Trout Creek CDD, was received, having been published in *The St. Augustine Record* on October 14, 2014.

Teresa Bishop, AICP, Planning Division Manager, gave a presentation. She said this CDD petition incorporated 997 acres of the Ashford Mills DRI, which was approved for

2,633 dwelling units, consisting of 1,919 single family units, 714 Townhome units, 250,000 square feet of retail, 30,000 square feet of general office space, approximately 37 acres of parks and 28.8 acres of school site. She said the property was located off of CR 210 South, down to SR 16a. She presented letters of opposition, *Exhibit A*.

(9:45 a.m.) Bennett disclosed ex parte communication with the representative from Hopping, Green and Sam, to get general information.

(9:45 a.m.) Jonathan Johnson, with Hopping, Green and Sam, gave a PowerPoint presentation. He reviewed the background history on Districts and CDDs, and spoke on the special powers of the Districts. He said they were amending Exhibit 7; that all roadways would be maintained by the CDD, and they did not plan to dedicate any of those roadways to the County. He spoke on special powers, not taking any action that was inconsistent with any of the County's regulations, ordinances, or comp. plans, and not issuing any debt that was a burden on the County. He said there were benefits to the County, developers, and residents, and protections for the County. He reviewed the disclosure to prospective buyer, the process for establishment, supporting evidence, and stated that all the documents presented today would be included in the packet. Discussion ensued on concerns regarding the amount of road miles that needed maintaining, CDD building structures, and recreation.

(10:04 a.m.) Tom Reynolds, 880 A1A Beach Blvd. #1106, mentioned the security issue.

(10:05 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, spoke on infrastructure.

(10:06 a.m.) Johnson addressed the security issue, bond faults, and CDD assessments. Discussion ensued.

(10:10 a.m.) **Motion by Stevenson, seconded by Bennett, carried 5/0, to enact Ordinance No. 2014-44, approving the petition for Trout Creek Community Development District (CDD), adopting findings of fact 1-3 to support the motion. McCormack asked about amending Exhibit 7 to strike /County from the line Master Stormwater System and the roadway improvement, and Stevenson mentioned adding, including the amendment to make the maintenance of the roadways and Stormwater System the CDD's obligation; both the maker and second accepted it.**

#### ORDINANCE NO. 2014-44

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING THE TROUT CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2014); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

(10/21/14 - 11 - 10:12 a.m.)

DISTRICT 1

4. PUBLIC HEARING - MAJMOD 2014-03, DURBIN CROSSING PUD. THE APPLICANT IS REQUESTING TO ADD ONE RIGHT-IN ACCESS POINT ONTO ST. JOHNS PARKWAY, ONE RIGHT-IN AND RIGHT-OUT ACCESS

POINT ONTO LONGLEAF PINE PARKWAY, AND PROVIDE A DRIVEWAY ACROSS THE POWERLINE EASEMENT FOR CONNECTION OF VILLAGE CENTER. AT THIS TIME, THE CONNECTION POINTS ARE CONCEPTUAL AND REQUIRE COUNTY PERMITTING PRIOR TO CONSTRUCTION. THESE ADDITIONAL DRIVEWAYS PROVIDE FOR BETTER CONNECTIVITY AND TRAFFIC CIRCULATION THROUGHOUT THE TOWN CENTER. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL AT ITS SEPTEMBER 18, 2014, MEETING

Proof of publication of the notice of public hearing on MAJMOD 2014-03, Durbin Crossing PUD, was received, having been published in *The St. Augustine Record* on October 6, 2014.

Teresa Bishop, AICP, Planning Division Manager, gave a PowerPoint presentation. She said this item was a request to modify the Durbin Crossing PUD, which was related to the commercial Village Center, to add one right-in access on the St. Johns Parkway, one right-in and right-out access point onto Longleaf Pine Parkway, and provide a driveway across the powerline easement. She mentioned receiving one letter in opposition, *Exhibit A*.

(10:14 a.m.) Morris, Bennett, and Sanchez, disclosed ex parte communication with Karen Taylor. Stevenson disclosed ex parte communication with Karen Taylor regarding the access to the property and the traffic in the area.

(10:14 a.m.) Karen Taylor, 77 Saragossa Street, reviewed parcels, access to the property, *Exhibit B*, the site plan, connecting two sites, and entering and exiting the site. Taylor said they had a community meeting and only one person voiced concern. Stevenson asked Taylor to point out the power line easement; Taylor responded. Taylor displayed a map regarding a turn lane to access 9B. McClure spoke on the access being close to the intersection and safety issues. Taylor said there would be a dedicated turn lane.

(10:24 a.m.) Don Moses, 180 Heron Landing, mentioned the K-8 School on that corner and asked about having a traffic signal installed. He voiced concern about traffic being tremendous in that area.

(10:26 a.m.) Phong Nguyen, Transportation Development, said the Development Order for Durbin Crossing did not have specific language for signalization at their entrance, however, the traffic primarily was the result of the development within Durbin Crossing and did not negate the requirement to signalize that area, when it's warranted. He said that they would monitor that area and evaluate the section, and when necessary they would discuss it with the developer.

(10:27 a.m.) BJ Kalaidi, 8 Newcomb Street, voiced concern about the traffic signal being discussed later on.

(10:29 a.m.) Morris asked if they could put the traffic signal in as a stipulation. Phong replied yes, it could be a part of the approval process.

(10:30 a.m.) Taylor said her understanding was that the developer anticipated that they would put the traffic signal in, when it was warranted. She said there were only certain times you could put the traffic signal in. McClure spoke on the traffic signal and conditional approval. Discussion ensued on needing elevated crosswalks, installing traffic signals when warranted, and the connection of 9B. McCormack said to consider the installation of a traffic signal a planning level decision, which should have sovereign immunity, in which you could never negate a claim or the theory of a claim. Locklear said it was not the installation of the traffic signal; it's the running of it after being

installed. Taylor asked for a continuance on this item concerning the signal. Discussion ensued on the traffic light signal.

**(10:45 a.m.) Motion by Stevenson, seconded by McClure, carried 5/0, to table agenda item 4 and place it at the end of the agenda.**

*Item 4 moved to the end of the agenda.*

(3:03 p.m.) Subsequently, Karen Taylor, 77 Saragossa Street, noted that the PUD and the development order had no language as to signalization or improvements except the improvements made at the time of the development order. She spoke about the prop share fare paid by the applicant and what it covered. She said the applicant felt they had made their sufficient contributions, and if the signal was a deal breaker he would withdraw his application.

(3:07 p.m.) Bennett requested that Taylor display map H, *Exhibit A*, and clarified that the property was already zoned commercial and the purpose of the item was for the entrances to the area. She said the traffic light would be addressed at a later time.

(3:12 p.m.) Discussion ensued on the need for the traffic light and safety for children. Locklear clarified that the application was for zoning not construction and said the light would be considered at construction plan.

(3:26 p.m.) Don Moses, 180 Heron Landing Road, said there was no posted sign on the property about the hearing today and felt that there would be more community participation, if it had.

(3:27 p.m.) Theresa Bishop said to the best of her knowledge the sign was posted. Stevenson talked about the email notification and other connectivity project sources to keep up with in the community.

(3:28 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke about the traffic light.

**(3:31 p.m.) Motion by Stevenson, seconded by Sanchez, carried 4/1, with McClure dissenting, to enact Ordinance No. 2014-49, known as MAJMOD 2014-03, adopting findings of fact 1-6 to support the motion.**

#### **ORDINANCE NO. 2014-49,**

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, APPROVING A MAJOR  
MODIFICATION TO THE DURBIN CROSSING PUD,  
ORDINANCE NO. 2004-07, AS AMENDED, MAKING  
FINDINGS OF FACT; REQUIRING RECORDATION;  
AND PROVIDING FOR AN EFFECTIVE DATE**

The meeting recessed at 10:48 a.m. and reconvened at 10:58 a.m.

(10/21/14 - 13 - 10:58 a.m.)

DISTRICT 1

5. PUBLIC HEARING - COMPAMD 2013-07, JULINGTON LAKES. THIS IS THE ADOPTION HEARING FOR COMPREHENSIVE PLAN AMENDMENT APPLICATION 2013-07, JULINGTON LAKES. THE REQUEST IS TO AMEND THE FUTURE LAND USE MAP DESIGNATION FOR 598 ACRES OF LAND FROM RURAL SILVICULTURE TO RESIDENTIAL-B, AND TO ADD A TEXT AMENDMENT TO LIMIT THE MAXIMUM NUMBER OF RESIDENTIAL UNITS TO 512. THE PROPERTY IS LOCATED ON LONGLEAF PINE PKWY AND WEST OF VETERAN'S PARK. THIS AMENDMENT HAS A

COMPANION APPLICATION (PUD 2013-13) TO REZONE TO PLANNED UNIT DEVELOPMENT. THE BOARD OF COUNTY COMMISSIONERS APPROVED THIS AMENDMENT FOR TRANSMITTAL AT THE MAY 20, 2014, HEARING. THE APPLICANT HAS ACKNOWLEDGED ANY LACK OF SCHOOL CAPACITY WILL BE MITIGATED THROUGH A PROPORTIONATE SHARE AGREEMENT. THE PLANNING AND ZONING AGENCY RECOMMENDED ADOPTION OF THE REQUEST AT THE SEPTEMBER 18, 2014, MEETING, BY A VOTE OF 5 TO 0

Proof of publication of the notice of public hearing on COMPAMD 2013-07, Julington Lakes was received, having been published in *The St. Augustine Record* on September 3, 2014.

Michael Roberson, Senior Planner, gave a PowerPoint presentation. He mentioned that Items 5 & 6 would be presented together. He presented letters of opposition on Item 5, *Exhibit A*. He said the amendment was transmitted on May 20, 2014. He reviewed the NW Sector Community meetings, potential future Emergency Medical Service access points, interconnectivity, and three waivers: 1) to request a 12 inch wide multipurpose path in lieu of the two five foot wide bike lanes within the development, 2) to allow one double face sign or two single faced signs with a maximum of 30 feet in height in an advertising display area of 32 square feet, and 3) relieve up to 10 individual village neighborhood signs in their amenity, providing the maximum advertising display area. He said they recommended approval of the amendment and the Planned Unit Development rezoning. He said there was three findings for the amendment and nine findings for the Planned Unit Development.

(11:08 a.m.) Bennett, Sanchez, and Morris disclosed ex parte communication on Item 6 with the applicants and their agents to discuss the project. Stevenson disclosed ex parte communication on Item 6 with the applicants and their agents on access, need, and connection to the adjacent neighborhood.

(11:09 a.m.) Kathy Whittington, 24 Cathedral Way, Suite 600, representing Toll Brothers, gave a PowerPoint presentation. She presented an aerial map, zoning map, and site plan map showing the project site, etc.

(11:16 a.m.) Bill Shilling, 12740 Grand Day Parkway West, Suite 2350, Kimley, Horn and Associates, spoke on the environmental aspect of the site. He discussed the following items: 1) the Master Development Plan 100 feet between lots, 2) potential access locations, and 3) a minor collector roadway, multi-use path in lieu of the two 5" bike path, and village/neighborhood signs not to exceed 15 feet.

(11:27 a.m.) Greg Netro, Division President for Toll Brothers, Inc., spoke about Toll Brothers being an asset to St. Johns County.

(11:31 a.m.) Bennett asked in terms of mitigation, if it was anticipated that all their wetlands had to go under conservation easements.

(11:33 a.m.) Bennett spoke on having the bike lanes off the roads, and supporting multi-use path; Roberson responded.

(11:35 a.m.) McClure spoke on the technical aspect; Roberson responded. McClure mentioned the property east of the project, with Roberson responding there were concerns, but it was not land locking that property. Paolo mentioned that the property was already land locked and being addressed in court. McClure spoke on timing and pricing pressure; Netro responded. Stevenson mentioned park access, and security concerns. Shilling explained the security.

(11:45 a.m.) Billy Zeits, Assistant Recreation and Parks Director, spoke about the security in the park area. Discussion ensued on park security, having one emergency ingress and egress onto the project, being sure that the roads would not be turned over to the County at a future date, and taking care of the timber in the conservation and buffer areas.

(11:53 a.m.) Ryan Mauch, Environmental Supervisor, spoke on conservation easements. Whittington spoke on low impact development. Stevenson mentioned the two parcels that were boxed in with access problems and roads not being set up for connection; Paolo responded.

(11:58 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, voiced her concerns regarding gated communities.

(12:00 p.m.) Tom Reynolds, 880 A1A Beach Blvd. #1106, said that the project sounded beautiful and he could not wait to see it.

(12:00 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke on emergency vehicle access into and out of the property. Stevenson wanted to make sure that one of the connection points was not going through Veterans Park. Shilling replied there would be no connection going through Veterans Park, unless needed.

(12:03 p.m.) Paolo mentioned there was an additional letter sent this morning having various questions about the property, and regarding the Ordinance they would like to add one more findings of fact to support the motion, making it nine findings of fact. He said there was proposed language to clarify that the roads that Whittington prepared for the Board would remain private. Whittington said that the added language was already listed in the PUD that they would remain private roads, but it said the applicant's *intent* was to provide internal access, and they would change the language to *will*. She said there was other language suggested about the maintenance; and shall be maintained by the developer until conveyed to the Homeowners Association, at which time, maintenance shall become the responsibility of the Homeowners Association. She mentioned that the language was in the PUD text, under Internal Access, in Section H2. Discussion ensued on having one emergency vehicle egress.

(12:06 p.m.) **Motion by Stevenson, seconded by Bennett, carried 5/0, to enact Ordinance No. 2014-45 , known as COMPAMD 2013-07, adopting findings of fact 1-3 to support the motion.**

#### ORDINANCE NO. 2014-45

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 RURAL SILVICULTURE TO RESIDENTIAL B AND ADD A TEXTUAL POLICY LIMITING THE MAXIMUM NUMBER OF UNITS TO 512 FOR APPROXIMATELY 598 ACRES OF LAND LOCATED ON THE NORTH SIDE OF LONGLEAF PINE PARKWAY AND EAST OF VETERANS PARK; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY, AND AN EFFECTIVE DATE

(10/21/14 - 16 -12:07 p.m.)

DISTRICT 1

6. PUBLIC HEARING - PUD 2013-13, JULINGTON LAKES. REQUEST TO REZONE 598 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW UP TO 512 SINGLE-FAMILY UNITS. STAFF RECOMMENDS APPROVAL OF THE REQUEST, UPON APPROVAL OF THE THREE WAIVERS, BASED ON CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF RESIDENTIAL-B, CONSISTENCY WITH DEVELOPMENT TRENDS IN THE AREA AND COMPATIBILITY WITH SURROUNDING PROPERTIES. APPROVAL OF THIS APPLICATION IS CONTINGENT UPON APPROVAL OF THE COMPANION APPLICATION (COMPAMD 2013-07) TO CHANGE THE FUTURE LAND USE FROM RURAL SILVICULTURE TO RESIDENTIAL-B. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST AT ITS SEPTEMBER 18, 2014, MEETING, BY A VOTE OF 5 TO 0. THE MOTION INCLUDED APPROVAL OF THE REQUESTED WAIVERS

Proof of publication of the notice of public hearing on PUD 2013-13, Julington Lake, was received, having been published in *The St. Augustine Record* on September 3, 2014

Item 6 was heard with Item 5.

Michael Roberson, Senior Planner, distributed letters in opposition, *Exhibit A*.

(12:07 p.m.) **Motion by Stevenson, seconded by Bennett, carried 5/0, to enact Ordinance No. 2014-46, known as PUD 2013-13, adopting findings of fact 1-9 to support the motion including a revision specifying that the roads will remain the responsibility, as subscribe by the applicant.**

#### ORDINANCE NO. 2014-46

**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 for lunch at 12:15 pm. and reconvened at 1:20 p.m.

(10/21/14 - 16 - 1:23 p.m.)

DISTRICT 3

7. PUBLIC HEARING - DEVAGRMOD 2014-01, SR 207 CORRIDOR IMPROVEMENT GROUP DEVELOPMENT AGREEMENT MODIFICATION (KEY PARCEL PUD). THE SR 207 CORRIDOR IMPROVEMENT GROUP (CIG) DEVELOPMENT AGREEMENT WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS IN 2006 FOR FOURTEEN PROJECTS COLLECTIVELY KNOWN AS THE SR 207 CORRIDOR IMPROVEMENT GROUP, LLC. THE AGREEMENT MITIGATES FOR CUMULATIVE PROJECT IMPACTS TO THE SR 207, WILDWOOD DRIVE, SR 312, HOLMES BLVD. AND US 1 AREA BY CONSTRUCTING IMPROVEMENTS AT THE SR 312/US 1 INTERSECTION (TOP PRIORITY), AND FUNDING NINE OTHER TRANSPORTATION IMPROVEMENTS TO BE CONSTRUCTED BY THE COUNTY IN PRIORITY ORDER. THE REQUEST FOR MODIFICATION OF THE SR 207 CIG DEVELOPMENT AGREEMENT SEEKS TO REMOVE THE REMAINING TRANSPORTATION MITIGATION AMOUNT FOR THE KEY PARCEL PUD, BASED ON CHANGED CONDITIONS AND EXISTING TRANSPORTATION CAPACITY IN THE PROJECT IMPACT AREA; AND TO



ACKNOWLEDGE THE AMOUNT ALREADY PAID TO BE FULL SATISFACTION OF THE MITIGATION REQUIRED UNDER THE SR 207 CIG DEVELOPMENT AGREEMENT, THUS MAINTAINING THE EXISTING ROAD IMPACT FEE CREDIT OF \$148,742 TWO PUBLIC HEARINGS ARE REQUIRED TO MODIFY A DEVELOPMENT AGREEMENT. THE SECOND PUBLIC HEARING IS SCHEDULED BEFORE THE BCC ON NOVEMBER 4, 2014

Phong Nguyen, Manager Transportation Development Division, requested to give the presentations for Items 7 and 8 before doing public comment. He gave the PowerPoint presentation noting the background, displayed site maps, and gave the status of the required improvements. He noted the changed conditions, the new concurrency application review, and recapped the request summary. He announced the second required hearing would be November 4, 2014, at 9:00 a.m.

(10/21/14 - 17 - 1:30 p.m.)

DISTRICT 3

8. PUBLIC HEARING - DEVAGRMOD 2014-02, SR 207 CORRIDOR IMPROVEMENT GROUP DEVELOPMENT AGREEMENT MODIFICATION (DEERCHASE DRIVE PARCEL PUD). THE SR 207 CORRIDOR IMPROVEMENT GROUP (CIG) DEVELOPMENT AGREEMENT WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS IN 2006 FOR FOURTEEN PROJECTS COLLECTIVELY KNOWN AS THE SR 207 CORRIDOR IMPROVEMENT GROUP, LLC. THE AGREEMENT MITIGATES FOR CUMULATIVE PROJECT IMPACTS TO THE SR 207, WILDWOOD DRIVE, SR 312, HOLMES BLVD. AND US 1 AREA BY CONSTRUCTING IMPROVEMENTS AT THE SR 312/US 1 INTERSECTION (TOP PRIORITY,) AND FUNDING NINE OTHER TRANSPORTATION IMPROVEMENTS TO BE CONSTRUCTED BY THE COUNTY IN PRIORITY ORDER. THE REQUEST FOR MODIFICATION OF THE SR 207 CORRIDOR IMPROVEMENT GROUP DEVELOPMENT AGREEMENT SEEKS TO REMOVE THE REMAINING TRANSPORTATION MITIGATION AMOUNT FOR THE DEERCHASE DRIVE PARCEL PUD BASED ON CHANGED CONDITIONS AND EXISTING TRANSPORTATION CAPACITY IN THE PROJECT IMPACT AREA; AND TO ACKNOWLEDGE THE AMOUNT ALREADY PAID TO BE FULL SATISFACTION OF THE MITIGATION REQUIRED UNDER THE SR 207 CIG DEVELOPMENT AGREEMENT THUS MAINTAINING THE EXISTING ROAD IMPACT FEE CREDIT OF \$148,742 TWO PUBLIC HEARINGS ARE REQUIRED TO MODIFY A DEVELOPMENT AGREEMENT. THE SECOND PUBLIC HEARING IS SCHEDULED BEFORE THE BCC ON NOVEMBER 4, 2014

Phong Nguyen, Manager Transportation Development Division, gave the PowerPoint presentation and announced the second hearing date would be November 4, 2014, at 9:00 a.m.

(1:32 p.m.) Catherine Whittington, 24 Cathedral Place, Ste. 600, spoke about the two projects.

(1:36 p.m.) Nguyen assured that the applications met the requirements for today's mitigation; and said there would be no negative effect on improvements of the Wildwood corridor from US 1 to SR 207.

(10/21/14 - 17 - 1:40 p.m.)

DISTRICT 5

9. PUBLIC HEARING - NOPC 2014-01, ST. AUGUSTINE CENTRE. THIS IS A PROPOSED NOTICE OF PROPOSED CHANGE (NOPC) TO THE ST. AUGUSTINE CENTRE DRI DEVELOPMENT ORDER AND MAP. THE PROPERTY IS LOCATED ON SR 16 EAST OF I-95. THIS REQUEST IS TO ADD A CONVERSION TABLE TO EXCHANGE USES WITHIN THE DRI TO

PROVIDE FLEXIBILITY TO RESPOND TO MARKET DEMANDS; ADD RESIDENTIAL USE TO MAP H AREA H THAT CURRENTLY ALLOWS LIGHT INDUSTRIAL USES AND TO ALLOW UP TO 70 SINGLE FAMILY HOMES; AND, TO ADD HOTEL TO MAP H AREA THAT IS ALLOWED BY PUD TO PROVIDED CONSISTENCY BETWEEN THE MAP AND TEXT. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL BY A UNANIMOUS VOTE OF 5-0 ON SEPTEMBER 18, 2014

Proof of publication of the notice of public hearing on NOPC 2014-01, St. Augustine Centre DRI, was received, having been published in *The St. Augustine Record* on October 6, 2014.

Georgia Katz, Senior Planner, gave the PowerPoint presentation for Items 9 and 10 together. She noted that included were the restated Development Order (DO) and a restated Planned Unit Development (PUD) that included the updated changes. She said the requests were to add a conversion table and to add residential in area H, and noted that there was a gun range adjacent to area H. She said the applicant requested two waivers to the PUD: an additional monument sign at the entry of SR 16 and Outlet Blvd.; and to allow the monument sign to be 170 square feet, not to exceed 17 feet in height.

(1:48 p.m.) Morris noted that this was an ex parte item and Bennett said she met with the applicant and Tom Ingram.

(1:48 p.m.) Discussion ensued on the compatibility with residential next to a firing range.

(1:49 p.m.) Tom Ingram, 50 North Laura Street, Jacksonville, said the zoning for the multi-family units, immediately to the south of the gun range were approved in 2006, and he did not expect the gun range would be in that location much longer, as the land owner was looking at other uses for the property. Ingram noted that through discussion with staff and the county attorney's office, they would be willing to add a condition that the vertical construction of homes would not begin until the gun range was closed. He spoke about the signage at the entryway on SR 16.

(1:53 p.m.) Discussion ensued on the conversion table equation and the signage at SR 16. Ingram displayed a picture of the entrance signs, *Exhibit A*.

(1:59 p.m.) McClure asked about the number of single family homes, and the access to the homes and the Outlet Mall. Ingram referenced a site map to show the access to the area, *Exhibit B*. Discussion ensued.

(2:02 p.m.) Bennett requested Ingram submit *a legible copy of the legal description*, which he agreed. Morris clarified that there would not be any building of homes until the gun range was gone. Discussion ensued on the compatibility issue.

The meeting recessed at 2:12 p.m. and reconvened at 2:20 p.m.

(2:20 p.m.) Paolo offered the language to be inserted into section I.3 of the PUD to read as follows: *prior to, and as a condition of approval of the first of either residential plat or vertical construction, the adjacent firing range shall permanently cease operation.*

(2:21 p.m.) Tommy Ammon, 153 Bear Pin Road, spoke in support of the project and said they were discussing with the owners, possibly relocating the gun range.

(2:23 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of the project and voiced concern that the applicants and attorneys did not know about the gun range.

(2:28 p.m.) Motion by Bennett, seconded by Sanchez, carried 4/1, with McClure dissenting, to approve Resolution No. 2014-304, known as NOPC 2014-01, adopting findings of fact 1-5 to support the motion, with the stipulation that the applicant supply a legibly typed correct copy of the legal description approved by staff.

**RESOLUTION NO. 2014-304**

**ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION NO. 2014-304. AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR ST. AUGUSTINE CENTRE, A DEVELOPMENT OF REGIONAL IMPACT, UNDER CHAPTER 380, FLORIDA STATUTES, AUTHORIZING DEVELOPMENT OF APPROXIMATELY 315 ACRES IN EAST CENTRAL ST. JOHNS COUNTY; ESTABLISHING MITIGATION REQUIREMENTS FOR REGIONAL IMPACTS INCLUDING TRANSPORTATION IMPACTS; PROVIDING DEVELOPMENT PHASING AND BUILDOUT DATES; INCORPORATION CHANGES TO ALLOW FOR LIMITED INCREASES AND DECREASES IN APPROVED ALLOWABLE USES AND TO ALLOW FOR HOTEL AND RESIDENTIAL USES ON CERTAIN UNDEVELOPED PROPERTIES WITHIN THE DRI; ESTABLISHING AN EFFECTIVE DATE**

(10/21/14 - 19 - 1:40 p.m.)

DISTRICT 5

10. PUBLIC HEARING - MAJMOD 2013-14, ST. AUGUSTINE CENTER. THIS IS A PROPOSED MAJOR MODIFICATION TO THE ST. AUGUSTINE CENTRE PUD TEXT AND MAP. THE PROPERTY IS LOCATED ON SR 16 EAST OF I-95. THIS REQUEST IS TO ADD A CONVERSION TABLE TO EXCHANGE USES WITHIN THE DRI TO PROVIDE FLEXIBILITY IN RESPONSE TO MARKET DEMANDS. THE REQUEST ALSO ADDS RESIDENTIAL USE TO MAP H, AREA H THAT CURRENTLY ALLOWS LIGHT INDUSTRIAL AND UP TO 70 SINGLE FAMILY HOMES; AND ADDS HOTEL TO MAP H AREA THAT IS ALLOWED BY PUD TO PROVIDED CONSISTENCY BETWEEN THE MAP AND TEXT. ALSO, TWO WAIVERS, ONE TO ALLOW A THIRD ENTRY SIGN AND THE OTHER TO ALLOW THIS SIGN TO BE 170', AN ADDITIONAL 20 SQUARE FEET BEYOND THE ALLOWED 150 SQUARE FEET. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL BY A VOTE OF 3-2 ON SEPTEMBER 18, 2014

Proof of publication of the notice of public hearing on MAJMOD 2013-14, I-95 and SR 16, was received, having been published in *The St. Augustine Record* on September 3, 2014.

*This item was heard with Item 9.*

(2:29 p.m.) Motion by Bennett, seconded by Sanchez, carried 4/1, with McClure dissenting, to enact Ordinance No. 2014-47, known as MAJMOD 2013-14, including two waivers, adopting findings of fact 1-6 to support the motion, with the stipulation that the applicant submit a legibly typed legal description acceptable to staff and with the insertion of the condition related to the plat as read earlier by the legal counsel.

ORDINANCE NO. 2014-47

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A RESTATED AND MAJOR MODIFICATION TO ST. AUGUSTINE CENTRE PLANNED UNIT DEVELOPMENT, ORDINANCE NUMBER 1997-23, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(10/21/14 - 20 - 2:30 p.m.)

11. PUBLIC HEARING - SECOND HEARING OF ORDINANCE AMENDING ORDINANCE 2011-46, SALE OR SERVICE TO PERSONS UNDER TWENTY-ONE OF ALCOHOLIC BEVERAGES, TO STRENGTHEN PENALTIES AND ENFORCEMENT OF THE ORDINANCE TO MORE EASILY SUSPEND OR REVOKE AN ESTABLISHMENT'S SPECIAL USE PERMIT. ORDINANCE 2011-46, THE ST. JOHNS COUNTY SALE OR SERVICE TO AND/OR THE CONSUMPTION OR ALLOWANCE OF CONSUMPTION BY PERSON UNDER TWENTY-ONE OF ALCOHOLIC BEVERAGES ORDINANCE, PASSED AND ENACTED DECEMBER 20TH, 2011, PROVIDES CERTAIN PENALTIES FOR ESTABLISHMENTS THAT SELL OR SERVE ALCOHOL TO PERSONS UNDER 21. IN ADDITION TO A MONETARY CIVIL FINE AND UP TO THIRTY (30) DAYS IMPRISONMENT FOR CONTINUOUS VIOLATIONS, THE ORDINANCE PERMITS THE COUNTY ADMINISTRATOR TO SUSPEND OR REVOKE THE ESTABLISHMENT'S SPECIAL USE PERMIT OR BUSINESS TAX RECEIPT FOR THE SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES WHEN A CERTAIN NUMBER OF CITATIONS HAVE BEEN ISSUED WITHIN A TWO-YEAR PERIOD AND UPON A FINDING OF WILLFUL AND WANTON CONDUCT SUPPORTING THE CITATIONS. THE OFFICE OF THE COUNTY ATTORNEY WAS DIRECTED TO ADDRESS UNDER-AGED DRINKING CONCERNS. THIS ORDINANCE AMENDS THE ENFORCEMENT AND PENALTIES SECTION OF ORDINANCE 2011-46 IN ORDER TO STRENGTHEN THE ENFORCEMENT OF THE ORDINANCE AND TO MAKE THE ORDINANCE CONSISTENT WITH FLORIDA STATUTES. THE AMENDMENT ELIMINATES THE ABILITY TO REVOKE A BUSINESS LICENSE RECEIPT, ELIMINATES THE LANGUAGE REQUIRING A FINDING OF CONTINUOUS WILLFUL AND WANTON CONDUCT, ALLOWS CONSIDERATION OF VIOLATIONS OF THE STATE LAW REGARDING SALE OR SERVICE OF ALCOHOL TO PERSONS UNDER 21, AND REDUCES FROM THREE (3) TO TWO (2) THE NUMBER OF CITATIONS OR VIOLATIONS WITHIN A TWO-YEAR PERIOD BEFORE SUSPENSION OR REVOCATION OF THE ESTABLISHMENT'S SPECIAL USE PERMIT

Proof of publication of the notice of public hearing on amending Ordinance No. 2011-46, was received, having been published in *The St. Augustine Record* on October 11, 2014.

Paolo Soria, Assistant County Attorney, gave the PowerPoint presentation. He gave a summary of the proposed ordinance.

(2:32 p.m.) Soria explained how the special use permit would be a useful tool and explained that the state beverage license would not be affected.

(2:34 p.m.) Soria noted that on page three of the ordinance, where it says "county administrator and or his designee" they would like to add "his or her designee".

(2:34 p.m.) Tom Reynolds, 880 A1A Beach Blvd., spoke in opposition of the ordinance and the effect of revoking a special use permit. Sanchez explained that this came about

because the State would never hold the owner responsible for their employees selling alcohol to juveniles.

(2:39 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke in support of the ordinance.

(2:40 p.m.) Soria noted that there was a provision in the State Law and in the ordinance for alcohol procured by a fraudulent ID.

(2:40 p.m.) **Motion by Sanchez, seconded by Morris, carried 5/0, to enact Ordinance No. 2014-48.**

#### ORDINANCE NO. 2014-48

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, AMENDING COUNTY ORDINANCE NO. 2011-46, PERTAINING TO STRENGTHENING THE LOCAL ENFORCEMENT METHODS TO ENFORCE THE PROHIBITIONS OF THE SALE OR SERVICE TO AND/OR THE CONSUMPTION OR ALLOWANCE OF CONSUMPTION BY PERSONS UNDER TWENTY-ONE OF ALCOHOLIC BEVERAGES AS DEFINED BY SECTION 561.01, FLORIDA STATUTES, BY PERSONS AND ENTITIES HOLDING A STATE BEVERAGE LICENSE AND/OR A ST. JOHNS COUNTY SPECIAL USE PERMIT; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR THE STRENGTHENING OF ENFORCEMENT AND PENALTIES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

*Item 12 was pulled.*

12. PUBLIC HEARING - FIRST READING OF SECONDHAND DEALERS ORDINANCE. CHAPTER 538, FLORIDA STATUTES REGULATES SECONDHAND DEALERS. PURSUANT TO SECTION 538.17, FLORIDA STATUTES, THE COUNTY MAY ENACT ADDITIONAL REGULATIONS REGARDING SECONDHAND DEALERS. ORDINANCE 1981-16, WHICH IS THE COUNTY'S CURRENT ORDINANCE REGULATING SECONDHAND DEALERS, IS OUT OF DATE AND INCONSISTENT WITH STATE LAW. THIS ORDINANCE HAS BEEN DRAFTED TO REPEAL AND REPLACE ORDINANCE 1981-16. THIS ORDINANCE ESTABLISHES RECORDKEEPING REQUIREMENTS FOR SECONDHAND DEALERS, REQUIRES A MINIMUM HOLDING PERIOD OF 30 DAYS FOR SECONDHAND DEALERS, AND ALLOWS LAW ENFORCEMENT INSPECTION OF SECONDHAND DEALER PREMISES. THE PROPOSED CHANGES WILL UPDATE THE COUNTY'S REGULATIONS TO BE APPLICABLE TO CURRENT TIMES TO HELP PROTECT THE HEALTH, SAFETY, AND WELFARE OF ST. JOHNS COUNTY

(10/21/14 - 21 - 2:41 p.m.)

13. REIMBURSEMENT OF REASONABLE ATTORNEY'S FEES PERTAINING TO FEC COMPLAINT. A COMPLAINT WAS MADE TO THE FLORIDA ELECTIONS COMMISSION PERTAINING TO ALLEGED VIOLATION OF THE FLORIDA ELECTIONS LAW BY A COUNTY OFFICIAL. THE COMPLAINT WAS FULLY REVIEWED BY THE FLORIDA ELECTIONS COMMISSION WHICH CONCLUDED THAT THE COMPLAINT WAS LEGALLY INSUFFICIENT. IN ACCORDANCE WITH FEC PROCEDURES, AN ADDITIONAL TIME PERIOD WAS PROVIDED TO THE COMPLAINANT TO PROVIDE ADDITIONAL MATERIAL TO CORRECT THE INSUFFICIENCY

BUT NONE WAS PROVIDED, AND THE CASE WAS CLOSED. ST. JOHNS COUNTY ORDINANCE 91-12 PROVIDES FOR REIMBURSEMENT OF REASONABLE ATTORNEY'S FEES INCURRED WHEN A ST. JOHNS COUNTY OFFICIAL OR EMPLOYEE SUCCESSFULLY DEFENDS FROM A CIVIL, CRIMINAL, AND/OR ETHICAL INVESTIGATION THAT AROSE OUT OF AND IN CONNECTION WITH THEIR SCOPE OF COUNTY DUTIES, SERVING A PUBLIC PURPOSE. THE TOTAL AMOUNT OF LEGAL FEES FOR THE MATTER WAS \$2,500

Patrick McCormack, County Attorney, gave the presentation for reimbursement of reasonable attorney's fees. He explained that during primary campaign a candidate filed a complaint accusing a commissioner of making false and malicious statements and the reimbursement was for legal fees incurred. Sanchez suggested that if approved that it be researched whether the complainant could be billed for the attorney's fees. McCormack said he would review it to see if there was a mechanism to further reimburse. Bennett spoke about the complaint and the unfairness in the law. McClure offered that Ordinance No. 1991-12 may allow for the recoupment.

(2:50 p.m.) Tom Reynolds, 880 A1A Beach Blvd., spoke in support of billing the complainant. He made mentioned that he didn't think the issue was over.

(2:50 p.m.) Mark Davis, FOP, apologized for being late and offered to answer any questions about Items 9 and 10, if needed.

**(2:55 p.m.) Motion by Stevenson, seconded by Sanchez, to authorize reimbursement for \$2,500 attorney's fees incurred in this matter.**

(2:55 p.m.) Bennett asked the county attorney for his opinion as to whether she should recuse herself from voting on this item and the county attorney suggested that she did.

**(2:55 p.m.) The motion carried 4/0, with Bennett recused.**

*Item 14 was pulled.*

14. GOLF COURSE DEBT REFUNDING AND CHANGE TO SPECIAL REVENUE FUND CLASSIFICATION

(10/21/14 - 22 - 2:56 p.m.)

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

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

**(2:57 p.m.) Motion by McClure, seconded by Sanchez, carried 5/0, to reappoint William Cover Jr. to the Health and Human Services Advisory Council for a full two-year term, scheduled to expire October 21, 2016.**

**(2:57 p.m.) Motion by McClure, seconded by Sanchez, carried 5/0, to reappoint Dr. Mary McCarthy to the Health and Human Services Advisory Council for a full two-year term, scheduled to expire October 21, 2016.**

(2:58 p.m.) The meeting returned to Item 4.

(10/21/14 -22 - 3:32 p.m.)

COMMISSIONERS' REPORTS

Commissioner McClure:

McClure congratulated Ben Coney for receiving the Florida Association of Community Action 2013 Volunteer of the Year Award and also the Division of Forestry for submitting their annual report. He inquired if they needed to respond to what he got in his box on the construction of a dock and it was given to Locklear to check.

(3:33 p.m.) Commissioner Sanchez:

Sanchez thanked the Northeast Florida Regional Planning Council for the plaque he received and requested Stevenson to personally thank them on his behalf. He thanked the people associated with Weed and Seed Program for the lunch they furnished.

Commissioner Bennett:

(3:34 p.m.) Bennett spoke about having legible copies for the agenda books. She spoke about the Friends of the Library and encouraged the public to check them out. She mentioned the Florida Association of Counties newsletter pertaining to the lawsuit regarding Medicaid bills and asked McCormack to give a brief summary. McCormack said in the 2011-2012 time frame, the State did a 10-year reach back to charge counties for Medicaid costs and offered to give a rebate to the counties that accepted the charge without question. He said many counties filed a complaint challenging the constitutionality of the Statute, which St. Johns County was a part; however, St. Johns and two other counties filed their own lawsuit challenging the Medicaid amount at a reduced figure, with an agreement to drop out of the larger suit. Bennett thanked staff for the outcome.

(3:40 p.m.) Bennett thanked Stacey Stanish, Director of Administration Affairs, who met with Florida School for the Deaf and Blind (FSDB), for possible internships and fieldtrips; and Melissa Glasgow for her work bringing Advanced Disposal to the County.

(3:41 p.m.) Bennett passed out a list of relevant ordinances, resolutions, and what initiated setting the boards up, *Exhibit A*, and *requested consensus to direct administration to review the Boards as a whole; and find a template for bylaws and mission statements, to get all the Boards aligned. Consensus was given.* Wanchick requested the opportunity to look at the need for some of the Boards, to see if any could be eliminated.

(3:45 p.m.) Commissioner Stevenson:

Stevenson thanked the members of the public for their attendance. She said she attended Chamber of Commerce Annual Legacy of Leadership Dinner and congratulated Luciano Noir Jones, Chairman of the St. Johns County Chamber of Commerce Board of Directors, and Bill Curtis, Chairman of the Economic Development Council Executive Committee, for their new appointments. She attended the Durbin National meeting on Urban Service Area; and the second Town and Gown meeting. She noted that the State changed the rules on the HOA requirements. She thanked the communications, engineering, and public works departments for their work on the CR 210 communications effort. She inquired about getting some share-the-road signage for the Long Leaf Pine Parkway.

(3:51 p.m.) Commissioner Morris:

Morris referenced letters sent out on the Bureau of Ocean Energy Management (BOEM) regarding 2017-2022 Outer Continental Shelf Oil and Gas Leasing Program, *Exhibit A*. He said he was seeking Board approval to resend the letters to restate St. Johns

County's commission being against the drilling. *Consensus was given for Wanchick to resend the letters.*

(10/21/14 - 24 - 3:56 p.m.)

#### COUNTY ADMINISTRATOR'S REPORT

Wanchick said he had a request from Fire/Rescue, which he supported, to transfer \$50,000 out of General Fund Reserves to purchase decontamination vehicles. Carl Shank, Fire Rescue Chief, explained the chemicals used in the vehicles to do the decontamination.

**(3:56 p.m.) Motion by Sanchez, seconded by Stevenson, carried 5/0, to transfer \$50,000 from the General Fund Reserve; and approve the purchase of decontamination equipment from the sole source provider, Aeroclave, LLC.**

(3:57 p.m.) Wanchick noted that he needed concurrency to appoint Kevin Wiseman as Director of Facilities Maintenance.

**(3:57 p.m.) Motion by Sanchez, seconded by McClure, carried 5/0, to appoint Kevin Wiseman as Director of Facilities Maintenance.**

(3:58 p.m.) Wanchick requested concurrence to send a memo in regards to updating the administrative code to include pay for performance and other changes to the code.

**(3:59 p.m.) Motion by Bennett, seconded by Sanchez, carried 5/0, to send a memo in regards to updating the administrative code to include pay for performance and other changes to the code.**

(4:00 p.m.) Wanchick mentioned that Cameron was recognized as Leader of the Year by the Stewart Marchman-Act.

(10/21/14 - 24 - 4:01 p.m.)

#### COUNTY ATTORNEY'S REPORT

McCormack requested the Board authorization for the Chair to sign an updated letter in support of Tobacco Free St. Johns, *Exhibit A*.

**(4:02 p.m.) Motion by McClure, seconded by Stevenson, carried 5/0, to authorize the Chair to sign an updated letter in support of Tobacco Free St. Johns.**

(10/21/14 - 24 - 4:02 p.m.)

#### CLERK OF COURT'S REPORT

No report.

With there being no further business to come before the Board, the meeting adjourned at 4:03 p.m.

#### REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 512574-512759, totaling \$885,258.28 (09/30/14)
2. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 18379-18438, totaling \$516,384.35 (09/30/14)
3. St. Johns County Board of County Commissioners Check Register, Check No. 512760, totaling \$4,479.23 (09/30/14)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 18439-18450, totaling \$15,555.41 (09/30/14)



5. St. Johns County Board of County Commissioners Check Register, Check Nos. 512791-512802, totaling \$229,692.25 (09/30/14)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 512803-512815, totaling \$41,184.66 (10/02/14)
7. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 18451-18452, totaling \$450 (10/02/14)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 512816-513007, totaling \$758,903.32 (10/07/14)
9. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 18455-18502, totaling \$1,187,527.78 (10/07/14)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 513008-513011, totaling \$161,821.79 (10/09/14)

CORRESPONDENCE:

There was none.

Approved December 16, 2014


BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: \_\_\_\_\_

  
Priscilla L. Bennett, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: \_\_\_\_\_

  
Deputy Clerk

