

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JUNE 16, 2015  
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: Rachael L. Bennett, District 5, Chair  
Jeb Smith, District 2, Vice Chair  
James K. Johns, District 1  
William A. McClure, District 3  
Jay Morris, District 4  
Michael Wanchick, County Administrator  
Patrick McCormack, County Attorney  
Bonnie Putman, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; Jerry Cameron, Assistant County Administrator; Paola Soria, Assistant County Attorney

(06/16/15 - 1 - 9:02 a.m.)  
CALL TO ORDER

Bennett called the meeting to order.

(06/16/15 - 1 - 9:02 a.m.)  
ROLL CALL

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

(06/16/15 - 1 - 9:03 a.m.)  
INVOCATION

Pastor Ron Wilcox from the Center for Spiritual Living gave the invocation.

(06/16/15 - 1 - 9:04 a.m.)  
PLEDGE OF ALLEGIANCE

Bennett led the Pledge of Allegiance.

(06/16/15 - 1 - 9:05 a.m.)  
PROCLAMATION RECOGNIZING THE FLORIDA CHAMBER MUSIC PROJECT

Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation to the record. Bennett presented the proclamation recognizing the Florida Chamber Music Project. Susan Pardue, Artistic Director, spoke and presented an original painting by Kerry McCormick, titled "To the Shore" to the Board.

(06/16/15 - 1 - 9:10 a.m.)  
ACCEPTANCE OF PROCLAMATION

**Motion by Smith, seconded by Johns, carried 5/0 to accept this proclamation.**

(06/16/15 - 2 - 9:11 a.m.)

PUBLIC COMMENT

Cathy Brown, 49 Sylvan Drive, spoke on the need to maintain and preserve the trees during development.

(9:15 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on the rules governing public comment, freedom and the right to vote.

(9:18 a.m.) Bill Rosenstock, 57 White Court, spoke about removing designated free speech areas from county parks and submitted a photograph of the designated free speech area at Pier Park, *Exhibit A*.

(9:22 a.m.) BJ Kalaidi, 8 Newcomb Street, encouraged everyone to ride the Red Trains, and submitted a letter from the City of Saint Augustine City Manager to the County Administrator requesting funds to enhance one of the City's entry corridors, *Exhibit B*.

(06/16/15 - 2 - 9:24 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(06/16/15 - 2 - 9:24 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Motion to adopt **Resolution No. 2015-175**, approving the terms and conditions of a Conditional Use Permit for Phase 1 of the Tillman Ridge Landfill Site between St. Johns County, Florida, and St Augustine R/C Flyers, and authorizing the county administrator, or designee, to execute the Conditional Use Permit on behalf of the County

**RESOLUTION NO. 2015-175**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONDITIONAL USE PERMIT FOR PHASE 1 OF THE TILLMAN RIDGE LANDFILL SITE BETWEEN ST. JOHNS COUNTY, FLORIDA, AND ST AUGUSTINE R/C FLYERS, AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE CONDITIONAL USE PERMIT ON BEHALF OF ST. JOHNS COUNTY**

2. Motion to approve the transfer of \$2,729 from the former HHS Operation Department [0093] to the new HHS Operation Department [0108] to accurately capture costs associated with the operation of the new Health and Human Services Facility for the remainder of Fiscal Year 2015
3. Motion to approve the Bannon Lakes School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2015-07)

4. Motion to approve the Lakes at Mill Creek Plantation School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2015-09)
5. Motion to adopt **Resolution No. 2015-176**, authorizing the county administrator to execute the Impact Fee Credit Agreement with WFC Ashford Mills Owner VII, LLC, for the Ashford Mills DRI (IFA 2015-03), with a total park impact fee credit of \$1,983,820

**RESOLUTION NO. 2015-176**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT WITH WFC ASHFORD MILLS OWNER VII, L.L.C.**

6. Motion to approve the transfer of \$120,000 from the Communication Surcharge Fund Reserve [1503-59927] to upgrade the capability of both the Sheriff's Office and Fire Rescue PSAP's (Public Safety Answering Point) system
7. Motion to adopt **Resolution No. 2015-177**, approving the terms, provisions, conditions, and requirements of an Agreement for a Home Visitation Program (for expectant parents and parents of newborns) between the County and Children's Home Society, Inc., and authorizes the county administrator, or his designee, to execute the Agreement on behalf of the County

**RESOLUTION NO. 2015-177**

**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 CHILDREN'S HOME SOCIETY, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

8. Motion to allow County staff to submit a grant application to the Department of Economic Opportunity seeking funding for a Technical Assistance Grant for the Parks and Recreation Master Plan at no financial cost to the County, and to allow the county administrator to take any necessary actions for processing the grant application
9. Approval of Minutes:
  - May 5, 2015 Regular Meeting
  - May 19, 2015 Regular Meeting
10. Proofs:
  - a. Proof: Notice to Bidders, Bid No. 15-64, published May 6, 2015, and May 13, 2015, in *The St. Augustine Record*
  - b. Proof: Notice of Public Hearing by the St. Johns County Planning and Zoning Agency on May 21, 2015, and Board of County Commissioners on June 16, 2015, on establishment of Ordinance No. 99-51, amending subsection 6.04.04, published on May 21, 2015, in *The St. Augustine Record*

- c. Proof: Notice of Public Hearing by the St. Johns County Planning and Zoning Agency on May 21, 2015, and Board of County Commissioners on June 16, 2015, on establishment of Ordinance No. 99-51, amending subsection 3.07.14, published on May 21, 2015, in *The St. Augustine Record*
- d. Proof: Notice of Tax Impact of Value Adjustment Board, published May 21, 2015, in *The St. Augustine Record*
- e. Proof: Notice of Joint Meeting of the St. Johns County Board of County Commissioners and the St. Augustine City Commission on May 26, 2015, published May 19, 2015, in *The St. Augustine Record*

(06/16/15 - 4 - 9:25 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick explained that the Cash Requirement Report was inadvertently not placed on the Consent Agenda and requested it be added to the Regular Agenda for approval.

(9:26 a.m.) Tom Ingram, representing Cumberland Street, LLC and KG Development, LLC, applicant, requested to defer Item 14 to the August 4 meeting, in order to allow sufficient time for the Item to be heard.

Bennett stated the new date would need to be set.

(9:27 a.m.) Kathryn Wittington, 24 Cathedral Place, Suite 600, representing the Ponte Vedra Preserve, requested that Items 10 and 11 be remanded back to the Ponte Vedra Zoning and Adjustment Board, in order to allow additional time to address new concerns.

**(9:28 a.m.) Motion by Bennett, seconded by Smith, carried 5/0, to remand Items 10 and 11, back to the Ponte Vedra Zoning and Adjustment Board.**

(9:29 a.m.) Soria requested that agenda Item 9 be heard after agenda Item 15 on the Regular Agenda.

(06/16/15 - 4 - 9:29 a.m.)

APPROVAL OF REGULAR AGENDA

**Motion by Morris, seconded by Johns, carried 5/0, to approve the Regular Agenda, as modified.**

(06/16/15 - 4 - 10:26 a.m.)

A1. APPROVAL OF CASH REQUIREMENT REPORT

Bennett submitted the Cash Requirement Report for approval.

**Motion by Bennett, seconded by Morris, carried 5/0, to approve the Cash Report.**

(06/16/15 - 4 - 9:30 a.m.)

1. CONSTITUTIONAL OFFICERS' BUDGET PRESENTATIONS. PRESENTATION OF THE CONSTITUTIONAL OFFICER'S TENTATIVE BUDGETS FOR FISCAL YEAR 2016. UNDER F.S. 129.03(2), ON OR BEFORE JUNE 1 OF EACH YEAR, CONSTITUTIONAL OFFICERS SHALL SUBMIT TO THE BOARD OF COUNTY COMMISSIONERS (BCC) A TENTATIVE BUDGET FOR THEIR RESPECTIVE OFFICES FOR THE ENSUING FISCAL YEAR. SINCE THE TAX COLLECTOR AND PROPERTY APPRAISER ARE FEE-BASED, IT IS NOT REQUIRED FOR THEIR BUDGETS TO BE SUBMITTED TO THE BCC AT THIS TIME. EACH CONSTITUTIONAL OFFICER WILL MAKE A BRIEF ORAL PRESENTATION

TO THE BCC RELATIVE TO THEIR RESPECTIVE TENTATIVE BUDGET. THE TENTATIVE PRESENTATION ORDER WILL BE SUPERVISOR OF ELECTIONS VICKY OAKES, FOLLOWED BY THE CLERK OF COURT CHERYL STRICKLAND, FOLLOWED BY SHERIFF DAVID B. SHOAR

Jesse Dunn, Assistant Director, OMB, gave an overview of the annual budget presentation and introduced the constitutional officers.

Vickie Oakes, Supervisor of Elections, presented her annual budget. She then gave an update of items in the current year budget. Discussion ensued on the Supervisor of Elections' Budget.

(9:38 a.m.) Cheryl Strickland, Clerk of Courts, presented the finance budget and court subsidy budget. She then informed the Board that she would not be asking for an increase in her budget. Discussion ensued on the Clerk of Court's Budget.

(9:45 a.m.) David B. Shoar, Sheriff, presented the SJSO budget, then reviewed some issues the budget would help address: funding mental health programs, cyber-crime, financial exploitation, major crime units, and vehicle rotation; plans to reinstate the step plan for employees, increase training and update equipment; requested an 8.4% budget increase.

Bennett encouraged the public to attend the Citizens Law Enforcement Academy (CLEA). Discussion ensued on the Sherriff's Budget.

(10:21 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, commended the different departments in St. Johns County; believed the police officers should receive a larger salary and spoke on the theft of veterans' money via the Allied Veterans scandal.

Bennett requested McCormack to meet with the Sheriff's department and its attorney about the alleged monies in Seminole County from Allied Veterans scandal, per public comment.

*(Meeting moved to Regular Agenda Item A1)*

(06/16/15 - 5 - 10:26 a.m.)

2. PUBLIC HEARING, CPA (SS) 2015-01, T'S LEARNING CENTER. THIS IS A REQUEST TO AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE MAP FROM RURAL/SILVICULTURE (R/S) TO INTENSIVE COMMERCIAL (IC) FOR APPROXIMATELY 2.37 ACRES OF LAND LOCATED AT 11300 US 1 NORTH. THE SUBJECT PROPERTY IS VACANT AND ZONED COMMERCIAL INTENSIVE (CI). THE APPLICANT IS REQUESTING THE AMENDMENT TO BRING THE FUTURE LAND USE MAP INTO CONFORMITY WITH THE ZONING. THE IC FUTURE LAND USE MAP DESIGNATION IS CONSISTENT WITH THE CI ZONING. THE CI ZONING ALLOWS HIGHWAY COMMERCIAL AND HIGH INTENSITY COMMERCIAL USES WITH LARGE OFFICES, INSTITUTIONAL AND TOURIST-ORIENTED USES AND AT THIS TIME, THE APPLICANT IS PROPOSING A 13,000 SQUARE FOOT DAY CARE CENTER AND 12,000 SQUARE FEET OF RETAIL COMMERCIAL. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, WITH A 7-0 VOTE, AT ITS APRIL 16, 2015, MEETING

Proof of publication of a notice of public hearing for T's Learning Center, was received, having been published in *The St. Augustine Record* on April 1, 2015.

Teresa Bishop, AICP, Planning Division Manager, presented on the details of the amendment to the Comprehensive Plan Future Land Use Map via PowerPoint.

Wyman Duggan, applicant, 1301 Riverplace Boulevard, was available for questions.

**Motion by Morris, seconded by Bennett, carried 5/0, to enact Ordinance No. 2015-38, CPA (SS) 2015-01, T's Learning Center, adopting Findings of Fact 1-3 to support the motion.**

**ORDINANCE NO. 2015-38**

**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 (R/S) TO INTENSIVE COMMERCIAL (IC) ON APPROXIMATELY 2.37 ACRES OF LAND LOCATED AT 11300 US HIGHWAY 1 NORTH; REPEALING AND REPLACING ORDINANCE NO. 2015-35 T'S LEARNING CENTER; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE**

(06/16/15 - 6 - 10:30 a.m.)

3. ANSBACHER LAW, P.A ECONOMIC DEVELOPMENT GRANT AGREEMENT. ON JUNE 2, 2015, THE BOARD APPROVED REQUEST TO DRAFT A GRANT AGREEMENT WITH ANSBACHER LAW, P.A. THE FIRST ANNUAL GRANT PAYMENT WOULD BE ANTICIPATED DURING FY 18, WITH AN ESTIMATED ANNUAL PAYOUT OF \$12,181. THE TOTAL ESTIMATED VALUE OF THE INCENTIVE IS \$24,363

Melissa Glasgow, Director of Economic Development presented the economic development agreement. Discussion ensued on the agreement.

(10:33 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in opposition of this Item.

(10:35 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of this Item.

Discussion ensued between McClure, Morris, and Bennett on the grant agreement.

(10:39 a.m.) **Motion by McClure, seconded by Morris, carried 5/0 to adopt Resolution No. 2015-178, authorizing the county administrator, or his designee, to execute an agreement substantially in the same form as the attached Economic Development Grant Agreement with Ansbacher Law, P.A, on behalf of St. Johns County, as amended.**

**RESOLUTION NO. 2015-178**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH ANSBACHER LAW ON BEHALF OF ST. JOHNS COUNTY; AND PROVIDING FOR THE EFFECT OF RECITALS; PROVIDING FOR THE CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE**

The meeting recessed at 10:40 a.m. and reconvened at 10:51 a.m.

(06/16/15 - 7- 10:51 a.m.)

4. PUBLIC HEARING, REZ 2015-05, MOULTRIE MONTESSORI SCHOOL (ADDITIONAL LAND). THIS IS A PUBLIC HEARING FOR REZ 2015-05, KNOWN AS LOTS 6, 7,8, 25, 26 & ALL OF LOT 27 (EX W 22 FEET), BLOCK 10, SANTA ROSA SUBDIVISION, A REQUEST TO REZONE PROPERTY FROM RESIDENTIAL, SINGLE-FAMILY (RS-3) TO COMMERCIAL GENERAL (CG). THIS ITEM HAS A COMPANION APPLICATION FOR A SPECIAL USE (SUPMAJ 2015-02) FOR A SCHOOL. STAFF SUPPORTS THE REQUEST BASED ON CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF RESIDENTIAL - C AND COMPATIBILITY AS SUPPORT TO THE EXISTING APPROVED USE OF A PRIVATE SCHOOL. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM ON JUNE 4, 2015

Proof of publication of a notice of public hearing for REZ 2015-05, Moultrie Montessori School, was received, having been published in *The St. Augustine Record* on May 20, 2015.

*(Regular Agenda Items 4 and 5 were presented together.)*

Bennett disclosed ex parte communication with the Planning Department regarding the City of St. Augustine utility connections. Johns said he had communication with the project.

Marie Colee, Assistant Program Manager, gave a PowerPoint presentation on the details to rezone the subject property. Discussion ensued on the requested rezoning.

(11:02 a.m.) Rob Matthews, Matthew's Design Group, 7 Waldo Street, clarified the reason for the rezoning was to address safety concerns; being able to add an additional driveway to allow the playground in a different part of the property.

(11:03 a.m.) Jeannie Buskirk, Director of Moultrie Montessori School, stated that the school would accommodate 40 students and provide 5-6 new jobs.

**(11:04 a.m.) Motion by Bennett, seconded by Morris, carried 5/0, to enact Ordinance No. 2015- 39, REZ 2015-05, Moultrie Montessori School, adopting findings of fact 1-4 to support the motion, and including the amended information that was provided.**

#### ORDINANCE NO. 2015-39

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, SINGLE FAMILY (RS-3) TO COMMERCIAL GENERAL (CG); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(06/16/15 - 7 - 10:51 a.m.)

5. PUBLIC HEARING, SUPMAJ 2015-02, MOULTRIE MONTESSORI - ADDITIONAL LAND. REQUEST FOR SPECIAL USE PERMIT TO ALLOW FOR DRIVEWAY, STACKING LANE, GREEN SPACE AND PLAY AREA IN ASSOCIATION WITH AN APPROVED PRIVATE SCHOOL, SPECIFICALLY KNOWN AS LOTS 6, 7, 8, 25, 26 & ALL OF LOT 27 (EX W 22 FEET), BLOCK 10, SANTA ROSA SUBDIVISION. THIS APPLICATION IS COMPANION TO AND CONTINGENT UPON APPROVAL OF REZ 2015-05 MOULTRIE MONTESSORI SCHOOL. STAFF SUPPORTS THE REQUEST BASED ON THE APPLICANT

MEETING ALL REQUIREMENTS OF SECTION 2.03.17 SPECIAL USE CRITERIA AS WELL AS ANY OTHER APPLICABLE LAND DEVELOPMENT CODES, BUILDING CODES AND/OR STATE REGULATIONS ASSOCIATED WITH THE REQUEST AS SUBMITTED. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM ON JUNE 4, 2015

Proof of publication of a notice of public hearing for SUPMAJ 2015-02, Moultrie Montessori School- Additional Land, was received, having been published in *The St. Augustine Record* on May 20, 2015.

*(Item 5 was presented with Item 4.)*

**(11:05 a.m.) Motion by Bennett, seconded by Morris, carried 5/0, to approve SUPMAJ 2015-02, Special Use Permit to allow for driveway, stacking lane, green space and play area in association with an approved Private School, based on the 7 conditions and 8 findings of fact as provided in the staff report, with amendments in the Red Folder.**

(06/16/15 - 8 - 11:05 a.m.)

6. PUBLIC HEARING, NINE MILE GANG DEVELOPMENT AGREEMENT TERMINATION (DEVAGRMOD 2013-03). THE NINE MILE GANG DEVELOPMENT AGREEMENT (DEVAGREE 2009-03) WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON JULY 20, 2010 TO DEMONSTRATE FINANCIAL FEASIBILITY FOR PUBLIC INFRASTRUCTURE FOR THE NINE MILE GANG COMPREHENSIVE PLAN AMENDMENTS (CPA). THE REQUEST SEEKS TO TERMINATE THE AGREEMENT BASED ON THE RESULTS OF THE RECENT APPLICATION FOR CONCURRENCY DETERMINATION (CONMAJ 2014-19) FOR THE REVISED PLAN OF DEVELOPMENT (BANNON LAKES PUD), CONSISTING OF 849 SINGLE FAMILY UNITS, 150 MULTI-FAMILY UNITS, 105,000 SQ. FT. OF RETAIL SPACE AND 15,000 SQ. FT. OF OFFICE SPACE. THE DEVELOPMENT AGREEMENT IS PROPOSED TO BE REPLACED BY A PROPORTIONATE FAIR SHARE AGREEMENT (PFS AGREE 2015-01) TO MITIGATE TRANSPORTATION IMPACTS, A SCHOOL CONCURRENCY PROPORTIONATE SHARE MITIGATION AGREEMENT TO MITIGATE SCHOOL IMPACTS, AND A SEPARATE UTILITY AGREEMENT TO ADDRESS THE UTILITY INFRASTRUCTURE NEEDS. TWO PUBLIC HEARINGS ARE REQUIRED TO MODIFY OR TERMINATE A DEVELOPMENT AGREEMENT. THIS IS THE SECOND OF TWO REQUIRED PUBLIC HEARINGS. THE FIRST PUBLIC HEARING WAS HELD ON JUNE 2, 2015

Proof of publication of a notice of public hearing for NINE MILE GANG DEVELOPMENT AGREEMENT TERMINATION (DEVAGRMOD 2013-03), was received, having been published in *The St. Augustine Record* on May 18, 2015.

*(Regular Agenda Items 6 and 7 were presented together.)*

Phong Nguyen, Transportation Development Manager, gave a PowerPoint presentation on the Nine Mile Gang Development Agreement termination and the Bannon Lakes Proportionate Fair Share Agreement. Discussion ensued regarding the agreements.

Ellen Avery-Smith, 100 Whetstone Place, applicant, was available for questions.

Discussion ensued regarding the speed limit, funding for environmental impacts, and the upkeep and use of the development's parks.



(11:26 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, expressed concern about the future pressures of International Golf Parkway (IGP) and the encroachment of the two-lane scenic area.

(11:27 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on the project cost differences from 2010 to present, referencing a pie chart, *Exhibit A*.

Discussion ensued regarding voluntary offers presented to the County versus demands.

**(11:33 a.m.) Motion by Johns, seconded by Bennett, carried 5/0 to approve DEVAGRMOD 2013-03, Agreement terminating the Nine Mile Gang Development Agreement finding that the request is consistent with Florida Law, the St. Johns County Comprehensive Plan, and Article XI of the Land Development Code**

(06/16/15 - 9 - 11:05 a.m.)

7. BANNON LAKES PROPORTIONATE FAIR SHARE AGREEMENT (PFS AGREE 2015-01). EASTLAND PARTNERSHIP, LLC (DEVELOPER) HAS PROPOSED A PROPORTIONATE FAIR SHARE AGREEMENT (AGREEMENT) TO MITIGATE FOR PROPORTIONATE TRANSPORTATION IMPACTS TO I-95 AND INTERNATIONAL GOLF PARKWAY (IGP) PURSUANT TO SECTION 11.09.04.B OF THE LAND DEVELOPMENT CODE IN ORDER TO MEET TRANSPORTATION CONCURRENCY REQUIREMENTS FOR THE BANNON LAKES PUD. THE PROJECT'S PROPORTIONATE FAIR SHARE IS CALCULATED TO BE \$5,689,509 AS DETAILED IN EXHIBIT B OF THE AGREEMENT. THE AGREEMENT PROVIDES FOR THE DONATION OF A TOTAL OF 6.52 ACRES OF RIGHT-OF-WAY ALONG THE PROJECT FRONTAGE ON IGP AND IN THE CURVE AREA LOCATED EAST OF THE PROJECT. THE SUBJECT RIGHT-OF-WAY IS NEEDED FOR ADDITIONAL 4-LANE WIDENING OF IGP (LINK 74.2) TO THE EAST AND REALIGNMENT OF THE CURVE LOCATED EAST OF BANNON LAKES. THE SUBJECT RIGHT-OF-WAY HAS BEEN VALUED BY APPRAISAL AT \$310,000. THE AGREEMENT REQUIRES DEDICATION OF THE RIGHT-OF-WAY WITHIN 18 MONTHS OF THE APPROVAL OF THE AGREEMENT. IN ADDITION, THE APPLICANT HAS PROPOSED TO WIDEN A PORTION OF IGP FROM 2 TO 4 LANES FROM THE EXISTING 4-LANE EAST TO THE BANNON LAKES ENTRANCE (IGP IMPROVEMENTS). THE PRELIMINARY ENGINEERING COST ESTIMATE IS \$5,700,000 FOR DESIGN, PERMITTING AND CONSTRUCTION. THE AGREEMENT PROVIDES THAT THE CONSTRUCTION OF THE IGP IMPROVEMENTS SHALL COMMENCE WITH APPROVAL OF THE FIRST SUBDIVISION CONSTRUCTION PLAN AND SHALL BE COMPLETE WITHIN TWENTY-FOUR (24) MONTHS OF COMMENCEMENT. ROAD IMPACT FEE CREDIT UP TO THE COMBINED TOTAL OF THE ROW VALUE AND IGP IMPROVEMENT COST, ESTIMATED AT \$6,010,000, IS INCLUDED AS A COMPONENT OF THE AGREEMENT TO BE AWARDED WHEN RIGHT-OF-WAY HAS BEEN DEDICATED AND IMPROVEMENTS COST HAS BEEN BONDED

*(Item 7 was presented with Item 6.)*

**(11:33 a.m.) Motion by Johns, seconded by Bennett, carried 5/0, to approve PFS AGREE 2015-01 and authorize the county administrator, with a copy forwarded to the county attorney, to execute the Bannon Lakes Proportionate Fair Share Agreement, finding that the proposed Agreement is consistent with Section 11.09 of the Land Development Code.**

(06/16/15 - 10 - 11:35 a.m.)

8. PUBLIC HEARING, REZ 2015-06, DOBBS ROAD WAREHOUSE. THIS IS A REQUEST TO REZONE PROPERTY FROM INDUSTRIAL WAREHOUSE WITH CONDITIONS (IW) TO INDUSTRIAL WAREHOUSE (IW) IN ORDER TO REMOVE THE CONDITIONS. STAFF RECOMMENDS APPROVAL OF THE REQUEST BASED ON THE PROPOSAL'S CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF MIXED-USE AND COMPATIBILITY WITH SURROUNDING PROPERTIES. PLEASE REFER TO THE STAFF REPORT FOR ADDITIONAL DETAILS. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM ON MAY 7, 2015, AND UNANIMOUSLY RECOMMENDED APPROVAL

Proof of publication of a notice of public hearing for REZ 2015-06, DOBBS ROAD WAREHOUSE, was received, having been published in *The St. Augustine Record* on June 4, 2015.

Smith and Johns disclosed ex parte communication: general conversation with applicant.

Rebecca Dennis, Growth Management, presented details on rezoning the property via PowerPoint.

Bennett and McClure questioned the details of the Planned Unit Development (PUD).

(11:39 a.m.) Gary Davenport, 5378 4th Street, representing the applicant, answered questions about the rezoning. Davenport stated the applicant had been working on this property for twenty years and the current zoning has caused issues for the tenants; said there is no additional impact on the surrounding neighborhood.

(11:45 a.m.) Thomas Kelly, 161 Kings Trace Drive, President of Kings Trace Home Owners Association (HOA), spoke in opposition; voiced concerns on impacts to the existing development and residents of Kings Trace subdivision.

(11:49 a.m.) Pam Robinson, 300 Mystic Castle Drive, spoke in opposition and encouraged more warehouse restrictions.

Discussion ensued on the existing buildings, previous complaints, and the provision for 24 hour operations.

**(11:54 a.m.) Motion by McClure, seconded by Morris, carried 5/0, to enact Ordinance No. 2015- 40, REZ 2015-06, Dobbs Road Warehouse, adopting findings of fact 1-4 to support the motion.**

#### ORDINANCE NO. 2015-40

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF INDUSTRIAL WAREHOUSE (IW) WITH CONDITIONS TO INDUSTRIAL WAREHOUSE (IW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

The meeting recessed at 11:55 a.m. and reconvened at 12:00 a.m., with Regular Agenda Item 12.

(06/16/15 - 11 - 2:11 p.m.)

9. PUBLIC HEARING, NZVAR 2015-02, CANOPY OAKS. THIS IS A REQUEST FOR A NON-ZONING VARIANCE TO MULTIPLE SECTIONS OF THE LDC AS FOLLOWS: 1) 6.02.01.B.3.A (USE OF AN EASEMENT IN A PLATTED SUBDIVISION), 2) 6.04.07.B.1 (EASEMENTS SERVING MORE THAN TWO RESIDENTIAL DWELLING UNITS SHALL MEET ALL REQUIREMENTS OF 6.04.00 (ROADWAY, DRAINAGE & UTILITIES STANDARDS), 3) 6.04.07.B.2.A-B (EASEMENTS FOR ACCESS SHALL BE A MINIMUM 30 FEET WIDE, WITH A 20-FOOT MINIMUM STABILIZED SURFACE), AND 4) 6.04.07.A.3 (PREVIOUSLY PLATTED ROADWAYS, WHICH HAVE NOT BEEN CONSTRUCTED, ARE SUBJECT TO THE REQUIREMENTS OF 6.04.00.) THE COMPLETE CODE CITATIONS ARE INCLUDED AS ATTACHMENT 4 OF THIS REPORT. THE APPLICANT IS PROPOSING A HABITAT FOR HUMANITY DEVELOPMENT WITHIN THE WEST AUGUSTINE AREA UTILIZING SMALLER LOTS THAT WERE PLATTED MANY YEARS AGO. CONSTRUCTION OF THE ROADWAY TO CURRENT STANDARDS IS THE CATALYST FOR SEVERAL OF THE REQUESTS INCORPORATED WITHIN THIS APPLICATION

Proof of publication of a notice of public hearing for NZVAR 2015-02, Canopy Oaks, was received, having been published in *The St. Augustine Record* on June 1, 2015.

Bennett and Smith disclosed ex parte communication with the applicant and planning staff.

(12:12 p.m.) John Burnham, P.E., Chief Engineer, presented details of NZVAR 2015-02, Canopy Oaks, via PowerPoint. He referenced the site plan map, *Exhibit A*, and explained the access easement for the southern lots. Discussion ensued on paving Broach Street.

(2:18 p.m.) Alia Reimer, Executive Director, Habitat for Humanity, 7 Hopkins Street, presented homeowner qualifications. She also referenced the site plan map, *Exhibit B*, and spoke on roadway maintenance and drainage concerns. Discussion ensued on future projects and allowable uses.

(2:24 p.m.) Greg White, 905 Pearl Street, Chairman of the West Augustine Community Redevelopment Area (CRA) Steering Committee, spoke in support of the proposed non-zoning variance.

(2:26 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of the request and proposed the following questions: 1) Will a fence and barrier be provided to the south of the development to protect the privacy of the four one story homes that abut the development?, 2) Will the sidewalk on Broach Street only be on the south side of the street with the five driveways?, 3) Will the cost for Broach Street improvements be paid from the West Augustine CRA?, 4) Were homeowners on Broach Street paid for the taking of the private road?, and 5) Where were the sewer lines going to be located? She requested that the non-zoning variance be denied or postponed until the July 21, 2015, Board of County Commission (BCC) meeting. Discussion ensued on the dedication of public roads and the screening from single-family to single-family.

(2:30 p.m.) Misha Taylor, 848 Broach Street, spoke on the ownership of Broach Street.

(2:31 p.m.) Marcie Taylor, 848 Broach Street, spoke on the ownership of Broach Street and requested a continuance until the next schedule BCC meeting.

(2:33 p.m.) Discussion ensued on the ownership of Broach Street.

(2:36 p.m.) Ron Rawls, Pastor of the St. Paul African Methodist Episcopal Church, 85 Martin Luther King Avenue, spoke on the ownership of Broach Street.

(2:38 p.m.) Carolyn McNeil-Taylor, spoke on the ownership of Broach Street.

(2:41 p.m.) **Motion by McClure, seconded by Bennett, carried 5/0, to table Regular Agenda Item 9 until after Regular Agenda Item 16.**

(2:42 p.m.) The Board moved to Regular Agenda Item 16.

(2:47 p.m.) Subsequently, **Motion by McClure, seconded by Bennett, carried 5/0, to amend the motion, to table Regular Agenda Item 9 until after Regular Agenda Item 18.**

(2:51 p.m.) Subsequently, the Board continued to table Regular Agenda Item 9.

(3:05 p.m.) Subsequently, McCormack recommended that the Board continue Regular Agenda Item 9 to the July 21, 2015, BCC meeting.

(3:06 p.m.) Subsequently, **Motion by Smith, seconded by Bennett, carried 5/0, to continue Regular Agenda Item 9 to the July 21, 2015, BCC meeting.**

(06/16/15 - 12 - 9:27 a.m.)

10. PUBLIC HEARING, PLNAPPL 2015-1, PONTE VEDRA BEACH PRESERVE (APPEAL TO PVZVAR 2015-02 MAXIMUM FILL VARIANCE).

*During the additions and deletions to the Regular Agenda, Item 10 was pulled from the Regular Agenda and remanded to the Ponte Vedra Zoning and Adjustment Board, at the applicant's request*

(06/16/15 - 12 - 9:27 a.m.)

11. PUBLIC HEARING, PLNAPPL 2015-02, PONTE VEDRA BEACH PRESERVE (APPEAL TO OPSP 2015-01 OPTIONAL PRELIMINARY SUBDIVISION PLAN).

*During the additions and deletions to the Regular Agenda, Item 11 was pulled from the Regular Agenda and remanded to the Ponte Vedra Zoning and Adjustment Board, at the applicant's request*

(06/16/15 - 12 - 12:01 p.m.)

12. PUBLIC HEARING, MAJMOD 2014-17, THE PRESERVE AT ST JOHNS. MAJOR MODIFICATION TO WOODLANDS PUD (AKA CIMARRONE GOLF AND COUNTRY CLUB) TO ALLOW EIGHTY-SIX ADDITIONAL SINGLE-FAMILY RESIDENTIAL DWELLING UNITS ON AN UNDEVELOPED PARCEL. THE PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT IS FUNCTIONALLY INDEPENDENT OF THE EXISTING WOODLANDS PUD, AS THE APPLICANT IS PROVIDING A SEPARATE ACCESS OFF OF CARTWHEEL BAY AVENUE, AS WELL AS INDEPENDENT INFRASTRUCTURE, SUCH AS PARKS, STORM WATER, AND OPEN SPACE

Proof of publication of a notice of public hearing for MAJMOD 2014-17, The Preserve at St. Johns, was received, having been published in *The St. Augustine Record* on May 20, 2015.

Johns recused himself from voting on this item, based on his company Solid Rock Engineering Consultants Incorporated having involvement with the previous owner of the property, and filed Form 8B, Memorandum of Voting Conflict.

Danielle Handy, Senior Planner with Growth Management, presented details on the major modification, via PowerPoint. Discussion ensued.

Karen Taylor, 77 Saragossa Street, agent, stated she was available for questions and gave the reasons why current Cimarrone residents & its HOA wanted this new development to be a stand-alone, then, referred to a series of maps/ chart on total proportionate fair share, *Exhibit A*. Discussion ensued regarding the easement, roadway realignment, density, proportionate fair share, and impact fees.

(12:27 a.m.) Jane West, on behalf of Cimarrone Property Owners Association (POA), reiterated the terms of the agreement with the applicant and that her clients' concerns have been addressed.

(12:30 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, spoke in opposition, due to congestion in the Northwest sector of St. Johns County and maintaining the rural character for the area. Additionally, she stated that this property was in a Jacksonville Electric Authority (JEA) service area.

(12:32 a.m.) Taylor briefly addressed the density, by referencing *Exhibit A*.

Bennett asked if this is denied, could the applicant come back. Soria stated there is a one year re-application time limit deadline.

**(12:35 a.m.) Motion by Bennett, seconded by Morris, carried 3/1, with McClure dissenting and Johns recused, to enact Ordinance No. 2015- 41, MAJMOD 2014-17, The Preserve at St. Johns, based upon six (6) findings of facts and the revised information that was stated at the meeting.**

#### ORDINANCE NO. 2015-41

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE WOODLANDS PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NO. 1987-48, AS AMENDED, PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE**

(06/16/15 - 13 - 12:36 p.m.)

13. PUBLIC HEARING, COMPAMD 2015-01, WARDS CREEK - TRANSMITTAL HEARING. THIS IS A REQUEST TO TRANSMIT A COMPREHENSIVE PLAN AMENDMENT TO AMEND THE FUTURE LAND USE MAP FROM AGRICULTURAL-INTENSIVE TO RESIDENTIAL-B. THE SUBJECT PROPERTY CONTAINS 37.19 ACRES OF LAND AND IS LOCATED OFF CR 16A. THE APPLICANT PROPOSES 67 RESIDENTIAL UNITS. THIS IS THE TRANSMITTAL HEARING TO ALLOW FOR STATE AND REGIONAL AGENCY REVIEW. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL AT ITS JUNE 4, 2015 REGULAR MEETING

Proof of publication of a notice of public hearing for COMPAMD 2015-01, Wards Creek transmittal hearing, was received, having been published in *The St. Augustine Record* on May 20, 2015.

Teresa Bishop, AICP, Planning Division Manager, presented details on the amendment via PowerPoint.

(12:39 a.m.) Doug Burnett, St. Johns Law Group, representing the applicant, 509 Anastasia Boulevard, spoke about the project, including the location of the project, interconnectivity, lot size, traffic concurrency, school concurrency, utilities, a market study, and a community meeting.

Bennett stated that this was just approval for a bigger review by the state.

Discussion ensued.

(12:46 a.m.) Rick Bowers, 3222 Harbor Drive, spoke in opposition to project; said he purchased property two and a half years ago, which is directly across from the project.

Bennett requested he make a list of concerns and submit to county staff.

Discussion ensued on the zoning use and the comprehensive plan amendment.

Doug Burnett displayed a map exhibiting the location of fire hydrants; addressed the distance of the property from a fire station, flood zone, evacuation route, the zone schools, *Exhibit A*.

**(1:06 p.m.) Motion by Bennett, seconded by Morris, carried 4/1, McClure dissenting, to transmit COMPAMD 2015-01, Wards Creek, adopting Findings of Fact 1-3 to support the motion.**

(06/16/15 - 14 - 1:07 p.m.) *(Item 14 was pulled and rescheduled to August 4, 2015.)*

14. PUBLIC HEARING, PUD 2014-06, KING'S GRANT PUD

The meeting recessed at 1:07 p.m. and reconvened at 1:52 p.m., with all five commissioners, Wanchick, Locklear, McCormack, Soria, and Deputy Clerk Natasha McGee present.

(06/16/15 - 14 - 1:53 p.m.)

15. PUBLIC HEARING, LDC AMENDMENTS, WEST AUGUSTINE OVERLAY DISTRICT. THIS IS THE FINAL ADOPTION HEARING IN A THREE PART SERIES TO CONSIDER CHANGES TO ARTICLE III "SPECIAL DISTRICTS" OF THE LAND DEVELOPMENT CODE BY ADDING A NEW PART 3.11.00, WEST AUGUSTINE OVERLAY DISTRICT. THIS AMENDMENT SERIES CREATES A LIMITED COMMERCIAL OVERLAY DISTRICT WITHIN THE BOUNDARIES OF THE WEST AUGUSTINE COMMUNITY REDEVELOPMENT AGENCY BOUNDARIES ALONG W. KING ST., N. VOLUSIA AVENUE, AND NORTH AND SOUTH HOLMES BVLD. THE WEST AUGUSTINE CRA WAS CREATED IN 2001 IN AN EFFORT TO ENCOURAGE ECONOMIC DEVELOPMENT WITHIN THE COMMUNITY. IN 2004, A CITIZENS VISION PLAN WAS COMPLETED KNOWN AS THE "WEST AUGUSTINE BEYOND TOMORROW" REPORT. THIS LAND DEVELOPMENT CODE AMENDMENT IMPLEMENTS THE VISION PLAN BY SUPPORTING THE CREATION OF A HIGHER INTENSITY MIXED-USE COMMUNITY TO CREATE JOBS, AND A RANGE OF HOUSING OPPORTUNITIES, RETAIL, DINING, AND ENTERTAINMENT USES IN A NEIGHBORHOOD CENTER THAT IS COMPACT AND COMPLEMENTARY TO THE SURROUNDING NEIGHBORHOODS. A MAJORITY OF PROPERTIES ALONG THESE CORRIDORS ARE ZONED ONLY FOR RESIDENTIAL USES AND DO NOT PERMIT COMMERCIAL OR MIXED USES EXCEPT BY REZONING TO PLANNED UNIT DEVELOPMENT. THE PROPOSED COMMERCIAL OVERLAY DISTRICT ALLOWS COMMERCIAL AND MIXED USE DEVELOPMENT BY RIGHT ALONG THE WEST KING ST., N. VOLUSIA AVE., CR 214 AND HOLMES BOULEVARD CORRIDORS IN AN EFFORT TO PROMOTE ECONOMIC VITALITY AND INDEPENDENCE

WITHIN THE AREA. ADDITIONALLY, NEW ADDITIONAL USES ARE PROPOSED TO BE IMPLEMENTED WITHIN THE WEST AUGUSTINE OVERLAY DISTRICT. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE NEW OVERLAY BY UNANIMOUS VOTE. THE AGENCY DID RECOMMEND THAT THE ORDINANCE BE AMENDED TO INCREASE THE PERMITTED HEIGHT LIMITS FROM 35' TO 45' TO PROMOTE MIXED USE DEVELOPMENTS. THE AGENCY ALSO RECOMMENDED THAT LANGUAGE BE CLARIFIED TO ENSURE THAT GAS STATIONS CAN BE BUILT ALONG CR 214, ESPECIALLY AT THE FUTURE INTERSECTION OF SR 313. BOTH CHANGES HAVE BEEN INCORPORATED INTO THE ORDINANCE FOR THE BOARD'S CONSIDERATION

Proof of publication of a notice of public hearing for LDC Amendments, West Augustine Overlay District, was received, having been published in *The St. Augustine Record* on June 2, 2015.

Joseph C. Cearley, Special Projects Manager, presented details on the West Augustine Overlay District Land Development Code (LDC) amendments, via PowerPoint. He noted that the Planning and Zoning Agency recommended approval of the request, by a unanimous vote. He also noted that the Agency recommended that the ordinance be amended to increase the permitted height limits from 35' to 45' to promote mixed use developments and that language be clarified to ensure that gas stations could be built along CR 214 and the future intersection of SR 313. Discussion ensued on exemptions to the height requirements and automobile warranted uses (gas stations).

(2:02 p.m.) JoLinda Herring, Florida Memorial University, Board of Trustees, 15800 NW 42<sup>nd</sup> Avenue, Miami, Florida, spoke in support of the request.

(2:03 p.m.) Cynthia Curry, Executive Vice President of Florida Memorial University, 15800 NW 42<sup>nd</sup> Avenue, Miami, Florida, spoke in support of the request.

(2:03 p.m.) McClure questioned West Augustine Neighborhood Commercial (WANC) uses.

(2:04 p.m.) BJ Kalaidi, 8 Newcomb Street, encouraged members of the public to attend meetings pertaining to overlay districts. She spoke on Florida Memorial University not increasing the County's tax base and on amendments to the LDC. She also questioned the benefits to West Augustine residents.

(2:08 p.m.) Herring responded to public comment regarding Florida Memorial University being a non-profit and not increasing the County's tax base.

(2:09 p.m.) McClure questioned the use table regarding alcoholic beverages.

**(2:11 p.m.) Motion by Smith, seconded by Bennett, carried 5/0, to enact Ordinance No. 2015-42, West Augustine Overlay District, amending Article III of the St. Johns County Land Development Code, finding the modifications consistent with Florida Law and the St. Johns County Comprehensive Plan.**

#### ORDINANCE NO. 2015-42

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; AMENDING ARTICLE III OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, ORDINANCE NO. 99-51, AS AMENDED; ENACTING AND ESTABLISHING A LIMITED COMMERCIAL

OVERLAY DISTRICT CONTAINING FINDINGS AND DEVELOPMENT STANDARDS FOR NEW DEVELOPMENT LOCATED WITHIN WEST KING STREET AND NORTH VOLUSIA AVENUE CORRIDORS; CREATING A NEW ARTICLE III PART 3.11.00, WEST AUGUSTINE OVERLAY DISTRICT; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DELINEATION OF THE LIMITED COMMERCIAL OVERLAY DISTRICT; PROVIDING FOR ADDITIONAL PERMITTED USES AND MINIMUM REQUIREMENTS OF THE LIMITED COMMERCIAL OVERLAY DISTRICT; PROVIDING FOR EXEMPTIONS; PROVIDING FOR COMPLIANCE; PROVIDING FOR GENERAL SITE DESIGN, BUFFERS, SETBACKS, PARKING, SIGNAGE, ARCHITECTURAL, LIGHTING AND LANDSCAPING STANDARDS FOR NEW DEVELOPMENT WITHIN THE LIMITED COMMERCIAL OVERLAY DISTRICT; CREATING AN URBAN AGRICULTURE USE AND STANDARDS WITHIN THE OVERLAY; PROVIDING FOR VARIANCES AND APPEALS; PROVIDING FOR ADMINISTRATION; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY AND RELATIONSHIP TO OTHER ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

(2:11 p.m.) The Board moved to Regular Agenda Item 9.

(2:42 p.m.) David Migut, Senior Assistant County Attorney entered the meeting.

(06/16/15 - 16 - 2:42 p.m.)

16. PUBLIC HEARING, SECOND READING AND ENACTMENT OF TREASURE BEACH CANALS SLOW SPEED, MINIMUM WAKE BOATING-RESTRICTED AREA ORDINANCE. THE PROPOSED TREASURE BEACH CANALS SLOW SPEED, MINIMUM WAKE BOATING-RESTRICTED AREA ORDINANCE HAD ITS FIRST READING AT THE MAY 19, 2015, BOARD OF COUNTY COMMISSIONERS MEETING. THIS PUBLIC HEARING IS FOR A SECOND READING AND ENACTMENT OF THE PROPOSED ORDINANCE

Proof of publication of a notice of public hearing for second reading and enactment of Treasure Beach canals' slow speed, minimum wake boating- restricted area ordinance, was received, having been published in *The St. Augustine Record* on June 5, 2015.

David Migut, Senior Assistant County Attorney, presented details of the proposed ordinance.

(2:43 p.m.) John Delaney, 240 Treasure Beach Road, spoke in favor of the proposed ordinance.

(2:46 p.m.) **Motion by McClure, seconded by Bennett, carried 5/0, to enact Ordinance No. 2015-43, the Treasure Beach Canals Slow Speed, and Minimum Wake Boating-Restricted Area Ordinance.**



ORDINANCE NO. 2015-43

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING A SLOW SPEED, MINIMUM WAKE BOATING-RESTRICTED AREA TO REGULATE THE WAKE CREATED BY BOATS, VESSELS AND WATERCRAFT, PROPELLED OR POWERED BY MACHINERY, ON THE TREASURE BEACH CANALS; PROVIDING AN OPERATION STANDARD FOR BOATS, VESSELS, AND WATERCRAFT IN THE SLOW SPEED, MINIMUM WAKE BOATING-RESTRICTED AREA; PROVIDING FINDINGS; PROVIDING DEFINITIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR THE POSTING OF SIGNS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR AUTHORIZATION OF COUNTY OFFICIALS; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(2:47 p.m.) Migut left the meeting and Rebecca Lavie, Assistant County Attorney, entered the meeting.

(06/16/15 - 17 - 2:47 a.m.)

17. CONSIDER AN APPOINTMENT TO THE HEALTH & HUMAN SERVICES ADVISORY COUNCIL. THERE IS CURRENTLY ONE VACANCY ON THE HEALTH & HUMAN SERVICES ADVISORY COUNCIL DUE TO A RESIGNATION. THIS POSITION REQUIRES APPOINTMENT OF A PROFESSIONAL FROM THE DISCIPLINES IN THE HEALTH & HUMAN SERVICES. ATTACHED FOR YOUR REVIEW AND CONSIDERATION ARE FOUR APPLICATIONS (SHANNON NAZWORTH - DIST 5, HOLLY DOUCETTE - DIST. 5, THOMAS NEILSON - DIST 1, AND DR. NORMAN PLOVNICK - DIST. 4) AND A RECOMMENDATION FROM THE HEALTH & HUMAN SERVICES ADVISORY COUNCIL. COUNTY RESOLUTION 2012-344 DESIGNATES MEMBERS SHALL SERVE A TERM OF TWO YEARS. THE MOTION BELOW REFLECTS FILLING THE UNEXPIRED TERM OF 6 MONTHS PLUS AN ADDITIONAL 2-YEAR TERM TO ENSURE THAT MEMBERSHIP REMAINS STAGGERED

Melissa Lundquist, Assistant to the Board of County Commissioners presented details of the vacancy.

**(2:49 p.m.) Motion by Smith, seconded by McClure, carried 5/0, to appoint Shannon Nazworth to the Health and Human Services Advisory Council for the remainder of the unexpired term, scheduled to expire December 6, 2015, plus an additional two-year term, scheduled to expire December 6, 2018.**

(06/16/15 - 17 - 2:50 p.m.)

18. CONSIDER APPOINTMENTS TO THE ARTS, CULTURE, HERITAGE FUNDING PANEL. THERE IS CURRENTLY ONE VACANCY ON THE ARTS, CULTURE, AND HERITAGE FUNDING PANEL DUE TO A RESIGNATION. THIS VACANCY IS FOR AN ALTERNATE MEMBER WITH VOTING PRIVILEGES ONLY IN THE ABSENCE OF ONE OR MORE REGULAR MEMBERS. THIS ALTERNATE MEMBER SHALL BE A RESIDENT OF ST. JOHNS COUNTY WITH DEMONSTRATED INTEREST AND KNOWLEDGE IN TOURISM/CULTURAL DEVELOPMENT AND PROMOTION

Melissa Lundquist, Assistant to the Board of County Commissioners presented details of the vacancy.

**(2:51 p.m.) Motion by Bennett, seconded by Morris, carried 5/0, to appoint Shandra Koler-Studivant to the Arts, Culture, Heritage Funding Panel to complete the unexpired term, scheduled to expire September 6, 2017.**

(2:51 p.m.) Lavie left the meeting and Migut entered the meeting.

*(Items 19, 20, and 21 were presented together.)*

(06/16/15 - 18 - 2:52 p.m.)

19. FAIR HOUSING WORKSHOP. IN CONJUNCTION WITH THE 2014 CDBG 2ND PUBLIC HEARING, A FAIR HOUSING WORKSHOP WILL BE CONDUCTED BY A REPRESENTATIVE FROM FRED FOX AND ASSOCIATES TO PROVIDE FAIR HOUSING EDUCATION FOR THE GENERAL PUBLIC, LOCAL ELECTED OFFICIALS AND PROFESSIONAL INVOLVED IN HOUSING ACTIVITIES

Press Tompkins, County Engineer, introduced Fred Fox, Fred Fox Enterprises, Inc., 221 Treasure Beach Road.

(2:52 p.m.) Fox noted that the Department of Economic Opportunity (DEO) required sign-in sheets for the Fair Housing Workshop and the second required public hearing. He presented details of the Fair Housing Workshop, 2<sup>nd</sup> required public hearing, and the 2014 Community Development Plan, via PowerPoint.

(2:59 p.m.) McClure questioned Fox on the resurfacing cost per linear foot.

(3:00 p.m.) Migut explained that the Town of Hastings would be applying for a CDBG grant regarding the sewer system. He noted that a portion of the sewer system extended into the unincorporated area of St. Johns and required an Interlocal Agreement with the County to apply for funds. He gave a brief overview of the Interlocal Agreement.

**(3:03 p.m.) Subsequently, Motion by Bennett, seconded by McClure, carried 5/0, to direct the Office of the County Attorney to review and protect the County's interest and enters into an interlocal agreement between St. Johns County and the Town of Hastings; and to authorize the county administrator to execute the agreement.**

(06/16/15 - 18 - 2:52 p.m.)

20. PUBLIC HEARING, 2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SECOND PUBLIC HEARING. THE 2014 COMMUNITY DEVELOPMENT BLOCK GRANT REQUIRES TWO PUBLIC HEARINGS PRIOR TO SUBMITTAL OF THE APPLICATION. THE FIRST PUBLIC HEARING WAS HELD ON THE MAY 19, 2015, BCC MEETING. THE FIRST PUBLIC MEETING PROVIDED AN OVERVIEW OF THE GOALS AND OBJECTIVES OF THE CDBG PROGRAM. THIS IS THE 2ND PUBLIC MEETING AND REQUIRES THE COUNTY TO LIST THE SPECIFIC PROJECTS WITHIN THE CDBG PROGRAM. THE COUNTY'S GRANT APPLICATION WILL BE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) UNDER THE NEIGHBORHOOD REVITALIZATION CATEGORY IN THE AMOUNT OF \$750,000 UNDER THE 2014 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM. AS A REQUIREMENT OF THE GRANT, FOR EACH ACTIVITY THAT IS PROPOSED, AT LEAST 70% OF THE FUNDS MUST BENEFIT LOW AND MODERATE INCOME HOUSEHOLDS

Proof of publication of a notice of public hearing for 2014 Community Development Block Grant (CDBG) second public hearing, was received, having been published in *The St. Augustine Record* on June 5, 2015.

Discussion occurred with item 19.

(3:02 p.m.) **Motion by McClure, seconded by Smith, carried 5/0, to adopt Resolution No. 2015-179, authorizing the chair, or designee, to direct staff to submit an application to the Department of Economic Opportunity (DEO) for the 2014 Community Development Block Grant (CDBG) in the amount of \$750,000, and incorporating the changes from Josiah Street, midway between [Francis Street and Whitney Street], to Allen Street.**

#### RESOLUTION NO. 2015-179

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR, OR DESIGNEE, TO DIRECT STAFF TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) FOR THE 2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CYCLE; AUTHORIZING OFFICERS OF THE COUNTY TO DO ALL THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE**

(06/16/15 - 19 - 2:52 p.m.)

21. 2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES PROGRAM COMMUNITY DEVELOPMENT PLAN. THE 2014 COMMUNITY DEVELOPMENT BLOCK GRANT REQUIRES THE COUNTY TO ADOPT A COMMUNITY DEVELOPMENT PLAN. THE OBJECTIVES FOR THE COUNTY'S DEVELOPMENT PLAN ARE: LONG TERM OBJECTIVES: 1. TO IMPROVE THE PHYSICAL ENVIRONMENT OF THE COMMUNITY TO MAKE IT MORE FUNCTIONAL, SAFE, AND EFFICIENT AND TO PRESERVE THE INTEGRITY OF THE NEIGHBORHOOD. 2. TO PROMOTE THE PUBLIC INTEREST. 3. TO INJECT LONG RANGE CONSIDERATIONS INTO THE DETERMINATION OF SHORT RANGE DECISIONS. 4. TO BRING PROFESSIONAL AND TECHNICAL KNOWLEDGE TO BEAR ON ISSUES CONCERNING SOCIAL, ECONOMIC, OR PHYSICAL DEVELOPMENT. 5. TO FACILITATE EFFECTIVE COOPERATION AND COORDINATION BETWEEN ALL CONCERNED WITH COMMUNITY DEVELOPMENT. 6. TO IDENTIFY ALL AVAILABLE RESOURCES FOR MAJOR OPPORTUNITIES AND TO IMPROVE THE WAY OF LIFE FOR ALL IN THE COMMUNITY. SHORT TERM OBJECTIVES: 1. TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE NEIGHBORHOOD REVITALIZATION CATEGORY TO MAKE FLOOD AND DRAINAGE IMPROVEMENTS, SEWER HOOKUPS AND STREET REPAVING IN THE WEST AUGUSTINE AREA OF ST. JOHNS COUNTY. 2. TO EXPLORE OTHER POSSIBLE RESOURCES FOR THE PURPOSE OF IMPROVING THE WAY OF LIFE FOR ALL CITIZEN'S, ESPECIALLY THOSE WHO LIVE IN DETERIORATED HOUSING AND NEIGHBORHOODS

Discussion occurred with item 19.

(3:03 p.m.) **Motion by McClure, seconded by Smith, carried 5/0, to adopt Resolution 2015-180, authorizing the chair, or designee, the implementation of the long term and**

short term objectives of St. Johns County's Community Development Plan for the 2014 [Community Development Block Grant] (CDBG) cycle.

RESOLUTION NO. 2015-180

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR, OR DESIGNEE, TO IMPLEMENT THE LONG TERM AND SHORT TERM OBJECTIVES OF ST. JOHNS COUNTY'S COMMUNITY DEVELOPMENT PLAN AS PART OF THE 2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CYCLE**

(3:07 p.m.) The Board moved to Commissioners' Reports

(06/16/15 - 20 - 6:00 p.m.)

22. TIME CERTAIN, 6:00 P.M., SECOND READING OF THE PROPOSED ONE-CENT INFRASTRUCTURE SALES SURTAX ORDINANCE. ON MAY 19, 2015, THE BOARD OF COUNTY COMMISSIONERS ("BOARD") DIRECTED THE COUNTY ATTORNEY TO PREPARE AN ORDINANCE PROVIDING FOR A COUNTYWIDE PRECINCT REFERENDUM ELECTION REGARDING THE LEVY OF A 1% LOCAL GOVERNMENT INFRASTRUCTURE SALES SURTAX. THE INITIAL DRAFT WAS PRESENTED TO THE BOARD FOR FIRST READING ON JUNE 2, 2015. IN SUM, THE PROPOSED ORDINANCE PROVIDES FOR THE FOLLOWING: (1) LEVY OF A 1% LOCAL GOVERNMENT INFRASTRUCTURE SURTAX UPON ALL AUTHORIZED TAXABLE TRANSACTIONS OCCURRING WITHIN THE COUNTY (SUBJECT TO VOTER APPROVAL); (2) STATUTORY AUTHORIZATION TO LEVY THE SURTAX; (3) A GENERAL DESCRIPTION OF PROJECTS THAT MAY BE FUNDED BY SURTAX REVENUES; (4) CITIZEN REVIEW OF PUBLIC PROJECTS AND SURTAX REVENUE EXPENDITURES; (5) A CALL FOR A COUNTYWIDE SPECIAL ELECTION ON NOVEMBER 3, 2015, SEEKING VOTER APPROVAL OF IMPOSING A 1% SURTAX; AND (6) DIRECTIONS TO THE SUPERVISOR OF ELECTIONS TO INSURE NOTICE OF THE NOVEMBER 3, 2015, SPECIAL ELECTION. THE COUNTY HAS RECEIVED THE ATTACHED LETTER FROM THE SCHOOL BOARD DATED JUNE 9, 2015, REQUESTING INCLUSION IN THE ONE-CENT SALES TAX INITIATIVE. THE BOARD MAY WANT TO DISCUSS THAT REQUEST DURING THIS MEETING

Proof of publication of a notice of public hearing for second reading of the proposed one-cent infrastructure sales surtax ordinance, was received, having been published in *The St. Augustine Record* on June 5, 2015.

Bennett pointed out the variety of media attention the sales tax issue had received. She noted that Wanchick would make a presentation on the item.

(6:04 p.m.) Wanchick offered a power point presentation on the matter. He noted that staff had held many meetings in regards to the needed revenue, public input, additional revenue options, as well as the public hearings held concerning the proposed one-cent sales surtax ordinance. He identified that the first question for the Board was whether or not they would agree to include the School District with the proposed ordinance. He indicated that the issues before the BCC involved components, including; Board authority to levy an infrastructure sales surtax, ten-year term, specific project list, Board appointed citizen review, distribution of funds between the County and municipalities, and special election on November 3, 2015. He advised that a special meeting to be held

on July 7, 2015 might be necessary if the Board decided to partner with the School District.

(6:10 p.m.) Beverly Slough, Chair-School Board, 341 West Adelaide Drive, stated that the School Board had been asked to partner with the County on the sales surtax ordinance, and the School Board unanimously voted in favor of the request. She explained that the District had in excess of 34,000 students resulting in capital funding needs for Southwoods Elementary due to strong growth in that area. She reviewed the following issues as to why they would like to partner with the County on the surtax item; lack of funding help from the State, ad valorem decreased from a 2.0 millage rate to a 1.5 millage rate, newly constructed schools already overcrowded, increase of 50,000 students in the next ten years, and the need for a sustainability funding source. She reiterated that the School Board voted unanimously to request that they be included. She stated that they would engage the community, pay half the cost of placing the question on the ballot, and she asked the Board to consider sharing one-half cent of the sales surtax if approved by the voters.

(6:18 p.m.) Dr. Joseph Joyner, School District Superintendent, thanked the Board for listening to the School District. He explained that the District expected 49,000 new students in the next ten years. He offered how the District obtained local and State revenue, and explained that ad valorem had decreased from 8.5 mils to 7.3 mils resulting in a reduction in ad valorem revenue. He noted that the capital millage had been 2 mils for 35 years; however, it had been reduced in 2008 to 1.5 mils, which resulting in a 25% reduction in the ability to build new schools. He applauded the fairly recently adopted proportionate fair share mitigation and impact fee agreements mandated by the State, but said those funds could not be used for existing needs. He reported that the District was currently two schools behind in construction. He noted that 11 new schools and eight school expansions had been constructed over the past ten years. He said the District had to combine all the aforementioned resources and could use the new funds for technology for children and infrastructure. He thanked the commissioners for their consideration in partnering with the School District on the matter.

(6:29 p.m.) Bill Mignon, School Board member, spoke about the history of the county relating to schools and the growth in the number of students attending schools in the county. He thanked the Commission for agreeing to partner with the School Board.

(6:33 p.m.) Tommy Allen, School Board member, 2500 Cabbage Hammock Road, spoke about eight schools soon to be in the red within four years, property values, ad valorem revenue, and said Florida was 50<sup>th</sup> in the Nation on spending in the classrooms. He thanked the Commission for their consideration.

(6:37 p.m.) Kelly Barrera, 101 Greencrest Drive, spoke about the wellbeing of children in schools.

(6:39 p.m.) Patrick Canan, Vice-Chair School Board member, 911 Lew Boulevard, spoke about being number 1 out of sixty-seven school districts in Florida. He asked that the Commission allow the county citizens to decide the issue by ballot. He voiced that the situation was at crisis time. He stated that if the Commission decided not to partner with the School Board it would be necessary to moved forward on their own. He advised that Band-Aids were not working and children deserved a quality education.

(6:46 p.m.) Bennett asked the School Board whether they agreed to the six questions in regards to the proposed ordinance. Joyner stressed that the School Board would agree to the 10-year term, Board authority to levy an infrastructure sales surtax, special

election on November 3, 2015, specific projects list, Board appointed citizen review, and distribution of funds between the County and municipalities.

(6:47 p.m.) In response to numerous questions from McClure, Tim Forson, Deputy Superintendent for School District Operations, explained that the shared impact fee revenue paid for structures along with proportionate fair share mitigation agreements, which could only be used for new construction or growth. He pointed out that the real cost for each student station was more than \$20,000, which was the Statewide standard. He noted that impact fees acted as support to existing school funding. He stated that ad valorem revenue took a long period of time to pay to educate a child; however, the child required to be schooled immediately. McClure spoke about impact fees and growth. He voiced that he had been consistently opposed to the special election. As the school liaison, he stated that he understood the capital needs for the District, which was the reason he had made the suggestion of the School District joining with the County on the sales surtax ordinance.

(6:59 p.m.) Forson added that the benefit to the School District was also a benefit to the County and vice-versa. He noted that the District and County togetherness on the matter would benefit those involved.

(7:01 p.m.) McClure continued with questions for school personnel, in which Joyner agreed to the half-cent and said joining with the County was the Districts' desire. McClure pointed out that the half-cent funds would exceed the lack of funds from what they would have received on the .5 less millage that the State removed. In response to an inquiry from McClure about increasing the millage after the half-cent funds were in place, Joyner explained that the Districts' capital millage was capped. He stated that they had petitioned to restore the lost millage, but have been unsuccessful with the State, which resulted in the understanding that the District had to take care of themselves and not rely on the State.

(7:07 p.m.) Bennett recapped the elements of what the School Board desired. In response to an inquiry, Wanchick noted that a statutory element existed for municipalities to share the sales surtax.

(7:09 p.m.) McClure made a presentation in regards to sales tax in different counties in Florida, transportation, spending, and how it related to schools and the proposed ordinance, *Exhibit A*.

(7:24 p.m.) Morris indicated that his constituents who had contacted him were in favor of the sales tax ballot. He pointed out that 66 surtax projects and 12 alternate projects for a total 78 proposed projects could be completed. He noted that only six projects would involve additional operating expenses, because the transportation improvement projects made up 62% of the total surtax projects cost. He explained that the Transportation Trust Fund was currently funding water management cost at \$4.5 million annually, which could be shifted under the sales tax projects. He stated that operating expenses would increase by \$2.8 million annually with additional operating savings at approximately \$9.7 to \$11.6 million, which would be placed in the general fund. Discussion ensued in regards to capital projects, funding, and how the financing worked.

(7:31 p.m.) Morris commented that McClure had proposed to invite the School Board to partner with the sales tax ordinance. He asked McClure what had changed in the past two weeks that changed his mind on the sales tax ballot issue. McClure voiced that nothing had changed; however, he did not agree with the special election. Bennett pointed out that the School Board had voiced their desire to join the County on sharing the sales tax.

(7:34 p.m.) Referring to McClure's PowerPoint presentation, Wanchick explained the 2009 and 2011 tax increases had involved a roll-back rate, which allowed maintenance of the existing funding for 2009, and the 2011 increase allowed the purchase of an 800 megahertz radio system, which had been a very successful system. He explained that staff was trying to bring more funds to the Transportation Trust Fund verses the General Fund, which was the reason cuts would occur with the General Fund without additional revenue.

(7:35 p.m.) Bennett expressed that the Board understood the School Board's needs and their desire to be included with the sales surtax ballot. She requested that the public only answer the following question: should the County Commission enter into a joint effort with the School Board infrastructure sales surtax initiative.

(7:36 p.m.) The following citizens made public comment on whether to partner with the School Board on the sales surtax issue:

Ed Slavin, PO Box 3084  
Mary Kohnke, 29 South Roscoe Boulevard  
Larry Lake, 12 Saragossa Street  
Gary Jurenovich, 536 Morning Side Drive  
Marie Blakely, no address given  
Willie Cooper, Sr., 455 South Volusia Street  
Vivian Browning, 30 Beachcomber Way  
Mitch Perryman, 1560 CR13 South  
Greg White, 905 West Pearl Street  
Cynthia Aston, 4255 US Highway 1 South  
Dr. Michel Pawlowski, 216 10th Street  
Ronald Covator, 4552 Golf Ridge Drive  
Denver Cook, 266 Topsail Drive  
Andrea Anthony, 313 N. Shipwreck Avenue  
Joseph Williams, 2745 Long Road  
Bill McCormick, 9224 July Lane  
Kim Kendall, 856 Eagle Point Drive  
Colleen Wood, 1540 Ansley Place  
William Fisher, 10130 McMahan Avenue  
Jim Arphia, 3144 Kings Road  
Ramone Nazario, 2525 Deerwood Acres  
Wesley Bunce, 775 Porto Cristo  
Athena Hinman, 2525 Deerwood Acres Road  
Vernon Kelly, 5895 CR 214  
Marcus Williams, 336 Allapattah Avenue  
Mike Macnamara, 1551 CR13 South  
Peter Royal, 345 Hefferon Drive  
Joe Stephenson, 3161 Mac Road  
Marty Miller, 29 Hildreth Drive  
Ed Houston, 244 Odoms Mill Boulevard  
Dr. John Lazzara, 532 Lake Road  
Brian Wing, 3904 S. Trapani Drive  
Sunny Fagan, 333 10<sup>th</sup> Street  
Chuck Forcier, 3816 West Glendale Court  
Dirk Hinman, 1800 Adams Acres Road  
Gary Easom, 125 Magnolia Hammock Drive  
Tommy Bledsoe, 31 Colony Street

The Board recessed at 8:33 p.m. and reconvened at 8:45 p.m.

(8:45 p.m.) Bennett reviewed the meeting thus far and suggested the Board discuss partnering with the School Board on the issue. She stated that McClure brought the idea to the School Board because of a public comment during a Board meeting. She voiced that she supported the proposed ordinance because of the need to work together with the School Board. She explained that the recession resulted in understanding the need to work together, share ideas, share intellectual capital, and to work toward the betterment of all. She stressed that the more the community lives were woven together, the better the community would be.

(8:50 p.m.) Morris commented that he was in favor of all elements of the proposed ordinance.

(8:51 p.m.) Smith thanked the public and School Board for attending the meeting. He voiced that he did not support partnering with the School Board with the proposed ordinance.

(8:52 p.m.) Johns said he agreed with both Morris and Smith. He noted that the purpose of the sales surtax was to solve a budget gap problem. He stated that the County was an example to be followed and should work together; however, sharing the surtax revenue with the School Board would not result in bridging the budget gap. He suggested that the County focus on a limited number of projects that the surtax would pay for to obtain a sense of accomplishment. He voiced that he was opposed to partnering with the School Board if the budget gap problem would not be solved.

(8:56 p.m.) In response to a request from Bennett, Wanchick explained that the County was facing two budget issues: physical year 2016; and the backlog of capital projects, which had occurred during the recession. He noted that the one-half cent sales surtax obtained in lieu of a full cent would bring in approximately \$13.5 million annually toward unfunded capital projects. He mentioned that a half-cent surtax would solve the budget gap for 2016. He recommended that the longer the delay the further behind the County would be on the capital needs.

(9:00 p.m.) McClure spoke about specific projects and needs for both the County and School Board and the proposed sales surtax ordinance.

**(9:03 p.m.) Motion by McClure to oppose the proposed ordinance. Motion failed due to lack of a second.**

(9:04 p.m.) Joyner voiced that he did not believe joining with the County on the matter would not hurt the School District. He stated that the School District and County needed to work together for its citizens and children of the community. He pointed out that services, spaces, and children were shared and passing the proposed ordinance was the correct road to take.

**(9:05 p.m.) Motion by Bennett, seconded by Morris, to direct the County Attorney to prepare an updated ordinance. Motion failed 2/3, with McClure, Johns, and Smith dissenting.**

Bennett apologized to the School Board, and voiced her disappointment. McClure said he would like to continue dialogue to find a solution to the School Board's capital needs. He agreed that the County also had capital needs that needed a solution. Bennett mentioned that the Board had decided not to support, but abandoned the School Board. McClure questioned whether public comment would be heard about placing the sales surtax referendum on the ballot by ordinance and without the School Board.



(9:09 p.m.) Discussion ensued in regards to the six components of the proposed ordinance. Johns asked for clarification about the project list, in which Wanchick explained that the specific projects list would first need to be approved by the County Commission, then the public would know the exact projects they would be voting on in November. He noted that the Board could take from reserves, or raise fees or incorporate other tax in order to balance the budget.

(9:15 p.m.) Discussion ensued in regards to the six components of the proposed ordinance.

(9:32 p.m.) The following citizens made public comment on the six components of the proposed sales surtax ordinance:

Colleen Wood, 1540 Ansley Place  
Harlan Mason, 3544 Crest Street  
Gary Easom, 125 Magnolia Hammock Drive  
Andrea Anthony, 313 N. Shipwreck Avenue  
Dr. Mike Jenkin, 1200 Lake Cove Court  
Denver Cook, 266 Topsail Drive  
Dr. John Lazzara, 532 Lake Road  
Dr. Michel Pawlowski, 216 10<sup>th</sup> Street  
Judie Ney, 178 Maya Court  
Chuck Forcier, 3816 West Glendale Court  
Felicia Hess, 916 Fiddlers Creek Road  
Dan Abel, 157 Summerfield Drive  
BJ Kalaidi, 8 Newcomb Street  
Bill Lazar, 525 West King Street  
Laura Villaverde, 408 Friar Tuck Lane  
Ed Slavin, PO Box 3084  
Zachary Villaverde, 408 Friar Tuck Lane  
Athena Hinman, 2525 Deerwood Acres Road  
Dirk Hinman, 1800 Adams Acres Road  
Ronald Covato, 4552 Golf Ridge Drive  
Romone Nazario, 2525 Deerwood Acres Road  
Mitch Perryman, 1560 CR 13 South  
Kim Kendall, 856 Eagle Point Drive  
Cynthia Aston, 4255 US 1 South  
William Frazier, 10265 Erickson Avenue  
CR "Lucky" Howe, 20 M.L. King Avenue

(10:24 p.m.) Bennett mentioned that the vote was taken away from the residents. She said the hearing and ordinance was to allow the citizen a right to vote at the ballot.

(10:27 p.m.) **Motion by Smith, seconded by Johns, to enact Ordinance No. 2015-44. Motion failed 2/3, with Smith, Johns, and McClure dissenting.**

(10:28 p.m.) The Board moved to adjourn.

(06/16/15 - 25 - 3:07 p.m.)  
COMMISSIONERS' REPORTS

Commissioner McClure

McClure reported on the 2015 Florida Association of Counties Annual Conference.

Commissioner Morris

(3:09 p.m.) Morris reported on attending the 2015 Navy League's Battle of Midway Commemoration Dinner and Program.

Commissioner Bennett

(3:09 p.m.) Bennett requested Board consensus to write a letter of support for the St. Augustine Lighthouse regarding a grant application. *Consensus was given.*

(3:10 p.m.) She referenced the 2015 Hurricane Guide and requested Board consensus to direct staff to investigate the potential for public electronic notification along highways. *Consensus was given.*

(3:12 p.m.) She also reported on compliance with the Florida Department of Transportation regarding public concerns, Memorial Day weekend beach trolley statics, and food truck courts. She requested Board consensus to direct staff to investigate food truck courts. *Consensus was given.*

(3:25 p.m.) Subsequently, she noted that Wanchick and Sheriff Shoar were participating in a panel discussion, at the 2015 Florida Association of Counties Annual Conference, regarding developing relationships between county general administration and the sheriff's office.

Commissioner Smith

(3:30 p.m.) Smith reported on St. Johns County agricultural and wildfires.

Commissioner Johns

(3:21 p.m.) Johns congratulated McClure on graduating as a certified commissioner.

(06/16/15 - 26 - 3:22 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick requested Board consensus to schedule a special meeting on July 28, 2015, regarding the 2016 budget. *Consensus was given.*

(06/16/15 - 26 - 3:23 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack reported that he would be attending the 2015 Florida Association of Counties Annual Conference and participating in the legal training.

(3:24 p.m.) He also responded to public comment regarding free speech zones. He noted that legal was currently reviewing the ordinance for best practices.

(06/16/15 - 26 - 3:26 p.m.)

CLERK OF COURT'S REPORT

No report.

The meeting recessed at 3:26 p.m. and reconvened at 6:02 p.m., with Regular Agenda Item No. 22, and with all County Commissioners, Wanchick, Cameron, Locklear, McCormack, Ross, and Deputy Clerk Pam Halterman in attendance.

(06/16/15 - 27 - 10:28 p.m.)  
ADJOURN

With there being no further business to come before the Board, Bennett adjourned the meeting at 10:28 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 520984-520997, totaling \$4,738.51 and Voucher Register, Voucher Nos. 21007-21008, totaling \$450 (5/28/15)
2. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 21009-21011, totaling \$11,771.01 (5/28/15)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 520998-521009, totaling \$224,766.21 (5/28/15)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 521010-521011, totaling \$10,551.27 (06/01/15)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 521012-521206, totaling \$672,774.08 and Voucher Register, Voucher Nos. 21012-21056, totaling \$955,525.95 (06/02/15)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 521207-521239, totaling \$68,401.62 and Voucher Register, Voucher Nos. 21057-21070, totaling \$24,384.72 (06/03/15)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 521240-521243, totaling \$170,060.59 (6/05/15)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 521244-521482, totaling \$1,649,309.85 and Voucher Register, Voucher Nos. 21071-21109, totaling \$214,463.42 (06/09/15)

CORRESPONDENCE:

1. Letter dated May 29, 2015, regarding the filing of the Sandy Creek Community Development District's Fiscal Year 2015/2016 proposed budget
2. Letter dated May 29, 2015, regarding the filing of the Heritage Landing Community Development District's Fiscal Year 2015/ 2016 proposed budget
3. Letter dated June 3, 2015, regarding the filing of the Madeira Community Development District's Fiscal Year 2015/2016 proposed budget
4. Letter dated June 3, 2015, regarding the filing of the Southhaven Community Development District's Fiscal Year 2015/2016 proposed budget
5. Letter dated June 3, 2015, regarding the filing of the Trout Creek Community Development District's Fiscal Year 2015/2016 proposed budget

Approved July 21, 2015

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:  \_\_\_\_\_  
Priscilla L. Bennett, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By:  \_\_\_\_\_  
Deputy Clerk

