

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
MAY 3, 2016
9:00 A.M.**

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

Present: Jeb Smith, District 2, Chair
 James K. Johns, District 1, Vice Chair
 William A. McClure, District 3
 Jay Morris, District 4
 Rachael L. Bennett, District 5
 Michael Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Natasha McGee, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; Joy Andrews, Assistant County Administrator, and Rebecca Lavie, Assistant County Attorney

(05/03/16 - 1 - 9:00 a.m.)
CALL TO ORDER

Smith called the meeting to order.

(05/03/16 - 1 - 9:00 a.m.)
ROLL CALL

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

(05/03/16 - 1 - 9:00 a.m.)
INVOCATION

Pastor Steve Deal, RealDeal Ministries, gave the invocation.

(05/03/16 - 1 - 9:01 a.m.)
PLEDGE OF ALLEGIANCE

Smith led the Pledge of Allegiance.

(05/03/16 - 1 - 9:02 a.m.)
PROCLAMATION RECOGNIZING MAY 8-14, 2016, AS ECONOMIC DEVELOPMENT WEEK

Morris presented the proclamation and spoke on the County's successful Economic Development Program. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record. Melissa Glasgow, Director of Economic Development, spoke on the partnerships that contributed to the County's Economic Development Program and the benefits to the community.

(05/03/16 - 2 - 9:10 a.m.)

PROCLAMATION RECOGNIZING MAY 2016 AS NATIONAL DRUG COURT MONTH

McClure presented the proclamation and spoke on the positive impact Drug Court had on St. Johns County. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record. Judge Alexander Christine, Jr., spoke on the St. Johns County Drug Court Program.

(05/03/16 - 2 - 9:19 a.m.)

ACCEPTANCE OF PROCLAMATIONS

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

(05/03/16 - 2 - 9:19 a.m.)

PUBLIC COMMENT

(9:21 a.m.) John Delaney, 240 Treasure Beach Road, President of the Treasure Beach Home Owners Association (HOA), referenced photographs, *Exhibit A*, and stated that slow speed, minimum wake boating-restricted area signs had been installed at both the north and south entrances of the Treasure Beach Canals System. He explained how to report violators of the slow speed, minimum wake boating-restricted areas, and noted that the Treasure Beach Canals Committee was reviewing the proposed Treasure Beach Canals ordinance.

(9:23 a.m.) Jeff Goff, 204 Barco Road, spoke on the proposed Treasure Beach Canals ordinance regarding residing aboard a boat. He requested that property owners, with damage to his or her primary residence, be granted permission to live aboard his or her until repairs were complete.

(9:25 a.m.) Ed Slavin, P.O. Box 3084, thanked the Board for rejecting the proposed 16.66 percent sales tax increase and for reestablishing first amendment rights in County parks. He requested that budget hearings be held in the auditorium, at the St. Johns County Administration Building; St. Johns County Government Television (GTV) broadcast all governmental meetings, and GTV be repurposed to Public Access Television. He reviewed multiple topics regarding Public Access Television.

(9:28 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on the Economic Development Proclamation, St. Johns County Drug Court program and the State of Florida Department of Corrections, broadcasting of the budget hearings, and Board Rules and Policies regarding non-agenda public comment rules of decorum.

(9:32 a.m.) Pat Bryan, 17 Rivershore Lane, spoke on traffic congestion concerns regarding the closure of Magnolia and Douglas Streets for Vilano Beach residents and westbound traffic, and the lack of coordination between the City and County regarding the closures. She requested that the Board support the non-closure of the streets, during construction upgrades for May Street and San Marco Avenue.

(9:35 a.m.) Lisa Lloyd, 132 Surfside Avenue, referenced a photograph regarding current traffic congestion east of the Vilano Bridge, *Exhibit B*, and spoke on traffic congestion concerns regarding the closure of Magnolia and Douglas Streets.

(9:39 a.m.) Bob Richmond, 413 Thirteenth Street, spoke on the traffic congestion concerns regarding the closure of Magnolia and Douglas Streets.

(9:41 a.m.) BJ Kalaidi, 8 Newcomb Street, referenced photographs and drawings, *Exhibit C*, and spoke on the St. Johns County Economic Development Incentive Program regarding the relocation of B & B Trailers and on the Main library ingress and egress points. She also spoke on funding Council on Aging's (COA) Sunshine Bus routes, the May Street intersection improvements project, single-member districts, and the opening of an internet café east of St. Augustine High School.

(9:44 a.m.) Bennett commented on the closure of Magnolia and Douglas Streets, including the lack of coordination between the City and County regarding the closures. She encouraged staff to get involved in the process.

(05/03/16 - 3 - 9:45 a.m.)
DELETIONS TO CONSENT AGENDA

McClure requested that Consent Agenda Item 9 be pulled and added to the Regular Agenda as Item 9.

(05/03/16 - 3 - 9:46 a.m.)
APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement
2. Motion to adopt **Resolution No. 2016-118**, approving the final plat for Whisper Creek, Phase 2, Unit A (replat)

RESOLUTION NO. 2016- 118

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WHISPER CREEK, PHASE 2, UNIT A, A REPLAT OF WHISPER CREEK, PHASE 1, UNITS A AND B

3. Motion to adopt **Resolution No. 2016-119**, approving the final plat for Las Calinas, Parcel 3A, Unit 2, Phase 3B (replat)

RESOLUTION NO. 2016-119

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR LAS CALINAS, PARCEL 3A, UNIT 2, PHASE 3B, A REPLAT OF LAS CALINAS, PARCEL 3A, UNIT 2, PHASE 1

4. Motion to adopt **Resolution No. 2016-120**, approving the final plat for Twenty Mile at Nocatee, Phase 3A

RESOLUTION NO. 2016-120

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR TWENTY MILE AT NOCATEE, PHASE 3A

5. Motion to adopt **Resolution No. 2016-121**, approving the final plat for Creekside at Twin Creeks, Phase 1A, accepting only the dedication of Twin Creeks Drive and not accepting the dedication of Sweet Oak Way, Silver Creek Place, and Broomsedge Circle

RESOLUTION NO. 2016-121

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR CREEKSIDE AT TWIN CREEKS, PHASE 1A

6. Motion to adopt **Resolution No. 2016-122**, approving the final plat for Palencia North, Phase III, A-1

RESOLUTION NO. 2016-122

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR PALENCIA NORTH, PHASE III, A-1

7. Motion to approve PFS AGREE 2016-01, and authorize the county administrator to execute the Wards Creek Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code
8. Motion to adopt **Resolution No. 2016-123**, authorizing the county administrator, or designee, to execute an Easement to Peoples Gas System, to install the delivery system for the compressed natural gas fueling facilities, located off State Road 16, and to execute a Subordination and Joinder Agreement

RESOLUTION NO. 2016-123

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN EASEMENT TO PEOPLES GAS SYSTEM, TO INSTALL THE DELIVERY SYSTEM FOR THE COMPRESSED NATURAL GAS FUELING FACILITIES, LOCATED OFF STATE ROAD 16, AND TO EXECUTE A SUBORDINATION AND JOINDER AGREEMENT

(Item 9 was pulled and added to the Regular Agenda as Item 9.)

9. Motion for the Board to accept the Health and Human Services Advisory Council's recommendation and to allow staff to proceed towards executing a contract, with SMA, that will provide \$15,000 in funding for the Community Wellness Center
10. Motion to adopt **Resolution No. 2016-124**, authorizing the county administrator, or designee, to execute an agreement, in substantially the same form and format as attached, to provide transportation to local children participating in the 2016 Summer Camp activities facilitated by the Parks and Recreation Department

RESOLUTION NO. 2016-124

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A CONTRACT BETWEEN ST. JOHNS COUNTY AND THE ST JOHNS COUNTY SCHOOL DISTRICT FOR TRANSPORTATION SERVICES FOR SUMMER CAMP ACTIVITIES FACILITATED BY THE ST. JOHNS COUNTY RECREATION AND PARKS DEPARTMENT

11. Motion to approve the Fiscal Year 2016 Capital Improvement Program re-appropriation and associated budget transfers per the attached schedule
12. Motion to adopt **Resolution No. 2016-125**, authorizing the county administrator, or his designee, to enter into negotiations with, and if negotiations are successful, on behalf of the County, enter into a contract with UTP Productions, Inc., for RFP No. 16-36, Stage Maintenance Labor

RESOLUTION NO. 2016-125

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 16-36, AND TO EXECUTE AGREEMENTS FOR STATE MAINTENANCE LABOR

13. Motion to declare the attachments as surplus and authorize the county administrator, or his designee, to dispose of same in accordance with the Purchasing Policy 308 and Florida Statute 274

(05/03/16 - 5 - 9:46 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

There were none.

(05/03/16 - 5 - 9:46 a.m.)

APPROVAL OF REGULAR AGENDA

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

(05/03/16 - 5 - 9:47 a.m.)

1. ST JOHNS COUNTY VETERANS TREATMENT COURT. THE ST. JOHNS COUNTY VETERANS TREATMENT COURT IS DESIGNED TO BE A JUDICIALLY LED COMPREHENSIVE TREATMENT PROGRAM, SERVING ACTIVE MILITARY OR HONORABLE DISCHARGED VETERANS WITH QUALIFYING CRIMINAL CHARGES. THE GOAL IS TO WORK WITH VETERANS THAT MEET ELIGIBILITY CRITERIA TO ELIMINATE SUBSTANCE ABUSE CONCERNS AND TO LEARN NECESSARY SKILLS TO MAINTAIN A CLEAN AND SOBER LIFESTYLE, AS WELL AS TO EFFECTIVELY MANAGE ANY MENTAL HEALTH CONDITIONS. THIS PROGRAM IS INTENDED TO OFFER ST JOHNS COUNTY VETERANS AN ALTERNATIVE TO TREATMENT AND TO AVOID POSSIBLE INCARCERATION OR OTHER PUNITIVE MEASURES. HEALTH AND

HUMAN SERVICES IS REQUESTING THE BOARD OF COUNTY COMMISSION (BOCC) TO AUTHORIZE THE COUNTY ADMINISTRATION OR STAFF TO WORK WITH THE COURT TO DEVELOP A BUDGET REQUEST IN THE FY 2017 BUDGET PROPOSAL

Shawna Novak, Health and Human Services Director, introduced Bill Dudley, Chair of the Veterans Council for St. Johns County, and Howard McGillin, Jr., 7th Judicial Circuit Court Judge.

(9:47 a.m.) Dudley presented details of the Veterans Treatment Court proposal. He noted that he worked with McGillin, Wanchick, and other County staff, to develop a job description and a budget for a full-time Veterans Treatment Court Coordinator.

(9:52 a.m.) McGillin presented details of the Veterans Treatment Court proposal and the program's process through the court system, via PowerPoint.

(10:01 a.m.) McClure questioned McGillin on qualifying offenses and federal funding.

(10:06 a.m.) Discussion ensued on qualifying offenses; community partners; federal funding; measuring prevention; communicating direct benefit program data to the Board; volunteer Veteran mentors; surrounding counties and how they fund the program, including the number of staff members and program costs; and the office location of the St. Johns County Program Coordinator.

(10:17 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in support of the proposed program and suggested that St. Johns County create a job program for local veterans.

(10:20 a.m.) Ed Slavin, P.O. Box 3084, echoed Reynolds' comments, and spoke on the Veterans Treatment Court Coordinator position.

(10:23 a.m.) Colonel Retired Ann McCulliss Johnson, Operation Iraqi Freedom (OIF), Jacksonville, Florida, spoke in support of the proposed program, and on Veterans transitioning back into civilian life.

(10:25 a.m.) Bob Richmond, Clay County Veterans Court Program, spoke in support of the proposed program. He highlighted the success of the Clay County Veterans Treatment Court Program.

(10:26 a.m.) Jim Crutchfield, 585 Oakland Avenue, St. Augustine, Florida, spoke in support of the proposed program, highlighting the success of the Hillsborough County Veterans Treatment Court Program.

(10:28 a.m.) **Motion by Morris, seconded by Bennett, carried 5/0, to authorize the county administrator or staff to work with the court to put together a budget request in the FY 2017 budget proposal.**

(05/03/16 - 6 - 10:28 a.m.)

2. PRESENTATION REGARDING THE TREASURE BEACH CANALS MUNICIPAL SERVICE BENEFIT UNIT (MSBU). PRESENTATION TO THE BOARD REGARDING THE MSBU FUNDED DREDGING OF THE TREASURE BEACH CANALS

Damon Douglas, Project Manager, presented details of the Treasure Beach Canals MSBU. He noted that the contract performance was reviewed in consultation with the County Attorney's Office and the following facts were concluded: 1) no basis found that the dredging project was out of compliance and 2) the dredge contractor fulfilled the terms of the contract.

(10:35 a.m.) Bennett questioned Gail Oliver, County Surveyor, Land Management Systems, on how a hydrographic survey was performed. Oliver explained the methods used in the Treasure Beach Canals, and noted that the consultant had used accepted methodology in the survey.

(10:38 a.m.) Johns questioned Douglas on the prior dredging history of the canals, which included dredging dates and the number of dredges since construction, determination of the sediment regarding the slip plain and slope of the canals, and the estimated time that the sediment would fill back in.

(10:40 a.m.) McClure questioned Douglas on the longevity of the recent dredge.

(10:43 a.m.) Charlie Novak, 243 Pizarro Road, introduced himself, and noted the residents of the Treasure Beach Property Owners Association's involvement in both the community and the County. He noted that the Association wanted to work with the County to resolve outstanding concerns of the post-dredge project.

(10:49 a.m.) Jim Almond, 239 Treasure Beach Road, introduced himself, including how he became involved in the project. He referenced a map and photo of the canals, *Exhibit A*, and reviewed the following: 1) discharge pipe blowouts, 2) bottom variances and depths of the canals, 3) weigh tickets for the removal of sediment, and 4) derelict bulkheads.

(11:05 a.m.) Stephen Abbott, 211 Majorca Road, stated he was on the initial committee that hired the original engineer regarding the dredging in Treasure Beach, and presented information on the dredging policy that he personally observed with Gator Dredging.

(11:11 a.m.) McCormack reviewed the Board Rules and Policies regarding appropriate time for comments.

(11:13 a.m.) John Delaney, President of the Treasure Beach Property Owners Association, 240 Treasure Beach Road, spoke on the post-dredging survey document, dated December 23, 2014. He referenced a map regarding the Plover Canal depth, *Exhibit B*, and requested that a survey be conducted, by an independent surveyor, of the Treasure Beach Canals System, to determine current canals' depths.

(11:16 a.m.) Douglas James Martin, 253 Treasure Beach Road, Chairman of the Canal Committee, spoke on public record requests related to the project. He referenced a map regarding dredging depth concerns, *Exhibit C*, and spoke on the lack of management procedures. He also suggested the following motions: 1) to instruct the administrator to order a total canal survey, by a licensed third party, that would be agreeable to the Treasure Beach Property Owners Association and 2) to apply the \$138,000, plus any MSBU interest, needed for corrective dredging.

(11:21 a.m.) Stephen Abbott, 211 Majorca Road, referenced a photograph, *Exhibit D*, and a cardboard box that represented one cubic yard, and spoke on sediment removal.

(11:23 a.m.) George Neal, 6327 Gomez Road, referenced photographs and a letter addressed to Gator Dredging, *Exhibit E*, regarding the dredging of his boathouse.

(11:27 a.m.) Janet Fittipaldi, 212 and 214 Treasure Beach Road, spoke in support of corrective dredging measures to the Treasure Beach Canals.

(11:27 a.m.) Robert Hudson, 233 Treasure Beach Road, spoke in support of corrective dredging measures to the Treasure Beach Canals and discharge pipe blowouts.

(11:29 a.m.) Tony Como, 204 Desoto Road, spoke in support of corrective dredging measures to the Treasure Beach Canals.

(11:31 a.m.) Ed Slavin, P.O. Box 3084, spoke on the enforcement of the contract; false claims act regarding local governments, and weigh tickets.

(11:34 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in support of corrective dredging measures to the Treasure Beach Canals.

(11:35 a.m.) Jeff Goth, 204 Barco Road, spoke in support of corrective dredging measures to the Treasure Beach Canals.

(11:37 a.m.) Charles Foust, 291 Hildago Road, spoke on discharge pipe blowouts.

(11:38 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke on the dredging of Summerhaven versus the dredging of the Treasure Beach Canals.

(11:41 a.m.) Smith questioned Douglas on weigh tickets regarding the removal of sediment, post dredge survey compliance, and discharge pipe blowouts. He also questioned Jim Acosta, St. Johns County Code Enforcement Officer, on the procedures regarding a response to a complaint filed by a citizen.

(11:46 a.m.) McClure questioned Douglas on the contract regarding the removal of sediment. Discussion ensued between McClure, Douglas, Kevin Wiseman, Director of Construction Services, and Phyllis Thorpe, Construction Services, regarding contract compliance, discharge pipe blowouts, and variances in canal depths. McClure stated that the residents were requesting a third party survey of the canals system.

(12:04 p.m.) Smith spoke on the expectations and compliance of the contract, and questioned Oliver on the 44 data sampling points and on the definition of "substantially compliant".

(12:10 p.m.) Johns spoke on the slip plain, measuring the depths of the canals, measuring the removed sediment, and meeting decorum.

(12:16 p.m.) Bennett spoke on the compliance of the contract and ownership of the canals, and acknowledged the valid concerns of the residents. She requested that McClure bring solutions back to the Board regarding the resolution of the dredging project.

(12:20 p.m.) Morris questioned Wiseman on contacting Gator Dredging regarding the resolution of the dredging project. McClure noted that he had spoken to the owner of Gator Dredging regarding project resolution. McClure also committed to present solutions to the Board, within the next 30 days, regarding the resolution of the dredging project.

The meeting recessed at 12:30 p.m. and reconvened at 1:30 p.m., with Deputy Clerk Bonnie Putman in attendance.

(05/03/16 - 8 - 1:30 p.m.)

3. DISCUSSION ON POTENTIAL LAND DEVELOPMENT CODE AMENDMENTS. THIS IS A DISCUSSION ITEM ON SEVERAL POSSIBLE CHANGES TO THE LAND DEVELOPMENT CODE. STAFF WILL BE SEEKING GENERAL DIRECTION FROM THE BOARD OF COUNTY COMMISSIONERS REGARDING THE FOLLOWING TOPICS: 1) DISCUSSION OF MEASUREMENT OF FENCE HEIGHT, IN GENERAL, AND WHEN ON A

BERM OR RETAINING WALL, 2) UPDATING THE SPECIAL USE PROVISION FOR PERSONAL PROPERTY, MINI-WAREHOUSE FACILITIES, 3) AMENDING THE UPLAND BUFFER SETBACK PROVISION TO ALLOW SOME FLEXIBILITY FOR REQUIRED UPLAND BUFFER SETBACKS, IN AN EFFORT TO PRESERVE THE ENTIRE WIDTH OF THE UPLAND BUFFER, 4) ALLOWING STORMWATER PONDS TO ACCOUNT FOR A SPECIFIED PERCENTAGE OF OPEN SPACE REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS, AND 5) DISCUSSION ON ELECTRONIC BILLBOARDS PROPOSAL, WITHIN ST. JOHNS COUNTY: LOCATION, DESIGN CRITERIA, AND SWAP DOWN PROCEDURES

Joseph Cearley, Special Projects Manager, presented details of the request, which included the following topics: A) fence height measurement, B) mini-warehouse facilities, C) upland buffers, D) open space, and E) digital billboards. Discussion and public comment followed each topic.

(1:32 p.m.) Discussion ensued on the purpose of the fence as a visual barrier, the height requirement of the fence when placed on a berm or a retaining wall, and the opportunity for a variance.

(1:36 p.m.) Suzanne Konchan, AICP, Growth Management Director, explained that the long-standing, fencing provisions were not meant to solve the compatibility concerns with an adjacent property. She stated that the concern would be addressed in the Planned Unit Development (PUD) provisions.

(1:40 p.m.) Johns suggested that the code be simplified and modified, in order for the fence to serve the purpose for which it was intended.

(1:42 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in opposition to the eight foot fencing.

(1:43 p.m.) Ed Slavin, P.O. Box 3084, spoke in support of the fencing height requirements and compatibility with adjacent neighbors.

(1:43 p.m.) Cearley continued the presentation, pertaining to mini-warehouses.

(1:45 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in support of the provisions to mini-warehouses, specifically the increased square footage and the twenty-four hour access.

(1:46 p.m.) Beth Breeding, Silverfield Development, 10175 Fortune Parkway, Jacksonville, spoke on the parking requirements for self-storage. She suggested the parking requirements be based on the type of mini-storage. Breeding stated she would work with Cearley on revised language. Discussion ensued on the requested provisions.

(1:50 p.m.) Ed Slavin, P.O. Box 3084, suggested that the provisions be fully vetted and researched by staff. He stated that the hours of access were limited to prevent crime and voiced that the mini-storages lacked visual appeal. Discussion ensued on the twenty-four hour access.

(1:53 p.m.) Cearley continued the presentation, pertaining to upland buffers and open space.

McCormack left the meeting at 1:54 p.m.

(1:59 p.m.) Discussion ensued on decreased upland preservation.

(2:02 p.m.) Soria clarified the intent of the provision, concerning stormwater ponds as open space. Cearley read from the Land Development Code, Sec. 5.03.03, A. Natural Environment, No. 1, *Exhibit A*.

(2:04 p.m.) Johns questioned the intent of the proposed changes and whether Code Enforcement was included in the discussion. He voiced concern with distinguishing between different pond types, conveying information to homeowners, the expectations for the Homeowner's Association (HOA), pond maintenance and the complexity of enforcement. He stated there was a potential for communication gaps.

(2:06 p.m.) Konchan stated that the Master Development Plan (MDP) text would include the proposed provisions, which would be implemented in the subdivision construction plans, utilized by the Code Enforcement team, the Environmental Division, the HOA and its' residents for clarification to ensure long-term compliance. Discussion continued on the enforcement, ownership, and maintenance of stormwater ponds.

(2:11 p.m.) Soria detailed a scenario where a stormwater pond was platted within the PUD and the process used in notification pertaining to ownership.

(2:12 p.m.) Beth Breeding, on behalf of Greg Matovina, president of the Northeast Florida Builders Association's Governmental Affairs Agency, stated that an email was sent to builders, concerning the proposed changes to the stormwater ponds and they responded in opposition to the required twenty feet of landscaping, around the perimeter of the stormwater ponds, referencing a map of Murabella, *Exhibit B*. She questioned the term "normal high water line", the required plant species, and commercial codes.

(2:15 p.m.) Soria stated that the proposed changes should also benefit commercial development.

(2:16 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, suggested input from the citizens.

(2:17 p.m.) Ed Slavin, P.O. Box 3084, suggested mandating that stormwater ponds were not rectangular. He spoke in opposition to reducing the buffer, allowing a stormwater pond to be credited as open space, and more development in the County. He requested that the budget meetings be streamed on television.

(2:20 p.m.) Bennett stated staff had conferred extensively with the Water Management District and other professionals in the regulatory business.

(2:21 p.m.) McClure questioned an existing provision, concerning buffers along scenic highways. Konchan stated that an examination of the scenic highways would be completed.

(2:22 p.m.) Johns questioned the reference to a "normal high water line". Konchan stated the phrase should have read "Normal Water Line (NWL)" and that the language would be revised. She commented that a Development Review Manual could be developed, as a supplement to the Land Development Code amendments, including a guide for landscaping. Discussion ensued on landscaping.

(2:26 p.m.) Cearley concluded the presentation, pertaining to digital billboards.

McCormack re-entered the meeting at 2:28 p.m.

(2:31 p.m.) Discussion ensued on the "Swap Down" method, public service announcements, and the locations of the digital billboards.

(2:39 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in support of the digital billboards, specifically the footage requirement from personal property, the billboard dimmer switch, and the flexibility for the addition of underbrush.

(2:41 p.m.) Brian Shupert, Governmental Affairs Director, Outfront Media, Jacksonville, Florida, spoke on digital billboards along evacuation routes and local non-for-profit and/or County program advertisements, which was based on space availability. He proposed digital billboards being located along US 1 versus Interstate 95.

(2:43 p.m.) Greg Breyfogle, Techtronics, Tallahassee, Florida, stated that the 0.3 foot-candles depended on the square footage of the billboard. Discussion ensued on the intensity of the light.

(2:45 p.m.) McCormack spoke on emergency services and the regulation of the billboards in terms of motion, size, and location.

(2:46 p.m.) Brent Bolick, Division President of Clearchannel Outdoor, 624 Acorn Court, clarified the light output and stated that Outdoor Advertising Association of American worked with law enforcement municipalities. He suggested looking at corridors of US 1, for placement of digital billboards and noted that Clearchannel donated digital space, in Duval and Clay Counties, for not-for-profit advertising.

(2:49 p.m.) Ed Slavin, P.O. Box 3084, spoke in opposition to digital billboards, due to safety concerns and lack of visual appeal.

(2:52 p.m.) McClure questioned size, safety, and economics, concerning digital billboards. Bolick responded with specifics on digital billboards, including the term "safety neutral". Discussion ensued on movement of the advertisements, safety factors, cellphone towers, and traffic cameras.

(2:59 p.m.) Ed Slavin, P.O. Box 3084, pointed out that the Florida Transportation Commission (FTC) had been asked to investigate electronic billboards, due to the ability to capture information from cellphones. He urged staff to research his statement.

(2:59 p.m.) Cearley noted that the Federal Highway Administration completed a study on safety issues, concerning digital billboards, and found no difference between digital and traditional billboards.

(05/03/16 - 11 - 3:00 p.m.)

4. PUBLIC HEARING, LAND DEVELOPMENT CODE AMENDMENTS, ARTICLE II, "ZONING DISTRICTS AND SPECIAL USES", ARTICLE VI, PART 6.03.00, "FIRE PROTECTION REGULATIONS" AND ARTICLE XII, "DEFINITIONS": DOGS IN OUTDOOR PORTIONS OF RESTAURANTS; APIARIES; FIRING RANGES; FIRE REGULATION; DATA SUBMITTALS; AND ZONING VARIANCE DEFINITION. THIS IS THE FIRST HEARING, IN A THREE PART SERIES, TO CONSIDER CHANGES TO ARTICLE II, "ZONING DISTRICTS AND SPECIAL USES", ARTICLE VI, PART 6.03.00, FIRE PROTECTION REGULATIONS AND ARTICLE XII, "DEFINITIONS". THIS SERIES OF CHANGES WOULD BRING THE CURRENT LAND DEVELOPMENT CODE STANDARDS FOR DOGGY DINING INTO COMPLIANCE WITH FLORIDA STATUTES AND WOULD CREATE SUPPLEMENTAL PROVISIONS FOR RESTAURANTS WHOM WISH TO ALLOW DOGS, WITHIN A SPECIFIED OUTDOOR AREA; EXEMPTS THE KEEPING OF HONEY BEES FROM

REQUIREMENTS OF A SPECIAL USE PERMIT, PER FLORIDA STATUTE; UPDATES FIRING RANGE SPECIAL USE PERMIT, IN ACCORDANCE WITH FLORIDA STATUTE 790.15; BRINGS CURRENT PROVISIONS FOR FIRE REGULATIONS TO BE IN ACCORD WITH F.S. 633 (FIRE PREVENTION AND CONTROL) AND THE FLORIDA FIRE PREVENTION CODE; AND CLARIFY THE DEFINITION OF ZONING VARIANCE. THESE CHANGES WERE CONSIDERED ORIGINALLY AS A DISCUSSION ITEM BEFORE THE BOARD OF COUNTY COMMISSIONERS ON MARCH 01, 2016. IT WAS THE DIRECTION OF THE BOARD OF COUNTY COMMISSIONERS TO DRAFT AN ORDINANCE AND BRING THE LAND DEVELOPMENT CODE INTO COMPLIANCE WITH NEWLY ADOPTED STATE REGULATIONS AND FIRE REGULATIONS. THE BOARD MAY MAKE MODIFICATIONS TO THE PROPOSED CHANGES FOR FINAL ACTION AT A LATER HEARING. ADDITIONALLY THE BOARD MAY, BY A MAJORITY PLUS ONE VOTE, HOLD THE HEARING ON THE PROPOSED CHANGE AT A TIME OTHER THAN AFTER 5:00 P.M.

Proof of publication of the notice of public hearing on Establishment of Ordinance/Regulations, Affecting the Use of Land, was received, having been published in *The St. Augustine Record* on April 21, 2016.

Joseph Cearley, Special Projects Manager, presented details of the request, which included: A) doggy dining, B) outdoor firing ranges, C) honey bee colonies, D) fire protection regulations, and E) definition of variance.

(3:02 p.m.) Discussion ensued on the Florida Statute, walkable communities, and the specificity of language. Soria clarified that the language was specific to only dogs.

(3:05 p.m.) Ed Slavin, P.O. Box 3084, spoke in support of doggy dining.

(3:06 p.m.) Cearley continued the presentation, pertaining to outdoor firing ranges, honey bee colonies, fire protection regulations, and the definition of variance.

(3:09 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, urged the Board to research a loophole in the outdoor firing range, per a recent situation in Orlando, Florida.

(3:10 p.m.) **Motion by Bennett, seconded by Johns, carried 5/0, to announce public hearings before the Planning and Zoning Agency on June 2, 2016, and the Board of County Commissioners on July 19, 2016, at 9:00 a.m., amended from the proposed 5:01 p.m. meeting time.**

(05/03/16 - 12 - 3:13 p.m.)

5. VACROA 16-02, HILDEN SUBDIVISION (NEASE HIGH SCHOOL), A PETITION FROM THE SCHOOL DISTRICT TO VACATE ROADWAYS WITHIN THE HILDEN SUBDIVISION. NEASE HIGH SCHOOL WAS CONSTRUCTED OVER THE PLATTED, BUT UNOPENED ROADWAYS, AND THE VACATION IS REQUESTED IN ORDER TO EXPAND THE SCHOOL'S FACILITIES AND FOR PLACEMENT OF A CONSERVATION EASEMENT. ST. JOHNS COUNTY UTILITIES IS RETAINING A UTILITY EASEMENT OVER A PORTION OF THE PROPOSED VACATED RIGHT-OF-WAY

Proof of publication of the notice of public hearing on VACROA 2016-02, Hilden Subdivision (Nease High School), was received, having been published in *The St. Augustine Record* on April 15, 2016.

John P. Burnham, P.E., Chief Engineer, presented details of the request, including the amended condition requiring the County to receive a signed Utility Easement, Exhibit A.

(3:15 p.m.) Burnham stated there were no current or potential future, private property access issues.

(3:16 p.m.) Sid Ansbacher, on behalf of the St. Johns County School Board, 780 North Ponce de Leon Boulevard, spoke on the details of the property, which included a Utility Easement and a Conservation Easement that were related to the expansion.

(3:19 p.m.) Ed Slavin, P.O. Box 3084, spoke in support of the request.

(3:20 p.m.) **Motion by Morris, seconded by McClure, carried 5/0, to adopt Resolution No. 2016-126, approving VACROA 2016-02, a petition to vacate multiple roadways within the Hilden subdivision, as amended, with the addition of condition No. 5, which requires the County to receive a signed Utility Easement over the portion of Old Dixie Highway Brick Road between blocks 63 and 64.**

RESOLUTION NO. 2016-126

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, VACATING ROADWAYS IN THE HILDEN SUBDIVISION.

The meeting recessed at 3:21 p.m. and reconvened at 3:30 p.m., with Rebecca Lavie, Assistant County Attorney, in attendance.

(05/03/16 - 13 - 3:30 p.m.)

6. CONSIDER APPOINTMENTS TO THE TOURIST DEVELOPMENT COUNCIL. CURRENTLY THERE ARE TWO VACANCIES ON THE TOURIST DEVELOPMENT COUNCIL. ONE IS DUE TO AN EXPIRED TERM AND ONE IS DUE TO A RESIGNATION. ONE OF THE SEATS IS REQUIRED TO BE A CITY OF ST. AUGUSTINE BEACH REPRESENTATIVE AND THE OTHER IS REQUIRED TO BE AN OWNER/OPERATOR OF A TOURIST ACCOMMODATION SUBJECT TO BED TAX. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION SIX APPLICATIONS (MICHAEL CUNNINGHAM, DISTRICT 3; CARL PATRICK GILL, DISTRICT 3; TODD A. D. HICKEY, DISTRICT 4; CONRAD MATT, DISTRICT 3; ANDREA SAMUELS, DISTRICT 5; AND ALBERT SYELES, DISTRICT 5), ALONG WITH A REAPPOINTMENT REQUEST FROM THE CITY OF ST. AUGUSTINE BEACH AND A RECOMMENDATION FROM THE TOURIST DEVELOPMENT COUNCIL

Melissa Lundquist, Assistant to the Board of County Commissioners, presented the details of the vacancies. Due to an error in the item title, she clarified that one of the Tourist Development Council (TDC) vacancies must be filled by an owner/operator of a tourist accommodation that was subject to the bed tax and *the other vacancy was to be filled by an elected official.*

(3:33 p.m.) Bennett questioned equal representation; however, Lundquist stated it was not a requirement on the TDC. Discussion ensued on representation in districts, as compared to the events held in a particular area, and the recommendation by the TDC.

(3:36 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, requested the Board reject the appointment from District 5, due to the City of St. Augustine Beach not calling for public comment during the recommendation. He also mentioned that it was time for change.

Regina Ross entered the meeting at 3:39 p.m.

(3:40 p.m.) Ed Slavin, P.O. Box 3084, agreed that the District 5 appointment must be rejected. He stated that the Boards lack diversity and requested representation from Hastings, Florida.

(3:43 p.m.) Morris questioned whether the vacancies were open to all districts. Lundquist responded that the advertisement was based on the requirements, not on a particular district.

(3:43 p.m.) William Jones, President of the St. Augustine Beach Civil Association, 207 Woodland Avenue, explained the process of the re-appointment to the TDC and stated it had been the same process in the past. He spoke in support of Andrea Samuels, due to her knowledge of the grant process and encouraged the Board to research the facts.

(3:46 p.m.) McClure questioned whether it was an issue that the majority of the representatives were from District 4 and of those representatives; two were employed at the same location. Discussion ensued on fair representation and Samuel's knowledge of the grant process.

(3:50 p.m.) Motion by Bennett, seconded by Morris, carried 5/0, to [re-appoint] Andrea Samuels to the Tourist Development Council as the City of St. Augustine Beach Representative [elected official] for a four-year term scheduled to expire April 1, 2020.

(3:51 p.m.) Motion by Morris, seconded by McClure, carried 5/0, to appoint Todd Hickey to the Tourist Development Council for a partial term scheduled to expire February 4, 2017.

(05/03/16 - 14 - 3:51 p.m.)

7. CONSIDER APPOINTMENTS TO THE PLANNING AND ZONING AGENCY. CURRENTLY THERE ARE THREE VACANCIES ON THE PLANNING AND ZONING AGENCY. TWO ARE DUE TO EXPIRED TERMS AND ONE IS DUE TO A RESIGNATION. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION A RECOMMENDATION FROM THE PLANNING AND ZONING AGENCY AND EIGHTEEN APPLICATIONS (SEE 4TH PAGE OF AGENDA PACKET FOR LISTING). PLEASE NOTE TWO APPLICATIONS INCLUDE REQUESTS FOR REAPPOINTMENT (MR. JEFF MARTIN AND MR. JON WOODARD)

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

(3:52 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, listed his recommendations for the Planning and Zoning Agency (PZA) and suggested the addition of women to the Board. He spoke in opposition of the re-appointment of Brad Nelson.

(3:55 p.m.) Karen Zander, 765 Ocean Palm Way, spoke on the PZA vacancy, her application, and communication with staff, *Exhibit A*.

(4:02 p.m.) Ed Slavin, P.O. Box 3084, suggested that there had been a violation to the Sunshine Law and provided an email from the PZA chairman to the Board, *Exhibit B*. He spoke in support of Karen Zander.

(4:06 p.m.) McClure questioned Lundquist concerning the deadline for the PZA appointment. Discussion ensued on the advertising, the procedures for vetting the applications and due process.

(4:13 p.m.) Dick Williams, Chairman of St. Johns County Planning and Zoning Agency, stated that there was a PZA meeting in December, where Zander was recommended and there was also a meeting in January, where Nelson was recommended. He spoke in support of Brad Nelson, based on his experience. Discussion ensued on continuity of the Board.

(4:21 p.m.) Based on the allegation of a Sunshine Law violation, McCormack requested clarification from Williams on his email, *Exhibit B*.

(4:26 p.m.) Morris responded to a *St. Augustine Record* article titled, "County Zoning Board Applicant Says She Filed on Time", dated February 19, 2016; and stated he had no knowledge of Zander until the article was published. He replied that he had never appointed anyone based on gender. He spoke in support of Nelson, based on his experience.

(4:28 p.m.) Bennett mentioned the PZA member who would miss three consecutive months of meetings and the current policies.

(4:30 p.m.) Motion by Bennett, seconded by Morris, carried 5/0, to re-appoint Jeff Martin to the Planning and Zoning Agency for a full four-year term, scheduled to expire October 4, 2019.

(4:30 p.m.) Motion by McClure, seconded by Bennett, carried 5/0, to re-appoint John Woodard to the Planning and Zoning Agency for a full four-year term, scheduled to expire October 4, 2019.

(4:31 p.m.) Motion by Morris, seconded by Bennett, carried 5/0, to appoint Brad Nelson to the Planning and Zoning Agency for a partial term, scheduled to expire September 2, 2018.

(05/03/16 - 15 - 4:32 p.m.)

8. ORDINANCE ESTABLISHING A FIRE CODE BOARD OF APPEALS, FIRST READING. IN 2015, THE STATE FIRE MARSHAL ADOPTED CHANGES TO THE FLORIDA FIRE PREVENTION CODE, INCLUDING THE ADDITION OF NATIONAL FIRE PROTECTION ASSOCIATION (NFPA), SECTION 1.10, WHICH REQUIRES JURISDICTIONS TO ESTABLISH A FIRE CODE BOARD OF APPEALS. THE PURPOSE OF THE FIRE CODE BOARD OF APPEALS IS TO RULE ON MATTERS RELATING TO THE FIRE CODE AND ITS ENFORCEMENT. THIS ORDINANCE ESTABLISHES A FIRE CODE BOARD OF APPEALS IN ACCORDANCE WITH NFPA, SECTION 1.10. ADDITIONALLY, THE ORDINANCE CLARIFIES THE COUNTY FIRE MARSHAL'S ABILITY TO ISSUE CIVIL CITATIONS FOR FIRE CODE VIOLATIONS, AS AUTHORIZED BY SECTION 633.214, FLORIDA STATUTES

Rebecca C. Lavie, Assistant County Attorney, presented details of the Ordinance, including a proposed addition of escalating fines.

(Formerly Consent Agenda Item 9.)

(05/03/16 - 15 - 4:37 p.m.)

9. COMMUNITY WELLNESS CENTER, AKA MENTAL HEALTH DROP-IN CENTER

Joy Andrews, Assistant County Administrator, presented details of the recommendation.

(4:38 p.m.) McClure requested information concerning the mental health drop-in center.

(4:39 p.m.) Sandra Jackson MSH, LMHC, St Johns County Site Supervisor of Stewart-Marchman-Act Behavioral Healthcare (SMA), presented information on the mental health drop-in center, including the partnership with Flagler Hospital and the National Alliance on Mental Illness (NAMI). She disclosed that the center was a free-standing house, which would be located off SR 16, which was accessible by the Sunshine Bus Company. She stated there would be a one-time, start-up cost of \$15,000 for the Wellness Center and that Lutheran Services Florida (LSF) would fund the remaining costs.

(4:48 p.m.) Andrews stated that the \$15,000 would come from savings generated from the 2016 budget in the Health and Human Services Department. She also stated that Sheriff Shoar presented a \$15,000 check, as a match to the BCC upcoming contribution, if it were approved.

(4:49 p.m.) Lavie recommended adding language to proposed motion.

(4:51 p.m.) Motion by McClure, seconded by Bennett, carried 5/0, to accept the Health and Human Services Advisory Council's recommendation and to allow staff to proceed towards executing a contract with SMA that would provide \$15,000 in funding for the Community Wellness Center, in substantially the same form as the previously approved template for Health and Human Services' funding agreements.

(05/03/16 - 16 - 4:52 p.m.)
COMMISSIONERS' REPORTS

(4:52 p.m.) Commissioner Bennett

Bennett reported her attendance at the 4-H Tropicana Speech contest and spoke in opposition to the Regional Transportation Commission's (RTC) action plan.

(4:57 p.m.) Commissioner Johns

Johns had no report.

(4:57 p.m.) Commissioner Morris

Morris reported on the transformation of the Ponte Vedra Memory Care Center.

(4:58 p.m.) Commissioner McClure

McClure reported on the economic development incentives for B&B Trailer and spoke on drug court changes, which he would propose at the next legislative session.

(5:00 p.m.) Commissioner Smith

Smith expressed his condolences to the family of Scott Wilson, Putnam County's Chief of the Volunteer Fire Department. He stated that the potato harvest was in full force; congratulated the 4-H Tropicana Speech winners and thanked Andrews and Bennett for their participation.

(05/03/16 - 16 - 5:03 p.m.)
COUNTY ADMINISTRATOR'S REPORT

Wanchick reported on the Ponte Vedra Memory Care Center and the accomplishments between public/private partnerships. He noted that he would work on a matrix depicting the different mental health agencies and their services and reminded all that Sunday was Mother's Day.

(05/03/16 - 17 - 5:05 p.m.)
COUNTY ATTORNEY'S REPORT

McCormack applauded the Board for the way the meeting was conducted. He noted that he would work on the enabling legislation for the Department of Juvenile Justice (DJJ) cost share with the state, prior to Fiscal Year 2016-17.

(05/03/16 - 17 - 5:05 p.m.)
CLERK OF COURT'S REPORT

No report.

(05/03/16 - 17 - 5:06 p.m.)
ADJOURN

With there being no further business to come before the Board, Smith adjourned the meeting at 5:06 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 531833-532063, totaling \$2,824,742.64 and Voucher Register, Voucher Nos. 24384-24427, totaling \$775,683.31 (4/19/16)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 532064-532123, totaling \$35,412 and Voucher Register, Voucher Nos. 24428-24512, totaling \$56,559.46 (4/20/16)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 532124-532347, totaling \$780,623.70 and Voucher Register, Voucher Nos. 24513-24568, totaling \$803,693.56 (4/26/16)
4. St. Johns County Board of County Commissioners Check Register, Check No. 532348, totaling \$10,000 (4/26/16)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 532349-532350, totaling \$47,791.60 (4/27/16)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 532351-532364, totaling \$4,535.17 (4/28/16)
7. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 24569-24570, totaling \$10,585.24 (4/28/16)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 532365-532379, totaling \$235,443.85 (4/29/16)

CORRESPONDENCE:

1. Letter dated April 22, 2016, regarding World Commerce Community Development District's proposed Fiscal Year 2016 and 2017 budget

Approved _____ June 21 _____, 2016

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Jeb S. Smith
Jeb S. Smith, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: Pam Hatterman
Deputy Clerk