

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
OCTOBER 18, 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
 Bonnie Putman, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; Joy Andrews, Assistant County Administrator; Regina Ross, Deputy County Attorney; Paolo Soria, Assistant County Attorney

(10/18/16 - 1 - 9:00 a.m.)
CALL TO ORDER

Smith called the meeting to order.

(10/18/16 - 1 - 9:00 a.m.)
ROLL CALL

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

(10/18/16 - 1 - 9:00 a.m.)
INVOCATION

Reverend Jeff Gatlin, Freedom Baptist Church, gave the invocation.

(10/18/16 - 1 - 9:01 a.m.)
PLEDGE OF ALLEGIANCE

Smith led the Pledge of Allegiance.

(10/18/16 - 1 - 9:03 a.m.)
PROCLAMATION RECOGNIZING OCTOBER 2016 AS DOMESTIC VIOLENCE
AWARENESS MONTH

Johns spoke on the history of Domestic Violence Awareness Month, reported on County statistics regarding domestic violence and the important role the Betty Griffin House plays in the community.

(9:05 a.m.) Melissa Lundquist, Assistant to the County Commissioners, read the proclamation for the record.

(9:07 a.m.) Joyce Mahr, Betty Griffin House CEO, spoke on the history, statistics and the work the Betty Griffin House conducts within St. Johns County.

(10/18/16 - 2 - 9:11 a.m.)

ACCEPTANCE OF PROCLAMATION

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

(9:12 a.m.) Bennett requested that the county administrator provide an overview of County preparations, reactions, and recovery procedures regarding Hurricane Matthew. She requested that additional items be added to the Regular Agenda, prior to public comment.

The meeting moved to Regular Agenda Additions/ Deletions.

(10/18/16 - 2 - 9:18 a.m.)

PUBLIC COMMENT

(9:18 a.m.) Vivian Browning, 155 Vilano Road, Vilano Beach, spoke on the severe damage from the storm surge and stated that the Vilano town center did not experience any flooding.

(9:20 a.m.) Christopher Bibbs, Education Specialist Mosquito Control, gave a summary of the hurricane aftermath, regarding the control of mosquitos. He spoke on the reduction of excess water and an aerial spray scheduled for the evening of Wednesday, October 15, 2016; a flyer was displayed, *Exhibit A*. He requested that residents stay indoors from 8:00 p.m. through 11:00 p.m. during the aerial spray. Discussion ensued on noise pollution produced by the aerial spray, the number of scheduled aerial sprays, and communication with beekeepers.

(9:27 a.m.) Rena Carney, 2854 Coastal Highway, spoke in favor of the rezoning request on Regular Agenda 3, stating the benefits to residents. She was given the opportunity to speak on this item due to her inability to stay for the remainder of the meeting.

(9:29 a.m.) Victoria Raleigh, North Florida Region of the American Red Cross Regional Chief Executive Officer (RCEO), gave an overview of the services provided, in response to Hurricane Matthew; a flyer was displayed, *Exhibit B*.

(9:30 a.m.) Maria Antigua, 3912 Coastal Highway, began speaking on the effects of Hurricane Matthew and was asked to hold her comments until the Regular Agenda Item regarding the storm.

(9:31 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, spoke on the increased JEA base rates.

(10/18/16 - 2 - 9:33 a.m.)

DELETIONS TO CONSENT AGENDA

McCormack requested that Consent Agenda Item 7 be pulled from the Consent Agenda.

(10/18/16 - 2 - 9:33 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement Report

2. Motion to approve the extension of the 2016 tax roll prior to completion and adjustments of the Property Value Adjustment Board parcels
3. Motion to adopt **Resolution No. 2016-312**, approving the final plat for Twenty Mile at Nocatee, Phase 4B

RESOLUTION NO. 2016-312

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR TWENTY MILE AT NOCATEE, PHASE 4B

4. Motion to adopt **Resolution No. 2016-313**, approving the final plat for Riverwood by Del Webb, Phase 3B, Unit 2

RESOLUTION NO. 2016-313

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RIVERWOOD BY DEL WEBB, PHASE 3B, UNIT 2

5. Motion to adopt **Resolution No. 2016-314**, approving the final plat for Riverwood by Del Webb, Phase 3C, Unit 2

RESOLUTION NO. 2016-314

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RIVERWOOD BY DEL WEBB, PHASE 3C, UNIT 2

6. Motion to adopt **Resolution No. 2016-315**, approving the final plat for Whisper Creek, Phase 4, Unit C

RESOLUTION NO. 2016-315

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WHISPER CREEK, PHASE 4, UNIT C

Consent Agenda Item 7 was pulled.

7. Motion to adopt the final plat for Durbin Crossing Townhomes, Phase II
8. Motion to adopt **Resolution No. 2016-316**, approving the final plat for Reserve at Greenbriar, Phase Two B

RESOLUTION NO. 2016-316

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RESERVE AT GREENBRIAR, PHASE TWO B

9. Motion to adopt **Resolution No. 2016-317**, accepting a Special Warranty Deed for conveyance of a lift station site, two Easements for Utilities, and a Bill of Sale and Schedule of Values, conveying all personal property associated with the water and sewer lines, to serve the Preserve at Palm Valley

RESOLUTION NO. 2016-317

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED FOR CONVEYANCE OF A LIFT STATION SITE, TWO EASEMENTS FOR UTILITIES, AND A BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER LINES, TO SERVE THE PRESERVE AT PALM VALLEY

10. Motion to adopt **Resolution No. 2016-318**, accepting an Easement for Utilities for Water Meters located at the Publix at Moultrie Square, located at the corner of US 1 South and Wildwood Drive

RESOLUTION NO. 2016-318

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER METERS, LOCATED AT THE PUBLIX AT MOULTRIE SQUARE, LOCATED AT THE CORNER OF US 1 SOUTH AND WILDWOOD DRIVE

11. Motion to adopt **Resolution No. 2016-319**, authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement, to acquire property required for the CR 210 widening project, located outside of the Twin Creeks DRI

RESOLUTION NO. 2016-319

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE, A PURCHASE AND SALE AGREEMENT, FOR PROPERTY REQUIRED FOR THE CR 210 WIDENING PROJECT, OUTSIDE OF THE TWIN CREEKS DRI

12. Motion to adopt **Resolution No. 2016-320**, authorizing the county administrator, or designee, to execute a License to Use/Hold Harmless Agreement, allowing use of an unopened portion of First Street, in North Beach Subdivision

RESOLUTION NO. 2016-320

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF, AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE, A LICENSE TO USE/HOLD HARMLESS AGREEMENT, ALLOWING USE OF AN UNOPENED PORTION OF FIRST STREET, IN NORTH BEACH SUBDIVISION, ON BEHALF OF THE COUNTY

13. A motion to adopt **Resolution No. 2016-321**, approving the recognition and appropriation of received FY 2016 Library donations in the amount of \$14,717, amending the FY 2017 Budget

RESOLUTION NO. 2016-321

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2017 GENERAL FUND TO INCLUDE CERTAIN UNANTICIPATED REVENUE; AND AUTHORIZE THE EXPENDITURE BY THE LIBRARY SYSTEM

14. Motion to adopt **Resolution No. 2016-322**, authorizing Rachel Garvey as a qualified Official, to sign off on certifications and assurances; and as a qualified Submitter, to submit and execute grants, as required by the Federal Transit Administration

RESOLUTION NO. 2016-322

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING RACHEL GARVEY AS A ST. JOHNS COUNTY OFFICIAL AND SUBMITTER, WHO IS AUTHORIZED TO SIGN OFF ON FEDERAL TRANSIT ADMINISTRATION CERTIFICATIONS AND ASSURANCES; AND AUTHORIZED TO SUBMIT AND EXECUTE FEDERAL ADMINISTRATION GRANTS, IN ORDER TO RECEIVE FEDERAL PUBLIC TRANSPORTATION ASSISTANCE

15. Motion to adopt **Resolution No. 2016-323**, approving the terms, provisions, conditions, and requirements of a Contract, for the provision of financial assistance to the St. Johns County Council on Aging, Inc., for operations and programming, at the Trout Creek location; and authorizing the county administrator, or designee, to execute the Contract, in substantially the same form as attached, on behalf of the County

RESOLUTION NO. 2016-323

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

16. Motion to adopt **Resolution No. 2016-324** approving the terms, provisions, conditions, and requirements of a Contract, for the provision of financial assistance to the St. Johns County Council on Aging, Inc., for programming and operations, at The Players Community Senior Center; and authorizing the county administrator, or designee, to execute the Contract, substantially in the form, as attached, on behalf of the County

RESOLUTION NO. 2016-324

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

17. Motion to adopt **Resolution No. 2016-325**, authorizing the county administrator, or his designee, to enter into a contract for one year, with four available one year extensions, to purchase water and wastewater treatment chemicals from Airgas Specialty Products, Inc., Thatcher Chemical of Florida, Inc., Hawkins, Inc., Odyssey Manufacturing, Aquasol Commercial Chemical, Chemtrade, Airgas USA, LLC, Shrieve Chemical, and Shannon Chemical Corporation from Bid No. 16-54

RESOLUTION NO. 2016-325

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 16-54; AND TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF WATER AND WASTEWATER TREATMENT CHEMICALS

18. Motion to adopt **Resolution No. 2016-326**, authorizing the county administrator, or designee, to award Bid No. 16-51, Stonegate Lift Station Improvements, to G&H Underground Construction, Inc.; and to execute a contract, in substantially the same form and format as the attached hereto, for completion of the County portions of the scope of work at a contract price, not to exceed \$188,154.00

RESOLUTION NO. 2016-326

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 16-51; AND TO EXECUTE AGREEMENTS, FOR STONEGATE LIFT STATION IMPROVEMENTS

19. Motion to adopt **Resolution No. 2016-327**, authorizing the county administrator, or designee, to award Bid No. 16-52, Lift Station Improvements Green Acres, Royal Pines, Towerview, and World Golf Village Hall Of Fame, to PBM Constructors, Inc.; and to execute a contract, in substantially the same form and format as the attached hereto, for completion of the County portions of the scope of work at a contract price, not to exceed \$713,000.00

RESOLUTION NO. 2016-327

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR

DESIGNEE, TO AWARD BID NO. 16-52; AND TO EXECUTE AGREEMENTS FOR LIFT STATION IMPROVEMENTS: GREEN ACRES, ROYAL PINES, TOWERVIEW, WORLD GOLF VILLAGE HALL OF FAME

20. Motion to adopt **Resolution No. 2016-328**, authorizing the county administrator, or his designee, on behalf of St. Johns County, to execute the first amendment to the cost-share agreement, with St. Johns River Water Management District, for the Reclaimed Water Storage Tank project, substantially in the same form as attached hereto

RESOLUTION NO. 2016-328

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE FIRST AMENDMENT OF A COST-SHARE AGREEMENT, BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, PURSUANT TO THE DISTRICT'S COOPERATIVE COST SHARE INITIATIVE PROGRAM; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AMENDMENT, ON BEHALF OF ST. JOHNS COUNTY

21. Motion to approve the selection of MagneGrip as the vendor to provide standardization of Fire Station Exhaust Systems Equipment; and to authorize the county administrator, or his designee, to negotiate a contract with MagneGrip, for the purchase and installation of countywide fire station exhaust systems, and upon successful conclusion of negotiations, to execute a contract, substantially in the same form and format as attached hereto
22. Motion to declare the attachments as surplus; and authorize the county administrator, or his designee, to dispose of same in accordance with Purchasing Policy 308 and Florida Statute 274
23. Approval of Minutes from Special Meeting September 20, 2016
24. Proofs:
- a) Proof: Notice of Meeting, 9/16 BCC Special Meeting, published August 29, 2016, in *The St. Augustine Record*
 - b) Proof: Request for Bids, Bid No. 16-54 for Purchase of Water and Wastewater Treatment Chemicals, published September 2, 2016 and September 9, 2016, in *The St. Augustine Record*
 - c) Proof: Request for Bids, Bid No. 16-55 for St. Johns County Building Services, published on August 31, 2016 and September 7, 2016, in *The St. Augustine Record*
 - d) Proof: Request for Bids, St. Andrews Lift Station - Bid No. 16-58, published September 14, 2016 and September 21, 2016, in *The St. Augustine Record*
 - e) Proof: Request for Qualifications, RFQ No. 17-03 PV, Water Reclamation Facility, published September 09, 2016, in *The St. Augustine Record*
 - f) Proof: Notice of Hearing, September 20, 2016, Utility Hearing, published September 09, 2016, in *The St. Augustine Record*
 - g) Proof: Notice of Meeting, September 20, 2016, Special Meeting, published September 12, 2016, in *The St. Augustine Record*

- h) Proof: Notice of Meeting, Carpenters' Union September 14, 2016, published September 09, 2016, in *The St. Augustine Record*
- i) Proof: Notice of Meeting, September 22, 2016, Meeting - Negotiation Carpenters' Union, published September 21, 2016, in *The St. Augustine Record*

The meeting moved to Regular Agenda Item 7.

(10/18/16 - 8 - 9:13 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

McCormack requested that Regular Agenda Item 2 be opened and continued to November 15, 2016.

(9:14 a.m.) Wanchick gave a brief summary of the additional items Bennett requested be added to the Regular Agenda.

(10/18/16 - 8 - 9:17 a.m.)

APPROVAL OF REGULAR AGENDA

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

The meeting moved to Public Comment.

(10/18/16 - 8 - 11:17 a.m.)

1. SUMMER 2016 TOURISM UPDATE. A BRIEF INFORMATIONAL PRESENTATION TO THE COMMISSIONERS, REVIEWING THE SURVEY DATA COLLECTED DURING THE SUMMER QUARTER (JUNE, JULY, AND AUGUST)

Tera Meeks, Director Tourism and Cultural Development, reviewed the survey data and reported the 2016 tourism trends.

(10/18/16 - 8 - 11:23 a.m.)

2. PUBLIC HEARING, REZ 2016-02, SUMMER HAVEN

McCormack requested that the item be opened and continued to November 15, 2016 at 9:00 a.m.

(11:24 a.m.) Motion by McClure, seconded by Bennett, carried 5/0, to continue [this item] to November 15, 2016 at 9:00 a.m.

(10/18/16 -8- 11:25 a.m.)

3. PUBLIC HEARING, REZ 2016-10, PAGODA PROPERTIES. REQUEST TO REZONE APPROXIMATELY 1.3 ACRES, CONSISTING OF 19 LOTS, FROM COMMERCIAL HIGHWAY AND TOURIST (CHT) TO RESIDENTIAL GENERAL (RG-1), WITH CONDITIONS. THE SUBJECT PROPERTY, WHICH CONSISTS OF FOURTEEN STRUCTURES AND NINETEEN LOTS, WERE ILLEGALLY SUBDIVIDED AND SOLD AS SINGLE-FAMILY RESIDENTIAL DWELLING UNITS IN THE EARLY 1970'S. THE LOTS ARE ZONED COMMERCIAL HIGHWAY TOURIST (CHT), WHICH DOES NOT PERMIT RESIDENTIAL SINGLE-FAMILY DWELLINGS AS A PRIMARY USE. ADDITIONALLY, THIS CREATED NONCONFORMING LOTS AND STRUCTURES, THAT ARE PRESENTLY NOT PERMITTED TO DO GENERAL MAINTENANCE OR REPAIRS TO THE STRUCTURES ONSITE, DUE TO

VARIOUS NONCONFORMING ASPECTS SUCH AS DENSITY, MINIMUM LOT SIZE, IMPERVIOUS SURFACE AREA, MAXIMUM LOT COVERAGE, MINIMUM LOT WIDTH, SETBACKS, ACCESS REQUIREMENTS, AND BUFFERING. THIS REZONING WOULD CREATE LEGAL, NONCONFORMING LOTS, AS WELL AS, ACKNOWLEDGE ALL NONCONFORMING ASPECTS OF THE STRUCTURES AND THE PARCELS, TO ALLOW THE HOMEOWNERS TO SEEK PERMITS FOR RECONSTRUCTION, REPAIR, AND GENERAL MAINTENANCE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REZONING REQUEST, WITH A VOTE OF 6-0, AT THE SEPTEMBER 5TH, 2016, HEARING

Proof of publication of the notice of public hearing on REZ 2016-10, Pagoda, was received, having been published in *The St. Augustine Record* on August 18, 2016.

Bennett disclosed ex parte communication, stating she had spoken with staff. Smith stated that he had spoken with Vivian Browning.

Joseph Cearley, Growth Management, presented the request via PowerPoint presentation.

(11:33 a.m.) Discussion ensued on the reasoning behind the rezoning, emergency services, adequate water and sewage, and the possibility of creating a rental community.

(11:36 a.m.) Bennett gave a brief history of the subject property, stating that the rezoning would allow property owners to make repairs to their existing property. Discussion ensued on subdividing parcels, the difference between transient and permanent and the actions taken prior to the implementation of the Land Development Code.

(11:39 a.m.) Suzanne Konchan, Growth Management, responded on subdividing property, which was not consistent with the land development plan and the current situation at the subject property. She spoke on permits requiring a clearance sheet, setting a precedent, residential zoning classification and the County's ability to recognize a unique situation and govern zoning. Discussion continued.

(11:45 a.m.) McCormack spoke on the proposed remedial action and the alternatives. Discussion continued, with Cearley restating condition number 4.

(11:50 a.m.) Vivian Browning, 30 Beachcomber Way, supported the rezoning of the subject property, due to the current legal descriptions, deeds, appraisals and the taxes paid by the property owners.

(11:53 a.m.) Smith noted the earlier public comment, by Rena Carney, concerning this item.

(11:54 a.m.) **Motion by Bennett, seconded by Morris, carried 4/1, with Johns dissenting, to enact Ordinance No. 2016-54, RES 2016-10, Pagoda Properties, adopting Findings of Fact 1-3 and subject to conditions 1-4.**

ORDINANCE NO. 2016-54

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED, HEREINAFTER, FROM RESIDENTIAL GENERAL-1 (RG-1) AND COMMERCIAL HIGHWAY TOURIST (CHT) TO RESIDENTIAL GENERAL-1 (RG-1),

WITH CONDITIONS, PROVIDING FINDINGS OF FACT; PROVIDING CONDITIONS; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(10/18/16 - 10 - 11:54 a.m.)

4. PUBLIC HEARING, CPA (SS) 2016-05, GATES AUTO SALES. THIS IS A REQUEST TO AMEND THE FUTURE LAND USE MAP FROM RESIDENTIAL-B TO INTENSIVE COMMERCIAL (IC), TO ALLOW FOR CAR SALES ON APPROXIMATELY 0.4 ACRE OF LAND. THE PLANNING AND ZONING AGENCY RECOMMENDS APPROVAL, WITH A 6-1 VOTE, SUBJECT TO THE SITE BEING LIMITED TO RURAL AUTO SALES, WITH NO MORE THAN 10 AUTOMOBILES AT ANY ONE TIME. ALTHOUGH NOT INCLUDED IN ITS MOTION, THE AGENCY DISCUSSED THAT THE TEXT AMENDMENT COULD BE BROADENED, TO ALSO ALLOW FOR NEIGHBORHOOD COMMERCIAL USES, IN ADDITION TO LIMITED CAR SALES, AS NEIGHBORHOOD COMMERCIAL USES ARE CURRENTLY ALLOWED UNDER THE RESIDENTIAL B LAND USE. THE APPLICANT HAS PROVIDED TWO VERSIONS OF A SITE SPECIFIC TEXT AMENDMENT, FOR THE BOARD'S CONSIDERATION

Proof of publication of the notice of public hearing on CPA(SS) 2016-05, Gates Auto Sales, was received, having been published in *The St. Augustine Record* on August 29, 2016.

Teresa Bishop, AICP, Planning Division Manager, presented the request, including two text amendments, via PowerPoint presentation.

(12:02 p.m.) Discussion ensued on current land use versus zoning, the compatibility of adjacent properties, comprehensive plan regarding conditions and zoning, and non-conforming properties.

(12:08 p.m.) James Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, spoke on the application and the proposed family business. He stated that the subject property was currently zoned as Commercial Intensive and the request was compatible with the current, adjacent land uses. Discussion ensued on the purchase of the property, prior to the rezoning approval, adjacent businesses, the expansion of SR 207, the property survey, compatibility with current land uses, the size of the property and specific uses being requested.

(12:44 p.m.) Dale Barnes, 7470 Cowpen Branch Road, Elkton, Florida, spoke in opposition to the request, based on his ownership of and uses for the adjacent property lots.

(12:49 p.m.) John Miracle, 201 Park Avenue, Hastings, Florida, spoke in opposition to the request, based on the location of his family's business, Barnes Farms, on the surrounding property purchased by his father-in-law, Dale Barnes.

(12:56 p.m.) Kelly Gates, applicant, 5090 Cypress Links Boulevard, Elkton, Florida, provided a brief history of their past business in New York and the proposed business for the subject property. Rick Gates, applicant, spoke on the confusion with zoning and the previous and proposed land uses for the property.

(12:59 p.m.) Whitehouse summarized the applicants' proposed land use and what was currently allowed on the property.

(1:01 p.m.) McClure questioned the feasibility of applying for a special use permit. Whitehouse clarified the request. Discussion ensued on non-conforming continual use versus a brand new application and compliance.

(1:05 p.m.) Morris read staff's conclusion on the intensive commercial future land use designation in an area planned for residential uses and neighborhood commercial uses.

(1:06 p.m.) McClure questioned the compliance of the government land use overlay. Smith replied with the history of the widening of SR 207.

(1:09 p.m.) Motion by Smith, seconded by Morris, carried 5/0, to deny CPA (22) 2016-05, Gates Auto Sales, based upon three Findings of Fact to support the motion.

The meeting recessed at 1:09 p.m. and reconvened at 1:20 p.m. with Deputy Clerk Sindy Wiseman in attendance.

(10/18/16 - 11 - 1:20 p.m.)

5. PUBLIC HEARING, FIRST READING OF SIXTH REPEALER ORDINANCE. IN SUPPORT OF THE BOARD'S GOALS AND OBJECTIVES, THE OFFICE OF THE COUNTY ATTORNEY IS CONTINUALLY WORKING TO IDENTIFY ORDINANCES THAT HAVE BEEN SUPERSEDED BY STATUTE, OR THAT ARE OUTDATED, REDUNDANT, OR NO LONGER IN THE PUBLIC INTEREST. ONCE IDENTIFIED, THESE ORDINANCES CAN BE REMOVED FROM THE COUNTY CODE, THEREBY, PROVIDING THE PUBLIC WITH MORE EFFICIENT ACCESS TO THE COUNTY'S ORDINANCES THAT ARE STILL IN EFFECT. THIS ORDINANCE IDENTIFIES ORDINANCES THAT HAVE EITHER BEEN REPEALED OR THAT HAVE BEEN SUPERSEDED BY STATE LAW, REPEALS THE ORDINANCES THAT HAVE NOT ALREADY BEEN REPEALED, AND REMOVES THE ORDINANCES FROM THE COUNTY CODE

McCormack presented the details of ordinances requested to be repealed.

(1:21 p.m.) Rebecca Lavie, Assistant County Attorney, stated that there were 73 ordinances requested to be repealed which would bring the total number of ordinances repealed to 386.

(10/18/16 - 11 - 1:22 p.m.)

6. CONSIDER APPOINTMENTS TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC). THE PURPOSE OF THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC) IS TO REVIEW ESTABLISHED POLICIES AND PROCEDURES, ORDINANCES, AND LAND DEVELOPMENT REGULATIONS; AND ADOPTED LOCAL GOVERNMENT COMPREHENSIVE PLAN; AND RECOMMEND SPECIFIC ACTION OR INITIATIVES TO ENCOURAGE OR FACILITATE AFFORDABLE HOUSING, WHILE PROTECTING THE ABILITY OF THE PROPERTY TO APPRECIATE IN VALUE. CURRENTLY THERE ARE THREE VACANCIES ON THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC), DUE TO EXPIRED TERMS. PURSUANT TO, AND IN ACCORDANCE WITH, SECTION 420.9076, FLORIDA STATUTES. THE THREE VACANCIES ARE REQUIRED TO BE: 1) A CITIZEN WHO RESIDES WITHIN THE JURISDICTION OF THE LOCAL GOVERNING BODY MAKING THE APPOINTMENTS; 2) A CITIZEN WHO REPRESENTS AN EMPLOYER WITHIN THE JURISDICTION; AND 3) A CITIZEN WHO REPRESENTS ESSENTIAL SERVICES PERSONNEL, AS DEFINED IN THE LOCAL HOUSING ASSISTANCE PLAN. PLEASE FIND, ATTACHED FOR YOUR REVIEW, A RECOMMENDATION FROM THE AHAC AND 9 APPLICATIONS (MARGARET RICKERSON, DIST. 2; STEVEN

LADRIDO, DIST. 5; ALIA REIMER, DIST. 5; HERBERT WILES, DIST. 5; ROBERT REBEOR, DIST. 1; ANNE YAUN, DIST. 5; THOMAS SHEPPARD JR., DIST. 5; ALEXANDER MANSUR, DIST. 5; AND BRANDON DOWNIE, DIST 3)

Bill Lazar, St. Johns Housing Partnership, 525 West King Street, spoke on the Affordable Housing Advisory Committee applicants.

(1:24 p.m.) Melissa Lundquist, Assistant to the Board of County Commissioners, presented details of the request.

(1:26 p.m.) Bennett questioned whether there would be a conflict of interest for an applicant such as the head of Habitat of St. Johns. Lavie stated there would be no conflict.

(1:27 p.m.) McClure recognized that Herbie Wiles was qualified and had been a longtime advocate for Affordable Housing and felt he would be an asset to the Affordable Housing Advisory Committee (AHAC). Morris concurred with McClure.

(1:28 p.m.) Lazar spoke on temporary housing issues in the County. He agreed that Wiles would be an asset to AHAC.

(1:30 p.m.) Bennett questioned the status of a meeting that was to be held, pertaining to methods of dealing with impact fees for Affordable Housing. Discussion ensued.

(1:32 p.m.) McClure nominated Anne Yaun, Steven Ladrido, and Herbert Wiles to the Affordable Housing Advisory Committee. Lavie requested the maker of the motion state which appointee was for which appointed spot.

(1:34 p.m.) Motion by McClure, seconded by Morris, carried 5/0, to appoint Anne Yaun, to the Affordable Housing Advisory Committee (essential services personnel); Steven Ladrido (resident); and Herbert Wiles (employer), for a four-year term, scheduled to expire, October 18, 2020.

(10/18/16 - 12 - 9:33 a.m.)

7. HURRICANE UPDATES AND EXTENSION OF EMERGENCY DECLARATION

Wanchick gave a summary of the storm's damage, the County's recovery efforts after Hurricane Matthew, including debris pickup, and provided phone numbers for those needing assistance.

(9:50 a.m.) Morris spoke on yard waste clean-up and FEMA funding. He requested a schedule for the residents.

(9:53 a.m.) McClure spoke on household debris removal, private utilities, and questioned the process for those homes that were deemed a total loss.

(9:55 a.m.) Bennett thanked Commissioner Elect Waldron and Dean on their involvement during and after the storm. She encouraged residents to check the County's Facebook page. She spoke on the benefits of digital billboards during an emergency situation.

(9:59 a.m.) Locklear spoke on the provisions under the State of Emergency, including DEP. He spoke on the breaches in Summer Haven and the contract for the River Restoration Project. He spoke on temporary armoring in Vilano Beach and encouraged residents to contact the Building Services Hotline for questions. He stated that meetings were to be held on additional provisions. Discussion ensued on ongoing decisions, meetings, and the dissemination of information.

(10:06 a.m.) Johns thanked all staff members for their efforts during the storm and in the recovery process, the residents for evacuating when asked, the non-profits, and the collaboration between all agencies.

(10:08 a.m.) McClure questioned the removal of boats that had come aground.

(10:09 a.m.) Wanchick spoke on FEMA Disaster Assistance and encouraged residents to follow the County's social media sites.

(10:10 a.m.) Johns requested that the schedule for the aerial mosquito spraying be posted on the County's social media sites.

(10:10 a.m.) McCormack echoed the proficiency of the County's performance during the storm and "neighbor-helping-neighbor" from the invocation. He spoke on the proposed Emergency Proclamation No. 2016-4, which would extend the Emergency Declaration that was originally approved on October 5, 2016. Discussion ensued on the extension requirements and benefits.

(10:16 a.m.) Ellen Avery-Smith, 61 Magnolia Dunes Circle, St. Augustine Beach, Florida, thanked County staff for efficient communication during and after the storm. She requested the County temporarily suspend driving on the beach during the restoration process.

(10:18 a.m.) Linda Chambless, 3043 South Ponte Vedra Boulevard, Ponte Vedra Beach, Florida, thanked the County for its responsiveness. She requested that the severely affected areas be referred to South Ponte Vedra Beach through Vilano Beach.

(10:21 a.m.) Barbara Jenness, 313 Porpoise Point Drive, thanked the County, spoke on dock debris and requested that staff investigate the cost to the residents for a beach walkover and easements.

(10:23 a.m.) Lisa Lloyd, 132 Surfside Avenue, spoke on the damage in Surfside and requested a language change to include this area. Additionally, she spoke on the lack of communication, AT&T, scavengers and debris removal.

(10:28 a.m.) Robert Franskousky, a member of the South Ponte Vedra-Vilano Beach Preservation Association, Inc., but was speaking on his own behalf, commented on the impact of upcoming decisions and suggested removing non-conforming versus conforming language, streamlining the wall process, government design/involvement in a wall and moving the dredge in South Jacksonville Beach to Vilano.

(10:31 a.m.) Jo Monsorno, 2745 South Ponte Vedra Boulevard, spoke on the need for expediting permanent permits. Locklear responded and encouraged the resident to contact Building Services.

(10:33 a.m.) Vivian Browning, 30 Beachcomber Way, President of Vilano Mainstreet, spoke on disaster relief; including the use of the language "North Coastal Corridor," beach re-nourishment, and community resources online. She commented on the aerial mosquito spraying and provided the telephone number for Mosquito Control.

(10:37 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, Fruit Cove, Florida, spoke against the increased building in the Coastal High Hazard zones and the cost to the taxpayers and having to subsidize these buildings.

(10:39 a.m.) Melissa Nelson, 117 Bridge Street, United Way, spoke on the role of United Way, the push for communication to the residents, current fundraisers and the immediate needs for many residents.

(10:44 a.m.) Bennett provided information on the repairs to A1A in Flagler County, stating it will be a \$40 million project. She spoke on the need for bulkheads to protect homes along A1A in St. Johns County, and to protect the infrastructure on the leeward side of the ocean.

(10:46 a.m.) McClure spoke on the language for insurance purposes and expediting the permitting process for bulkheads. Locklear responded.

(10:48 a.m.) **Motion by Bennett, seconded by Morris, carried 5/0, to approve the extension of the Emergency Declaration 2016-4, becoming effective October 18, 2016, at 5:00 p.m. and to run through the next seven calendar days.**

(10/18/16 - 14 - 10:49 a.m.)

8. SUMMER HAVEN RIVER RESTORATION PROJECT TEMPORARY CONSTRUCTION EASEMENT/PORT AND WATERWAY

Mary Ann Blount, Land Management Director, spoke on the temporary construction easement, via PowerPoint presentation.

(10:50 a.m.) Johns questioned the anticipated time until completion of the project.

(10:50 a.m.) Mike Trudnak, Taylor Engineering, stated the end date of the project was April 2017. Discussion ensued on the project.

(10:52 a.m.) **Motion by McClure, seconded by Bennett, carried 5/0, to approve the temporary construction easement as presented, subsequently assigning Resolution No. 2016-329.**

RESOLUTION NO. 2016-329

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE CHAIR OF THE BOARD, ON BEHALF OF THE COUNTY, TO EXECUTE A TEMPORARY CONSTRUCTION EASEMENT IN CONNECTION WITH THE SUMMER HAVEN RIVER RESTORATION PROJECT

(10/18/16 - 14 - 10:52 a.m.)

9. REQUEST TO CONTINUE COORDINATION WITH THE FLORIDA INLAND NAVIGATION DISTRICT TO PLACE DREDGING MATERIALS NORTH OF THE INLET

Locklear requested Board consensus and support to continue to work with the Florida Inland Navigation District (FIND) and its contractor, the Army Corps of Engineers, regarding the placement of sand from the St. Augustine inlet area and redirect it to the north.

(10:53 a.m.) Smith thanked County representation and McClure presented several questions concerning location of sand, cost, insurance, private property and County liability. Locklear and Wanchick responded and discussion continued, with Morris

referring to deadlines and Bennett mentioning the cooperation between governmental agencies.

(11:03 a.m.) Bennett requested Board consensus to continue coordination with the Florida Inland Navigation District (FIND) to request that the Army Corps of Engineers modify contracts and associated permits to pursue an easement, as necessary, for placement of near inlet dredging materials north of the inlet, and to give the county administrator, or his designee, the authorization to sign any associated paperwork. *Morris supported the request and there was unanimous consensus by the Board.*

(11:03 a.m.) **McCormack requested that the Board approve Resolution No. 2016-329 for Regular Agenda Item 8. Subsequently, Resolution No. 2016-329 was approved with a vote of 5/0. Additionally, McCormack requested the Board acknowledge the approval of Consent Agenda Item 9 include the added items.**

(10/18/16 - 15 - 11:05 a.m.)

10. BOARD APPROVAL TO REQUEST DISASTER RELIEF FUNDING TO BE ADMINISTERED BY THE STATE HOUSING INITIATIVE PROGRAM (SHIP)

Andrews requested approval from the Board to formally request, by application to the Florida Housing Coalition, \$1.2 million in additional SHIP funds for disaster relief, associated with Hurricane Matthew. She stated the funds would be used for temporary housing, rentals, interim repairs, maintaining habilitation and construction repair to wells and potential payment for insurance deductibles, in addition to FEMA.

(11:07 a.m.) Bennett questioned the cost to the County.

(11:08 a.m.) McClure questioned the eligibility requirements and the application process. Discussion ensued on the supplemental funding.

(11:10 a.m.) **Motion by Bennett, seconded by Morris, carried 5/0, to approve a request to apply for disaster relief funds, in the amount, based on damage assessments, of \$1.2 million, to be administered by the State Housing Initiative Program (SHIP).**

(10/18/16 - 15 - 11:10 a.m.)

11. LETTER OF AGREEMENT BETWEEN THE STATE OF FLORIDA, AGENCY FOR HEALTHCARE ADMINISTRATION, FLAGLER HOSPITAL, AND ST. JOHNS COUNTY

Andrews presented the information on the County's charitable care contract between Flagler Hospital and the Agency for Healthcare Administration (AHCA). She notified the Board of the October 28, 2016, deadline to execute a contract to participate in the program, which would match the County's contribution of \$350,000 times 2.5, which would be close to \$900,000.

(11:12 a.m.) McClure questioned the allocation. Discussion ensued on cost and risk.

(11:30 a.m.) **Motion by McClure, seconded by Bennett, carried 5/0, to approve Resolution 2016-330, approving the terms, provisions, conditions, and requirements of an agreement, between the Board of County Commissioners of St. Johns County, and the State of Florida, Agency for Healthcare Administration (AHCA), and the agreement between St. Johns County, Florida, and Flagler Hospital; and authorizing the county administrator, or designee, to execute the agreement on behalf of the County**

RESOLUTION NO. 2016-330

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT, BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, AND THE STATE OF FLORIDA, AGENCY FOR HEALTHCARE ADMINISTRATION (AHCA), AND THE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND FLAGLER HOSPITAL; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

(10/18/16 - 16 - 11:14 a.m.)

12. APPROVAL OF ANNUAL AGREEMENT WITH THE CITY OF ST. AUGUSTINE FOR PARKING DURING THE HOLIDAY SEASON

Mary Ann Blount, Land Management Director, presented the information on Interlocal Agreement.

(11:16 a.m.) Bennett spoke on the benefits of the City and County working with one another. Discussion ensued in support of the comments.

(11:17 a.m.) **Motion by Bennett, seconded by McClure, carried 5/0, to approve Resolution 2016-331, authorizing the county administrator, or designee, to execute an Interlocal Agreement on behalf of the County, with the City of St. Augustine, Florida, to provide for holiday seasons and special events shuttle bus parking.**

RESOLUTION NO. 2016-331

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN INTERLOCAL AGREEMENT ON BEHALF OF THE COUNTY, WITH THE CITY OF ST. AUGUSTINE, FLORIDA, TO PROVIDE FOR HOLIDAY SEASONS AND SPECIAL EVENTS SHUTTLE BUS PARKING

The meeting moved to Regular Agenda Item 1.

(10/18/16 - 16 - 1:35 p.m.)

COMMISSIONERS' REPORTS

Commissioner Bennett

(1:35 p.m.) Bennett expressed appreciation to staff and residents for their patience and cooperation during the storm.

Commissioner Johns

(1:36 p.m.) Johns echoed Bennett's thoughts and said that the sooner everything got back to normal, the sooner visitors would have the confidence to return.

Commissioner Morris

(1:36 p.m.) Morris expressed appreciation to staff.

Commissioner McClure

(1:37 p.m.) McClure announced the FEMA Hotline as, 1-800-621-3362, for anyone needing assistance and offered condolences to anyone that was affected by the storm.

Commissioner Smith

(1:38 p.m.) Smith spoke on the devastation from the storm. He also spoke on the evaluation forms for the County Administrator and the County Attorney and requested the commissioners submit their forms to him, in order to perform an overall evaluation. He referenced the Economic Forecast Report that the commissioners received quarterly, prepared by Dr. Shawn N. Snathe, who suggested the potential for another recession, *Exhibit A*. He gave an agricultural update and asked McCormack for an update on the IFAS deadline. McCormack reported that they were still reviewing the response from IFAS and would report back to the Board.

(10/18/16 - 17 - 1:50 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick thanked the commissioners for their support during Hurricane Matthew. He spoke on beach closures for re-nourishment and the additional contractors for debris removal. He suggested utilizing reserve funds, in hopes that FEMA would reimburse.

(1:54 p.m.) Morris recommended funding what needed to expedite the cleanup. Discussion ensued.

(1:56 p.m.) **Motion by Bennett, seconded by Morris, carried 5/0, to approve up to \$1 million dollars from Solid Waste Reserves, to expedite storm cleanup.**

(10/18/16 - 17 - 1:58 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack mentioned the Emergency Management Department for their stellar job during Hurricane Matthew.

(10/18/16 - 17 - 1:59 p.m.)

CLERK OF COURT'S REPORT

No report.

(10/18/16 - 17 - 1:59 p.m.)

ADJOURN

With there being no further business, Smith adjourned the meeting at 1:59 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 26210-26211, totaling \$11,512.80 (9/29/16)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 537892-537902, totaling \$4,221.84 (9/29/16)

3. St. Johns County Board of County Commissioners Check Register, Check No. 537903, totaling \$48.50 (9/29/16)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 537904-537918, totaling \$210,797.12 (9/30/16)
5. St. Johns County Board of County Commissioners Check Register, Check No. 537919, totaling \$4,639.80 (10/03/16)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 537920-538178, totaling \$1,410,644.49 and Voucher Register, Voucher Nos. 26212-26289, totaling \$615,625.45 (10/04/16)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 538180-538205, totaling \$27,718.26 and Voucher Register, Voucher Nos. 26290-26305, totaling \$33,312.12 (10/04/16)
8. St. Johns County Board of County Commissioners Check Register, Check No. 538179, totaling \$2,783.88 (10/05/16)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 538206-538210, totaling \$3,657 and Voucher Register, Voucher Nos. 26306-26317, totaling \$8,446 (10/04/16)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 538212-538215, totaling \$645 (10/13/16)

CORRESPONDENCE:

There was none.

Approved _____ December 6 _____, 2016

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James K. Johns, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: *Ram Halterman*
Deputy Clerk

