

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
NOVEMBER 15, 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 A. 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; Rebecca Lavie, Assistant County Attorney

(11/15/16 - 1 - 9:00 a.m.)
CALL TO ORDER

Smith called the meeting to order.

(11/15/16 - 1 - 9:00 a.m.)
ROLL CALL

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

(11/15/16 - 1 - 9:00 a.m.)
INVOCATION

Reverend Ken Wilcox, Center of Spiritual Living, gave the invocation.

(11/15/16 - 1 - 9:02 a.m.)
PLEDGE OF ALLEGIANCE

Smith led the Pledge of Allegiance.

(11/15/16 - 1 - 9:03 a.m.)
PROCLAMATION RECOGNIZING NOVEMBER 2016 AS NATIONAL ADOPTION MONTH

McClure invited the Family Integrity Program staff to come forward and requested the proclamation be read for the record.

(9:03 a.m.) Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record.

(9:06 a.m.) McClure spoke on the important role the Family Integrity Program staff played and the benefits of supporting adoption in the community.

(9:07 a.m.) Michael Forster, Program Manager, Family Integrity Program, thanked the County, families, and staff, for their support.

(11/15/16 - 2 - 9:08 a.m.)

PROCLAMATION RECOGNIZING NOVEMBER 17, 2016, AS WORLD PANCREATIC CANCER DAY

Bennett spoke on the impact of pancreatic cancer in our society and the importance of supporting groups such as the Pancreatic Cancer Action Network and recognitions such as World Pancreatic Cancer Day.

(9:09 a.m.) Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record.

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

ACCEPTANCE OF PROCLAMATIONS

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

(11/15/16 - 2 - 9:12 a.m.)

PUBLIC COMMENT

McClure requested that an item, regarding the Butler Boat Ramp debris update, be , prior to public comment.

(9:13 a.m.) John Delaney, 240 Treasure Beach Road, spoke on the dredging project, the recourse for docks that were in violation of the ordinance, and the cost to the residents.

(9:16 a.m.) Linda Chambless, 3043 South Ponte Vedra Boulevard, Ponte Vedra Beach, Florida, a member of the South Ponte Vedra/Vilano Beach Preservation Association, thanked County staff for meeting with the association and working with them on the survey regarding sand dune replenishment. She requested that the County commissioners and staff members speak with lawmakers to resolve the permitting issues for permanent walls.

(9:19 a.m.) Ed Slavin, saintaugustgreen.com, encouraged staff to look at draft legislation for a St. Augustine National Historical Park and National Seashore, as a solution to the lack of funding for coastal protection. He suggested the need for a County ombudsman and requested the Board adopt Occupational Safety and Health Administration (OSHA) standards.

(9:23 a.m.) Ann Taylor, 1365 State Road 206, questioned the second withdrawal of Regular Item No. 4.

(9:23 a.m.) Steve Abbott, 211 Majorca Road, thanked Bennett and McClure for their service.

(9:24 a.m.) Neil Armingeon, Matanzas Riverkeeper, 291 Cubbedge Road, stated he would speak on the Butler Ramp agenda item.

(9:24 a.m.) Douglas Martin, 253 Treasure Beach Road, spoke on his encounter with former President Carter and the story he told his congregation. He encouraged the public administrators to do their best.

(9:28 a.m.) Sheila Russo, 3013 South Ponte Vedra Boulevard, spoke on public access to A1A.

(9:28 a.m.) Cliff Skarr, 708 Standish Drive, spoke in opposition to digital billboards.

(9:30 a.m.) Walter Smith, 10010 West Deep Creek Boulevard, Hastings, Florida, spoke on affordable housing within the County; in opposition to the current impact fees; and proposed an alternative based on square footage, *Exhibit A*.

(9:33 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, Fruit Cove, Florida, spoke in opposition to the digital billboards.

(9:35 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke on non-profit organizations that do not pay sales tax. She informed residents of a mobile FEMA disaster recovery center on Riberia Street, which was in addition to the center on Agricultural Center Drive; and requested the current income figures be provided for Consent Item No. 14.

(11/15/16 - 3 - 9:37 a.m.)

DELETIONS TO CONSENT AGENDA

McClure questioned the process to add the requested figures to Consent Item No. 14 backup materials.

(9:38 a.m.) Andrews stated that once the funding was approved, the requested figures would be provided, via press release.

(11/15/16 - 3 - 9:38 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2016-343**, approving the Memorandum of Understanding with S.A.F.E. Pet Rescue, Inc., to recognize certain SAFE facilities in the County as Neighborhood Public Services, and to mitigate the impact, intensity, scale, and compatibility of the facilities; and authorizing the county administrator, or designee, to execute the same

RESOLUTION NO. 2016-343

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 MEMORANDUM OF UNDERSTANDING BETWEEN ST. JOHNS COUNTY AND S.A.F.E. PET RESCUE, INC. TO RECOGNIZE CERTAIN S.A.F.E. PET RESCUE, INC. FACILITIES IN ST. JOHNS COUNTY AS NEIGHBORHOOD PUBLIC SERVICES AND TO MITIGATE THE IMPACT, INTENSITY, SCALE, AND COMPATIBILITY OF THE FACILITIES

3. Motion to approve the Fiscal Year 2016 end-of-year fund reserve transfers, per the attached schedule, to ensure fiscal year-end positive account balances per the Administrative Code
4. Motion to approve the Dolphin Cove School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2016-12)

5. Motion to adopt **Resolution No. 2016-344**, approving the final plat for Shearwater Phase 1B East

RESOLUTION NO. 2016-344

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR SHEARWATER PHASE 1B EAST

6. Motion to adopt **Resolution No. 2016-345**, approving the final plat for Durbin Crossing Townhomes, Phase II

RESOLUTION NO. 2016-345

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR DURBIN CROSSING TOWNHOMES PHASE II

7. Motion to adopt **Resolution No. 2016-346**, approving the final plat for Ashby Landing North, Phase I

RESOLUTION NO. 2016-346

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR ASHBY LANDING NORTH, PHASE I

8. Motion to adopt **Resolution No. 2016-347**, approving the final plat for Shearwater Phases 1-7

RESOLUTION NO. 2016-347

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR SHEAR WATER, PHASE 1-7

9. Motion to adopt **Resolution No. 2016-348**, approving the terms and conditions of a Hold Harmless Agreement between St. Johns County and Julington Lakes Homeowners Association, Inc., and authorizing the county administrator, or designee, to execute the Agreement and Amendment to Conservation Easement, on behalf of the County

RESOLUTION NO. 2016-348

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A HOLD HARMLESS AGREEMENT BETWEEN ST. JOHNS COUNTY AND JULINGTON LAKES HOMEOWNERS ASSOCIATION, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT AND AMENDMENT TO CONSERVATION EASEMENT, ON BEHALF OF THE COUNTY

10. Motion to adopt **Resolution No. 2016-349**, authorizing the county administrator, or his designee, to enter into negotiations with, and if negotiations are successful, enter into contract with the top ranked firm, Mott MacDonald Florida, LLC, for Ponte Vedra Water Reclamation Facility - Professional Engineering Services

RESOLUTION NO. 2016-349

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ NO. 17-03 AND TO EXECUTE AGREEMENTS FOR PONTE VEDRA WATER RECLAMATION FACILITY- ENGINEERING SERVICES

11. Motion to adopt **Resolution No. 2016-350**, authorizing the county administrator, or his designee, to enter into contract with Pro Grass, LLC, for the replacement of turf at Aberdeen Park "Field of Dreams," in accordance with the terms and conditions contained in AEPA IFB #016-G at a total price of \$145,000.00

RESOLUTION NO. 2016-350

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD A MISCELLANEOUS PIGGYBACK CONTRACT AND TO EXECUTE AGREEMENTS FOR THE ABERDEEN PARK "FIELD OF DREAMS" TURF REPLACEMENT

12. Motion to adopt **Resolution No. 2016-351**, authorizing the county administrator, or his designee, to enter into a contract for five years to purchase bituminous asphalt patching mix from Duval Asphalt Products, Inc., from Bid No. 17-05

RESOLUTION NO. 2016-351

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 17-05 AND TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF A BITUMINOUS ASPHALT PATCHING MIX

13. Motion to adopt **Resolution No. 2016-352**, authorizing the county administrator, or his designee, to enter into a contract for one year with four available one-year extensions, to purchase sodium hydroxide 50% and chlorine gas from Allied Universal Corporation and JCI Jones Chemicals, Inc., from Bid No. 17-06

RESOLUTION NO. 2016-352

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 17-06 AND TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF SODIUM HYDROXIDE 50% AND CHLORINE GAS

14. Motion to approve **Resolution No. 2016-353**, authorizing the county administrator, or his designee, to accept \$1,200,000 in unanticipated SHIP disaster funds from the Florida Housing Finance Corporation and, upon a finding of legal sufficiency by the Office of the County Attorney, to execute all documents necessary for the acceptance of the funds, and recognizing and appropriating the funds within the Fiscal Year 2016-2017 County Budget

RESOLUTION NO. 2016-353

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO ACCEPT \$1,200,000 IN STATE HOUSING INITIATIVE PROGRAM (SHIP) DISASTER FUNDS FOR THE 2016-2017 FISCAL YEAR TO ADDRESS THE NEEDS OF HURRICANE MATTHEW ELIGIBLE APPLICANTS AND TO RECOGNIZE AND APPROPRIATE WITHIN THE FISCAL YEAR 2017 SHIP FUND

15. Motion to adopt **Resolution No. 2016-354**, approving the terms, conditions, and requirements of the Agreement between St. Johns County, Florida, and Community Based Care of Central Florida, Inc.; authorizing the county administrator, or designee, to execute the Agreement, on behalf of the County.

RESOLUTION NO. 2016-354

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 COMMUNITY BASED CARE OF CENTRAL FLORIDA, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACT EXTENSION AGREEMENT ON BEHALF OF THE COUNTY

16. Motion to adopt **Resolution No. 2016-355**, approving the terms, conditions, provisions and requirements of a Grant Contract between the Florida Inland Navigation District and St. Johns County, Florida; and authorizing the county administrator, or designee, to execute the Contract on behalf of St. Johns County

RESOLUTION NO. 2016-355

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A GRANT CONTRACT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT FOR THE FRANK BUTLER PARK WEST BOAT RAMP DREDGING PROJECT, AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

17. Motion to adopt **Resolution No. 2016-356**, approving the Library System's Disc Cleaning Service and Laminating Service policies, with an effective date of January 2, 2017

RESOLUTION NO. 2016-356

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE LIBRARY SYSTEM'S DISC CLEANING AND LAMINATING POLICIES AND PROCEDURES; PROVIDING AN EFFECTIVE DATE

18. Motion to adopt **Resolution No. 2016-357**, approving the Library's Annual Plan of Service 2016-2017, as required by the State Library of Florida, in order to receive annual State Aid to Libraries Grant funding

RESOLUTION NO. 2016-357

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE LIBRARY'S ANNUAL PLAN OF SERVICE 2016-2017, AS REQUIRED BY THE STATE LIBRARY OF FLORIDA, IN ORDER TO RECEIVE ANNUAL STATE AID TO LIBRARIES GRANT FUNDING IN FISCAL YEAR 2017

(11/15/16 - 7 - 9:38 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

McClure requested the addition of an item regarding the Frank Butler Boat Ramp; it was added as Item No. 14.

(9:39 a.m.) McCormack requested that Item No. 4 be pulled from the agenda.

(9:40 a.m.) McClure objected to Item No. 4 being removed and questioned the rule or policy. Discussion ensued.

(9:42 a.m.) Bennett stated that an email had been received from the City of St. Augustine Beach, requesting that Item No. 12 be heard at the beginning of the meeting.

(11/15/16 - 7 - 9:43 a.m.)

APPROVAL OF REGULAR AGENDA

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

The meeting moved to Regular Agenda Item No. 14.

(11/15/16 - 7 - 10:35 a.m.)

1. FIRST READING OF TREASURE BEACH BULKHEAD ORDINANCE. THIS ORDINANCE REGULATES BULKHEADS AND DOCKS WITHIN THE TREASURE BEACH CANALS. IT CONSOLIDATES AND UPDATES ST. JOHNS COUNTY ORDINANCES 1997-54 AND 1999-7, WHICH CONTAIN THE EXISTING CANAL REGULATIONS. THE REVISIONS ARE BASED ON INPUT RECEIVED FROM BOTH COUNTY STAFF AND RESIDENTS OF THE TREASURE BEACH COMMUNITY AND INCLUDE UPDATED STANDARDS FOR CONSTRUCTION OF BULKHEADS, A REQUIREMENT THAT A RIGHT-OF-WAY PERMIT BE OBTAINED PRIOR TO NEW DOCKS BEING CONSTRUCTED WITHIN THE CANALS, AND PROVISION FOR AN ADMINISTRATIVE WAIVER FOR CERTAIN MINOR ERRORS WITH RESPECT

TO THE LOCATION OF BULKHEADS, DOCKS, OR OTHER NON-VESSEL STRUCTURES

Rebecca Lavie, Assistant County Attorney, presented details of the ordinance, including setbacks, structural standards, distance requirements for docks and non-vessel structures, via PowerPoint.

(10:40 a.m.) McClure provided information regarding the meeting with the residents of Treasure Beach and recommended the removal of Finding of Facts "H." He suggested modified setbacks, the addition of requiring a permit for bulkheads, the 50/50 rule, and a combined length of fifteen feet for both the bulkhead and the dock. He questioned the definition of "public nuisance", repairing rights, the grandfather provision, including administrative waivers and code violations, and common standard plans. Discussion ensued on public safety, public nuisance and the grandfather provision.

Andrews left the meeting at 10:59 a.m.

(11:01 a.m.) Bennett suggested revisions to the ordinance.

(11:02 a.m.) John Delaney, 240 Treasure Beach Road, spoke on dock regulations, dredging, and Ordinance No. 1997-54.

(11:06 a.m.) Steve Abbott, 211 Majorca Road, stated that the proposed ordinance was incomplete and questioned the issuance of the permits.

(11:09 a.m.) Doug Martin, 253 Treasure Beach Road, spoke on the revisions to the proposed ordinance and suggested an amendment to the existing code. He shared a copy of the revised ordinance, *Exhibit A*.

(11:13 a.m.) Jim Almond, 239 Treasure Beach Road, disappointed with the proposed ordinance, spoke on the right-of-way, permitting and compliance with the code.

(11:16 a.m.) Jeff Goff, 204 Barker Road, spoke on compliance of docks, setbacks, and permits.

(11:20 a.m.) McClure reiterated that in 2006 permitting began on bulkheads, but not on the docks. He spoke on changes with permitting and compliance.

(11:22 a.m.) Johns spoke on the history of the property, repairing rights, and questioned the use of current, existing regulatory standards for docks and bulkheads, regulated by other agencies. Discussion ensued.

(11:31 a.m.) Bennett stated that one regulation could not have both the non-compliant docks removed and grandfather the docks that were non-complaint. She suggested that non-complaint properties become a part of public record. Discussion ensued.

(11:36 a.m.) Morris suggested that those who spoke during public comment, join together and work with the legal department on compliance issues and new guidelines.

(11:39 a.m.) Smith summarized the suggestions from the Board, staff, and members of the public, including the right-of-way and the setbacks.

(11:43 a.m.) *Consensus by the Board was given to allow the legal department to handle the revisions to the ordinance, based on the outline provided in the summary by the Chairman.*

(11:43 a.m.) Smith questioned whether the current code enforcement violation deadlines could be extended. Discussion ensued on safety concerns and discernment in providing extensions.

Soria entered the meeting at 11:44 a.m.

(11:47 a.m.) *Consensus by the Board was given to extend the current code enforcement violation deadlines, and maintaining discernment when it comes to safety concerns.*

Lavie left the meeting at 11:47 a.m.

(11/15/16 - 9 - 11:47 a.m.)

2. MAS HVAC, INC. ECONOMIC DEVELOPMENT INCENTIVE APPLICATION. THE ST. JOHNS COUNTY ECONOMIC DEVELOPMENT AGENCY (AGENCY) HAS RECEIVED AN APPLICATION FROM MAS HVAC, INC. (APPLICANT), FOR ECONOMIC DEVELOPMENT INCENTIVES TO CONSTRUCT A 32,400 SQUARE FOOT OFFICE/INDUSTRIAL BUILDING TO SERVE AS ITS NEW CORPORATE HEADQUARTERS/MANUFACTURING OPERATION. MAS HVAC PROVIDES CUSTOM, ENERGY EFFICIENT SOLUTIONS FOR LARGE COMMERCIAL (UNIVERSITIES, HOSPITALS, AIRPORTS, ETC.) AIR CONDITIONING APPLICATIONS. THEY ALSO MANUFACTURE ICESTOR THERMAL STORAGE SYSTEMS, WHICH HELP SHIFT POWER CONSUMPTION TO OFF-PEAK HOURS. THE COMPANY IS CURRENTLY LOCATED IN GREEN COVE SPRINGS AND HAS 17 EMPLOYEES. THEY ARE EXPERIENCING RAPID GROWTH AND WOULD LIKE TO CONSTRUCT THEIR OWN FACILITY TO ACCOMMODATE FUTURE EXPANSION. THE PROPOSED NEW FACILITY IS TO BE LOCATED AT 4030 DEER PARK BLVD., JUST WEST OF I-95 IN ST. JOHNS COUNTY. THIS PROJECT REPRESENTS A PROPOSED RELOCATION OF AN EXISTING OPERATION, CURRENTLY LOCATED IN CLAY COUNTY. IF APPROVED, THE COMPANY INTENDS TO CREATE THIRTY PLUS JOBS AT AN AVERAGE WAGE OF \$61,000 WITHIN THE NEXT FOUR YEARS. THE PROJECT SCORED 7 POINTS UNDER THE 'NEW INDUSTRY' CATEGORY OF THE COUNTY'S BUSINESS INCENTIVE PROGRAM, WHICH MAKES IT ELIGIBLE FOR EXPEDITED PERMITTING AND AN ECONOMIC DEVELOPMENT GRANT OF UP TO 100% OF FEES PAID TO THE COUNTY BY THE APPLICANT (IMPACT FEES AND WATER/SEWER CONNECTION FEES) AND FOUR YEARS AD VALOREM TAXES PAID BY THE APPLICANT (GENERAL COUNTY PORTION) ON CAPITAL IMPROVEMENTS AND TANGIBLE PERSONAL PROPERTY. COMPLETION OF THE PROJECT IS ANTICIPATED BY SUMMER 2017. WITH THIS SCHEDULE, THE FIRST ANNUAL GRANT PAYMENT WOULD BE ANTICIPATED DURING FY 19. THE TOTAL ESTIMATED VALUE OF THE INCENTIVE IS \$160,537. IN ACCORDANCE WITH PROGRAM REQUIREMENTS, THE AGENCY IS REQUIRED TO REVIEW THE APPLICATION AND MAKE A WRITTEN REPORT TO THE BOARD OF COUNTY COMMISSIONERS. STAFF RECOMMENDS SUPPORT OF THIS INCENTIVE APPLICATION

Melissa Glasgow, Director of Economic Development, presented details of the Economic Development Incentive Application.

(11:50 a.m.) **Motion by Smith, seconded by McClure, carried 5/0, to instruct the County Attorney to draft an Economic Development Grant Agreement for MAS HVAC, Inc., to construct a 32,400 +/- square foot office/ industrial building and place the proposed Grant Agreement for consideration by the Board at a later regularly scheduled meeting.**

(11/15/16 - 10 - 11:51 a.m.)

3. PUBLIC HEARING, MAJMOD 2016-15, WESTGATE BUSINESS PARK PUD. REQUEST FOR A MAJOR MODIFICATION TO THE PUD TO ALLOW FOR THE ADDITION OF A SECOND ACCESS DRIVEWAY ON THE EAST SIDE OF WESTGATE BUSINESS PARK FROM SOUTH COLLINS AVENUE. THE PLANNING AND ZONING AGENCY (PZA) RECOMMENDED APPROVAL OF MAJMOD 2016-15 WESTGATE BUSINESS PARK, WITH A 6-0 VOTE IN FAVOR BASED ON THE SIX (6) FINDINGS OF FACT CONTAINED IN THIS REPORT. NOTING THAT THE MOST RECENT REQUEST FOR ACCESS FROM SOUTH COLLINS AVENUE WAS DENIED BY THE BOARD OF COUNTY COMMISSIONERS IN 2006, THE PZA FOCUSED DISCUSSION AROUND IDENTIFYING WHAT HAD CHANGED IN THE 10 YEARS SINCE THE SECOND ACCESS WAS LAST REQUESTED. MEMBERS AGREED THAT THE NEW ENTRANCE WOULD PROVIDE A PUBLIC BENEFIT, WHICH WAS IDENTIFIED AS A TRAFFIC SAFETY ISSUE. THE SECOND ACCESS HAD BEEN REQUESTED AT LEAST TWO OTHER TIMES AS PART OF PREVIOUS MODIFICATIONS TO THE ORIGINAL PLANNED SPECIAL DEVELOPMENT (PSD), AND LATER PUD. THE PZA RECOMMENDED DENIAL OF THE DRIVEWAY IN 1999, AND ORDINANCE 99-26 WAS ENACTED BY THE BOARD OF COUNTY COMMISSIONERS ON MARCH 23, 1999 WITHOUT THE SECOND DRIVEWAY. IN 2004, THE BOARD OF COUNTY COMMISSIONERS REMOVED THE SOUTH COLLINS AVENUE ENTRANCE FROM CONSIDERATION IN THE MOTION FOR APPROVAL OF ANOTHER MAJOR MODIFICATION

Proof of publication for the notice of public hearing on MAJMOD 2016-05, Westgate, was received, having been published in *The St. Augustine Record* on September 14, 2016.

Bennett disclosed ex parte communication, stating she had met with the applicant and their representative and also visited the site. Johns and Morris stated they had visited the site. McClure stated he had spoken with Commissioner Elect Paul Waldron regarding this item. Smith disclosed that he had met with Mr. Whitfield and Ms. Estes, discussing the history and safety measures. He also met with Doug Laidlaw, reviewing past transcripts; met with Sherry Badger and Michael Carr; and had many phone conversations and email communication, regarding safety and traffic flow.

(11:52 a.m.) Teresa Bishop, Senior Planner, presented details of the request, including safety and privacy concerns by the public, via PowerPoint.

(12:03 p.m.) McClure questioned whether the U-turn, at that location, was required by the State.

(12:03 p.m.) John Burnham, Transportation Chief Engineer, stated that the U-turn was requested by the Florida Department of Transportation (FDOT) to Improve access to the plaza.

(12:05 p.m.) Johns clarified that the reduction in access points across median crossings, where there was increased traffic, would potentially improve safety and traffic flow.

(12:06 p.m.) Bennett questioned the timing of the median installation.

(12:07 p.m.) Phuong Nguyen, Transportation Manager, stated the improvement of the raised median had taken place in the past three years.

(12:08 p.m.) Shalene Estes, 7880 Gate Parkway, spoke on the changes at this location and communication over time, referencing the updated site plan and notifications to residents.

(12:13 p.m.) McClure questioned whether the existing median diminished business. Soria responded and McCormack stated that ideal access was not a requirement.

(12:15 p.m.) Morris questioned the current route and the proposed route.

(12:16 p.m.) Doug Laidlaw, 1435 Oak High Court, Orange City, Florida, was sworn in by McCormack, which was requested, and stated details, regarding the history and prior knowledge of the property owners and the access on State Road 16.

(12:21 p.m.) Bennett questioned accepting the sworn testimony on someone else's intent from twenty years ago.

(12:27 p.m.) Sherry Badger, 2772 S. Collins Avenue, spoke on safety concerns and traffic flow near the Westgate Plaza.

(12:29 p.m.) Steve Yaccarino, 2772 S. Collins Avenue, spoke in opposition to the proposed access, due to safety concerns.

(12:31 p.m.) Ed Plozner, 2765 S. Collins Avenue, spoke in opposition to the proposed access, due to safety concerns and suggested utilizing First Street.

(12:33 p.m.) Tiffany Scott, 2732 S. Collins Avenue, spoke in opposition to the proposed second access point, due to safety concerns and limited space for large semi-trucks.

(12:36 p.m.) Alison Rose, 561 Lawrence Avenue, spoke on the incompatibility of this proposal, in addition to traffic and safety concerns for the homeless, children, and the disabled.

(12:38 p.m.) Michael Carr, 2718 S. Collins Avenue, spoke in opposition to the second access, due to safety concerns.

(12:39 p.m.) Sharon Badger, 2725 S. Collins Avenue, spoke on the lack of information provided to residents concerning the construction of the strip mall.

(12:42 p.m.) Chris Scott, 2732 S. Collins Avenue, spoke on the proposal for increased signage and the additional access point.

(12:43 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition to the proposed second entrance, due to no changes to conditions, neighborhood concerns, and Planned Unit Development (PUD) regulations.

(12:48 p.m.) Gail Oliver, County Surveyor, Land Management, stated that Collins Avenue was a public road and gave the physical measurements of right-of-way at SR 16 and Collins Avenue as 58 feet, as an average, versus the 60 feet on the paper deed.

(12:49 p.m.) Johns questioned whether this was a legally conforming right-of-way. Burnham responded that there was not a requirement for the applicant to bring the right-of-way to 60 feet.

(12:50 p.m.) McClure questioned the history of the property, referring to the timeline. Bishop affirmed that the property had been approved as a warehouse originally.

(12:52 p.m.) Estes stated that she would speak to the right-of-away and would allow her experts to speak to their findings.

(12:53 p.m.) Don Boatwright, 14750 Beach Boulevard, Jacksonville Beach, Florida, stated that the right-of-way was 58 feet.

(12:53 p.m.) Randall Whitfield, 7880 Gate Parkway, Jacksonville, Florida, provided specifics on the history of the property, stating that there was no structure on the property in 1999. Smith questioned the date of the purchase of the property and the initial denial of the second access. Whitfield responded and mentioned the sidewalks, the changes in uses, rezoning, and community meetings. Additionally, stated that in 2006, a traffic light was added; therefore, an additional access was requested, due to safety concerns.

(1:02 p.m.) Jeffery Buckholz, Buckholz Traffic, 3585 Kory Road, spoke on the traffic study results and admitted he did not understand why this was being opposed by the residents. Discussion ensued on the traffic count, the movement of the traffic light, and the distance from SR 16, south on Collins Avenue, to the right turn into the shopping center.

(1:07 p.m.) Bobby Baker, Baker Klein, 1334 Walnut Street, Jacksonville, Florida, stated the distance from SR 16, south of Collins Avenue, to the right turn into the shopping center was roughly 180 feet.

(1:07 p.m.) Estes, offered rebuttal to public comment, in regards to the community meeting and mentioned the repairs to the fence panels.

(1:08 p.m.) McClure questioned the fundamental reason for the request for the change. Estes responded that change had taken place, specifically the traffic signal. Discussion ensued on the U-turn, the installation of the median and the traffic signal.

(1:20 p.m.) McCormack stated that there was a home in proximity to the access.

(1:21 p.m.) McClure questioned the 58 foot right-of-way versus the 60 feet. Locklear stated that the standard was 60 feet for new development and that there were many rights-of-way in the County that did not meet that standard. Discussion ensued on the right-of-way, turn lanes and the regulations needed for the second access.

(1:30 p.m.) Motion by Bennett, seconded by Morris, carried 3/2, with Smith and McClure dissenting, to enact Ordinance No. 2016-59, MAJMOD 2016-15, Westgate Business Park, based upon six Findings of Fact, with an amendment that no truck deliveries would be made through the second access point to the Westgate Business Park.

ORDINANCE NO. 2016-59

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, APPROVING A MAJOR
MODIFICATION TO THE WESTGATE BUSINESS PARK
PLANNED UNIT DEVELOPMENT, ORDINANCE NO.
2004-85, AS AMENDED; MAKING FINDINGS OF FACT;
PROVIDING A SAVINGS CLAUSE; REQUIRING
RECORDATION; AND PROVIDING AN EFFECTIVE
DATE**

The meeting recessed at 1:30 p.m. and reconvened at 2:00 p.m., with Deputy Clerk Sindy Wiseman in attendance.

The meeting moved to Regular Agenda Item No. 5.

Regular Agenda Item No. 4 was pulled from the Agenda.

(11/15/16 - 13 - 2:00 p.m.)

4. PUBLIC HEARING, REZ 2016-02 SUMMER HAVEN

(11/15/16 - 13 - 2:00 p.m.)

5. PUBLIC HEARING, DEVAGRMOD 2016-01, DURBIN CREEK NATIONAL DEVELOPMENT AGREEMENT MODIFICATION (FIRST READING). THIS IS THE FIRST AMENDMENT OF THE DURBIN CREEK NATIONAL DEVELOPMENT AGREEMENT THAT WAS APPROVED IN 2015. THE MODIFICATION REQUESTS TO INCREASE THE SHOPPING CENTER SQUARE FOOTAGE, IN PHASE 1A, BY 100,000 SQUARE FEET AND DECREASE PHASE 1B, BY AN EQUAL AMOUNT; AND TO MODIFY THE DEDICATION OF ACTIVE RECREATION FACILITIES. THE LOCATION OF PHASE 1A, HAS BEEN IDENTIFIED AND WILL BE RESTRICTED TO THE AREA SHOWN ON EXHIBIT 11 (AS MODIFIED), SITUATED BETWEEN SR 9B AND WEST PEYTON PARKWAY. TRANSPORTATION MITIGATION FOR PHASE 1A, HAS BEEN COMPLETED BY THE DONATION OF THE SR 9B RIGHT-OF-WAY, TO FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT). THE INCREASE TO 700,000 SQUARE FEET, IN PHASE 1A, DOES NOT INCREASE PROJECT IMPACTS WITH THE COMPANION DECREASE IN PHASE 1B; AND IDENTIFYING THE SPECIFIC LOCATION FOR PHASE 1A, IN AN AREA WHERE ROADWAY IMPROVEMENTS/WIDENING IS CURRENTLY UNDER CONSTRUCTION, WHEN THE LOCATION WAS PREVIOUSLY UNKNOWN, IS A POSITIVE CHANGE. THE MODIFICATION TO THE RECREATION CLARIFIES THAT THE ACTIVE RECREATIONAL FACILITIES TO BE PROVIDED SHALL BE IMPROVED SPORTS FIELDS; AND THAT IF DEDICATED TO A PROPERTY OWNERS ASSOCIATION OR CDD, SUCH FACILITIES WILL BE AVAILABLE FOR PUBLIC USE, SUBJECT TO AN INTERLOCAL AGREEMENT WITH ST. JOHNS COUNTY. TWO PUBLIC HEARINGS ARE REQUIRED TO MODIFY A DEVELOPMENT AGREEMENT. THE SECOND PUBLIC HEARING IS SCHEDULED BEFORE THE BCC ON DECEMBER 6, 2016

Phong Nguyen, Transportation Development Division Manager, announced the second scheduled hearing would be December 6, 2016, at 9:00 a.m., in the County Auditorium. He presented details of the Development Agreement, via PowerPoint. He stated that the proposed revisions to the recreation portion of the agreement were removed and would be presented at the December 6, 2016, hearing.

(2:11 p.m.) Bennett noted the recorded documents were black and white and suggested the maps be drawn for black and white, as you would not see the color differences when recorded.

(2:13 p.m.) Ellen Avery-Smith, Rogers Towers, 100 Whetstone Place, reviewed the history of the property. She stated that the opening of the first 700,000 square foot of retail would open with 9B and West Peyton Parkway, in the spring of 2018. She noted that, if approved on December 6, 2016, construction of Phase 1A would begin in early 2017.

Items 6 and 7 were presented together.

(11/15/16 - 13 - 2:22 p.m.)

6. PUBLIC HEARING, CPA (SS) 2016-09, 1600 NORTHWOOD DRIVE. REQUEST TO AMEND THE FUTURE LAND USE MAP, FOR THE PROPERTY AT 1600 NORTHWOOD DRIVE, FROM RESIDENTIAL-C (RES-C) TO INDUSTRIAL (I). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF

THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT, CPA (SS) 2016-09, WITH A VOTE OF 6-0 IN FAVOR, BASED ON THREE FINDINGS OF FACT. THE PLANNING AND ZONING AGENCY ALSO RECOMMENDED APPROVAL OF A COMPANION APPLICATION TO REZONE THE 1.99 ACRE PROPERTY, FROM RESIDENTIAL, MOBILE HOME, OR SINGLE FAMILY (RMH-S) TO INDUSTRIAL WAREHOUSE (IW). THE SITE IS ALMOST COMPLETELY SURROUNDED BY INDUSTRIAL USES AND ZONING, AND THE FORMER "AZALEA MOBILE HOME PARK" WAS VACATED PRIOR TO MARCH 5, 2016

Proof of publication for the notice of public hearing on CPA (SS) 2016-09, Northwood Drive, was received, having been published in *The St. Augustine Record* on September 16, 2016.

Teresa Bishop, AICP, Planning Division Manager, presented details of the requests for Northwood Drive, via PowerPoint. She stated that per the review, there would be no permits issued prior to compliance to all regulations. Planning and Zoning found that the proposed industrial designation allowed for light industrial uses similar to the surrounding area and there was specific consideration toward warehouse or RV and boat storage by the applicant. She stated that the land designation was consistent and compatible with the surrounding area. Staff recommended approval of the Comprehensive Plan Amendment and offered three Findings of Fact. She also stated that staff found that the rezoning was appropriate for the area and recommended approval, with a 6/0 vote.

Lavie entered the meeting at 2:28 p.m.

(2:29 p.m.) Matt Lahti, Gulfstream Design Group, 906 Anastasia Boulevard, noted that the request was to bring consistency of the land use and zonings to the surrounding parcels, in conjunction with the adjacent industrial development park.

(2:29 p.m.) Johns asked who owned the triangular parcel that was zoned OR and if the owner had access to the parcel. Lahti responded that the owner was The Florida Memorial College and that they did have access.

(2:30 p.m.) BJ Kalaidi, 8 Newcomb Street, inquired to the location of the residents from the mobile home park went.

(2:31 p.m.) The Board continued discussion on access to the parcel.

(2:32 p.m.) **Motion by McClure, seconded by Bennett, carried 5/0, to enact Ordinance 2016-60, CPA (SS) 2016-09, 1600 Northwood Drive, based upon three Findings of Fact to support the motion.**

ORDINANCE NO. 2016-60

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 RESIDENTIAL-C (RES-C) TO INDUSTRIAL (I), FOR APPROXIMATELY 1.99 ACRES OF LAND, LOCATED AT 1600 NORTHWOOD DRIVE; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/15/16 - 15 - 2:22 p.m.)

7. PUBLIC HEARING, REZ 2016-07, 1600 NORTHWOOD DRIVE. REQUEST TO REZONE APPROXIMATELY 1.99 ACRES OF LAND FROM RESIDENTIAL, MANUFACTURED/MOBILE HOME OR SINGLE FAMILY (RMH(S)) TO INDUSTRIAL WAREHOUSE (IW) ZONING. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF REZ 2016-07, 1600 NORTHWOOD DRIVE, WITH A VOTE OF 6-0 IN FAVOR, BASED ON THREE FINDINGS OF FACT. THE PLANNING AND ZONING AGENCY ALSO RECOMMENDED APPROVAL OF A COMPANION APPLICATION TO AMEND THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL-C (RES-C) TO INDUSTRIAL (I). THE SITE IS ALMOST COMPLETELY SURROUNDED BY INDUSTRIAL USES AND ZONING, AND THE FORMER "AZALEA MOBILE HOME PARK" WAS VACATED PRIOR TO MARCH 5, 2016

Proof of publication for the notice of public hearing on REZ 2016-07, Northwood Drive, was received, having been published in *The St. Augustine Record* on September 16, 2016.

The details of Item No. 7 were presented with Item No. 6.

(2:33 p.m.) **Motion by McClure, seconded by Bennett, carried 5/0, to enact Ordinance No. 2016-61, REZ 2016-07, 1600 Northwood Drive, based upon Findings of Fact 1-4 to support the motion.**

ORDINANCE NO. 2016-61

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS, AS DESCRIBED HEREINAFTER, FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, MANUFACTURED/MOBILE HOME OR SINGLE FAMILY (RMH-S) TO INDUSTRIAL WAREHOUSING (IW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(11/15/16 - 15 - 2:35 p.m.)

8. TOMOKA PINES PUD ONE YEAR LIMITATION WAIVER (MAJMOD 2016-16). REQUEST TO THE BOARD OF COUNTY COMMISSIONERS TO WAIVE THE ONE-YEAR LIMITATION, FOR CONSIDERATION OF A MAJOR MODIFICATION TO THE TOMOKA PINES PUD, ORDINANCE NO. 2016-09, APPROVED MARCH 1, 2016, WITH AN EFFECTIVE DATE OF APRIL 1, 2016. THE APPLICANT HAS FILED A MAJOR MODIFICATION (MAJMOD 2016-17) TO THE RECENTLY APPROVED PUD TO REDUCE THE MINIMUM LOT WIDTH OF THE LOTS. PURSUANT TO LAND DEVELOPMENT CODE (LDC) 9.04.05.A, RE-APPLICATION AFTER APPROVAL OF REZONING, WHENEVER THE BCC HAS CHANGED THE ZONING CLASSIFICATION OF LAND, THE PLANNING AND ZONING AGENCY SHALL NOT THEN CONSIDER ANY APPLICATION FOR REZONING OF ANY PART OR ALL OF THE SAME LAND FOR A PERIOD OF ONE YEAR FROM THE EFFECTIVE DATE. HOWEVER, PURSUANT TO LDC 9.04.05.C, THE TIME LIMITS MAY BE WAIVED BY THE AFFIRMATIVE OF A MAJORITY OF THE BOARD OF COUNTY COMMISSIONERS, WHEN SUCH ACTION IS DEEMED NECESSARY TO PREVENT INJUSTICE OR TO FACILITATE PROPER DEVELOPMENT OF THE COUNTY

Paolo Soria, Assistant County Attorney, presented details of the waiver request, via PowerPoint. He stated that the provisions were to prevent injustice or to facilitate the proper development of the County.

Joy Andrews, Assistant County Administrator, entered the meeting at 2:37 p.m.

(2:38 p.m.) Bennett recapped that the request was a rezoning because it was a major modification, and the reason it was a major modification was because the lot size was being reduced. Soria confirmed Bennett's statement. Discussion ensued on the one-year re-application rule.

(2:41 p.m.) Doug Burnett, St. Johns Law Group, 104 Sea Grove Main Street, spoke on the purpose of the waiver.

(2:43 a.m.) **Motion by Bennett, seconded by McClure, carried 5/0, to approve a waiver to the one-year limitation to consider a Major Modification to the Tomoka Pines PUD.**

The meeting moved to Regular Agenda Item No. 10.

(11/15/16 - 16 - 2:56 p.m.)

9. AFFORDABLE HOUSING ADVISORY COMMITTEE TRIENNIAL REPORT. SECTION 420.9706 FLORIDA STATUTE (F.S.) REQUIRES RECIPIENTS OF STATE HOUSING INITIATIVE PARTNERSHIP (SHIP) FUNDS TO ESTABLISH AN AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC); AND TO SUBMIT A TRIENNIAL REPORT TO RECOMMEND MONETARY AND NONMONETARY INCENTIVES AS PART OF AN AFFORDABLE HOUSING INCENTIVE PLAN. THE AHAC COMMITTEE CONDUCTED A PUBLIC MEETING OCTOBER 19, 2016, TO CONSIDER INCENTIVES AND IMPEDIMENTS TO THE CONSTRUCTION, ACQUISITION, AND PRESERVATION OF AFFORDABLE HOUSING

Joseph Cohn, St. Johns County Health and Human Services (HHS), gave an overview of the Triennial Report provided to the Board. He introduced Bill Lazar, Executive Director of St. Johns Housing Partnership, Inc.

(2:57 p.m.) Lazar presented details of the report, via PowerPoint. He spoke on the need for affordable housing and encouraged developers. He spoke on the number of constituents impacted where households were making less than 50 percent of the medium income; and the numerous amounts of residents, including seniors, that were close to crisis. He reported that there were 66,000 households looking to rent and 2,288 available places under \$750 per month. He spoke on the West Augustine CRA and the impact the affordable housing to the area.

(3:18 p.m.) McClure questioned the affordable housing limits. Lazar responded that it was 80 percent of the medium income. Discussion ensued.

(3:26 p.m.) Bennett spoke on the incentives for affordable housing.

(3:27 p.m.) Nancy Shaver, Mayor of St. Augustine, 82 South Street, presented the City's perspective on affordable housing.

Regina Ross, Senior Assistant Attorney entered the meeting at 3:28 p.m.

(3:29 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of transmitting the report. She suggested encouraging employers to pay a livable wage.

(3:32 p.m.) McClure asked the ramifications of approving and funding. Cohn responded.

(3:34 p.m.) **Motion by Bennett, seconded by Morris, carried 5/0, to approve Resolution No. 2016-358, to accept the Affordable Housing Advisory Committee 2016 Incentive Review and Recommendation Triennial Report.**

RESOLUTION NO. 2016-358

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO ACCEPT THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC) 2016 INCENTIVE REVIEW AND RECOMMENDATION TRIENNIAL REPORT, REQUIRED BY FLORIDA STATE STATUTE

The meeting moved to Regular Agenda Item No. 13.

(11/15/16 - 17 - 2:44 p.m.)

10. CONSIDER APPOINTMENTS TO THE RECREATION ADVISORY BOARD. ON SEPTEMBER 6, 2016, RESOLUTION 2016-275 WAS APPROVED BY THE SAINT JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS, WHICH CREATED AND ADOPTED BYLAWS, OPERATING PROCEDURES, AND MEMBERSHIP CRITERIA FOR THE RECREATION ADVISORY BOARD. THE RECREATION ADVISORY BOARD SHALL CONSIST OF SEVEN REGULAR MEMBERS. MEMBERS SHALL BE APPOINTED BY THE BOARD OF COUNTY COMMISSIONERS. MEMBERS SHALL SERVE AT THE PLEASURE OF THE BOARD OF COUNTY COMMISSIONERS AND MAY BE REMOVED AT ANY TIME WITHOUT CAUSE. IN ORDER TO ENSURE CONTINUITY, IT IS RECOMMENDED THAT THE CURRENT MEMBERSHIP OF THE RECREATION ADVISORY BOARD BE SUNSET AND NEW MEMBERS APPOINTED, IN ACCORDANCE WITH THE RECENTLY CREATED AND ADOPTED BYLAWS. THE INITIAL TERMS OF THE NEW MEMBERS WILL BE AS FOLLOWS: ONE REGULAR MEMBER SHALL BE APPOINTED TO A ONE YEAR TERM; ONE REGULAR MEMBER SHALL BE APPOINTED TO A TWO YEAR TERM; TWO REGULAR MEMBERS SHALL BE APPOINTED TO A THREE YEAR TERM; THREE REGULAR MEMBERS SHALL BE APPOINTED TO A FOUR YEAR TERM. THE BOARD OF COUNTY COMMISSIONERS MAY APPOINT SPECIFIC MEMBERS TO SPECIFIC TERMS OR THE INITIAL APPOINTEE MEMBERS MAY DRAW LOTS AT THE FIRST MEETING OF THE RECREATION ADVISORY BOARD, TO DETERMINE WHICH MEMBERS SHALL SERVE WHICH TERMS. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION A RECOMMENDATION LETTER FROM THE RECREATION ADVISORY BOARD, ALONG WITH 22 CURRENT APPLICATIONS

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

(2:45 p.m.) Bennett questioned how many terms a member could serve, per the bylaws. Lundquist stated that per the Board's Rules and Policies, a member could serve two consecutive terms. Bennett questioned whether the Board Rules needed to be suspended to approve the motion for long term applicants.

(2:46 p.m.) Lavie responded that when the Board was sunset, the years of service revert to zero.

(2:47 p.m.) Marcie Skinner, Chairman of the Recreation Advisory Board, stated that all was well with the Advisory Board.

(2:49 p.m.) McCormack explained that the process would be for the Advisory Board to select the terms and then ratified by the Board as a consent item on an agenda.

(2:50 p.m.) Motion by McClure, seconded by Bennett, carried 5/0 to sunset the current membership of the Recreation Advisory Board.

(2:51 p.m.) McCormack noted that the Board could adopt the slate that was recommended by the Recreation Advisory Board.

(2:51 p.m.) Motion by McClure, seconded by Bennett, carried 5/0, to appoint the slate as recommended by the chairperson, Marcie Skinner, with the letter dated October 27, 2016.

(2:52 p.m.) McCormack suggested the motion to authorize the Recreation Advisory Board to select the terms particular to each position, to be ratified by the Board of County Commissioners.

(2:52 p.m.) Motion by McClure, seconded by Bennett, carried 5/0, to authorize the Recreation Advisory Board to select the terms particular to each position, to be ratified by the Board of County Commissioners.

(11/15/16 - 18 - 2:54 p.m.)

11. CONSIDER APPOINTMENTS TO THE TOURIST DEVELOPMENT COUNCIL. CURRENTLY THERE ARE TWO VACANCIES ON THE TOURIST DEVELOPMENT COUNCIL. BOTH ARE DUE TO EXPIRED TERMS. ONE OF THE SEATS IS REQUIRED TO BE AN OWNER/OPERATOR OF A TOURIST ACCOMMODATION SUBJECT TO BED TAX, AND THE OTHER IS FOR A NON-ACCOMMODATION MEMBER. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION A RECOMMENDATION LETTER FROM TERA MEEKS, DIRECTOR OF TOURISM AND CULTURAL DEVELOPMENT, WHICH STATES THE RECOMMENDATION OF THE TOURIST DEVELOPMENT COUNCIL. ADDITIONALLY, PLEASE FIND NINE APPLICATIONS

Melissa Lundquist, Assistant to the Board of County Commissioners, provided details of the appointments.

(2:54 p.m.) Motion by Morris, seconded by Bennett, carried 5/0, to appoint Irving Kass, as an owner/ operator of a tourist accommodation subject to bed tax, to the Tourist Development Council for a four year term, scheduled to expire November 15, 2020.

(2:55 p.m.) Motion by Morris, seconded by McClure, carried 5/0, to appoint Jack Peter, as a non-accommodation member, to the Tourist Development Council for a four year term, scheduled to expire November 15, 2020.

The meeting moved to Regular Agenda Item No. 9.

(11/15/16 - 18 - 10:04 a.m.)

12. PROPOSAL TO ACQUIRE PROPERTY AT 500 OLD BEACH ROAD FROM THE ANASTASIA MOSQUITO CONTROL DISTRICT. THE ANASTASIA MOSQUITO CONTROL DISTRICT (AMCD) ISSUED A REQUEST FOR PROPOSALS FOR A GOVERNMENT AGENCY TO PURCHASE THE AMCD'S FORMER HEADQUARTERS ON A 2.5 ACRE PARCEL OF LAND AT 500 OLD

BEACH ROAD. THE ATTACHED PROPOSAL FROM ST. JOHNS COUNTY TO PURCHASE THE PROPERTY FOR \$10,000 IS NOT INTENDED TO BE COMPETITIVE FROM A PURELY FINANCIAL PERSPECTIVE, RATHER IT IS BEING SUBMITTED IN RECOGNITION OF THE POTENTIAL BENEFITS AND COST SAVINGS TO ALL RESIDENTS AND TAXPAYERS THAT COULD BE REALIZED BY THE FUTURE COUNTY USE OF THE PROPERTY AS OUTLINED IN THE ATTACHED RFP RESPONSE

Damon Douglas, Project Manager, presented details of the proposal, via PowerPoint.

(10:05 a.m.) Undine George, Vice Mayor for the City of St. Augustine Beach, suggested that the two agencies form a partnership, a co-titling of this property and share the cost of the purchase.

(10:09 a.m.) Ed Slavin, P.O. Box 3084, supported the property being utilized as a park, suggested a name for the park, and provided details on the Guana Tolomato Matanzas National Estuarine Research Reserve (GTM NERR).

(10:12 a.m.) Gary Snodgrass, 712 Ocean Palm Way, St. Augustine Beach Commissioner, spoke on obtaining the property and its potential uses.

(10:15) Ellen Whitmer, 1178 Natures Hammock Road, Fruit Cove, Florida, spoke against the co-ownership of the property, based on the all the tax payers who fund the Anastasia Mosquito Control.

(10:16 a.m.) Max Royal, City Manager of St. Augustine Beach, spoke on the deadline for the proposal.

(10:17 a.m.) Martin Cohen, 850 A1A Beach Boulevard, Unit 26, St. Augustine Beach, spoke in support of the partnership.

(10:18 a.m.) McClure questioned the ownership of the road and cost sharing for repairs. Locklear stated that the County maintains the roads. McClure stated that all expenses should be shared if it was an equal partnership.

(10:22 a.m.) Johns requested a brief summary of the reverter clause, where the property must be for government use; the date when the sale was announced; and the deadline for a decision for Mosquito Control. Additionally, he asked that information be provided on another property that the County had joint ownership.

(10:24 a.m.) Wanchick spoke on a past opportunity of joint ownership.

(10:25 a.m.) Bennett spoke on other opportunities to collaborate with the City on transit and they declined. She felt it was too late to discuss partnership, commitments, and financial impacts to the County. Bennett questioned McCormack specifics on the reverter clause; suggested that Ron Parker Park be deeded to the City and proposed utilizing other property for a park.

(10:29 a.m.) Morris spoke on a 50/50 partnership agreement and was in opposition to the partnership.

(10:30 a.m.) Wanchick stated that the partnerships of the past have not been beneficial and that a clear title is preferable. He stated the offer was not to be competitive, but that it remains in public ownership, with the best use and lowest price. Additionally, he provided details of future needs.

(10:33 a.m.) **Motion by Bennett, seconded by Morris, carried 5/0, to authorize the county administrator to submit a proposal, in substantially the form attached, in response to Anastasia Mosquito Control District Request for Proposal #15/16-2, to purchase the property at 500 Old Beach Road.**

(10:34 a.m.) Wanchick interjected that the offer was contingent upon a full environmental analysis.

The meeting moved to Regular Agenda No. 1.

(11/15/16 - 20 - 3:35 p.m.)

13. UF EXTENSION DEMONSTRATION AGREEMENT - AUDIT UPDATE. ST. JOHNS COUNTY ATTORNEY'S OFFICE IS PROVIDING A STATUS UPDATE REGARDING THE COUNTY'S AUDIT OF THE AGREEMENT WITH THE UNIVERSITY OF FLORIDA, TO PROVIDE AGRICULTURAL DEMONSTRATION PROGRAMING

Regina D. Ross, Deputy County Attorney, presented an update of the demonstration agreement review, via PowerPoint. She reviewed the County's obligations which were to provide funding for the program and to negotiate the payment annually. She also reviewed the University's obligations which were to complete demonstrations and projects according to the agreement, provide written annual reports, report the results of the projects with County staff, and to bill the County annually, including any carry-over funds. She said that the report that was submitted indicated that the projects had been completed; however, it was difficult to determine which expenditures went with which projects, due to the inadequacy of the reports. She said the options were to initiate a claim for breach of contract, renew the existing agreement, and to renegotiate and enter into a new agreement.

(3:50 p.m.) Smith requested the scope and purpose of the contract. Ross stated that the purpose of entering into the agreement was for the University to provide a service, partially for research; it was designed to educate and improve agricultural production systems, and strengthen the regional economy. Smith stated that there were a plethora of benefits with the agreement with UF; however, the accountability of the administration was sloppy.

(3:52 p.m.) McClure questioned the completion of the projects. Ross reviewed the number of projects and programs, their timelines, and changes made. She stated that no one put any changes in writing and there was no evidence that the County approved changing the programing. She said that UF reported that the programing as it was adjusted was completed. Discussion ensued.

(4:01 p.m.) Johns questioned who benefitted from the program and if they were interviewed for satisfaction. Ross stated that local Hastings residents received a benefit from the programs; however, the research was applied across the state providing a regional benefit. She stated that the frustration was with the administration and not having input in how the programing was developed; however, the benefit outweighed the administrative nightmare in dealing with the University.

(4:05 p.m.) Smith quoted the University's explanation, regarding the changes.

(4:07 p.m.) Bennett said that the question was how to move forward with the program and suggested a re-organization of the program.

(4:09 p.m.) Smith said he believed the benefit was there and that the invoice should be paid; however, the contract should be renegotiated with specific parameters to assure

better accountability. Bennett suggested a meeting with the stakeholder group and the County Attorney's Office to outline the framework of the contract. Discussion ensued.

(4:15 p.m.) Grace Paaso, 35 Sea Park Drive, said she spoke with people identified in the report, presented a letter from Keith Fuller denying the validity of the report, *Exhibit A*, and voiced her concerns with the report.

(4:17 p.m.) Discussion ensued on payment of the invoice, renegotiation of the contract, and the benefit of the projects.

(4:21 p.m.) McCormack spoke on non-St. Johns County funds used in the programs.

(4:22 p.m.) Motion by Bennett, seconded by Johns, carried 5/0, to pay the outstanding invoice delivering the accountability justification validation.

(4:24 p.m.) Motion by Bennett, seconded by Johns, carried 5/0, to direct staff to enter into renegotiation of the contract, on a one year basis, with deliverables to be specifically outlined, a payment plan, and with Smith as a liaison to the Board.

The meeting moved to Commissioner Comments.

(11/15/16 - 21 - 9:44 a.m.)

14. BUTLER BOAT RAMP STAGING AREA UPDATE

Greg Caldwell, Assistant Public Works Director, provided a brief overview of the debris management operation, via PowerPoint.

(9:46 a.m.) McClure provided an account of his observations of the site. Discussion ensued on the amount of debris that had been removed. Morris

(9:48 a.m.) Bennett congratulated Caldwell, praised the department's efforts, and spoke to the response time with a staging area.

(9:50 a.m.) Neil Armingeon, Matanzas River Keeper, 291 Cubbedge Road, stated his appreciation to the County and questioned whether the Butler Boat Ramp was an appropriate site, due to the impact to the environment. He displayed photographs of the staging area at the Butler Boat Ramp, *Exhibit A*.

(9:53 a.m.) Ed Slavin, PO Box 3084, spoke on the article from *The St. Augustine Record*, concerning the high tide and suggested soil/water testing at the Butler Boat Ramp and an alternative location for future staging areas.

(9:57 a.m.) Michele Trela, 170 Pantano Cay Boulevard, Unit 4105, spoke on the temporary staging at the Butler Boat Ramp, including the lack of notification, communication, and the mandated setbacks.

(9:59 a.m.) McClure re-stated the total amount of debris collected by the County; spoke on his visit to the site, the high tide, and the clean-up process.

(10:01 a.m.) Wanchick stated that the County had learned from this event. He stated that the staging area was a parking lot, not a park, and the County was under a declared state of emergency after a national disaster. He continued stating that there would have been a delay in the collection of debris with a decision to move the staging area to the mainland and that the County had the interest of the community at the forefront of all decisions. He announced that in the future this location would not be used and that this unforeseen situation, with the huge moon, should not be used as an opportunity to diminish the efforts of the County and the entire community.

The meeting moved to Regular Agenda Item No. 12.

(11/15/16 - 22 - 4:26 p.m.)
COMMISSIONERS' REPORTS

Commissioner Bennett

Bennett expressed her appreciation for the privilege to have been a County Commissioner.

Commissioner Johns

(4:26 p.m.) Johns thanked Bennett and McClure for their service and the knowledge they passed on. He also commended the teamwork through the hurricane.

Commissioner Morris

(4:27 p.m.) Morris spoke on the recent accident by Nease High School and asked Neal Shrinke, Public Works Director, to request a directive from the Board to expedite the traffic light at Ray Road, to present to Florida Department of Transportation (FDOT).

(4:29 p.m.) Shinkre spoke on the need to expedite the traffic signal at the intersection of US 1 and Ray Road.

(4:31 p.m.) Morris suggested a letter from the Board requesting to expedite the project.

(4:32 p.m.) **Motion by Morris, seconded by Bennett, carried 5/0, to send a letter of support, from the Board, to expedite the placing of a traffic signal at the intersection of US 1 and Ray Road.**

Commissioner McClure

(4:34 p.m.) McClure expressed his appreciation to have served as a County Commissioner.

Commissioner Smith

(4:35 p.m.) Smith provided an updated on Hurricane Matthew recovery efforts, an agri-tourism corridor on SR 207, and the evaluations of the county administrator and the county attorney. He noted the overall evaluation score for the County Administrator as 3.87 and for the County Attorney as 3.78.

(4:38 p.m.) Bennett commented on the county administrator's tenure. Morris echoed Bennett's thoughts and recommended an increase higher than the recommended 2.8%.

(4:43 p.m.) **Motion by Bennett, seconded by Morris, to increase the County Administrators salary by 5 percent.**

(4:44 p.m.) BJ Kalaidi, 8 Newcomb Street, said the county administrator should get the same increase as the other county employees.

(4:45 p.m.) Wanchick stated that if the Board was going to entertain an increase, he requested the same increase as the other county employees receive.

(4:45 p.m.) **Amended motion by Bennett, seconded by Morris, carried 4/1, with Smith dissenting, to increase the County Administrator's salary 2.8%, retroactive to October 1, 2016.**

(4:47 p.m.) **Motion by Morris, seconded by Bennett, carried 4/1, with Smith dissenting, to increase the County Attorney's salary 2.8%.**

(4:48 p.m.) Bennett commented on McCormack's conservative mannerisms.

(4:49 p.m.) Smith commented that he had increased in three areas of his evaluation.

(11/15/16 - 23 - 4:50 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick spoke on extending the Emergency Proclamation, *Exhibit A*. He also said that the Treasure Beach canals may be eligible for Federal Emergency Management Agency (FEMA) assistance.

(4:53 p.m.) Johns requested the number of permits that had been requested, on a weekly basis, for armoring or other benefits for maintaining the declaration.

(4:54 p.m.) McClure commented on the number of people still without service.

(4:54 p.m.) **Motion by Bennett, seconded by McClure, carried 5/0, to extend Emergency Proclamation No. 2016-8.**

(4:55 p.m.) Wanchick explained the Request for Proposal (RFP) for FEMA compliance compensation. Wanchick requested the carryover vacation time be increased for employees unable to take vacation due to the hurricane.

(4:57 p.m.) **Motion by Bennett, seconded by Morris, carried 5/0, to extend the carryover vacation to 80 hours.**

(4:58 p.m.) Wanchick requested approval for a County-sponsored thank you event for all employees and community partners, who worked on, during, and after the hurricane.

(4:58 p.m.) **Motion by Bennett, seconded by Johns, carried 5/0, to host a thank you event, at the St. Augustine Amphitheatre, for County employees and community partners who worked during the hurricane.**

(4:59 p.m.) Bennett encouraged donations to the Sunshine Fund for people who suffered loss.

(11/15/16 - 23 - 5:01 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack spoke on the swearing in of the new commissioners on November 22, 2016, at noon. He reported on the Air B&B collection.

(11/15/16 - 23 - 5:04 p.m.)

CLERK OF COURT'S REPORT

No report.

11/15/16 - 23 - 5:04 p.m.)

ADJOURN

With there being no further business to come before the Board, Smith adjourned the meeting at 5:04

REPORTS:

1. A memorandum regarding the Public Financial Management's Investment Performance Review for the quarter ended on September 30, 2016
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 538756-538961, totaling \$2,819,613.87 and Voucher Register, Voucher Nos. 26529-26571, totaling \$1,286,270.31 (11/01/16)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 538964-538990, totaling \$32,460.09 and Voucher Register, Voucher Nos. 26572-26588, totaling \$33,432.21 (11/02/16)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 538991-539218, totaling \$973,283.68 and Voucher Register, Voucher Nos. 26589-26638, totaling \$428,577.05 (11/08/16)
5. St. Johns County Board of County Commissioners Check Register, Check No. 539219, totaling \$32,661.22 (11/10/16)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 539220-539225, totaling \$4,177 and Voucher Register, Voucher Nos. 26639-26649, totaling \$8,024.13 (11/09/16)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 539226-539238, totaling \$4,506.76 (11/10/16)
8. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 26650-26651, totaling \$10,420.27 (11/10/16)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 539239-539242, totaling \$181,890.27 (11/10/16)

CORRESPONDENCE:

There was none.

Approved _____ February 7 _____, 2017

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James K. Johns, Chairman

ATTEST: HUNTER S. CONRAD, CLERK

By: *Pam Halterman*
Deputy Clerk

