

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
AUGUST 15, 2017
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: James K. Johns, District 1, Chair
Henry Dean, District 5, Vice Chair
Jeb S. Smith, District 2
Paul M. Waldron, District 3
Jay Morris, District 4
Michael Wanchick, County Administrator
Patrick McCormack, County Attorney
Bonnie A. Putman, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; Paolo Soria, Assistant County Attorney

(08/15/17 - 1 - 9:00 a.m.)
CALL TO ORDER

Johns called the meeting to order.

(08/15/17 - 1 - 9:00 a.m.)
ROLL CALL

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

(08/15/17 - 1 - 9:01 a.m.)
INVOCATION

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

(08/15/17 - 1 - 9:02 a.m.)
PLEDGE OF ALLEGIANCE

Johns led the Pledge of Allegiance.

(08/15/17 - 1 - 9:03 a.m.)
PROCLAMATION RECOGNIZING AUGUST 25-27, 2017, AS FILL THE BOOT DAYS

Johns called Chief Carl Shank, Lieutenant Matt Hooker, and members of the St. Johns County Fire Rescue (SJCFR), as well as Jasmyn Stanley, Muscular Dystrophy Association (MDA), to the podium.

(9:05 a.m.) Chief Shank and Lieutenant Hooker provided details of the importance of the "Fill the Boot Campaign" and explained how the campaign helped fund the MDA's efforts.

(9:06 a.m.) Stanley spoke regarding two residents of St. Johns County, who were currently benefiting from the campaign funds.

(9:07 a.m.) Melissa Lundquist, Assistant to the Board of County Commissioners (BCC), read the proclamation into the record.

(08/15/17 - 2 - 9:10 a.m.)
ACCEPTANCE OF PROCLAMATION

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

(08/15/17 - 2 - 9:11 a.m.)
PUBLIC COMMENT

(9:12 a.m.) McCormack informed the Board that Regular Item Nos. 2 and 10 may possibly be pulled.

(9:13 a.m.) Dr. Michel S. Pawlowski, 216 10th Street, thanked the BCC and staff for their hard work. He spoke on the Tourist Development Council (TDC) vacancy for St. Augustine Beach, increased taxes, and suggested a priority list of projects. He recommended postponement of addressing the needs of the County, until the revenue from the shopping center being constructed, on Race Track Road, becomes available.

(9:16 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, told a story he titled, Good Cop Bad Cop, in an attempt to provide an analogy between his story and the lack of public input at a previously held workshop.

(08/15/17 - 2 - 9:19 a.m.)
DELETIONS TO CONSENT AGENDA

There were none.

(08/15/17 - 2 - 9:20 a.m.)
APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement Report
2. Motion to approve the terms and conditions of the Transfer Agreement, between the Jacksonville Transportation Authority (JTA) and St Johns County, to transfer ownership of a federally funded asset (Tire Alignment Machine) to JTA
3. Motion to adopt **Resolution No. 2017-264**, approving the terms and conditions of a Use Agreement for Anastasia State Park, for a Beach Nourishment Project, between the Board of Trustees of the Internal Improvement Fund of the State of Florida, and St. Johns County; and authorizing the Chair to execute the Use Agreement, on behalf of the County

RESOLUTION NO. 2017-264

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A USE AGREEMENT FOR ANASTASIA STATE PARK, FOR A BEACH NOURISHMENT PROJECT, BETWEEN THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, AND ST. JOHNS COUNTY; AND AUTHORIZING THE

**CHAIR TO EXECUTE THE USE AGREEMENT, ON
BEHALF OF THE COUNTY**

4. Motion to adopt **Resolution No. 2017-265**, authorizing the county administrator, or his designee, to enter into negotiations, and if negotiations are successful, award a contract to Emtec, Inc., in substantially the same form and format, as attached, for the St. Johns County Auditorium and Control Room, Audio/Visual and Broadcast System Upgrades, in accordance with RFP No. 17-29

RESOLUTION NO. 2017-265

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 17-29; AND TO EXECUTE AGREEMENTS FOR ST. JOHNS COUNTY AUDITORIUM AND CONTROL ROOM, AUDIO/VISUAL AND BROADCAST SYSTEM UPGRADES

5. Motion to adopt **Resolution No. 2017-266**, authorizing the county administrator, or his designee, to enter into negotiations with the top three firms: Haddad Engineering, Inc., Elerty & Associates, and Kadrmas, Lee, & Jackson, Inc., and upon successful negotiations, enter into contracts, in substantially the same form and format, as attached, with all three firms, for [as needed] technology and security consulting services, in accordance with RFP No. 17-48

RESOLUTION NO. 2017-266

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 17-48; AND TO EXECUTE AGREEMENTS FOR TECHNOLOGY & SECURITY CONSULTING SERVICES

6. Motion to declare the attachments as surplus; and authorize the county administrator, or his designee, to dispose of same in accordance with the Purchasing Policy 308 and Florida Statute 274
7. Motion to adopt **Resolution No. 2017-267**, authorizing the county administrator, or his designee, to enter into negotiations with the top ranked firm, in successive order, until an agreement is reached, then enter into a contract for completion of the work detailed in RFQ No. 17-57, Old Moultrie Road (County Road 5A), from Lewis Point Road to State Road 312, Professional Engineering Services

RESOLUTION NO. 2017-267

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ NO. 17-57, OLD MOULTRIE ROAD (COUNTY ROAD 5A), FROM LEWIS POINT ROAD TO STATE ROAD 312, PROFESSIONAL ENGINEERING SERVICES

8. Motion to adopt **Resolution No. 2017-268**, recognizing \$50,000, donated by St. Augustine Port Waterway and Beach District, as unanticipated revenue; and appropriates the funds to the Fiscal Year 2017 Special Revenue Fund Tourist Development Tax

RESOLUTION NO. 2017-268

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING AND APPROPRIATING A CONTRIBUTION BY ST. AUGUSTINE PORT WATERWAY AND BEACH DISTRICT, FOR THE ARTIFICIAL REEF PROJECT, WITHIN THE FISCAL YEAR 2017 SPECIAL REVENUE TOURIST DEVELOPMENT TAX FUND

9. Motion to adopt **Resolution No. 2017-269**, authorizing the Chair to execute local government certifications, for State Fiscal Year (SFY) 14/15, FY 15/16, & 16/17 State Housing Initiative Partnership (SHIP) annual reports

RESOLUTION NO. 2017-269

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE SUBMITTAL OF THE STATE HOUSING INITIATIVE PARTNERSHIP (SHIP) ANNUAL REPORT FOR STATE FISCAL YEARS 2014-2015, 2015-2016, AND 2016-2017, TO THE FLORIDA HOUSING FINANCE CORPORATION; AUTHORIZING THE CHAIR TO SIGN THE NECESSARY CERTIFICATIONS ACCEPTING THE REPORT; AND PROVIDING AN EFFECTIVE DATE

10. Motion to authorize staff to prepare and submit an application for funding, for the 2017 Department of Housing and Urban Development (HUD) Notice of Funding Availability (NOFA), for the Continuum of Care (CoC) Program - Rapid Rehousing Project for St. Johns County residents

11. Proofs:

- a) Proof: Request for Bids, Bid No. 17-60; Purchase of One Bookmobile for St. Johns County Public Library, published July 6, 2017, in *The St. Augustine Record*
- b) Proof: Notice of Hearing, 7/18, Animal Code Ordinance, published July 6, 2017, in *The St. Augustine Record*
- c) Proof: Notice of Hearing, Investment Policy Ordinance, published on July 6, 2017, in *The St. Augustine Record*
- d) Proof: Request for Bids, Bid No. 17-65, Fencing repairs and/or Replacement at various St. Johns County Utility Department Properties, published on July 13, 2017, and July 20, 2017, in *The St. Augustine Record*
- e) Proof: Request for Bids, Bid No. 17-68, Purchase of Cisco Emergency Responder, published on July 17, 2017, and July 24, 2017, in *The St. Augustine Record*
- f) Proof: Request for Bids, Bid No. 17-66, Supply, Delivery, and Installation of Playground Mulch, published on July 19, 2017, and July 26, 2017, in *The St. Augustine Record*
- g) Proof: Notice of Meeting, Joint Meeting with St. Johns County School Board, published on July 25, 2017, in *The St. Augustine Record*

- h) Proof: Request for Proposal, RFP No. 17-71, CCTV, published on July 21, 2017, and July 28, 2017, in *The St. Augustine Record*

12. Motion to approve minutes:

- July 18, 2017, Regular BCC Meeting

(08/15/17 - 5 - 9:20 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Waldron requested that Regular Agenda No. 10 be pulled and No. 2 be continued to a date and time to be determined. Wanchick requested to add a letter of support to the Regular Agenda. Johns added the item as No. 11 and requested adding Item No. 12, to provide directive to staff regarding the budget.

(08/15/17 - 5 - 9:22 a.m.)

APPROVAL OF REGULAR AGENDA

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

(08/15/17 - 5 - 9:22 a.m.)

1. FIRST READING OF AN ORDINANCE ESTABLISHING A NOTICE OF PROCEEDINGS FOR REGISTERED ARCHITECTURAL REVIEW ASSOCIATIONS (RARA). PURSUANT TO BOARD DISCUSSION THIS OFFICE WAS DIRECTED TO RESCIND LAND DEVELOPMENT CODE SECTION 5.03.02.H; HOLD A WORKSHOP WITH THE INTERESTED AND AFFECTED PARTIES; AND PRESENT RECOMMENDATIONS FOR FORMAL ACTION OF THE BOARD. THIS STAND-ALONE ORDINANCE IS A REPLACEMENT FOR LAND DEVELOPMENT CODE (LDC) SECTION 5.03.02.H AND PROVIDES A PROCEDURE FOR REGISTRATION AND AUTOMATED NOTICING OF "ARCHITECTURAL PERMITS" TO A REGISTERED ASSOCIATION, WHEN THE COUNTY PROCESSES SUCH PERMITS. THIS IS A FIRST READING OF A PROPOSED STAND-ALONE ORDINANCE AND IS NOT RELATED, INCORPORATED IN, OR CODIFIED IN THE LAND DEVELOPMENT CODE, NOR IS IT CONSIDERED A LAND DEVELOPMENT REGULATION

Paolo S. Soria, Assistant County Attorney, presented details of the new ordinance implementation.

(9:35 a.m.) Morris requested a timeframe for the noticing process. Soria responded.

(9:36 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, commented on the ordinance and suggested training on how to conduct a workshop.

(9:37 a.m.) Erin Hires, Marsh Landing Management Company, 4200 Marsh Landing Boulevard, Suite 200, Jacksonville Beach, spoke on the notification process and offered to assist with the language and the development of the process.

(9:38 a.m.) Elizabeth McGee, May Management Services Inc., 225 Deportivo Drive, spoke on the changes proposed for the Registered Architectural Review Association (RARA) and suggested a 14-day delay, in order to put procedures in place.

(9:40 a.m.) McCormack requested clarification on the public comment. McGee responded that the delay would be in the issuance of a permit. Soria counselled the Board against putting in an explicit provision for delay and stated the suggestions from public comment, including the affidavit, were not in the draft ordinance. Additionally, he

provided a timeline and spoke on being specifically prohibited by Statute and by House Bill (HB) 7-35, from conditioning any development permit, upon the approval or processing of a State or Federal agency.

Regular Agenda Item No. 2 was pulled.

2. PUBLIC HEARING, COMPAMD 2016-08, GRAND OAKS (TRANSMITTAL)

(08/15/17 - 6 - 9:43 a.m.)

3. MAJMOD 2017-15, SAWMILL LANDING PUD. REQUEST FOR A MAJOR MODIFICATION TO THE SAWMILL LANDING PLANNED UNIT DEVELOPMENT (PUD), TO INCREASE MAXIMUM LOT COVERAGE BY ALL BUILDINGS TO 50 PERCENT, CONSISTENT WITH COMPREHENSIVE PLAN ALLOWANCES; REDUCE THE FRONT YARD SETBACK TO FIFTEEN FEET FOR THE NON-GARAGE PORTION OF HOMES; AND TO UPDATE THE TWENTY-FIVE FOOT BUILDING SETBACK REQUIREMENT, ADJACENT TO THE UPLAND BUFFER, CONSISTENT WITH LAND DEVELOPMENT CODE ALLOWANCES. ALL OTHER PROVISIONS OF THE PUD REMAIN UNCHANGED. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS MODIFICATION AT THE JULY 20, 2017, REGULAR MEETING, WITH A 6-0 VOTE

Proof of publication of the notice of public hearing on MAJMOD 2017-05, Sawmill Landing PUD, was received, having been published in *The St. Augustine Record* on June 30, 2017.

Smith and Johns disclosed ex parte communication stating that they had corresponded, via email, with Scott Boutwell and Waldron spoke with a neighbor.

(9:44 a.m.) Beverly Frazier, Planner, presented details of the request.

(9:48 a.m.) Doug Burnett, St. Johns Law Group, 104 Sea Grove Main Street, spoke on the three requests, including to increase maximum lot coverage, by all buildings, to 50 percent; reduce the front yard setback, and to update the twenty-five foot building setback requirement.

(9:52 p.m.) Scott Boutwell, 1371 Kings Estate Road, requested changing the 14-inch pipes, at the intersection of St. Augustine Road and Cypress Road, to larger pipes to help with the flow of water and drainage.

(9:56 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on the approval process of major modifications.

(9:57 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition to approving the MAJMOD and the requested waivers.

(9:58 a.m.) Burnett informed the Board that Kelly Smith was the client and spoke on the impacts of construction, believed that long-term the project would be a solution to the drainage issues, and clarified what was being requested and that it was within code.

(10:01 a.m.) Matt Lawtey, 106 Anastasia Boulevard, addressed the drainage concerns, referring to the site aerial map. Discussion ensued on the concerns with the development, discharge, property boundaries, water flow, the silt fence, the 10-foot buffer, and future improvements to Kings Road.

(10:10 a.m.) Neil Shinkre, Public Works Director, stated that Kings Road was on the list for future improvements.

(10:11 a.m.) Smith spoke on his reservations with the enhancement from 35 to 50 percent. Waldron stated he had reservations, as well.

(10:12 a.m.) **Motion by Waldron, seconded by Smith, carried 4/1, with Morris dissenting, to deny MAJMOD 2017-15, Sawmill Landing, subject to six findings of fact.**

(10:13 a.m.) Discussion ensued on the drainage problem at the intersection addressed during public comment.

(10:16 a.m.) Burnett questioned the motion and requested to separate the requests. Johns stated that what was presented to the Board was all together.

(10:17 a.m.) Soria spoke on the upland buffer section having been handled as a small adjustment and that the other requests would require a reconsideration of the motion in order to separate the requests. McCormack offered the Board their options.

(10:20 a.m.) **Motion by Johns, seconded by Dean, carried 5/0, to reconsider the previous motion.**

(10:24 a.m.) **Motion by Waldron, seconded by Johns, carried 5/0, to continued Regular Agenda Item No. 3 to September 5, 2017, at 9:00 a.m.**

(08/15/17 - 7 - 10:24 a.m.)

4. PUBLIC HEARING, MAJMOD 2015-07, PALM COVE. REQUEST FOR A MAJOR MODIFICATION TO EXTEND PHASING AND INCREASE MAXIMUM LOT COVERAGE, BY ALL BUILDINGS, PER LOT, TO 50 PERCENT. TO ADDRESS CONCERNS POSED BY THE PUBLIC AT THE PLANNING AND ZONING AGENCY HEARING, THE APPLICANT REDUCED THE PROPOSED MAXIMUM LOT COVERAGE, PER LOT, FROM THE INITIAL PROPOSAL OF 65 PERCENT TO 50 PERCENT, AND REQUIRED AN EARLIER COMMENCEMENT DATE OF 2020. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF MAJMOD 2015-07, PALM COVE, WITH A VOTE OF 5-1, AT THE JULY 6, 2017, HEARING

Proof of publication of the notice of public hearing on MAJMOD 2015-07, PALM COVE, was received, having been published in *The St. Augustine Record* on June 19, 2017.

All commissioners disclosed ex parte communication stating they had spoken via email, in person, through phone calls, or a site visit with Ellen Avery-Smith.

(10:25 a.m.) Danielle Handy, AICP, Chief Planner, presented details of the request.

(10:30 a.m.) Ellen Avery- Smith, Rogers Towers, 100 Whetstone Place, provided a history of the property, including the approved 2012 PUD, the denied 2015 MAJMOD; and the current requests.

(10:37 a.m.) Discussion ensued on the requests, lot sizes, lot coverage, the inability to view the property from Palm Valley Road, and single story homes. Morris stated he had received no emails in opposition to the item.

(10:44 a.m.) Barbara Gressa, 132 Sawbill Palm Drive, Ponte Vedra Beach, spoke in opposition to the request and provided detailed information, via PowerPoint.

(10:47 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, spoke in opposition to the requests, due to the developer's lack of certainty in the plan details.

(10:49 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition to the requests, due to the delays and the comprehensive plan changes. She suggested that the public be granted an opportunity for rebuttal and that the developer be held to a 2020 start date.

(10:52 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, expressed his views regarding major modifications.

(10:54 a.m.) Avery-Smith provided a rebuttal to public comment, including the requirements to land development code, concerning major modifications, stating that they were complying with the laws.

(10:56 a.m.) Motion by Morris, seconded by Dean, carried 3/2, with Smith and Waldron dissenting, to enact Ordinance No. 2017-37, MAJMOD 2015-07, Palm Cove, based upon six Findings of Fact.

ORDINANCE NO. 2017-37

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE PALM COVE PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NO. 2012-18, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

(08/15/17 - 8 - 10:56 a.m.)

5. MAJMOD 2017-08, BANNON LAKES. REQUEST TO MODIFY THE BANNON LAKES PUD, TO PROVIDE AN OPTION TO ALLOW THE APPROVED 999 DWELLING UNITS TO BE DEVELOPED AS SINGLE FAMILY OR MULTI-FAMILY UNITS; AND TO MODIFY THE MASTER DEVELOPMENT PLAN MAP TO SHOW SINGLE FAMILY ON PARCEL B. THE APPLICANT IS ALSO REQUESTING A WAIVER TO SECTIONS 5.03.03.B.1.B AND 6.03.01, OF THE LAND DEVELOPMENT CODE, PERTAINING TO BUILDING SETBACKS AND FIRE PROTECTION REGULATIONS. ALL OTHER PROVISIONS AND CONDITIONS OF THE PUD REMAIN UNCHANGED. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST WITH A 6-0 VOTE

Proof of publication of the notice of public hearing on MAJMOD 2017-08, Bannan Lakes, was received, having been published in *The St. Augustine Record* on June 19, 2017.

All commissioners disclosed ex parte communication stating they had met with Ellen Avery-Smith and Art Lancaster.

(10:57 a.m.) Teresa Bishop, Planning Division Manager, presented details of the request.

(11:02 a.m.) Ellen Avery Smith, Roger Towers, 100 Whetstone Place, was available for questions.

(11:03 a.m.) Waldron questioned staff on fire safety. Jeff Prevatt, Assistant Fire Chief, responded to the provisions in the Fire Code.

(11:04 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on the developer debt forgiveness program and in opposition to the request.

(11:08 a.m.) Johns questioned the impact to capacity of schools and traffic when changing from mixed-use to single family. Bishop responded that multi-family normally had less of an impact.

(11:08 a.m.) **Motion by Johns, seconded by Dean, carried 5/0, to enact Ordinance No. 2017-38, approving MAJMOD 2017-08 Bannon Lakes, subject to six Findings of Fact.**

ORDINANCE NO. 2017-38

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE BANNON LAKES PUD, ORDINANCE NO. 2015-11, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION AND PROVIDING AN EFFECTIVE DATE.

Regular Agenda Item Nos. 6, 7 and 8 were presented together.
(08/15/17 - 9 - 11:09 a.m.)

6. PUBLIC HEARING, SECOND READING OF THE AMENDED AND RESTATED SOLID WASTE ORDINANCE. AT ITS JULY 18, 2017, MEETING, THE BOARD HEARD THE FIRST READING OF A PROPOSED AMENDED AND RESTATED ST. JOHNS COUNTY SOLID WASTE ORDINANCE. THE PROPOSED ORDINANCE WOULD REGULATE THE MANAGEMENT, COLLECTION, AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS, WITHIN THE COUNTY, INCLUDING SOLID WASTE COLLECTION FRANCHISES, HARMONIZE THE CONFLICTING LANGUAGE AND REQUIREMENTS OF THE EXISTING SOLID WASTE ORDINANCES, AND UPDATE GUIDELINES AND STANDARDS. STAFF HAS IDENTIFIED CERTAIN CLARIFICATIONS TO THE PROPOSED ORDINANCE SINCE THE JULY 18 MEETING. A REDLINE OF THOSE CHANGES IS ATTACHED TO THIS AGENDA ITEM. A CONVERSION CHART OF THE PROPOSED ORDINANCE TO THE EXISTING SOLID WASTE ORDINANCES IS ALSO ATTACHED. STAFF RECOMMENDS ADOPTION AND ENACTMENT OF THE ORDINANCE

Greg Caldwell, Assistant Public Works Director, presented details of the ordinance.

(11:15 a.m.) Sarah Bailey, 2202 Bishop Estates Road, commended the staff of the Waste Management Department.

(11:16 a.m.) McCormack and Dean praised former commissioner Sarah Bailey for her service.

(11:17 a.m.) **Motion by Johns, seconded by Morris, carried 5/0, to enact Ordinance No. 2017-39, the St. Johns County Solid Waste Ordinance.**

ORDINANCE NO. 2017-39

AN AMENDED AND RESTATED ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, RELATING TO SOLID WASTE AND RECYCLABLE MATERIAL MANAGEMENT, COLLECTION, AND DISPOSAL, AND ASSOCIATED REQUIREMENTS; PROVIDING A TITLE AND FINDINGS OF FACT; PROVIDING DEFINITIONS; PROVIDING FOR THE APPLICABILITY OF THE SOLID WASTE ORDINANCE; PROVIDING FOR FRANCHISES FOR SOLID WASTE COLLECTION FOR BUSINESSES;

PROVIDING EXEMPTIONS FROM THE FRANCHISE REQUIREMENTS; PROVIDING FOR THE GRANT OF FRANCHISES AND PERMITS; PROVIDING REGULATIONS APPLICABLE TO FRANCHISEES; PROVIDING FOR FRANCHISE FEES; PROVIDING FOR THE REVOCATION OF FRANCHISES; PROVIDING FOR PERMITS TO COLLECT, HAUL, OR DISPOSE OF SOLID WASTE; PROVIDING FOR WASTE RECEPTACLES; PROVIDING FOR THE STORAGE OF CONSTRUCTION AND DEMOLITION DEBRIS; PROVIDING FOR THE TRANSPORTATION OF SOLID WASTE AND RECYCLABLE MATERIALS; PROVIDING FOR THE MANAGEMENT AND DISPOSAL OF SOLID WASTE; PROVIDING FOR HAZARDOUS, RADIOLOGICAL, AND BIOMEDICAL WASTE; PROVIDING FOR MUNICIPAL SERVICE BENEFIT UNITS; PROVIDING FOR SPECIAL ASSESSMENTS FOR THE COLLECTION, DISPOSAL, AND RECYCLING OF RESIDENTIAL WASTE; PROVIDING FOR COUNTY WASTE DISPOSAL FEES; PROVIDING FOR VARIANCES AND WAIVERS; PROVIDING FOR SOLID WASTE RULES; PROVIDING FOR APPEALS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR CONFLICTS WITH OTHER ORDINANCES; PROVIDING FOR EFFECTS ON EXISTING FRANCHISES; PROVIDING A SEVERABILITY CLAUSE; REPEALING ST. JOHNS COUNTY ORDINANCES 89-20, 92-14, 94-07, 94-47, 94-60, 97-37, 99-27, AND 06-98; AND PROVIDING AN EFFECTIVE DATE

(08/15/17 - 10 - 11:17 a.m.)

7. RESOLUTION ESTABLISHING TIPPING FEES AND OTHER CHARGES FOR THE DISPOSAL OF SOLID WASTE AT COUNTY LANDFILLS. THE AMENDED AND RESTATED SOLID WASTE ORDINANCE, SCHEDULED FOR SECOND READING AND POTENTIAL ADOPTION, AT THE BOARD'S AUGUST 15, 2017, MEETING, PROVIDES THAT TIPPING FEES AND OTHER CHARGES FOR DISPOSAL OF SOLID WASTE AT COUNTY LANDFILLS SHALL BE ESTABLISHED BY RESOLUTION OF THE BOARD. THE ATTACHED PROPOSED RESOLUTION WOULD ESTABLISH SUCH TIPPING FEES AND CHARGES

(11:17 a.m.) **Motion by Johns, seconded by Waldron, carried 5/0, to adopt Resolution No. 2017-270, establishing Tipping Fees and other charges, for the disposal of Solid Waste at County Landfills.**

RESOLUTION NO. 2017-270

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING CERTAIN TIPPING FEES AND OTHER CHARGES PERTAINING TO SOLID WASTE DISPOSAL PURSUANT TO THE ST. JOHNS COUNTY SOLID WASTE ORDINANCE

(08/15/17 - 11 - 11:17 a.m.)

8. RESOLUTION ESTABLISHING PROCEDURES FOR WAIVER OF SOLID WASTE SPECIAL ASSESSMENTS, BASED ON FINANCIAL HARDSHIP. SINCE AT LEAST 1994, ST. JOHNS COUNTY HAS HAD A MECHANISM TO ALLOW FOR AN EXEMPTION FROM PAYMENT OF SOLID WASTE SPECIAL ASSESSMENTS, FOR CERTAIN HOMESTEAD PROPERTY OWNERS, BASED ON FINANCIAL HARDSHIP. THE CURRENTLY OPERATIVE MECHANISM CAN BE FOUND IN RESOLUTION 94-161, RESOLUTION NO. 2009-69, AND ORDINANCE NO. 99-27. THE AMENDED AND RESTATED SOLID WASTE ORDINANCE, SCHEDULED FOR SECOND READING AND POTENTIAL ADOPTION, AT THE BOARD'S AUGUST 15, 2017, MEETING, WOULD REPEAL ORDINANCE NO. 99-27, AS WELL AS THE ORDINANCES THAT AUTHORIZED RESOLUTION NOS. 94-161 AND 2009-69. ACCORDINGLY, THE ATTACHED PROPOSED RESOLUTION WOULD FORMALLY RESCIND THESE NOW-OBSOLETE RESOLUTIONS AND REPLACE THEM WITH A PROCEDURE, AS AUTHORIZED BY THE AMENDED AND RESTATED SOLID WASTE ORDINANCE THAT IS SIMILAR TO THE CURRENT PROCEDURE, WITH THE EXCEPTION THAT THE BOARD MAY DETERMINE WHETHER TO WAIVE SOLID WASTE SPECIAL ASSESSMENTS, IN A PARTICULAR YEAR, AND APPROPRIATE FUNDS FOR PAYMENT OF WAIVED ASSESSMENTS

(11:17 a.m.) Motion by Johns, seconded by Morris, carried 5/0, to adopt Resolution No. 2017-271, establishing procedures for the waiver of St. Johns County's Solid Waste Special Assessments, for certain homestead residential properties, based upon the financial hardship of the homestead owners, and rescinding Resolution No. 94-161 and Resolution No. 2009-69.

RESOLUTION NO. 2017-271

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING PROCEDURES FOR THE WAIVER OF ST. JOHNS COUNTY'S SOLID WASTE SPECIAL ASSESSMENTS, FOR CERTAIN HOMESTEAD RESIDENTIAL PROPERTIES, BASED UPON THE FINANCIAL HARDSHIP OF THE HOMESTEAD OWNERS; AND RESCINDING RESOLUTION NO. 94- 161 AND RESOLUTION NO. 2009-69

(08/15/17 - 11 - 11:18 a.m.)

9. HURRICANE MATTHEW DISASTER RECOVERY: BOARD APPROVAL FOR ELIGIBLE DREDGING PROJECTS AND AWARD BID NO. 17-61; VILANO BOAT RAMP DREDGING. IN OCTOBER 2016, HURRICANE MATTHEW INFLICTED SEVERE IMPACTS TO FLORIDA, GEORGIA, SOUTH CAROLINA, AND NORTH CAROLINA, RESULTING IN A PRESIDENTIAL DECLARATION FOR FEDERAL ASSISTANCE. THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA) PUBLIC ASSISTANCE GRANT PROGRAM, ST. JOHNS COUNTY IS QUALIFIED FOR UP TO A 75 PERCENT REIMBURSEMENT, ON ELIGIBLE COSTS ASSOCIATED WITH HURRICANE MATTHEW. THE VILANO, DOUG CRANE, AND RIVERDALE BOAT RAMPS HAVE BEEN IDENTIFIED BY COUNTY STAFF, AND REVIEWED BY FEMA, FOR INCLUSION IN THE PUBLIC ASSISTANCE PROGRAM, TO DREDGE MATERIAL DEPOSITED BY HURRICANE MATTHEW. STAFF IS CONFIDENT THESE PROJECTS ARE ELIGIBLE FOR REIMBURSEMENT FROM FEMA AND THE STATE, THROUGH THE PUBLIC ASSISTANCE PROGRAM. THE COUNTY ESTIMATES THAT THE ELIGIBLE COSTS FOR THESE PROJECTS ARE \$575,000, AND OF THIS COST, \$282,963 IS FOR THE VILANO BOAT RAMP. THE COUNTY HAS RECEIVED BIDS AND PREPARED A CONTRACT FOR

\$282,963. IT IS ESTIMATED FEMA WILL REIMBURSE UP TO 75 PERCENT OF ELIGIBLE EXPENDITURES AND THE STATE WILL REIMBURSE UP TO 12.5 PERCENT OF ELIGIBLE EXPENDITURES, LEAVING ST. JOHNS COUNTY TO FUND THE REMAINING 12.5 PERCENT. ESTIMATES FOR ELIGIBLE REIMBURSEMENT FOR EXPENSES RELATED TO THESE PROJECTS: FEMA AT \$431,250, STATE AT \$71,875, AND THE COUNTY AT \$71,875. THE COUNTY'S PORTION IS REQUESTED TO BE TRANSFERRED FROM GENERAL FUND RESERVES

Joseph Giammanco, Disaster Recovery Manager, presented details of the projects.

Rebecca Lavie, Assistant County Attorney entered the meeting at 11:18 a.m.

(11:19 a.m.) **Motion by Johns, seconded by Waldron , carried 5/0, to adopt Resolution No. 2017-272 recognizing and appropriating a Department of Homeland Security Federal Emergency Management Agency (FEMA) Hurricane Matthew Grant, in an amount not to exceed \$431,250, and a State of Florida Division of Emergency Management Grant, in an amount not to exceed \$71,875, within the Fiscal Year 2017; and directing the county administrator, or his designee, to move forward with the Vilano, Doug Crane, and Riverdale boat ramp dredging projects.**

RESOLUTION NO. 2017-272

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING AND APPROPRIATING A US DEPARTMENT OF HOMELAND SECURITY FEMA GRANT AND A STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT GRANT, WITHIN THE FISCAL YEAR 2017 GENERAL FUND HURRICANE MATTHEW DEPARTMENT

(11:20 a.m.) **Motion by Johns, seconded by Waldron, carried 5/0, to adopt Resolution No. 2017-273 authorizing the county administrator, or his designee, to execute a contract substantially in the same form, as attached, with Brance Diversified, Inc., for dredging the Vilano boat ramp; and to transfer \$71,875 from General Fund Reserves.**

RESOLUTION NO. 2017-273

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 17-61; AND TO EXECUTE AGREEMENTS FOR VILANO BOAT RAMP DREDGING

Lavie left the meeting at 11:21 a.m.

Regular Agenda Item No. 10 was pulled.

10. HURRICANE MATTHEW DISASTER RECOVERY: REQUEST BOARD APPROVAL TO INITIATING THE PROCEDURAL STEPS FOR A MUNICIPAL SERVICE BENEFIT UNIT (MSBU) CREATION, TO FUND THE NON-REIMBURSABLE PORTION FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PUBLIC ASSISTANCE (PA) GRANT PROGRAM

(08/15/17 - 13 - 11:21 a.m.)

11. LETTER OF SUPPORT FOR ST. JOHNS RIVER TO SEA LOOP- COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT

Wanchick provided details on the request, referring to the detailed scope which was provided to the Board. Discussion ensued on the depth and specificity of the information provided by administration.

(11:24 a.m.) **Motion by Johns, seconded by Morris, carried 5/0, to approve the letter of support.**

Joy Andrews, Assistant County Administrator entered the meeting 11:25 a.m.

(08/15/17 - 13 - 11:25 a.m.)

12. BUDGET DIRECTIVE

Johns encouraged the public to contact him with suggestions on how to meet the County's needs.

(11:26 a.m.) Dean suggested using the funds that were transferred to the Transportation Trust Fund, for services that had been cut due to the recession; and to designate \$70,000 from reserves for Library Services, specifically e-books.

Regina Ross, Deputy County Attorney entered the meeting at 11:27 a.m.

(11:28 a.m.) Morris commented on the approximate \$450,000 transfer from the General Fund to the Transportation Trust Fund (TTF) and with the proposed decision to eliminate utilizing reserves in the budget, which would remove \$1.1 million from the TTF. He provided the meaning of a balanced budget utilizing reserves versus having to borrow, and spoke in favor of the recommended budget from administrative staff and the Office of Management and Budget. He questioned the amount needed for pavement management and drainage.

(11:32 a.m.) Shinkre stated that there was approximately \$10.5 million needed for pavement management, drainage, infrastructure, and sidewalks, over the next five to ten years.

(11:34 a.m.) Johns recommended that a budget would be approved and give direction to staff to balance the budget without immediately using reserves, for the primary purpose of addressing the likelihood of the Homestead Exemption becoming approved. He encouraged departments to look for ways to balance their budgets.

(11:36 a.m.) Morris stated the utilization of reserves was a balanced budget. He believed there was not a spending project, and referencing comments made by St. Johns County consultant, University of Florida emeritus professor, Dr. James C. Nicholas, who stated that St. Johns County did not capitalize on the County's funding sources, which included a gas tax and sales tax. He stated that he was 100% against what Johns recommended.

(11:37 a.m.) McCormack provided clarification that what was decided upon today would not be approving a budget, with mention of the first and second public hearings.

(11:38 a.m.) Waldron mentioned the millage shift that had taken place at the prior Board Meeting. Additionally, he stated he would be interested in seeing the budget without utilizing reserves; however, the reserves were the tax payers' money and had concerns if needed services were being cut. He explained that one reason the taxes were low in St. Johns County was because it was a County and not a Municipal Government and that the County was attempting to provide large municipal services.

(11:40 a.m.) BJ Kalaidi, 8 Newcomb Street, questioned the addition of the budget item to the Regular Agenda. Johns stated that it was added at the beginning of the meeting. She restated the details of the directive for clarification purposes.

(11:42 a.m.) McCormack stated that at a minimal there would be a public hearing on the proposed tentative budget and the final budget hearing, with opportunity for public comment. Dean added that the dates for the meetings were September 5, 2017, for the tentative budget and September 19, 2017, for the final budget, both being held at 5:01 p.m. in the County Auditorium.

(11:42 a.m.) Motion by Johns, seconded by Smith, carried 3/2, with Dean and Morris dissenting, to provide directive to staff to provide a budget for the Board's consideration, without the immediate utilization of reserves.

(11:43 a.m.) Dean asked that the staff provide a brief presentation on the e-book program and a recommendation for funding, to the first meeting in October, and to consider a transfer of funds from the reserves.

Consensus was given by the Board at 11:44 a.m. for staff to provide a brief presentation on the e-book program and a recommendation for funding, to the first meeting in October, and to consider a transfer of funds from the reserves.

(08/15/17 - 14 - 11:44 a.m.)
COMMISSIONERS' REPORTS

Commissioner Smith

Smith reported on the vote for the referendum on the dissolution of the Town of Hastings. McCormack added that due to the approval of the ordinance there would be a need for representation on the Canvassing Board for the election. Johns stated he was available and Waldron would be the alternative. Smith continued with his report, and requested to direct staff to prepare a white paper addressing the history, scope, and purpose of the West Augustine Community Redevelopment Agency (CRA) and the history and funding of the Solomon Calhoun Center.

Consensus given by the Board at 11:49 a.m. to direct staff to prepare a white paper, addressing the history, scope, and purpose of the West Augustine Community Redevelopment Agency (CRA) and the history and funding of the Solomon Calhoun Center.

(11:49 a.m.) Smith continued his report, stating he would like to have the liberty for the staff to engage and interface with constituents to address some of the issues with the Treasure Beach Canals.

Consensus was given by the Board at 11:50 a.m. to direct staff to engage and interface with the constituents of Treasure Beach, in order to address some of the issues with the Treasure Beach Canals.

(11:50 a.m.) Smith continued his report, commenting on the proposed repeal of the Waters of the U.S. rule; provided his agricultural update "Food for Thought"; and encouraged residents to attend local high school football games.

Commissioner Dean

(11:52 a.m.) Dean commented on the proposed rescinding of the Waters of the U.S. ruling.
Commissioner Morris

No report.

Commissioner Waldron

(11:52 a.m.) Waldron commented on the boat ramp repairs and those still affected by the hurricane.

Commissioner Johns

(11:53 a.m.) Johns thanked the Commissioners for their evaluations of the county administrator and county attorney, stated they both scored in the "Exceeds Expectations" category.

(08/15/17 - 15 - 11:57 a.m.)

COUNTY ADMINISTRATOR'S REPORT

(11:57 a.m.) Wanchick mentioned the implications for the County, regarding the proposed dissolution of the Town of Hastings and stated that an item would be brought to the next Board meeting, regarding the impacts. Additionally, he restated the dates for the public hearing on the County budget.

(08/15/17 - 15 - 11:58 a.m.)

COUNTY ATTORNEY'S REPORT

No report.

(08/15/17 - 15 - 11:58 a.m.)

CLERK OF COURT'S REPORT

No report.

(08/15/17 - 15 - 11:58 a.m.)

ADJOURN

With there being no further business to come before the Board, Johns adjourned the meeting at 11:58 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 548463-548467, totaling \$198,647.58 (08/07/17)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 548468-548686, totaling \$999,716.90 and Voucher Register, Voucher Nos. 29895-29978, totaling \$568,262.22 (08/08/17)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 548687-548688, totaling \$2,857.84 (08/09/17)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 548689-548697, totaling \$6,579 and Voucher Register, Voucher Nos. 29979-29985, totaling \$5,624 (08/09/17)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 548698-548890, totaling \$61,298,533.75 and Voucher Register, Voucher Nos. 29986-30063, totaling \$1,676,556.32 (08/15/17)

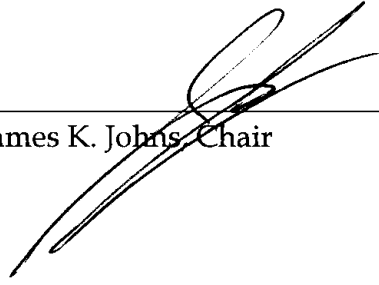
CORRESPONDENCE:

There was none.

Approved _____September 5_____, 2017

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James K. Johns, Chair



ATTEST: HUNTER S. CONRAD, CLERK

By: Pam Halterman
Deputy Clerk

