

# ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

## BOARD OF COUNTY COMMISSIONERS

District 1 - James K. Johns, Vice-Chair  
District 2 - Jeb S. Smith, Chair  
District 3 - William (Bill) A. McClure  
District 4 - Jay Morris  
District 5 - Rachael L. Bennett



## REGULAR MEETING AGENDA

County Auditorium  
500 San Sebastian View

Michael D. Wanchick, County Administrator  
Patrick F. McCormack, County Attorney

Tuesday, January 19, 2016 9:00 AM

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*Please be sure all cellular devices are turned off for the duration of the County Commission Meeting*

## REGULAR MEETING

- ❖ Call to Order by Chair
- ❖ Roll Call by the Clerk of the Court
- ❖ Invocation
- ❖ Pledge of Allegiance
- ❖ *Recognition of Sharks Football Team Competing in 2015 Pop Warner Superbowl*
- ❖ *Proclamation recognizing Seaside Wildlife Garden Award of Excellence For Beautification and Enhancement*
- ❖ *Recognition of West Augustine Redevelopment Award*
- ❖ *Recognition of Glenn Hastings and Betty Sue Stepp upcoming Retirements from St Johns County*
- ❖ Public Comment
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

### **Presenter - Patrick F. McCormack, County Attorney**

#### **District 4**

1. ***Business Item - Report \* PLNAPPL 2015-04 Ponte Vedra Beach Preserve - Procedural Clarification.*** This item is an appeal by an adjacent property owner from the order of approval of PVZVAR 2015-02, a zoning variance to the maximum fill requirements, by the Ponte Vedra Zoning and Adjustment Board. The item was initially set for October 20, 2015, was continued to December 1, 2015, and was then continued to January 19, 2016 in order for the County Attorney's Office and Staff to examine the record and determine whether procedural due process was followed. After the public hearing on this matter on December 1, 2015, the Board continued this matter to January 19, 2016 for counsel to consider a recommendation to (1) have the Board of County Commissioners proceed to hear the appeal at a later date; (2) remand the matter back to the Ponte Vedra Zoning & Adjustment Board (PVZAB); or (3) whether a new application should be submitted. Since the December 2015 County Commission meeting, the project applicant has submitted a memo asserting or reasserting that a variance is not required for the proposed project. This course of action represents a fourth alternative for the County Commission to consider. Therefore it is recommended that this alternative be evaluated with the others. In an effort to ensure objectivity and transparency it is recommended that the County Attorney's Office solicit additional input from all interested parties prior to the County Commission's further consideration of this matter. This item is not for the County Commission to make a final decision on the appeal on January 19th. This matter will require County Commission review and decision once all procedural issues have been sufficiently resolved.

**Presenter - Danielle Handy, Chief Planner**

**District 4**

- 2. Public Hearing \* REZ 2015-15 DFH Corona.** This is a request to rezone from 0.26 acres from Planned Special Development (PSD) (Ponte Vedra by-the-Sea) to Multiple Family Residential (R-2) with conditions. The subject property is located on the south side of Corona Road between State Road A1A and Ponte Vedra Boulevard. The applicant is seeking this rezoning in order to provide access to a ten acre residential development parcel located south of the subject property. The Ponte Vedra Zoning & Adjustment Board heard this item at the November 16, 2015 regular meeting. The Board recommended denial of the application with a vote of 4-2.

**Presenter - John P. Burnham, P.E., Chief Engineer**

**District 4**

- 3. Public Hearing \* VACROA 2015-08 DFH Corona, LLC.** A petition to vacate a portion of a 5' non-access easement along Corona Road, across a lot in the Ponte Vedra by the Sea development. Companion application is REZ 15-015 to provide access to a proposed 21-lot development by Dream Finders Homes (DFH).

**Presenter - Rebecca Dennis, Planner**

**District 5**

- 4. Public Hearing \* COMPAMD 2015-04 Tomoka Pines.** This is a request to adopt a Comprehensive Plan amendment to amend the Future Land Use Map from Rural/Silviculture (R/S) to Residential-C and add a Comprehensive Plan Text Policy to limit the number of dwelling units to 44. The subject property contains 22.17 acres of land and is located on State Road 16, west of I-95. The Planning and Zoning Agency recommended adoption at its December 17, 2015 regular meeting with a 6-0 vote.

**Presenter - Rebecca Dennis, Planner**

**District 5**

- 5. Public Hearing \* PUD 2015-07 Tomoka Pines.** This is a request to rezone approximately 22 acres from Open Rural (OR) to Planned Unit Development (PUD) to allow a 44 lot, single-family residential subdivision. The subject property is located on State Road 16, west of I-95. The Planning and Zoning Agency recommended approval at its December 17, 2015 regular meeting with a 6-0 vote.

**Presenter - Teresa Bishop, AICP, Planning Division Manager**

**District 4**

- 6. Public Hearing \* COMPAMD 2015-07 Nocatee.** This is a Transmittal Hearing for COMPAMD 2015-07, Nocatee New Town Text Amendment to modify Objective A.1.19, as approved by Ordinance No. 2001-18 and to add Objective A.1.23 for the New Town Future Land Use designation as it applies to the Nocatee Development of Regional Impact (DRI); modify the mixed use percentages, and eliminate the Town Center Village Mixed Use Core. Nocatee is located east of US 1 North, west of the Intracoastal Waterway. The Planning and Zoning Agency recommended transmittal of the proposed amendment with a 4-2 vote, where the Agency discussed that the proposed changes may result in Nocatee losing some of its mixed use character and result in less job opportunities within Nocatee.

**Presenter - Joseph Cearley, Special Projects Manager**

- 7. Public Hearing \* Land Development Code Amendments - Article II "Zoning Districts and Special Uses", and Article IX "Administration".** This is the first hearing in a three part series to consider changes to Article II "Zoning Districts and Special Uses" and Article IX "Administration of the Land Development Code. This series of changes creates a Special Use permit category for Domestic Hens and Feral Cat Colonies and also modifies associated uses. These changes were considered originally as a discussion item before the Board of County Commissioners on October 20th, 2015 and on November 17, 2015. It was the direction of the Board of County Commissioners to create a Special Use permit procedure that would implement the Feral Cat Colony policies within the Animal Control Ordinance that was approved on November 03, 2015; and to create a Special Use permit procedure to allow female chickens (Hens) within the rear yard of properties zoned residential.

**Presenter - Melissa Lundquist, Assistant to the Board of County Commissioners**

- 8. Consider Appointments for the Library Advisory Board.** Currently there are three (3) vacancies on the Library Advisory Board. Two are due to expired terms and one is due to a resignation. The vacancy pertaining to the resignation is currently being advertised and will be brought before the Board of County Commissioners at a later date. Please find for your review and consideration a letter of recommendation from the Library Advisory Board along with two (2) applications: Patricia M. Jensen (District 1) and Melvin C. Longo (District 5). Please note that per Resolution 2012-196, all appointments must be for a term of two years.

- ❖ Commissioners' Reports
- ❖ County Administrator's Report
- ❖ County Attorney's Report
- ❖ Clerk of Court's Report

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## CONSENT AGENDA

1. **Motion to approve the Cash Requirement Report** *For more information, contact Allen McDonald, County Finance Director at 819-3669*
2. **Motion to Adopt Resolution 2016-\_\_\_\_\_**, **approving the Library System's revised policies and procedures.** *For more information, contact Debra Rhodes Gibson, Library Director at 827-6926*
3. **Motion to approve the negotiated Collective Bargaining Agreement between the St. Johns County Board of County Commissioners and St. Johns County Professional Firefighters and Paramedics IAFF Local #3865 - Supervisory Unit and to direct its execution by the Chair and County Administrator.** *For more information, contact Stacey Stanish, Director of Personnel Services at 904 209-0635*
4. **Motion to Adopt Resolution 2016-\_\_\_** **approving the terms, conditions and requirements of an agreement between St. Johns County and the Children's Home Society, Inc. and authorizing the County Administrator, or designee, to execute an agreement substantially in the same form as the attached agreement on behalf of the county.** *For more information, contact Shawna Novak, Interim Health and Human Services Director at 904 209-6088*
5. **Motion to Adopt Resolution 2016-\_\_\_** **approving the terms, conditions, and requirements of Amendment 1 between St. Johns County, Florida and Community Based Care Integrated Health, LLC, and authorizing the County Administrator, or his designee, to execute an agreement substantially in the same form as the attached Agreement on behalf of the County and recognizing unanticipated revenue in the Community Based Care Fund in the amount of \$6,000 and appropriating to CBC Administration.** *For more information, contact Shawna Novak, Interim Health and Human Services Director at 904 209-6088*
6. **Motion to approve a General Fund Reserve Transfer [0083-59920] in the amount of \$66,000 to Building Operations [0032-56300] for Building Improvements and Operational costs for the County Administration Complex safety and security.** *For more information, contact Katie Diaz, Building Operation Superintendent at 209-0805*
7. **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.** *For more information, contact Dawn Cardenas, Purchasing Manager at 209-0152*
8. **Motion to Adopt Resolution 2016-\_\_\_** **accepting a Bill of Sale and Schedule of Values conveying all personal property associated with the water system serving The Markets at Murabella off State Road 16.** *For more information, contact Mary Ann Blount, Land Management Systems Director at 209-0762*

9. **Motion to Adopt Resolution 2016-\_\_\_\_\_ accepting an Easement Agreement for a sidewalk/cart path along Crosswater Parkway in Nocatee and authorizing the County Administrator, or designee, to join in the execution of the Easement Agreement.** *For more information, contact Mary Ann Blount, Land Management Systems Director at 209-0762*
10. **Motion to Adopt Resolution 2016-\_\_\_\_\_ accepting an Easement for Utilities and Bill of Sale conveying all personal property associated with the sewer lines to serve Enclave at Palm Valley subdivision.** *For more information, contact Mary Ann Blount, Land Management Systems Director at 209-0762*
11. **Motion to Adopt Resolution 2016-\_\_\_\_\_ accepting an Easement for Utilities for construction of a new force main to improve service to the residents in the Six Mile Creek North area.** *For more information, contact Mary Ann Blount, Land Management Systems Director at 209-0762*
12. **Motion to Adopt Resolution 2016-\_\_\_\_\_ accepting a Special Warranty Deed for conveyance of two lift station site to serve Palencia North Phase I and IIA.** *For more information, contact Mary Ann Blount, Land Management Systems Director at 209-0762*
13. **Motion to Adopt Resolution 2016-\_\_\_\_\_ accepting a Quit Claim Deed for conveyance of property for utility purposes within Bartram Oaks Subdivision.** *For more information, contact Mary Ann Blount, Land Management Systems Director at 209-0762*
14. **Motion to Adopt Resolution 2016-\_\_\_\_\_ approving the terms and authorizing the County Administrator, or designee, to execute two Purchase and Sale Agreements for permanent drainage easements needed for improvements along Woodlawn Road.** *For more information, contact Mary Ann Blount, Land Management Systems Director at 209-0762*
15. **Motion to Adopt Resolution 2016-\_\_\_\_\_ accepting an Easement for Utilities for reuse, water and sewer service to Windward Ranch Phase 1.** *For more information, contact Mary Ann Blount, Land Management Systems Director at 209-0762*
16. **Motion to Adopt Resolution 2016-\_\_\_\_\_ approving the terms of a Hold Harmless Agreement between St. Johns County and Southaven Community Development District and authorizing the County Administrator, or designee, to execute the Agreement on behalf of the County.** *For more information, contact Mary Ann Blount, Land Management Systems Director at 209-0762*
17. **Motion to Adopt Resolution 2016-\_\_\_\_\_ authorizing the County Administrator, or designee, to execute a Partial Release of Utility Service and Refund Agreement pursuant the property owners request in connection with the proposed improvements to First Coast Expressway by the Florida Department of Transportation.** *For more information, contact Mary Ann Blount, Land Management Systems Director at 209-0762*
18. **Motion to Adopt Resolution 2016-\_\_\_\_\_ accepting an Easement for Utilities and Bill of Sale for sewer service to St. Augustine Shores Unit 8 subdivision.** *For more information, contact Mary Ann Blount, Land Management Systems Director at 209-0762*
19. **Motion to approve the Cartwheel Bay at Cimarrone PUD (The Preserve at St. Johns) School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2015-15).** *For more information, contact Jan Trantham, Senior Transportation Planner at 209-0611*
20. **Motion to approve the Moultrie Woods PUD School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2015-16).** *For more information, contact Jan Trantham, Senior Transportation Planner at 209-0611*

- 21. Motion to Adopt Resolution 2016-\_\_\_\_\_**, authorizing the County Administrator, or designee, to award Bid No 15-67 West King & Holmes Boulevard Intersection Improvements to V. J. Usina Contracting, Inc., and to execute a contract in substantially the same form and format as the attached hereto for completion of the County portions of the scope of work, with a contract price not to exceed \$3,573,521.60. Motion to approve a transfer of \$305,000 from Impact Fee Zone C Reserves to allow for completion of the County's portion of the scope of work provided in Bid No 15-67 West King & Holmes Blvd Intersection Improvements. *For more information, contact Dawn Cardenas, Purchasing Manager at 904 209-0152*
- 22. Motion to Adopt Resolution 2016-\_\_\_\_\_ approving the final plat for Treaty Oaks Phase 1 Unit 1** *For more information, contact Michael Roberson, Operations Manager at 209-0593*
- 23. Motion to Adopt Resolution 2016-\_\_\_\_\_ approving the final plat for Aberdeen Phase 2B.** *For more information, contact Michael Roberson, Operations Manager at 209-0593*
- 24. Motion to Adopt Resolution 2016-\_\_\_\_\_ approving the final plat for Stone Creek Landing.** *For more information, contact Michael Roberson, Operations Manager at 209-0593*
- 25. Motion to Adopt Resolution 2016-\_\_\_\_\_ approving the final plat for Legacy Trail.** *For more information, contact Michael Roberson, Operations Manager at 209-0593*
- 26. Motion to Adopt Resolution 2016-\_\_\_\_\_**, approving the terms, provisions, conditions, and requirements of FDEP Agreement Number 16SJ1, and authorizing the County Administrator, or designee, to execute the Grant Agreement, along with any supplemental documentation, on behalf of the County. *For more information, contact Press Tompkins, P.E., County Engineer at 904 209-0110*
- 27. Motion to Adopt Resolution 2016-\_\_\_\_\_**, authorizing the Chair and the Clerk of Court to execute the attached updated banking business documents in order to provide for continued services by TD Bank, NA and Harbor Community Bank. *For more information, contact Hunter S. Conrad, Clerk of Court at 819-3669*
- 28. Motion to Adopt Resolution 2016-\_\_\_\_\_** authorizing the County Administrator or his designee to enter into an agreement, on behalf of St. Johns County, with St Johns River Water Management District for Fiscal Year 2015-2016 Cost-Share Funding Program for partial funding of the International Golf Parkway Reuse Main project. *For more information, contact Gordon Smith, Assistant Utility Director Engineering/Operations at 904 209-2709*
- 29. Motion to Adopt Resolution 2016-\_\_\_\_\_**, approving the Impact Fee Credit Transfer Indemnity Agreement between St. Johns County and Double Eagle Development, LLC, and authorizing the County Administrator, or his designee, to execute an agreement substantially in the same form as the attached agreement on behalf of the County. *For more information, contact Rebecca Lavie, Assistant County Attorney at 209-0805*
- 30. Minutes:**

  - 11/17/15 Special Meeting Minutes
  - 11/17/15 Regular Meeting Minutes
  - 12/01/15 Regular Meeting Minutes
  - 12/08/15 Special Meeting Minutes