

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 - James K. Johns
District 2 - Jeb S. Smith,
District 3 - Paul M. Waldron, Vice-Chair
District 4 - Jay Morris
District 5 - Henry Dean, Chair



BOARD MEETING AGENDA

County Auditorium
500 San Sebastian View

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

Tuesday, October 16, 2018 9:00 AM

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
- ❖ Proclamation Proclamation recognizing October 23-31 as Red Ribbon Week
- ❖ Public Comment
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

Presenter - Dennis Hollingsworth, CFC, St Johns County Tax Collector

1. **Report of Excess Fees for Fiscal Year 2017-18.** In compliance with Florida Statute, 218.36, the St. Johns County Tax Collector Dennis Hollingsworth will present a report of excess fees collected for the 2017-2018 Fiscal Year. Please note that these Excess Fees have already been estimated as a part of the County budget process and therefore they do not necessarily represent additional County revenue.

Presenter - Damon Douglas, Project Manager

2. **Discussion of a One-percent Tourist Development Tax Increase.** On September 18, the chair scheduled a discussion of a one-cent Bed Tax increase for beach restoration. Backup material has been provided to assist the Commission and staff will be available to facilitate questions.

Presenter - Patrick McCormack, County Attorney

District 3

3. **Public Hearing * Proposed Settlement Agreement of King's Grant Litigation.** In October 2015, KG Development, LLC and Cumberland Street, LLC (collectively, "plaintiffs") filed suit against St. Johns County, challenging a final order issued by the Board of County Commissioners that denied the plaintiffs' application for PUD rezoning of 772.1 acres of property located at the northwest corner of the I-95 and SR 206 interchange. The County denies that plaintiffs are entitled to any relief. However, the Board has authorized the County Attorney to discuss possible settlement, while continuing to defend the litigation. The plaintiffs have proposed certain enhancements to their PUD application as a full and complete settlement of the litigation. A summary of the proposed enhancements is attached; the complete language can be found in the attached Settlement Agreement. Additionally, the revised PUD application will be presented for the Board's consideration with this item. The relevant County departments have been consulted and reviewed the proposed settlement. The County Attorney is prepared to continue defending the litigation, but if the Board directs approval, the Settlement Agreement would serve the public interest.

Presenter - Teresa Bishop, Planning Division Manager

District 3

4. **Public Hearing * PUD 2014-06 Kings Grant.** Request to rezone approximately 772 acres from Open Rural (OR) to Planned Unit Development (PUD) to allow 999 dwelling units, of which 74 may be age-restricted; 130,000 square feet of commercial retail and service uses; 200 hotel rooms; 80,000 square feet of professional and medical office' 120 bed rehabilitation hospital; and 260 bed assisted living/skilled nursing /memory care facility. The Planning and Zoning Department recommended denial of the project at it's June 4, 2015 meeting with a 4-3 vote. The Board of County Commissioners heard this request on September 15, 2015 and denied the PUD application. The applicant appealed the Board decision in Circuit Court and a Settlement Agreement is proposed for the Board's consideration. This PUD proposal addresses the changes proposed by the Settlement Agreement. A revised memorandum as well as the September 15, 2015 Staff report are attached.

District 2

5. **Request for Relief From Section 9.04.05.B of the Land Development Code, entitled Re-Application After Denial of Rezoning.** On May 1, 2018, the Winding Oaks PUD (PUD 2016-16) was denied by the Board of County Commissioners, in an advertised public hearing. Section 9.04.05.B of the Land Development Code, entitled Re-Application After Denial of Rezoning, provides for a one-year waiting period, when a rezoning application is denied. The applicant has requested, the Board consider waiving the one-year wait time and allow a revised PUD to be submitted, reviewed and heard in public hearings.

Presenter - Marie E. Colee, Assistant Program Manager

District 1

6. **Public Hearing * PLNAPPL 2018-06 Boman Zoning Variance Appeal.** Request to appeal the decision made by the Planning and Zoning Agency on August 16, 2018, denying a request for a Zoning Variance (ZVAR 2018-02) to Table 6.01 and subsequent Section 6.01.03.A of the Land Development Code to allow for a property zoned Open Rural (OR) to have a reduced Lot width at the street line from one hundred (100) feet to approximately twenty (20) feet, specifically located at 1860 Orange Cove Road.

Presenter - Sheriff David B. Shoar, Sheriff, St Johns County

7. **St. Johns County Sheriff's Office Training Facility: Presentation on Needs & Consideration to Execute a Purchase and Sale Agreement for additional property required for the Sheriff's Office Training Facility.** On June 17, 2014, Sheriff David B. Shoar (Sheriff) appeared before the Board of County Commissioners (BCC), seeking approval of a proposed purchase of land, which would serve as the future site of a law enforcement training facility (Property). Development of the facility would be completed in phases, and among other things, would ultimately include an emergency communication center, driving track, firing range, and instructional classrooms (Project). The BCC subsequently approved the purchase of approximately 49.2 acres located on Agricultural Center Drive at a purchase price of \$941,981.77, which was principally funded from Law Enforcement Impact Fees. Here, the Sheriff's Office requests the BCC's consideration and approval of funding from Law Enforcement Impact Fee Reserves to purchase an additional 17.65 acres, directly adjacent to the Property. In accordance with the Master Development Plan, the additional property will generally allow for fleet management, equipment storage, and a fuel farm. If approved, owners Charles R. Usina, Jr. and Gabye Lee Usina have agreed to sell the property below the appraised value at a purchase price of \$529,500. The total amount required to purchase the property, including the purchase price, closing costs and second appraisal (required by Florida Statutes) is \$550,000. The Sheriff's Office further seeks the BCC's consideration and approval of funding to complete Phase I of the Project, which includes constructing the training facilities and emergency communications center. The total cost to complete Phase 1 is estimated at \$15 million; therefore if approved, the Sheriff requests that the BCC issue debt services to cover the cost, and utilize future proceeds from Law Enforcement Impact Fees to pay the debt.

- ❖ 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 MacDonald, County Finance Director at 819-3669*
2. Motion to adopt Resolution 2018-_____, approving the **final plat for Reserve at Greenbriar - Phase Two C.** *For more information, contact Kelly Dobbins, Application Review Supervisor at 209-0603*
3. Motion to adopt Resolution 2018-_____, approving the **final plat for PLAT 2018-50 Rivertown - Parcel 23 - Phase 1A (replat).** *For more information, contact Shalene B. Estes, Application Review Supervisor at 209-0720*
4. Motion to adopt Resolution 2018-_____, approving the **final plat for Gran Lake Phase 2.** *For more information, contact Shalene Estes, Application Review Supervisor at 209-0720*
5. Motion to adopt Resolution 2018-_____, authorizing the County Administrator, or designee, to execute an Easement to **Florida Power & Light Company** to install electrical service to the **Bannon Lakes Booster Pump Station located off International Golf Parkway.** *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*
6. Motion to adopt Resolution 2018-_____, approving and authorizing the Chair of the Board, on behalf of the County, to execute an easement to **Florida Power & Light Company** to provide electrical service to the new **St. Johns County Fire Station 5.** *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*
7. Motion to adopt Resolution 2018-_____, accepting a Final Release of Lien, Warranty, and Schedule of Values associated with the **water and sewer systems to serve St. Johns County Public Works Facility located off SR 16.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
8. Motion to adopt Resolution 2018-_____, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values conveying all personal property associated with the water system to serve **Fusion Bowling Services, LLC located off Palm Valley Road.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
9. Motion to adopt Resolution 2018-_____, accepting a Final Release of Lien, Warranty, Easement for Utilities, Bill of Sale and Schedule of Values conveying all personal property associated with the **water system to serve Gateway Village Retail Center (Heartland Dental) located off US 1 N.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*

10. Motion to adopt Resolution 2018-_____, accepting a Final Release of Lien, Warranty, Easement for Utilities, Bill of Sale and Schedule of Values conveying all personal property associated with the **water, sewer and reuse systems to serve Windward Ranch Phase Eight located off SR 16.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
11. Motion to adopt Resolution 2018-_____, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values conveying all personal property associated with the **water, sewer and reuse systems to serve Mill Creek North Storage Facility located off SR 16.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
12. Motion to adopt Resolution 2018-_____, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values conveying all personal property associated with the **water and sewer systems to serve Veranda Building D located off A1A N.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
13. Motion to adopt Resolution 2018-_____, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values conveying all personal property associated with the **water and sewer systems to serve Villages of Valencia Phase 3B located off US 1 S.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
14. Motion to adopt Resolution 2018-_____, accepting a Final Release of Lien, Warranty, Easement for Utilities, Bill of Sale and Schedule of Values conveying all personal property associated with the **water and sewer systems to serve Palencia North Phase II C-2 located off US 1 N.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
15. Motion to adopt Resolution 2018-_____, authorizing the Chair of the Board, on behalf of the County, to execute and deliver a County Deed to the **State of Florida Department of Transportation** conveying right-of-way necessary for the **proposed traffic signal at US 1 and Las Calinas Boulevard.** *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*
16. Motion to adopt Resolution 2018_____, authorizing the County Administrator, or his designee, to **purchase two (2) 2018 Braun Ambulances from Ten-8 Fire Equipment Inc.,** subject to the terms and conditions contained in the Florida Fire Chief's Association, Florida Sheriff's Association & Florida Association of Counties Contract # FSA18-VEF13.0 at a total purchase price of \$493,668. *For more information, contact Leigh Daniels, Acting Purchasing Manager at 904 209-0154*
17. Motion to adopt Resolution 2018-_____, authorizing the County Administrator, or his designee, to award **Bid No.18-65; Post Disaster Signalization Services to American Lighting and Signalization, LLC** as the responsive and responsible bidder, and to execute a contract in substantially same form and format as attached hereto to perform the services as provided in Bid No. 18-65. *For more information, contact Leigh Daniels, Acting Purchasing Manager at 904 209-0154*
18. Motion authorizing the County Administrator, or designee, in accordance with section 287.057(5), F.S., to negotiate on the best terms and conditions with sole respondent to **Bid No. 18-84, Core Construction Company of Jacksonville, Inc.,** in order to complete renovations to the **St. Johns County Ponte Vedra Annex Tax Collector's Office** for a price within the current available budget. *For more information, contact Leigh Daniels, Acting Purchasing Manager at 209-0154*

19. Motion to adopt Resolution 2018-_____, authorizing the County Attorney, or designee, to award **RFP No: 18-79 Outside Legal Counsel for Opioid Litigation to Romano Law Group**, as the highest ranked firm, and to enter into negotiations, and upon successful negotiation, execute a contract, in substantially the same form and format as attached, for performance of services provided in RFP No: 18-79. *For more information, contact Leigh Daniels, Acting Purchasing Manager at 209-0154*
20. Motion to adopt Resolution 2018-_____, approving the terms and authorizing the County Administrator, or designee, to execute **Amendment No. 1 to Florida Department of Environmental Protection Grant Agreement 17SJ2**, changing the Agreement Begin Date to enable reimbursement of expenses related to the recently completed St. Johns County Shore Protection Project beach nourishment in the vicinity of St. Johns County Ocean Pier that were incurred before the start date of the Agreement. *For more information, contact Damon Douglas, Project Manager at 209-0794*
21. Motion to adopt Resolution 2018-_____, approving the 2018 St. Johns County Title VI Plan as presented and authorizing the County Administrator to sign assurances in the **Title VI/ Nondiscrimination Policy and Plan for Sub-Recipients in the FDOT Local Agency Program**. *For more information, contact Katie Diaz, Interim Director at 209-0653*
22. Motion to adopt Resolution 2018-_____, approving the terms and conditions of the **Non-Exclusive Franchise Agreement for Construction and Demolition debris** between St. Johns County, Florida and **Frog Hauling and Demolition** and authorizing the County Administrator or designee to execute the Non-Exclusive Franchise Agreement on behalf of the County. *For more information, contact Wendy Hicks, Solid Waste Manager at 827-6982*
23. Motion to adopt Resolution 2018-_____, accepting **Florida e-911 Board, e-911 Grant in net amount of \$106,131.13**; approving terms, conditions, requirements of the grant specified in the grant award letter and recognizing and appropriating the grant contribution in the FY 2019 budget. *For more information, contact Victoria Ogaga, E-911 Supervisor at 904 209-1478*
24. Motion to approve the application submittal for the **2018 Assistance to Firefighters grant for Personal Protective Equipment (PPE) specifically bunker gear** with this purchase as part of an overall health and safety program on behalf of St. Johns County Fire Rescue with the anticipated amount of \$500,000 with a 15% match required and budgeted in 2019 adopted budget, effective October 16, 2018. *For more information, contact Jeremy Robshaw, Deputy Chief Fire Rescue at 904 209-1750*
25. Motion to adopt Resolution 2018-_____, approving the terms, conditions, and requirements of the Agreement between St. Johns County, Florida and **SMA Behavioral Health Services, Inc., in order to provide a portion of the required local county matching dollars** under SMA's contract not to exceed \$350,000 with the Department of Children and Families, authorizing the County Administrator, or designee, to execute the Agreement substantially in the form as attached on behalf of the County. *For more information, contact Shawna Novak, Health and Human Services Director at 904 209-6089*
26. Motion to adopt Resolution 2018-_____, authorizing the Chair to execute local government certifications for SFY 15/16, FY 16/17, & 17/18 **SHIP annual reports**. *For more information, contact Shawna Novak, Director, Health and Human Services at 904 209-6089*

27. Motion to adopt Resolution 2018-_____, approving the terms, conditions, and requirements of the contract addendum between **St. Johns County and Flagler Hospital, CoC Lead Agency**, and authorizing the County Administrator or designee to execute the addendum substantially in the same form and format as attached on behalf of the County; and recognizing and appropriating the **Challenge grant funds for Social Security / Disability Income Outreach, Access and Recovery (SOAR)** in the amount of \$8,921.40 into the General Fund Social Services Department for Fiscal Year 2019. *For more information, contact Angie Cowling, Contract Coordinator at 904 209-6099*

28. **Motion to approve minutes:**

- 09/18/18, BCC Regular

