

# 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, November 6, 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 Recognizing November 2018 as Adoption Month
- ❖ Proclamation Recognizing November 11, 2018 as Veterans Day.
- ❖ Acceptance of Proclamations
- ❖ Presentation from the Stetson Kennedy Foundation
- ❖ 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 - Casey Keough, Planner**

2. **Public Hearing \* REZ 2018-07 Classic Car Storage.** Request to rezone approximately 8.8 acres of land from Commercial General (CG) to Commercial Intensive (CI) to allow for a classic car storage facility; located east of US Highway 1 South, south of Wildwood Drive and north of Watson Rd. The request was heard by the Planning and Zoning Agency on October 4, 2018 where the item was recommended for Approval with a unanimous vote (6-0). Discussion focused on the project's compatibility with the surrounding area, Future Land Use Map designation of Mixed Use and the sufficient property size for the proposed zoning designation of Commercial Intensive. **District 3**

#### **Presenter - Cynthia A. May, Senior Planner**

3. **Public Hearing \* NZVAR 2018-13 Flagler College Intramural Fields (Lighting).** NZVAR 2018-13 Flagler College Intramural Fields (Lighting) - Request for a Non-Zoning Variance to Section 6.09.02.G to allow Outdoor Lighting illumination values up to 4.0 Foot candles (FC) on the west property line in lieu of the 0.5 FC maximum allowance, and to allow for illumination values up to 2.2 FC on the south property line in lieu of the 1.0 FC maximum allowance to accommodate for the lighting of a 6 acre Recreational Facility. **District 3**

**Presenter - Dick D'Souza, Chief Engineer**

**District 3**

4. **Public Hearing \* VACROA 2017-05 - A Public Hearing to vacate a portion of the right-of-way of St. Augustine South Drive, shown in Map Book 8, Page 32.** The applicant has requested the vacation of a portion of the St. Augustine South Drive right-of-way, shown in Map Book 8, Page 32.

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

**District 3**

5. **Public Hearing \* MAJMOD 2017-17 Absolute Development PUD.** MAJMOD 2017-17 Absolute Development PUD, request for a Major Modification to the Absolute Planned Unit Development (PUD) (Ordinance 2004-74, as amended) to replace a 15,000 square foot Z-Best furniture rental retail store with a 6,100 square foot WAWA convenience store and gas station; and add a small parcel of unused St. Johns County Right-of-Way located along St. Augustine South Drive, and allow for waivers to allow deviation from the Master Development Plan Text formatting requirement, portions of the required perimeter buffers, setbacks, and portions of the required compatibility buffer masonry wall.

**Presenter - Heather Stahl, Transportation Planner**

**District 3**

6. **CONSCA 2018-05 Lightsey Road Apartments PUD School Concurrency Proportionate Share Mitigation Agreement.** The proposed Lightsey Road Apartments School Concurrency Proportionate Share Mitigation Agreement (Agreement) is between St. Johns County, the School District of St. Johns County, and Crest Residential, LLC. (Applicant) to mitigate for 256 multi-family residential dwelling units in the Lightsey Road Apartments PUD located on SR 207. The PUD was approved by the BCC on May 5, 2009 (PUD 2005-30) for the development of 256 multi-family units. The proportionate share mitigation of \$467,470.00 or \$1,826.00 per dwelling unit is required to be paid prior to Construction Plan approval. The Agreement also authorizes school impact fee credits in the amount of the proportionate fair share payment. The Agreement was approved by the St. Johns County School Board on October 9, 2018. Pursuant to the School Concurrency Interlocal Agreement, the proposed Agreement must also be approved and executed by the BCC.

**Presenter - Paolo S. Soria, Senior Assistant County Attorney**

**District 2**

7. **Reconsideration of Request for Relief From Section 9.04.05.B of the Land Development Code (Winding Oaks PUD).** This is a reconsideration of an item that sought a waiver to the 1 year limitation for filing for a rezoning after a denial. That item was denied by the Board of County Commissioner hearing on 10/16/18 by a 3 to 2 vote. However, during that hearing the Board was incorrectly informed that the applicant had the ability to file the application but were prevented from appearing before the Agency for a period of one year (until May 1, 2019). The Land Development Code prohibits the actual filing of a subsequent rezoning application for 1 year after denial, not merely the public hearing aspect. See the attached LDC section 9.04.05 for the various applications of the 1 year limitation. A reconsideration re-opens the question of whether to grant the 1 year limitation waiver for another vote on the merits. A Reconsideration motion can only be made a commissioner voting on the prevailing side (Comm. Morris, Comm. Smith, or Comm. Waldron), but may be seconded by any Commissioner. If the reconsideration motion is granted, the Board will then proceed to the question of whether to grant relief from Section 9.04.05.B of the Land Development Code and allow the refiling of an application within one year of denial. A vote to allow the refiling does not constitute approval of the PUD project itself. The previous Agenda Item number 5, including the letter of request, is attached.

**Presenter - Henry Dean, Chair, County Commission**

- 8. Discussion regarding JAXUSA rebranding initiative as part of Elevate Northeast Florida Regional Economic Development Strategy.** In September, JAXUSA Partnership unveiled their draft Elevate Northeast Florida Regional Economic Development Strategy incorporating recommendations to improve regional competitiveness and collaboration throughout Baker, Clay, Duval, Flagler, Nassau, Putnam and St. Johns counties. This process was initiated in March 2018, lead by JAXUSA, in coordination with Northeast Florida Regional Council, CareerSource Northeast Florida, and other partners. One of the strategies proposed refers to regional branding, and recommends that JAXUSA rebrand the region as the Jacksonville region, rather than the Northeast Florida region when marketing the area nationally and internationally.

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

- 9. Consider adoption of proposed bylaws and member appointments to the Cultural Resource Review Board.** This proposed Resolution creates and adopts bylaws for the Cultural Resource Review Board (CRRB) in accordance with the Land Development Code amendments enacted via Ordinance 2018-51 on September 18, 2018. Please note that the CRRB is currently a five (5) member board seeking representation from each County Commission District (when possible) and additionally, two (2) at-large alternates may be appointed. With the approval to adopt bylaws of the CRRB and in order to ensure continuity, it is recommended that the CRRB be sunseted and new members appointed in accordance with proposed bylaws. The initial terms of the new members are to be staggered per Article II of the bylaws and it is suggested that the newly appointed members select/draw lots at their first meeting to determine individual terms. Those terms would be brought back on a future Consent Agenda for ratification by the Board of County Commissioners. Appointees shall be qualified through the demonstration of special interest, experience or education in the preservation of the County's cultural resources and when possible, have practical and professional experience in one or more of the following fields: archaeology, architecture, architectural history, curation or conservation, planning, professional engineering, real estate, history, historic preservation, or related disciplines. Please find attached for your review and consideration a summary of the CRRB's discussion on August 14, 2018 concerning vacancies and six (6) applications (Nick Jonihakis - Dist 1, Janet Jordan - Dist. 5, Christine Newman - Dist. 5, Kenneth A. McClain Sr - Dist. 2, Emily Jane Murray - Dist. 3, and Robert E. Olson - Dist. 5).
- 10. Consider appointments to the Health & Human Services Advisory Council.** There are currently two vacancies on the Health & Human Services Advisory Council due to expired terms. One position requires the appointment of a professional from the disciplines in Health & Human Services. The other position is for an At-Large member position with experience including, but not limited to such areas as business, banking and finance, education, law enforcement, community religious leadership, consumer and any other interested parties comprising the general public. Please find attached for your review and consideration three applications (Dr. Tina D'Alessandro – District 4, Danny Hodges – District 2 and Shannon Nazworth – District 5) and a recommendation letter from the HHSAC.
- 11. Consider appointments to the Architectural Review Committee (ARC).** Currently there are four vacancies on the Architectural Review Committee (3 regular seats and 1 alternate). Three of these vacancies have been advertised. The fourth vacancy recently occurred due to a resignation. Please find attached for your review and consideration two applications (Glenn Hettinger and David Christine) and a recommendation from the Architectural Review Committee.

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

- 12. Consider an appointment to the Industrial Development Authority.** Currently there is one (1) vacancy on the Industrial Development Authority. This vacancy is due to the expired term of Peter Apol. This vacancy has been advertised multiple times since June 2018. Please find attached for your review and consideration a recommendation letter submitted on behalf of the Industrial Development Authority and three (3) applications: Litchney, Geoffrey S. (District 5), Wadro, Charles M. (District 4), and Westover, Ryan (District 2),

**\*\*\*\*The Following Item is Time Certain and will be heard at 1:00pm\*\*\*\***

**Presenter - Regina D. Ross, Deputy County Attorney**

- 13. First Reading of a proposed ordinance that levies and imposes an additional one (1) percent tourist development tax, and amends the County's current Tourist Development Plan to allocate the additional tax revenues for beach renourishment.** Section 125.0104, F.S (as amended), known as the Local Option Tourist Development Act (Act), authorizes the County to levy and impose a tourist development tax on the privilege of renting, leasing or letting for consideration any living quarters or accommodations for a term of six (6) months or less. The Act also authorizes the Board to establish and, from time to time, amend a tourist development plan that sets forth the specific uses and allocation of tourist development tax revenues. The County's current total tourist development tax rate is four (4) percent. (See Ordinance Nos. 86-72, 91-44 and 09-62). Pursuant to section 125.0104(3)(n) of the Act, the County is authorized to levy and impose an additional one (1) percent tourist development tax. Exercising authority pursuant to this section of the Act would increase the County's total tourist development tax rate to five (5) percent. Earlier this year, in response to discussions regarding the post-storm conditions of local beaches, the Tourist Development Council (TDC) approved a recommendation to the Board that the County's tourist development tax rate be increased to five (5) percent, and that to the greatest extent possible, the additional revenues generated by the tax be allocated to beach renourishment. At its last regularly scheduled meeting, the Board directed that an ordinance be prepared that would levy and impose an additional one (1) percent tourist development tax, and allocate revenues generated by the tax for beach renourishment. A draft of the proposed ordinance has been prepared, and is attached hereto. This First Reading of the proposed ordinance allows for the Board's review, discussion and further direction.

- ❖ 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 approve the **Southwind Plantation School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2018-04)**. *For more information, contact Heather Stahl, Transportation Planner at 904 209-0753*
3. Motion to approve the **Morgans Cove PUD School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2018-03)**. *For more information, contact Heather Stahl, Transportation Planner at 904 209-0753*
4. 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 **Deerfield Meadows located off US 1 S**. *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
5. 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 **Shoppes at Palencia Commons located off US 1 N**. *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
6. 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 III A-3 located off US 1 N**. *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, Easement for Utilities, and Bill of Sale and Schedule of Values conveying all personal property associated with the water, sewer and reuse systems to serve **Windward Ranch Phase Eleven 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, Easements for Utilities, Special Warranty Deeds, and Bill of Sale and Schedule of Values conveying all personal property associated with the water, sewer, sewer force mains and reuse systems to serve **Beacon Lake Phase 1 located off County Road 210 W**. *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, Special Warranty Deed, and Bill of Sale and Schedule of Values conveying all personal property associated with the water, sewer and sewer force mains systems to serve **Eventide located off Ponte Vedra Boulevard**. *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
10. Motion to adopt Resolution 2018-\_\_\_\_\_, accepting a Warranty and an Easement for Utilities associated with the water system to serve **Island Prep (Westside) located off US 1 S**. *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
11. Motion to adopt Resolution 2018-\_\_\_\_\_, authorizing payment to **Star Investors IV Limited, LLLP** in the amount of \$20,033 dollars from Impact Fees Roads Zone A Land and Impact Fees Roads Zone D Land. *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
12. Motion to adopt Resolution 2018 – \_\_\_\_\_, authorizing the County Administrator, or his designee, to award **RFP No. 18-48; Recreation Management Software Solution**, enter into negotiations with **CivicPlus, Inc.**, and upon successful negotiations, executed a contract in an amount not to exceed \$29,288.00 in substantially same form and format as attached hereto to provide recreation management software as specifically described in RFP 18-48. *For more information, contact Leigh Daniels, Acting Purchasing Manager at 209-0154*
13. Motion to adopt Resolution 2018 – \_\_\_\_\_, authorizing the County Administrator, or his designee, to **award RFP No. 18-81, budgeted in Tourist Development Tax CAT-IV** at \$47,000; to SJC Market Research and Economic Impact Study, **Downs & St. Germain Research, Inc.**, as the highest ranked firm, and to enter into negotiations, and upon successful negotiations, to execute a contract, in substantially same form and format as attached. *For more information, contact Leigh Daniels, Acting Purchasing Manager at 209-0154*
14. Motion to adopt Resolution 2018-\_\_\_\_\_, authorizing the County Administrator, or designee, to **award Bid No: 18-76; Inlet Beach Master Pump Station Improvements to Sawcross, Inc.**, and to execute a contract in substantially the same form and format as attached for completion of the work at a contract price in the amount of \$1,101,000. *For more information, contact Leigh Daniels, Acting Purchasing Manager at 209-0154*
15. Motion to adopt Resolution 2018-\_\_\_\_\_, authorizing the County Administrator, or his designee, to **award Bid No: 18-73; Countywide Generator Maintenance and Services with Ring Power Corporation**, as the lowest, responsive and responsible bidder, and to execute a contract in substantially same form and format as attached for the required services as provided in Bid No. 18-73. *For more information, contact Leigh Daniels, Acting Purchasing Manager at 209-0154*
16. Motion to adopt Resolution 2018-\_\_\_\_\_, authorizing the County Administrator, or his designee, to **award Bid No:18-84, St. Johns County Ponte Vedra Annex Tax Collector's Office Renovation**, and to execute a contract, in substantially the same fore and format as attached, with **Core Construction Company of Jacksonville**, at the negotiated price of \$548,895.00 for completion of the project in accordance with Bid No: 18-84, and the revised proposal. *For more information, contact Leigh Daniels, Acting Purchasing Manager at 209-0154*

17. Motion to adopt Resolution 2018-\_\_\_\_\_, authorizing the County Administrator, or designee, to execute an amendment to the **CNG Vehicle Fuel Purchase Agreement** providing an extension of time for the County to meet minimum annual volume requirements and an extension to time for **NoPetro** to submit royalty payments to the County. *For more information, contact Greg Caldwell, Assistant Public Works Director at 209-0132*
18. Motion to approve a transfer from General Fund Reserves in an amount up to \$1,500 to the **CH Arnold MSBU Fund** in order to close out the fund in Fiscal Year 2018. *For more information, contact Wade Schroeder, Assistant Director, OMB at 209-0570*
19. Motion to approve a reserve transfer in the amount of \$241,555 from Fire/EMS Impact Fees to the Series 2015 Sales Tax Debt Service Fund as a budgeted recurring transfer from the Fire/EMS Impact Fee Fund to pay debt service on the **construction of combined Fire Station 5 & 11**. *For more information, contact Jesse Dunn, Director at 904 209-0568*
20. Motion to adopt Resolution 2018-\_\_\_\_\_, approving of the Release of Lien for the Orders Imposing Fines and Liens entered by the **Hastings Code Enforcement Board against 6141 South Main Street in Case Nos. 2004-02 and 2010-08**; authorizing the County Administrator, or his designee, to execute the Release of Lien on behalf of the County; and directing the Clerk of Court to record the Release of Lien in the public records of St. Johns County, Florida. *For more information, contact Bradley Bulthuis, Senior Assistant County Attorney at 904 209-0805*
21. Motion to adopt Resolution 2018-\_\_\_\_\_, recognizing unanticipated revenue in the amount of **one million six hundred and forty thousand dollars** (\$1,640,000.00) and appropriating the funds into the County's Fiscal Year 2019 budget to be held in a **reserve account restricted for affordable housing**. *For more information, contact Shawna Novak, Director at 904 209-6089*
22. Motion to adopt Resolution 2018-\_\_\_\_\_, authorizing the County Administrator or his designee to accept **\$918,973 in unanticipated Community Development Block Grant (CDBG) funds from HUD** and, upon finding of legal sufficiency by the Office of the County Attorney, to execute the grant agreement for the acceptance of the funds and recognizing and appropriating the funds within the Fiscal Year 2019 County Budget. *For more information, contact Shawna Novak, Health and Human Services Director at 904 209-6094*
23. Motion to adopt Resolution 2018-\_\_\_\_\_, approving the terms, conditions, and requirements of the contract between **St Johns County and EPIC Community Services for the provision of services through the THINK! for Success Program**, an evidence-based substance abuse prevention/diversion program for adolescents at risk for future problem behaviors, in an amount not to exceed \$37,529.00, and authorizing the County Administrator to execute the Contract substantially in the same form as attached on behalf of the County. *For more information, contact Shawna Novak, HHS Director at 904 209-6089*
24. Motion to adopt Resolution 2018-\_\_\_\_\_, authorizing the County Administrator or authorized designee to submit a grant application to the **Florida Department of Health Emergency Medical Services Program**; approving terms, conditions, requirements of grant agreement; authorizing County Administrator, or designee, to execute grant agreement on behalf of St. Johns County; and recognizing and appropriating the grant contribution in the FY 2019 budget. *For more information, contact Jeremy Robshaw, Fire Rescue Deputy Chief at 209-1750*

25. Motion to adopt Resolution 2018-\_\_\_\_\_, approving the terms and conditions contained in the attached License Agreement, which grants **PV Alliance, Inc. a non-exclusive license to enter onto County property to construct, maintain, repair, access and use a multi-purpose platform with handrails**; and authorizing the County Administrator, or designee, to execute an agreement in substantially the same form and format as attached hereto. *For more information, contact Regina D. Ross, Deputy County Attorney at 209-0805*

**26. Proofs:**

Proof: Notice of Meeting, Value Adjustment Board of St. Johns County meeting to certify the 2018 tax roll, held on Monday, October 8 ,2018, published on September 20, 2018, in the St. Augustine Record.

Proof: Notice of Meeting, BCC Special Meeting to consider and adopt the final millage rates and budget for FY 2019, held on September 20, 2018, published on September 17, 2018, in the St. Augustine Record.

Proof: Request for Bids, Bid No.: 19-02; Preparation and Painting of St. Augustine Amphitheatre Steel Structure Canopy Support, published on September 19, 2018, and September 26, 2018, in the St. Augustine Record.

Proof: Request for Bids, Bid No.: 19-06; SR 16 Wastewater Treatment Facility (WWTF) Filter Improvements, published on October 1, 2018, and October 8, 2018, in the St. Augustine Record.

Proof: Request for Qualifications, RFQ No.: 19-16; Digital Orthophotography and LiDAR Deliveries, published on October 6, 2018, and October 13, 2018, in the St. Augustine Record.



