

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

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



BOARD MEETING AGENDA

County Auditorium
500 San Sebastian View

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

Tuesday, April 2, 2019 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
- ❖ Recognition of Bartram Trail High School Dance Team
- ❖ Proclamation Recognizing April 2019 as Water Conservation Month
- ❖ Proclamation Recognizing April 2019 as Child Abuse Prevention Month
- ❖ Proclamation Recognizing April 2019 as Sexual Assault Awareness Month
- ❖ Acceptance of Proclamations
- ❖ Public Comment
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

Presenter - Eddie Creamer, Property Appraiser

1. **Property Appraiser Tax Management Auditing Presentation.** The Property Appraiser will provide a presentation regarding his desire to secure the services of Tax Management Associates, Inc (TMA). The scope of such services includes verifying information provided by residential taxpayers who have filed for Homestead Exemption status within the County as well as auditing services that provide comprehensive cost reconciliations of personal property tax payments made (or not made) within the County. As compensation for completing the services, TMA would receive 30% of any taxes, penalties, and interest collected as a result of each Homestead Exemption audit, and 35% of any taxes, penalties, and interest collected as a result of each tangible personal property audit. (collectively "Fees"). The remaining tax revenue will be distributed to the County. TMA's Fees for the services will be paid exclusively from the taxes, penalties, and interest otherwise owed to the County, the Property Appraiser requests that the Board enter into the attached Memoranda of Understanding, authorizing the Tax Collector to deduct TMA's Fees from the taxes, penalties and interest collected as a result of each audit, subject to the terms and conditions provided.

Presenter - Paul M. Waldron, Chairman, Board of County Commissioners

- 2. County Administrators Professional Services Contract.** The current effective term of the County Administrator's Professional Services Agreement (Agreement) expires on January 1, 2020. On the expiration date, the Agreement will automatically renew unless the Board provides the County Administrator 180 days prior written notice of its intent not to renew the Agreement. The deadline to provide such notice is July 5, 2019. A copy of the Agreement is attached for the Board's review and discussion.

Presenter - Katie Diaz, Director, Facilities Management

District 2

- 3. West King Street Landscaping and Signage Overview.** At the March 19, 2019, Board meeting, the Board directed staff to provide an overview of the on-going landscaping and signage requests for West King Street. This project has been primarily a community-driven effort, with staff providing some assistance. Plans for landscaping and signage have been drafted, although funding for construction and maintenance have not been allocated at this time. Installation and grow-in costs for landscaping are estimated at \$100,000 and can be transferred from Tree Bank funds. Funding for the maintenance of the new landscaping is expected to be \$9,000 annually and the manufacturing, permitting, and installation of requested signage is approximately \$30,000.

Presenter - Shannon Acevedo, Senior Supervising Planner

District 1 & 2

- 4. Public Hearing * DRI MOD 2018-04 Ashford Mills.** Request to amend the Ashford Mills DRI to update the required wetland buffers and setbacks, modify the timing of owner obligations to construct access to a park site and school site, reflect recent land use conversions, and changes in project phasing, buildout and termination dates pursuant to legislative extensions. The property is approximately 1,521 acres in size located north of CR 16A, southeast of the CR 210 W and Greenbriar Road intersection. The Planning and Zoning Agency heard this item on February 21, 2019 and voted to recommend approval by a 5-0 vote.

Presenter - Cynthia A. May, Senior Planner

District 1

- 5. Public Hearing * MAJMOD 2018-16 Bannon Lakes.** MAJMOD 2018-16 Bannon Lakes PUD, request for a Major Modification to the Bannon Lakes PUD (Ordinance 2015-11, as amended) to re-designate a 4.5 acre parcel located along Parkland Trail from Community Park to Commercial. The PZA held a public hearing on February 21, 2019 and voted 5 - 0 in favor of recommending approval.

Presenter - Teresa Bishop, Planning Division Manager

District 3

- 6. Public Hearing * MAJMOD 2018-10 Regis Lakes PUD.** Request for a Major Modification to the Regis lakes PUD (Ordinance 1985-40 as amended by Ordinance 1998-15) to modify and reinstate development to allow for the construction of up to 300,000 square feet of commercial space consistent with uses permitted in Commercial General (CG) zoning. The Planning and Zoning Agency heard this item on March 7, 2019 and voted to recommend approval by a 7-0 vote.

Presenter - Jesse Dunn, Director - OMB

- 7. RFP 19-33; Parking Management Program.** On April 17, 2018, the Board of County Commissioners unanimously approved staff to pursue an off-beach parking initiative for Beach Services. As part of a subsequent August 7, 2018 Commission agenda item regarding boat ramp services cost recovery, staff had informed the Commission that a boat ramp fee would be solicited as a part of the off-beach parking procurement solicitation. St. Johns County Purchasing issued a Request for Proposals (RFP) on January 17, 2019 in accordance with St. Johns County Purchasing Policy and Procedures. The RFP solicited proposals from experienced and qualified firms to propose a parking management program for SJC facilities, including off-beach and boat ramp sites, provided in the RFP, with the potential for the program to be expanded to additional facilities. Respondents were required to submit a technical proposal providing details of the proposed parking program, a pricing proposal stating the cost to the County on an annual basis, and a revenue proposal stating the proposed revenue to be generated in total and by location, on an annual basis. SJC Purchasing received five (5) proposals on February 21, 2019. The Evaluation Committee met on March 7, 2019, where the scores for each firm and the ranking of respondents were announced. The evaluation committee ranked Republic Parking System, LLC as the number one ranked firm. Republic's proposal identifies a projected annual cost of \$627,229.00, with a proposed 3% escalation, and a projected annual revenue of \$2,375,147.00. The final cost for services, terms and conditions will be determined through negotiations, upon BOCC approval. Staff recommends approval by the BOCC to enter into negotiations with the top ranked firm, Republic Parking System, LLC, and upon successful negotiations, execute a contract for the parking management program, in accordance with the negotiated agreement. If negotiations are not successful, BOCC authorizes Staff to cease negotiations with the top ranked firm, and to begin negotiations with the second ranked firm, and continue until negotiations are successful, and a contract can be executed, or until it no longer serves the best interests of the County to continue with negotiations.

- 8. Library Services Cost & Cost Recovery.** Per a February 6, 2018 Commission meeting discussion, the Commission approved the exploration of cost and cost recovery for certain services including Beach Services, Parks & Recreational Services, Boat Ramp Services, and Library Services. Staff, through previous BCC agenda items and public workshops, has presented cost and cost recovery for Beach Services, Boat Ramp Services, and Parks & Recreational Services. On April 2, 2019, the Office of Management & Budget will present cost and cost-recovery for Library Services.

Presenter - Rebecca C. Lavie, Senior Assistant County Attorney

- 9. Presentation on overview of Florida tobacco regulations.** At its March 5, 2019 meeting, the Board of County Commissioners directed staff to present to the Board an overview of tobacco regulations in the state of Florida and local options for additional regulation. This presentation will provide information regarding current regulations on the state and local level with respect to the sale of tobacco and an update on the status of Senate Bill 1046 and House Bill 1125, two bills which have been introduced this legislative session to address the sale of electronic nicotine dispensing devices. The following materials have been provided as backup material to this item: (1) Alachua County Ordinance 2019-04; (2) Senate Bill 1046 and House Bill 1125; (3) St. Johns County Ordinance 2000-44 (regulating the display of tobacco products); and (4) St. Johns County Ordinance 2013-36 (regulating the display and sale of flavored tobacco products)

Presenter - Rebecca C. Lavie, Senior Assistant County Attorney

- 10. Presentation regarding the drug Kratom.** At its February 5, 2019 meeting, the Board of County Commissioners directed the Office of the County Attorney to research and bring back information regarding the regulation of the drug Kratom. Kratom is not a controlled substance under Florida law or federal law; however, it has been made illegal in Alabama, Arkansas, Indiana, Tennessee, Vermont, Wisconsin, and the District of Columbia. Sarasota County has enacted an ordinance banning the sale and possession of Kratom within the county. The Federal Drug Enforcement Administration has identified Kratom as a "drug of concern", and the Food and Drug Administration has issued a warning to consumers not to use Kratom. The St. Johns County Polydrug Task Force has requested that the Board of County Commissioners pass legislation prohibiting the cultivation, production, manufacture, sale, possession, use, and distribution of Kratom within St. Johns County.

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

- 11. Consider appointment to the Recreation Advisory Board.** Currently there is one (1) vacancy on the Recreation Advisory Board, due to an expired term. Please find for your review and consideration a letter of recommendation from the Recreation Advisory Board, along with a request for reappointment from Mr. William R. Browne and four (4) applications (Theodore Banton – District 5, William R. Browne – District 1, William Steinmetz - District 2 and Lisa A. Ward – District 4).
- 12. Consider an appointment to the Library Advisory Board (LAB).** Currently there is one vacancy on the Library Advisory Board due to an expired term. Please find attached for your review and consideration a recommendation from the Library Advisory Board, reappointment requests from Melvin Longo, along with six (6) applications: (Tammy Lynn Harrow, District 5, Eli Y. Leslie, District 5, Melvin C. Longo, District 5, Betty Stroud, District 1, Louann S. Williams, District 1 and Lea E. Williford, District 1.

- ❖ 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 2019 - _____, authorizing the Chair to **execute the attached Certificate of Equipment for Casting and Counting Ballots** and Certificate Regarding Matching Funds as required by the Department of State, Division of Elections to award the Supervisor of Elections a 2018-2019 Help America Vote Act of 2002 (HAVA) grant, recognizing the grant award as unanticipated revenue and directing the County Administrator, or designee, to allocate the funds to the Supervisor of Elections' FY 2019 budget. *For more information, contact Vicky C. Oakes, Supervisor of Elections at 904 823-2238*
3. Motion to adopt Resolution 2019-_____, approving the **final plat for PLAT 2019-05 Deerfield Meadows Phase 2**. *For more information, contact Kelly Schley, Application Review Supervisor at 209-0603*
4. Motion to adopt Resolution 2019-_____, approving **the final plat for Andalusia Phase 3**. *For more information, contact Kelly Schley, Application Review Supervisor at 209-0603*
5. Motion to approve the **Markland (Southaven PUD) First Amendment to School Concurrence Proportionate Share Mitigation Agreement** (CONSCA 2018-01) to correct a scrivener's error in the agreement. *For more information, contact Heather Stahl, Transportation Planner at 904 209-0753*
6. Motion to Approve Resolution 2019-_____, approving the early release of the **Park and Ride lot adjacent to US 1, as provided in Special Condition 25 (l) of the Nocatee Development of Regional Impact Development Order**, Resolution No. 2001-30, as amended, as shown on Map H of the Nocatee DRI. *For more information, contact Teresa Bishop, Planning Division Manager at 904 209-0581*
7. Motion to approve IFAM 2019-01 and authorize the County Administrator to execute the **Amended Concurrence and Impact Fee Credit Agreement for Mill Creek Plaza PUD** finding that the amendment of PFS AGREE 2016-06 is consistent with Article XI of the Land Development Code, as amended. *For more information, contact Jan Trantham, Senior Transportation Planner at 209-0611*

8. Motion to adopt Resolution 2019-_____, approving the terms and authorizing the County Administrator to execute a **Purchase and Sale Agreement for an Easement for Reclaimed Water Transmission Main** on behalf of the County, and accepting an Easement for Reclaimed Water Transmission Main to be located off **Solana Road**. *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*
9. Motion to adopt Resolution 2019-_____, accepting two **Easements for Utilities**, Special Warranty Deed, Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values conveying all personal property associated with the water, sewer and sewer force mains systems to serve **Whisper Creek Phase 5 Unit B (also known as Trailmark Phase 5B) located off Pacetti Road**. *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
10. Motion to adopt Resolution 2019-_____, accepting an **Easement for Utilities**, 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 **Windward Ranch Phase Fourteen located off State Road 16**. *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
11. Motion to adopt Resolution 2019-_____, accepting a **Final Release of Lien**, Warranty, and Bill of Sale and Schedule of Values conveying all personal property associated with the sewer system to serve Gran Lake Phase 2 located off **Pacetti Road**. *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
12. Motion to adopt Resolution 2019-_____, accepting an **Easement for Utilities** for the relocation of a sewer force main located off **Ray Road**. *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*
13. Motion to adopt Resolution 2019-_____, 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 **Fidus Office Warehouse Phase 1 located off State Road 16**. *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
14. Motion to adopt Resolution 2019-_____, 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 **Beacon Lake Amenity Center located off County Road 210 W**. *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
15. Motion to adopt Resolution 2019-_____, accepting a **Final Release of Lien**, Warranty, and Bill of Sale and Schedule of Values conveying all personal property associated with the sewer system to serve property at **74 Aloha Circle**. *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*

16. Motion to adopt Resolution 2019-_____, approving the terms of a **Purchase and Sale Agreement** and authorizing the County Administrator to execute the Purchase and Sale Agreement on behalf of the County for the acquisition of property for a **water booster station at County Road 208 and Agricultural Center Drive**, and authorizing the transfer of \$500,000 from Utility System Enterprise Fund – Unit Connection Fee reserve balances to Unit Connection Fee Capital Projects to fund the purchase and related closing costs and related expenses to facilitate the purchase and sale agreement; and take any actions necessary in order to complete the purchase in compliance with applicable Florida law. *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*

17. Motion to adopt Resolution 2019-_____, approving the terms and authorizing the County Administrator, or designee, to enter into an **Interlocal Agreement** with the **Florida Department of Agriculture and Consumer Services to co-locate communication equipment** on the County-owned tower located at 5885 County Road 208. *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*

18. Motion to adopt Resolution 2019-_____, Resolution approving the terms and conditions of a **Memorandum of Understanding between St. Johns County Solid Waste Management and St. Johns County Public Works for use of office space** in the Public Works building located at 2750 Industry Center Road. *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*

19. Motion to adopt Resolution 2019-_____, approving the terms and authorizing the County Administrator, or designee, to execute a **Lease Agreement with Toys for Tots for space at the former Fire Station** located at County Road 208. *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*

20. Motion to adopt Resolution 2019 – _____, authorizing the County Administrator, or his designee, to negotiate, and upon successful negotiations, execute a contract in substantially same form and format as attached hereto with Sound Diplomacy, to perform a **music tourism development study at an amount not-to-exceed \$158,000**. *For more information, contact Jaime Locklear, Purchasing Manager at 209-0158*

21. Motion to adopt Resolution 2019-_____, authorizing the County Administrator, or designee, to execute an agreement in substantially the same form and format as the attached draft on behalf of the County for the **Alteron EMCS Conversion at the St. Johns County Judicial Center** at a total price of \$349,250.00 from Brooks Building Solutions. *For more information, contact Jaime Locklear, Purchasing Manager at 904 209-0158*

22. Motion to adopt Resolution 2019 – _____, authorizing the County Administrator, or his designee, to award Bid No: 19-08R; **West Augustine Drainage Improvements – Service Area 1**, and execute a contract in substantially same form and format as attached hereto with **G&H Underground Construction, Inc.** for completion of the project as provided in Bid No. 19-08R, for a lump sum cost of \$388,555.00. *For more information, contact Jaime Locklear, Purchasing Manager at 904 209-0158*

23. Motion to adopt Resolution 2019-_____, authorizing the County Administrator, or his designee, to award **Bid No: 19-26; Purchase of Safety Products to Safety Zone Specialists, Inc., Safety Products, Inc., and B&R Supply LLC**, as the lowest, responsive and responsible bidders, and to execute a contract in substantially same form and format as attached, with each vendor, for the purchase of safety products, as needed, as provided in Bid No. 19-26. *For more information, contact Jaime Locklear, Purchasing Manager at 904 209-0158*
24. Motion to Adopt Resolution 2019-_____, approving the terms and conditions of the **Non-Exclusive Franchise Agreements for Construction and Demolition debris between St. Johns County, Florida and GLD Construction Services Inc DBA Waste Regulators and KDO Enterprises LLC DBA Redbox+ of Jacksonville**, and authorizing the County Administrator or designee to execute the Non-Exclusive Franchise Agreements on behalf of the County. *For more information, contact Wendy Hicks, Solid Waste Manager at 827-6982*
25. Motion to adopt Resolution 2019-_____, approving the terms, provisions, conditions, and requirements of **Amendment No. 2 to DEP Contract No. RP783** and authorizing the County Administrator, or his designee, to execute the amendment substantially in the same form as attached on behalf of the County. *For more information, contact Joel Sneed, Operations Chief at 904 209-1770*
26. Motion to execute and issue the **Certificate of Public Convenience and Necessity for Liberty Ambulance Service, Inc.**, subject to the conditions contained herein, and to be effective from **April 2, 2019 through April 2, 2022**, unless earlier suspended, terminated or revoked. *For more information, contact Jeff Prevatt, Assistant Fire Rescue Chief at 904 209-1702*
27. Motion to authorize a transfer \$30,000 of **Florida Boater Improvement Program** reserve funds to be used as additional funding for improvements and repairs of public waterway access points managed by St. Johns County *For more information, contact Billy Zeits, Interim Director at 904 209-0322*
28. Motion to approve minutes:
- 01/15/19, BCC Regular
29. **Proofs:**
- Proof: Notice of Meeting, 2018 VAB Final Certification Meeting, published on February 21, 2019, in the St. Augustine Record.
- Proof: Request for Bids, Bid No.: 19-44; Purchase and Installation of Radio Systems in Council of Aging (COA) Paratransit Buses, published on February 22, 2019, and March 1, 2019, in the St. Augustine Record.
- Proof: Notice of Public Hearing, To receive public input regarding the facility plan and funding of the northeast ground storage tank and high service pumping station and the northwest water treatment plant expansion projects, published on March 5, 2019, in the St. Augustine Record.
- Proof: Request for Bids, Bid No.: 19-45; Ron Parker Park Courts Replacement, published on March 4, 2019, and March 11, 2019, in the St. Augustine Record.

