

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 16, 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
- ❖ Proclamation Recognizing April 14-20, 2019 as National Public Safety Telecommunications Week
- ❖ Recognition of Vilano Beach Main Street 2019 Accreditation
- ❖ Acceptance of Proclamations
- ❖ Public Comment
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

Presenter - Justin Kelly, Planner

- District 2**
1. **Public Hearing * CPA (SS) 2018-09 State Road 16 Commercial.** Adoption of CPA (SS) 2018-09 State Road 16 Commercial, a request to amend the Comprehensive Plan from Rural/Silviculture (R/S) to Neighborhood Commercial (NC). The property is located along State Road 16, southeast of Whisper Ridge Drive and northwest of the Premium Outlets shopping mall.

- District 2**
2. **Public Hearing * PUD 2018-13 State Road 16 Commercial.** A request to rezone approximately 4.95 acres from Open Rural (OR) to Planned Unit Development (PUD) to accommodate a 30,100 square foot commercial/office development. This application is companion to and contingent with CPA(SS) 2018-09. Please see the staff report for additional details.

Presenter - Joseph Cearley, Special Projects Manager

3. **Public Hearing * Discussion Item - Potential amendments to the Land Development Code.** At the direction of the Board of County Commissioners (the "Board"), staff was asked to analyze several Land Development Code (the "Code") provisions, as well as suggest amendments that would either address commonly occurring waivers or variance requests. Staff also has identified one reformatting suggestion in an effort to make the Code more "user-friendly" and clear. Staff has scoped eleven (11) issues in this report, and seeks Board guidance.

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

- 4. Consider appointments to the South Anastasia Design Review Board (DRB).** Currently there are five vacancies on the South Anastasia Design Review Board (4 regular & 1 alternate). Two are due to resignations and three are due to expired terms. These vacancies have been advertised since November 2018. Only two applications were received by the deadline of January 25, 2019. Due to quorum requirements, it is advisable to consider these two applications as soon as possible. Please find attached for your review the two applications and a recommendation from the South Anastasia Design Review Board to appoint Charles Delony, who is currently serving on the DRB as an alternate, as a regular member; and appoint applicant Mercer K Clarke as a regular member. The additional vacancies are being re-advertised and will be brought before the Board of County Commissioners at a later date.

- 5. Consider adoption of proposed bylaws and initial member appointments to the Fire Code Board of Appeals.** This proposed Resolution creates and adopts bylaws for the Fire Code Board of Appeals (FCBOA). The FCBOA bylaws were created using a standardized template pertaining to general board governance. These bylaws do not override any statutory guidelines, but will include statutory requirements where available. The creation of these bylaws will house all general operations in one location; thereby, making the process more efficient for staff and board members to locate information such as: each board's mission and purpose; qualifications and membership requirements; and numerous rules and policies of the Board of County Commissioners relevant to appointed boards and committees. Per Ordinance 2016-29, the St. Johns County Board of County Commissioners ("Board") established the FCBOA, a seven-member committee with the stated purpose of providing for the reasonable interpretation of the provisions of the Fire Prevention Code and issue rulings on appeals of decisions of the County Fire Marshal in accordance with the requirements of St. Johns County Ordinance 2016-29. Additionally, this item seeks the appointment of the initial members of the FCBOA. The regular term for members of the FCBOA will be three years. However, to ensure continuity, the initial terms of the new members are to be staggered per Article II of the bylaws as follows: one (1) regular member shall be appointed to a 1-year term; three (3) regular members shall be appointed to 2-year terms; three (3) regular members shall be appointed to 3-year terms. After the initial term, those initial appointee members who served a term of less than 3 years would be eligible to serve another 2 consecutive 3-year terms, while those who had served a 3-year term would be eligible to serve for only 1 additional 3-year term. 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. Please find attached for your review and consideration 7 applications submitted to the County: Lee Bailey – (Dist. 5), Burton T. Conway – (Dist. 4), Robert Glasgow – (Dist. 2), Kelly Smith – (Dist. 5), Lisa A. Ward – (Dist. 4), Melvin Weisblatt – (Dist. 4), Hastings Williams – (Dist 4).

Presenter - Patrick F. McCormack, County Attorney

District 4

- 6. Proposed Settlement of Ponte Vedra Corporation Litigation.** In September 2016, Ponte Vedra Corporation ("PVC") filed suit against St. Johns County regarding the proposed rezoning of a parcel of land PVC owns at the end of Neck Road in St. Johns County commonly referred to as the "Outpost." The County Attorney has managed the County's defense in the litigation. In order to resolve the dispute, PVC and staff have proposed to dismiss the litigation without prejudice and for PVC to submit an application to change the land use designation for the property. The application would be processed by staff and subsequently reviewed by the Board for transmittal and, if transmitted, for adoption, in conjunction with the pending rezoning application. The Board retains ultimate authority to approve or deny transmittal or adoption of the land use application and to approve or deny the rezoning application. In the event the land use change and rezoning applications are approved, the litigation would be dismissed with prejudice. The complete language can be found in the attached Settlement Agreement. The relevant 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, recommends that the Settlement Agreement would serve the public interest.

- ❖ 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 County Administrator or designee to execute a Subrecipient Agreement** in substantially the same form and format as attached hereto with the **Florida Department of Law Enforcement**, along with any supplemental documents required to secure a grant award in the amount of **\$2,050 to purchase an autopsy saw for use by the Medical Examiner's Office**; and amending the Fiscal Year 2019 budget to recognize and appropriate the grant funds as revenue within the Fiscal Year 2019 General Fund and Medical Examiner Department budgets *For more information, contact Dr. Predrag Bulic, Medical Examiner at 904 209-0822*
- 3. Motion to authorize the transfer \$183,703 from General Fund Reserves to correctly fund the Property Appraiser operation for Fiscal Year 2019.** *For more information, contact Jesse Dunn, Director, Office of Management & Budget at 904 209-0568*
- 4. Motion to adopt Resolution 2019- _____, approving the final plat for Rivertown - Whistling Straits Drive - Phase 2.** *For more information, contact Shalene B. Estes, Application Review Supervisor at 209-0720*
- 5. Motion to adopt Resolution 2019- _____, approving the final plat for Sebastian Cove Phase 4.** *For more information, contact Kelly Schley, Application Review Supervisor at 209-0603*
- 6. Motion to adopt Resolution 2019- _____, approving the final plat for Shearwater Phase 2C (Replat).** *For more information, contact Kelly Schley, Application Review Supervisor at 209-0603*
- 7. Motion to adopt Resolution 2019- _____, authorizing the Chair to execute Supplemental Joint Project Participation Agreement Number 1, Financial Project Number 418441-1-84-19**, substantially in the same form as attached and authorizing the County administrator or his authorized designee to execute any other documents or Supplemental Joint Participation Agreements for the purpose of Scope Changes and/or funding adjustments and all other documents as may be required in support of the project to include contract time extension(s), as may be required in support of this document. *For more information, contact Rachel Garvey, Transit Grants Specialist at 904 209-0630*

8. Motion to adopt Resolution 2019-_____, approving **an exchange of real property** pursuant to Section 125.37 Florida Statutes, in connection with **an access easement** to benefit the **Turnbull Creek Regional Offsite Mitigation Area.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
9. Motion to adopt Resolution 2019_____accepting a **Deed of Dedication Right-of-Way** from Tolomato Community Development District to St. Johns County conveying the **right-of-way for Nocatee Landing Trail Extension.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
10. 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 **force main extension to serve property located at 325 Floridian Avenue.** *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 **force main extension to serve property located at 271 Cubbedge Road.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
12. Motion to adopt Resolution 2019-_____, 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 Bannon Lakes Phase 1B-1B located off International Golf Parkway.** *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, sewer and reuse systems to **serve Bannon Lakes Phase 1B-1B Amenity Center located off International Golf Parkway.** *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 **sewer system to serve 1770 A1A South.** *For more information, contact Gail Oliver, Land Management Systems, Director at 209-0770*
15. Motion to adopt Resolution 2019-_____, accepting an Easement for Utilities associated with **reclaimed water serving the King & The Bear Golf Course located off Registry Boulevard in World Golf Village.** *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*
16. **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 Jaime Locklear, Purchasing Manager at 209-0158*

17. Motion to adopt Resolution 2019-_____, authorizing the County Administrator, or his designee, to enter into negotiations with the top ranked firm, Tyler Technologies, under **RFP 19-10; St. Johns County Growth Management – Electronic Permitting, Plan Review & Inspection System (EPPRIS)**, and upon successful negotiations, to award and execute a contract with Tyler Technologies to perform the services in accordance with RFP 19-10. *For more information, contact Jaime Locklear, Purchasing Manager at 904 209-0158*

18. Motion to adopt Resolution 2019-_____, authorizing the County Administrator, or his designee, to award **Bid No. 19-27; Remington Forest Drive Drainage Improvements**, and execute a contract in substantially same form and format as attached hereto with G&H Underground Construction, Inc. for the completion of the project as provided in Bid No. 19-27, for a lump sum cost of \$390,000.00. *For more information, contact Leigh Daniels, Procurement Supervisor at 904 209-0158*

19. Motion to adopt Resolution 2019-_____, approving the **2019 Inventory List of Lands Available for Use as Affordable Housing pursuant to Section 125.379, Florida Statutes**. *For more information, contact Shawna Novak, Director, Health and Human Services at 904 209-6089*

20. Motion to adopt Resolution 2019-_____, approving the terms, conditions, provisions, and requirements of the **PLA Inclusive Internship Initiative MOU**, authorizing the County Administrator, or his designee, to execute the agreement substantially in the same form as attached, and recognizing and appropriating \$3500.00, thereby amending the Fiscal Year 2019 Budget. *For more information, contact Debra Rhodes Gibson, Library Director at 904 827-6926*

21. Motion to adopt Resolution 2019-_____, approving the recognition and appropriation of received **FY 2018 and FY 2019 Library Donations in the amount of \$7,975 and amending the Library's FY 2019 Budget**. *For more information, contact Debra Rhodes Gibson, Library Director at 904 827-6926.*

22. Motion to transfer \$44,762 from General Fund Reserves to Building Operations Building Maintenance (0032-54600) for the **replacement of (1) drive and (1) CPU in a public elevator at the Administration Building**. *For more information, contact Katie Diaz, Director, Facilities Management at 904 209-0650*

23. Motion to approve minutes:
 - 02/05/19, BCC Regular

