

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
SEPTEMBER 15, 2015  
9:00 A.M.**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Present: Rachael L. Bennett, District 5, Chair  
Jeb Smith, District 2, Vice Chair  
James K. Johns, District 1  
William A. McClure, District 3  
Jay Morris, District 4  
Michael Wanchick, County Administrator  
Patrick McCormack, County Attorney  
Sindy Wiseman, Deputy Clerk

Also present: Paolo Soria, Assistant County Attorney; Joy Andrews, Assistant County Administrator; Darryl Locklear, Assistant County Administrator

(09/15/15 - 1 - 9:00 a.m.)  
CALL TO ORDER

Bennett called the meeting to order.

(09/15/15 - 1 - 9:00 a.m.)  
ROLL CALL

The clerk called the roll: All Board members were present.

(09/15/15 - 1 - 9:00 a.m.)  
INVOCATION

Bobby Crum, Anastasia Baptist Church, gave the invocation.

(09/15/15 - 1 - 9:02 a.m.)  
PLEDGE OF ALLEGIANCE

Bennett led the Pledge of Allegiance.

(9:03 a.m.) Bennett announced that there would be three additional proclamations: 1.) recognizing September 23, 2015, as Fall Prevention Awareness Day, 2.) recognizing Communities for a Lifetime, and 3.) recognizing the Service and Retirement of Cheryl Strickland.

(09/15/15 - 1 - 9:03 a.m.)  
PROCLAMATION DECLARING SEPTEMBER 19-26, 2015, AS NATIONAL ESTUARIES WEEK

Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation to the record.

(9:07 a.m.) McClure presented the proclamation to Dr. Michael Shirley, Guana Tolomato Matanzas (GTM) National Estuarine Research Reserve. Shirley expressed his

appreciation for the proclamation and spoke about the GTM National Estuarine Research Reserve.

(09/15/15 - 2 - 9:09 a.m.)

PROCLAMATION DECLARING OCTOBER 2015 AS FLORIDA NATIVE PLANT MONTH

Bennett spoke about the importance of native plants to the environment. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation.

(9:12 a.m.) Bennett presented the proclamation to Judy Zinn, Florida Native Plant Society. Zinn expressed her appreciation for the proclamation and extended an invitation to attend the Florida Native Plant Society's monthly meeting.

(09/15/15 - 2 - 9:14 a.m.)

PROCLAMATION RECOGNIZING SEPTEMBER 23, 2015, AS FALLS PREVENTION AWARENESS DAY

Johns presented the proclamation to Brenda Fenech-Soler, St. Johns County Health and Human Services, St. Johns County Falls Prevention Coalition. Fenech-Soler expressed her appreciation for the proclamation and spoke about fall prevention, noting that since the inception of the fall coalition, the number of calls decreased 850 to 418 per year. She extended an invitation to the upcoming exhibitions on fall prevention, September 16, 2015, and September 24, 2015.

(9:17 a.m.) Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation.

(09/15/15 - 2 - 9:20 a.m.)

PROCLAMATION RECOGNIZING COMMUNITIES OF A LIFETIME

Smith spoke about the importance of communities that promote independent living for senior citizens. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation.

(9:23 a.m.) Smith presented the proclamation to Brenda Fenech-Soler, St. Johns County Health and Human Services. Fenech-Soler expressed her appreciation for the proclamation and spoke about the elder community.

(09/15/15 - 2 - 9:24 a.m.)

PROCLAMATION RECOGNIZING THE SERVICE AND RETIREMENT OF CHERYL STRICKLAND

Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation.

(9:27 a.m.) Bennett presented the proclamation to Cheryl Strickland, Clerk of Courts. Strickland expressed her appreciation and spoke about her tenure with the Clerk's office.

(09/15/15 - 2 - 9:30 a.m.)

ACCEPTANCE OF PROCLAMATIONS

(9:30 a.m.) **Motion by Smith, seconded by McClure, carried 5/0, to accept the proclamations.**

(09/15/15 - 3 - 9:31 a.m.)

PUBLIC COMMENT

Tom Reynolds, 880 A1A Beach Boulevard, suggested that the Board only make decisions that benefit the public interest. He also spoke about extending the allowable time for public comment. He referenced the National Association of Counties Code of Ethics for county officials.

(9:32 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, spoke in opposition of the destruction of the wetlands in Nocatee. Wanchick responded that the concern would be addressed on the October 6, 2015, agenda.

(9:34 a.m.) Vicky Oakes, St. Johns County Supervisor of Elections, 4455 Avenue A, Suite 101, spoke about the St. Johns County Citizens Guide to Registering and Voting, *Exhibit A*.

(9:35 a.m.) Janet Taylor, 109 Sea Hammock Way, spoke about the removal of Keith Fuller from his position as St. Johns County Program Horticulture Agent. She requested the Board intervene on his behalf.

(9:38 a.m.) McCormack reviewed the public comment provision from the Board Rules.

(9:42 a.m.) Linda Gillis, 1299 Ponte Vedra Boulevard, commented on McCormack's statement and noted the violations of the University.

(9:44 a.m.) McClure asked for clarification as to whether the University of Florida's Institute of Food and Agricultural Sciences (IFAS) employees were on the County's benefit plan or the University of Florida (UF) benefit plan. McCormack responded they were on the UF benefit plan. Bennett said that the salary of 12 people was covered under the Memorandum of Understanding (MOU) and if the MOU was cancelled the individuals would be unemployed.

(9:46 a.m.) Sophie Tredor, 4544 Sixth Avenue, spoke in support of Keith Fuller.

(9:47 a.m.) Discussion ensued on the Board's Rules and Policies, and the MOU versus an individual. McCormack noted an employment rights bar of lawyers that could review the concerns about an individual employee.

(9:52 a.m.) Tredor continued speaking about the position Fuller held. She stated that she was opposed to the increased expenditure and demanded that UF give Fuller his file to properly prepare his defense. Bennett noted that the amount of money the County gave UF for reimbursement for salaries was a set amount and would not increase if UF hired someone at a higher wage.

(9:54 a.m.) Barbara Poniatowski, 1732 East Cobblestone Lane, stated that she did not want taxpayer dollars spent on replacing the and requested an amendment to the MOU, in order to protect employees.

(9:56 a.m.) Gary Gillis, 1299 Ponte Vedra Boulevard, spoke in support of amending or cancelling the MOU.

(9:57 a.m.) Grace Paaso, 35 Sea Park Drive, read the salary portion of the MOU. Bennett expounded on the salary reimbursement and the MOU.

(10:01 a.m.) John Versaggi, 48 Valencia Street, encouraged the Board to resolve the situation concerning the MOU.

(10:02 a.m.) Stacy Pendarvis, 908 Vin Rose Lane, stated her concerns with the Aberdeen Softball Complex and the scheduling of practices. She asked for the Board's support to: 1.) ensure that the Parks and Recreation department follows the policies and guidelines, 2.) ensure facilities' schedules and communication were distributed timely and accurately, and 3.) consider funding and the building of additional softball facilities to accommodate the needs of the community.

(10:06 a.m.) Suzanne Dixon, 5455 Windantide Road, requested the MOU be amended.

(10:07 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke about the sales tax referendum, televising special meetings, economic incentives, cost of living pay increases, wasted taxpayer money, and having the opportunity to speak on important issues.

(09/15/15 - 4 - 10:10 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(09/15/15 - 4 - 10:11 a.m.)

APPROVAL OF CONSENT AGENDA

**Motion by McClure, seconded by Smith, carried 5/0, to approve the Consent Agenda, as submitted.**

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2015-264**, accepting a Deed of Dedication for right-of-way along County Road 210 West in connection with Stone Creek Landing PUD

**RESOLUTION NO. 2015-264**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION FOR RIGHT-OF-WAY ALONG COUNTY ROAD 210 WEST IN CONNECTION WITH STONE CREEK LANDING PUD**

3. Motion to adopt **Resolution No. 2015-265**, accepting an Easement for Utilities and Bill of Sale conveying all personal property associated with the water and sewer lines to serve Plantation at Ponte Vedra, Unit 13

**RESOLUTION NO. 2015-265**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES AND BILL OF SALE FOR WATER AND SEWER SERVICE TO PLANTATION AT PONTE VEDRA, UNIT 13**

4. Motion to adopt **Resolution No. 2015-266**, approving the terms of a Purchase and Sale Agreement for purchase of property in Summer Haven; and authorizing the county administrator, or designee, to execute the agreement on behalf of the County

RESOLUTION NO. 2015-266

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF A PURCHASE AND SALE AGREEMENT FOR PURCHASE OF PROPERTY IN SUMMER HAVEN AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

5. Motion to approve PFS AGREE 2015-04; and authorize the county administrator to execute the Lakes at Ponte Vedra Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code
6. Motion to approve PFS AGREE 2015-02; and authorize the county administrator to execute the Oxford Estates II Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code
7. Motion to adopt **Resolution No. 2015-267**, approving Amendment III to the SRF Loan Agreement, WW550100

RESOLUTION NO. 2015-267

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RELATING TO FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING LOAN PROGRAM; APPROVING THE TERMS, PROVISIONS, CONDITIONS AND REQUIREMENTS OF A CLEAN WATER STATE REVOLVING FUND LOAN AGREEMENT AMENDMENT TO INCLUDE THE CONSTRUCTION AND FINANCING OF THE PREVIOUSLY EXECUTED LOAN AGREEMENT, WW550100; AUTHORIZING THE EXECUTION AND DELIVERY OF SAID LOAN AGREEMENT AMENDMENT ON BEHALF OF ST. JOHNS COUNTY; AND PROVIDING AN EFFECTIVE DATE

8. Motion to adopt **Resolution No. 2015-268**, authorizing the county administrator, or his designee, to enter into negotiations, and if successful, subject to the availability of future funding, execute an agreement in substantially the same form as attached hereto, with the top ranked firm, Pond & Company, Inc., for professional architectural services for the Sheriff's Office Training Facility, as provided in RFQ 15-71

RESOLUTION NO. 2015-268

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ 15-71 AND TO EXECUTE AGREEMENTS FOR PROFESSIONAL ARCHITECTURAL SERVICES

9. Motion to adopt **Resolution No. 2015-269**, authorizing the county administrator, or his designee, to enter into negotiations, and should future funding become identified, enter into an agreement, in substantially the same form and format as attached, with the top ranked firm, Ellis and Associates, Inc., to provide geotechnical services for the Sheriff's Office Training Facility project, as provided in RFQ 15-73

**RESOLUTION NO. 2015-269**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ 15-73; AND TO EXECUTE AGREEMENTS FOR GEOTECHNICAL SERVICES**

10. Motion to adopt **Resolution No. 2015-270**, authorizing the county administrator, or his designee, to enter into negotiations, and subject to future funding, enter into an agreement, in substantially the same form and format as attached, with the top ranked firm, RAM Professional Group, to provide civil engineering services for the Sheriff's Office Training Facility project, as provided in RFQ 15-72

**RESOLUTION NO. 2015-270**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ 15-72; AND TO EXECUTE AGREEMENTS FOR CIVIL ENGINEERING SERVICES**

11. Motion to adopt **Resolution No. 2015-271**, authorizing the county administrator, or his designee, to enter into negotiations, and if successful enter into an agreement, in substantially the same form and format as attached, with Stone Engineering Group, Inc., the top ranked firm for civil engineering services for the NW Fire Station project, as provided in RFQ 15-69, should funding become available in fiscal year 2016

**RESOLUTION NO. 2015-271**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ 15-69; AND TO EXECUTE AGREEMENTS FOR CIVIL ENGINEERING SERVICES**

12. Motion to adopt **Resolution No. 2015-272**, authorizing the county administrator, or his designee, to enter into negotiations, and if successful enter into an agreement with the top ranked firm, Ellis and Associates, Inc., to provide geotechnical services for the NW Fire Station project, as provided in RFQ 15-70

**RESOLUTION NO. 2015-272**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ 15-70; AND TO EXECUTE AGREEMENTS FOR GEOTECHNICAL SERVICES**

13. Motion to adopt **Resolution No. 2015-273**, authorizing the county administrator, or his designee, to enter into negotiations, and if successful enter into an agreement with the top ranked firm, Architect Design Group, for professional architectural services for the NW Fire Station project as provided in RFQ 15-68, should funding become available in fiscal year 2016

**RESOLUTION NO. 2015-273**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ 15-68; AND TO EXECUTE AGREEMENTS FOR PROFESSIONAL ARCHITECTURAL SERVICES**

14. Motion to execute and issue a Certificate of Public Convenience and Necessity to Century Ambulance Service, Inc., effective until September 1, 2018
15. Motion to adopt **Resolution No. 2015-274**, approving the final plat for Coastal Oaks at Nocatee, Phase 4, Units 1, 4, and 7

**RESOLUTION NO. 2015-274**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR COASTAL OAKS AT NOCATEE, PHASE 4, UNITS 1, 4, AND 7**

16. Motion to adopt **Resolution No. 2015-275**, approving the final plat for Durbin Crossing Village Center, Unit 4

**RESOLUTION NO. 2015-275**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR DURBIN CROSSING VILLAGE CENTER, UNIT 4**

17. Motion to adopt **Resolution No. 2015-276**, approving the final plat for Twenty Mile Village at Nocatee, Phase 2A

**RESOLUTION 2015-276**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR TWENTY MILE VILLAGE AT NOCATEE, PHASE 2A**

18. Motion to adopt **Resolution No. 2015-277**, authorizing the county administrator, or his designee, to execute a contract, in substantially the same form of the attached contract, extending the existing contract between St. Johns County, Florida, and St. Johns County Chamber of Commerce for one year, for the purpose of promoting economic development within St. Johns County

RESOLUTION NO. 2015-277

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A CONTRACT AMENDMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE ST. JOHNS COUNTY CHAMBER OF COMMERCE, FOR THE PURPOSE OF PROMOTING ECONOMIC DEVELOPMENT WITHIN ST. JOHNS COUNTY; AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE THE AMENDMENT ON BEHALF OF THE COUNTY; PROVIDING FOR THE EFFECT OF RECITALS; PROVIDING FOR THE CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE

19. Motion to adopt **Resolution No. 2015-278**, authorizing the county administrator, or designee, to award RFP 14-51R, SR A1A Scenic & Historic Byway Wayfinding Signs to Elton Alan, Inc., as the lowest, responsive, responsible, and technically acceptable firm; and to enter into a contract with Elton Alan, Inc., for completion of the work for a Total Lump Sum of \$499,999; and to execute an agreement in substantially the same form and format as attached hereto

RESOLUTION NO. 2015-278

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 14-51R; AND TO EXECUTE AN AGREEMENT FOR SR A1A SCENIC AND HISTORIC BYWAY WAYFINDING SIGNS

20. Motion to adopt **Resolution No. 2015-279**, authorizing the county administrator, or his designee, to execute a contract, in substantially the same form and format as attached, with Brooks Air Systems, Inc., as the authorized OEM representative for preventative maintenance services at the pricing proposed and incorporated in the agreement

RESOLUTION NO. 2015-279

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD AND EXECUTE AN AGREEMENT FOR MISC 15-80, PREVENTATIVE MAINTENANCE OF MCQUAY CHILLERS AT SJC HEALTH AND HUMAN SERVICES BUILDING

21. Motion to adopt **Resolution No. 2015-280**, authorizing the county administrator, or his designee, to award Bid No. 15-63, Environmental Laboratory Services for SJC Utility Department to ALS Group USA Corp, d/b/a ALS Environmental, as the lowest, responsive, responsible bidder at the submitted unit prices; and to execute an agreement in substantially the same form and format as attached hereto



**RESOLUTION NO. 2015-280**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD AND EXECUTE AN AGREEMENT FOR BID NO. 15-63, ENVIRONMENTAL LABORATORY SERVICES FOR ST. JOHNS COUNTY UTILITY DEPARTMENT**

22. Motion to adopt **Resolution No. 2015-281**, authorizing the county administrator, or his designee, to purchase three Glaval Cutaway Transit Vehicles (Buses), in accordance with FDOT Public Transit Office's Contract No. TRIPS-11-CA-GB, from Getaway Bus, Inc., at a total price of \$232,710, for the Council on Aging.

**RESOLUTION NO. 2015-281**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO PURCHASE THREE GLAVAL CUTAWAY TRANSIT VEHICLES (BUSES) FOR ST. JOHNS COUNTY COUNCIL ON AGING**

23. Motion to adopt **Resolution No. 2015-282**, approving the terms, provisions, conditions, and requirements of the contract between the Board of County Commissioners of St. Johns County and the State of Florida Department of Health for operation of the St. Johns County Health Department, to provide environmental health services, communicable disease control services, and primary care services from October 1, 2015, through and until September 30, 2016; and authorizing the Chair to execute the contract on behalf of the County

**RESOLUTION NO. 2015-282**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY AND THE STATE OF FLORIDA DEPARTMENT OF HEALTH FOR OPERATION OF THE ST. JOHNS COUNTY HEALTH DEPARTMENT; AND AUTHORIZING THE CHAIR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

24. Approval of Minutes:  
July 21, 2015, Regular BCC Meeting  
August 4, 2015, Regular BCC Minute

(09/15/15 - 9 - 10:11 a.m.)  
ADDITIONS/DELETIONS TO REGULAR AGENDA

Bennett noted a red folder item for appointments to the Library Advisory Board which was placed as Item A1. Soria requested to move Item 4 to the October 6, 2015, regular Board of County Commission meeting.

(09/15/15 - 10 - 10:13 a.m.)  
APPROVAL OF REGULAR AGENDA

**Motion by McClure, seconded by Morris, carried 5/0, to approve the Regular Agenda, as amended.**

(09/15/15 - 10 - 10:13 a.m.)  
A1. APPOINTMENTS TO THE LIBRARY ADVISORY BOARD

Melissa Lundquist, Assistant to the Board of County Commissioners, presented the recommendations for the two vacancies to the Library Advisory Board.

(10:15 a.m.) **Motion by Smith, seconded by Bennett, carried 5/0, to appoint Mary F. Grier, as a District 2 Representative, to the Library Advisory Board for a full two-year term, scheduled to expire September 15, 2017.**

(10:16 a.m.) **Motion by Smith, seconded by Bennett, carried 5/0, to appoint Michael B. MacNamara, as an At-Large Representative, to the Library Advisory Board for a full two-year term, scheduled to expire September 15, 2017.**

(09/15/15 - 10 - 10:16 a.m.)  
1. PUBLIC HEARING - REZ 2015-08 STERLING ROOFING. THIS IS A REQUEST TO ALLOW .95 ACRES TO BE REZONED FROM OR TO IW. THE APPLICANT OWNS THE ADJACENT 3.78 ACRES ZONED AS IW. THE APPLICANT REQUESTS THE REZONING TO ALLOW DEVELOPMENT OF THE ENTIRE PARCEL AS AN IW/WAREHOUSE PROJECT

Proof of publication of the notice of public hearing on rezoning, REZ2015-08 Sterling Roofing, was received, having been published in *The St. Augustine Record* on July 22, 2015.

Morris, Bennett, Smith and Johns disclosed ex parte communication with Susan Bloodworth.

Teresa Bishop, AICP Planning Division Manager, gave a PowerPoint presentation.

(10:19 a.m.) Susan Bloodworth, applicant, 81 King Street, Suite 4, stated she was available for questions. Bennett questioned the available commercial speculative space.

(10:21 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in support of the motion and suggested simplifying the process for this type of request.

(10:21 a.m.) **Motion by Morris, seconded by Smith, carried 5/0, to enact Ordinance No. 2015-57, approving REZ 2015-08, Sterling Roofing, based upon four Findings of Fact to support the motion.**

#### ORDINANCE NO. 2015-57

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO INDUSTRIAL WAREHOUSE (IW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

The Board recessed the meeting at 10:22 a.m. and reconvened at 10:32 a.m.

(09/15/15 - 11 - 10:32 a.m.)

2. PUBLIC HEARING - PUD 2015-04 POSSUM TROT. THIS IS A REQUEST TO REZONE APPROXIMATELY 13.32 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW A MAXIMUM TWENTY-FOUR LOT, SINGLE-FAMILY RESIDENTIAL SUBDIVISION. THE PROPERTY IS LOCATED EAST OF PALM VALLEY ROAD ALONG POSSUM TROT ROAD. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF PUD 2015-04 WITH A VOTE OF 4-1 AT THE AUGUST 6, 2015, HEARING

Proof of publication of the notice of public hearing on rezoning, PUD 2015-04, Possum Trot, was received, having been published in *The St. Augustine Record* on August 31, 2015.

Bennett, Morris, Smith, and Johns disclosed ex parte communications with Doug Burnette.

(10:32 a.m.) Danielle Handy, Senior Planner, gave a PowerPoint presentation. She noted the following waivers were being requested: 1.) The minimum requirement for recreation, to aminitize .47 acres of the 1.4 acres of the stormwater facility, 2.) The minimum requirement of open space from 25 percent to 13.6 percent, and 3.) The 10 foot land buffer adjacent to the entrance to the subdivision.

(10:38 a.m.) McClure asked about the signalization. Jan Trantham, Growth Management, stated that signalization was not warranted at this time, however was being monitored. She said the County would provide signalization if it became necessary.

(10:40 a.m.) Doug Burnett, St. Johns Law Group, 509 Anastasia Boulevard, gave a PowerPoint presentation, detailing of the project, including optional floor plans.

(10:49 a.m.) Discussion ensued on the waivers for water and sewer and open space.

(10:53 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke about items that were removed from the Clerk's agenda book at a previous meeting. He suggested only promoting decisions that benefit the public's interest and suggested increasing impact fees.

(10:56 a.m.) Bruce Thomas, 8535 Gate Parkway, credited the community for the development that had been in the area and spoke in support of the Possum Trot development.

(10:56 a.m.) Herb Davis, 155 South Roscoe Boulevard, recommended approval of the development, saying it would have a positive impact on the community.

(10:57 a.m.) BJ Kalaidi, 8 Newcomb Street, said the project should be approved without any waivers and suggested adding language for the developer to be responsible for adding the signal when it was needed.

(10:59 a.m.) Bennett asked about the open space requirement and suggested that staff present on the impact if stormwater ponds were counted as open space. Discussion ensued.

(11:04 a.m.) McClure asked about the sidewalk provisions for smaller developments. Discussion ensued on the sidewalks.

(11:09 a.m.) Smith asked for clarification on open space and the waiver for the roadway into the subdivision.

(11:10 a.m.) McCormack pointed out that the PUD had a large heritage lot that would conceivably remain as open space.

(11:11 a.m.) **Motion by Morris, seconded by McClure, carried 5/0, to enact Ordinance No. 2015-58, PUD 2015-04, Possum Trot, adopting Findings of Fact 1-9 to support the motion.**

#### ORDINANCE NO. 2015-58

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE**

(11:11 a.m.) *Wanchick clarified that the Board gave consensus to bring forward the discussion on open space.*

(09/15/15 - 12 - 11:13 a.m.)

3. PUBLIC HEARING - COMPAMD 2015-04, TOMOKA PINES. THIS IS A REQUEST TO TRANSMIT A COMPREHENSIVE PLAN AMENDMENT TO AMEND THE 2025 COMPREHENSIVE PLAN FUTURE LAND USE MAP FROM RURAL/SILVICULTURE (R/S) TO RESIDENTIAL-C AND ADD A COMPREHENSIVE PLAN TEXT POLICY TO LIMIT THE DWELLING UNITS TO 44. THE SUBJECT PROPERTY CONTAINS 22.17 ACRES OF LAND AND IS LOCATED ON THE NORTH SIDE OF STATE ROAD 16, APPROXIMATELY 1/3 MILE NORTH OF THE TURNING POINT CHURCH. THIS IS THE TRANSMITTAL HEARING TO ALLOW FOR STATE AND REGIONAL AGENCY REVIEW. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL AT ITS AUGUST 20, 2015, REGULAR MEETING WITH A 7-0 VOTE

Proof of publication of the notice of public hearing on COMPAMD 2015-04, Tomoka Pines, was received, having been published in *The St. Augustine Record* on August 6, 2015.

Danielle Handy, Senior Planner, Growth Management, gave a PowerPoint presentation. She stated that the Planning and Zoning Agency recommended transmittal with a 7/0 vote at the August 20, 2015, meeting.

McCormack left the meeting at 11:14 a.m.

(11:17 a.m.) Doug Burnett, St. Johns Law Group, 509 Anastasia Boulevard, gave a PowerPoint presentation, detailing the property and pointing out the existing timber roads. He also acknowledged the need to do a Proportionate Fair Share Mitigation Agreement.

McCormack reentered the meeting at 11:25 a.m.

(11:23 a.m.) Johns asked about the property to the east and south of the property. Burnett stated that to the east the property was owned by the Lower St. Johns

Mitigation Bank and a conservation easement. (11:24 a.m.) McClure voiced his concern with the availability of services and the access to the east. Discussion ensued.

(11:28 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, requested the Board only make decisions that would benefit the public's interest. He also asked if the County was involved in the negotiation of school concurrency. Jan Brewer, Growth Management, responded that the County handled the coordination of the development to ensure that the application was the same at the County as well as the School District; however, the determination as to what mitigation was required was strictly handled by the School District.

(11:29 a.m.) Burnett clarified that the property owner to the east would have an alternate access. McClure voiced his concerns with the area being a red zone for capacity.

**(11:32 a.m.) Motion by Bennett, seconded by Morris, carried 4/1, with McClure dissenting, to transmit COMPAMD 2015-04, Tomoka Pines, adopting Findings of Fact 1-3 to support the motion.**

*(Regular Item No. 4 was pulled and rescheduled to October 6, 2015.)*

4. PUBLIC HEARING - CDDAMD 2015-01 TREATY OAKS COMMUNITY DEVELOPMENT DISTRICT DISSOLUTION.

The Board recessed the meeting at 11:33 a.m. and reconvened at 11:41 a.m.

(09/15/15 - 13 - 11:41 a.m.)

5. PUBLIC HEARING - MAJMOD 2014-04, SAMARA LAKES; A REQUEST FOR A MAJOR MODIFICATION TO THE SAMARA LAKES PUD TO MODIFY THE PARKS/ACTIVE RECREATION COMPONENT OF THE PROJECT, CHANGE THE USES ALLOWED ON PARCEL E, AND SHIFT THREE RESIDENTIAL LOTS FROM PARCEL E TO PARCEL D. THIS IS A REQUEST TO MODIFY THE SAMARA LAKES PUD TO REMOVE THE REQUIREMENT TO PROVIDE A 10 ACRE PARK AND SEEK A WAIVER TO THE MINIMUM ACTIVE RECREATION STANDARDS OF THE LAND DEVELOPMENT CODE. IN LIEU OF MEETING THE MINIMUM RECREATION STANDARDS, THE APPLICANT PROPOSED TO DONATE \$300,000 TO THE HOMEOWNER'S ASSOCIATION FOR THE IMPROVEMENT OF EXISTING PARK FACILITIES WITHIN SAMARA LAKES, AND \$185,000 TO ST. JOHNS COUNTY FOR THE IMPROVEMENT OF COUNTY OWNED PARK LANDS NEAR PACETTI BAY MIDDLE SCHOOL. THE APPLICANT ALSO SEEKS TO CHANGE THE USES ALLOWED ON PARCEL E OF THE PUD, AND SHIFT THREE RESIDENTIAL LOTS FROM PARCEL E TO PARCEL D. THE PLANNING AND ZONING AGENCY INITIALLY HEARD THE ITEM ON AUGUST 20, 2015, AND AFTER EXTENSIVE PRESENTATION, DISCUSSION, AND PUBLIC INPUT, CONTINUED THE ITEM TO THE SEPTEMBER 6, 2015, PLANNING AND ZONING AGENCY (PZA) HEARING. STAFF WILL PRESENT THE FINAL RECOMMENDATION OF THE PZA AT THE BOARD OF COUNTY COMMISSIONER HEARING

Proof of publication of the notice of public hearing on MAJMOD 2014-04, Samara Lakes, was received, having been published in *The St. Augustine Record* on August 4, 2015.

Suzanne Konchan, AICP, Growth Management Director, gave a PowerPoint presentation noting the changes to the Samara Lakes Planned Unit Development (PUD) which allowed for Parcel E to be modified and a waiver to the recreational requirements of the Land Development Code.

(11:54 a.m.) McClure questioned whether the County had any provision in place that cancelled the PUD if the obligations were not met. Konchan responded that in this case, any further plat approval had been limited until a resolution for the recreation requirement had been resolved. Discussion ensued on fall back provisions by the County.

(11:58 a.m.) Morris questioned the regrading of the current park.

(11:59 a.m.) Gary Davenport, 5378 Fourth Street, spoke about the issues with the designated park property in Parcel E and the proposed solution. Discussion ensued on the park concerns.

(12:07 p.m.) Michael Astor, 220 Straw Pond Way, spoke about the proposed recreation space and reimbursement for the loss.

(12:10 p.m.) David Mueller, 128 Prairie Ridge Drive, spoke about the two unusable recreation areas and proposed the County monitor the final outcome of the recreation areas.

(12:14 p.m.) Carolyn Mueller, 128 Prairie Ridge Drive, spoke about the concerns of the home owners association (HOA) and the responsibility of the developers.

(12:16 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in opposition of the project and requested an additional \$100,000 for a recreation area in St. Augustine Beach.

(12:18 p.m.) Davenport responded to the concerns of regrading the recreation areas and pool maintenance. Discussion ensued.

(12:24 p.m.) Billy Zeits, Assistant Director of Parks and Recreation, noted that the PUD was not necessary to access the Villages Regional Park. Locklear clarified that the park was no longer adjacent to Parcel E. Discussion ensued on the funds for the regional park and the maintenance of the field and pool.

(12:31 p.m.) Smith clarified that maintenance of the Samara Lakes park would remain the responsibility of the HOA and the Pacetti Bay park would be built and maintained by the County.

(12:33 p.m.) Johns asked who could be contacted should the facilities not be properly maintained. Wil Smith, Director of Parks and Recreation, explained the responsibility of maintaining a privately owned recreational facility. Discussion ensued on the maintenance of facilities within an HOA, funding, and parking for the fields.

The Board recessed the meeting at 12:48 p.m. and reconvened at 12:53 p.m.

(12:53 p.m.) *Soria summarized that the split was \$300,000 to a private escrow agreement to be paid within 30 days, benefiting the residentially controlled HOA; \$185,000 total paid to the County, with \$112,000 to be paid at the time of the Certificate of Occupancy, as a condition as previously approved in two prior plats, and \$73,000 to be paid to the County within 30 days of approval of the major modification; and in addition, the regrading and reseeding must be completed prior to the approval of the plat with the 821<sup>st</sup> lot.*

(12:55 p.m.) Davenport stated the regrading would start immediately; however, it would take more than two weeks to complete and requested the Board not hold up the two plat approvals scheduled for the next meeting. The following language was added to ensure the completion of the regrading: *The earlier of 90 days from approval or the approval of the 821<sup>st</sup> lot.*

(1:01 p.m.) Motion by Smith, seconded by McClure, carried 5/0, to enact Ordinance No. 2015-59, MAJMOD 2014-04, Samara Lakes, adopting Findings of Fact 1-6 to support the motion with the aforementioned amendments.

(1:02 p.m.) Bennett disclosed ex parte communication with the applicant. Smith disclosed ex parte with community members and staff.

#### ORDINANCE NO. 2015-59

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE SAMARA LAKES PLANNED UNITY DEVELOPMENT (PUD), ORDINANCE NO. 2003-62, AS AMENDED, PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

Wiseman left the meeting and Deputy Clerk Bonnie Putman entered the meeting at 1:05 p.m.

(09/15/15 - 15 - 1:02 p.m.)

6. PUBLIC HEARING - CDD 2015-02 - PETITION TO ESTABLISH THE BANNON LAKES COMMUNITY DEVELOPMENT DISTRICT. THIS IS A PETITION TO ESTABLISH THE BANNON LAKES COMMUNITY DEVELOPMENT DISTRICT (CDD 2015-02) TO SERVE THE PREVIOUSLY APPROVED BANNON LAKES PLANNED UNIT DEVELOPMENT (PUD), WHICH CONTAINS APPROXIMATELY 580 ACRES. THE BANNON LAKES PUD WAS APPROVED FOR A MAXIMUM OF 999 RESIDENTIAL UNITS (CONSISTING OF 849 SINGLE-FAMILY RESIDENTIAL UNITS AND 150 MULTI-FAMILY/TOWNHOUSE/DUPLEX UNITS), A MAXIMUM OF 105,000 SQUARE FEET OF COMMERCIAL SPACE AND 15,000 SQUARE FEET OF OFFICE SPACE. WITHIN THE BANNON LAKES PROJECT BOUNDARY AREA, THE APPLICANT WILL PRESERVE APPROXIMATELY 180 ACRES OF WETLANDS. THE SUBJECT PROPERTY IS LOCATED ON THE NORTH OF INTERNATIONAL GOLF PARKWAY, EAST OF I-95, WEST OF US HIGHWAY 1 AND SOUTH OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD) OWNED TWELVE MILE SWAMP. THE BANNON LAKES CDD PETITION IS PROPOSING TO PROVIDE INFRASTRUCTURE IMPROVEMENTS INCLUDING EARTHWORK, ROADWAY IMPROVEMENTS, RECREATION IMPROVEMENTS, WATER, SEWER, REUSE AND DRAINAGE SYSTEMS, WETLAND MITIGATION, LANDSCAPE, HARDSCAPE, DESIGN AND CONTINGENCY. THE CAPITAL COST FOR THE INFRASTRUCTURE FACILITIES LISTED ABOVE IS ESTIMATED TO BE \$20,220,522.63

Proof of publication of the notice of public hearing establishing the Bannon Lakes Community Development District (CDD) was received, having been published in *The St. Augustine Record* on August 18, 25, September 1, 8, 2015.

Soria stated this was a quasi-judicial proceeding and requested that ex parte communication be disclosed. Smith disclosed that he met with Ellen Avery-Smith and Art Lancaster; Bennett met with the applicant and spoke about the project; Johns stated that he met with the developer; and Morris disclosed that he met with both the developer and Tom Dotson.

Teresa Bishop, AICP, Planning Division Manager, reviewed the Bannon Lakes PUD and presented the petition to establish the Bannon Lakes Community Development District (CDD) via PowerPoint. She explained the six factors for the Board to consider and stated that Bannon Lakes CDD met the criteria.

Wesley Haber, Hopping Green & Sams, 119 South Monroe Street, Tallahassee, spoke on behalf of the applicant, Eastland Partners, LLC. He identified the testimonies of experts, and reviewed documentation and affidavits that had been submitted as evidence.

(1:08 p.m.) Bob Moore, 2310 Bluegill Court, spoke in opposition to the CDD for Bannon Lakes and the lack of disclosure to the homeowners.

(1:11 p.m.) Thomas Reynolds, 880 A1A Beach Boulevard, spoke in opposition of Bannon Lakes and displayed a hand-written document totaling the costs of St. Johns County agencies, *Exhibit A*.

(1:14 p.m.) McClure requested the founding reasons for the establishment of a CDD in Bannon Lakes. Haber responded that the CDD was a tool for the development of the project and served as a unit of government that met publicly, was subject to public records, and had the ability to levy an assessment that was collected using a uniform method. He stated that a CDD collected funds needed to better maintain the infrastructure.

Discussion ensued regarding CDDs, the costs involved, and the shift of burden on the homeowners and residents of St. Johns County.

**(1:23 p.m.) Motion by Johns, seconded by Bennett, carried 4/1, with McClure dissenting, to enact Ordinance No. 2015-60, approving the petition establishing the Bannon Lakes Community Development District (CDD), adopting Findings of Fact 1-3 to support the motion.**

#### ORDINANCE NO. 2015-60

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING THE BANNON LAKES COMMUNITY DEVELOPMENT DISTRICT, PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2014); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR A LIMITATION ON COUNTY OBLIGATIONS AND ACCEPTANCE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

The meeting recessed at 1:24 p.m. and reconvened at 2:00 p.m.

(09/15/15 - 16 - 2:00 p.m.)

7. PUBLIC HEARING - PUD 2014-06, KING'S GRANT PUD. THIS ITEM WAS CONTINUED FROM THE JUNE 16 AND AUGUST 4, 2015, MEETINGS. THIS IS A REQUEST TO REZONE APPROXIMATELY 772.1 ACRES OF LAND FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW A MIXED USE PROJECT, CONSISTING OF 999 DWELLING UNITS OF WHICH 74 WILL BE AGE-RESTRICTED; 130,000 SQUARE FEET OF COMMERCIAL



RETAIL AND SERVICE; 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 AGENCY RECOMMENDED DENIAL OF THIS PUD APPLICATION AT ITS JUNE 4, 2015, REGULAR MEETING WITH A 4-3 VOTE. THE AGENCY CITED URBAN SPRAWL, LACK OF PUBLIC FACILITIES, TIMING AND THE NEED FOR DEVELOPMENT STANDARDS IN THE SOUTHEAST PART OF THE COUNTY

Proof of publication of the notice of public hearing on, PUD 2014-06, King's Grant PUD, was received, having been published in *The St. Augustine Record* on August 31, 2015.

Soria stated that this was a quasi-judicial proceeding and requested that ex parte communication be disclosed. Bennett, Morris and Johns stated that they had spoken with the applicant and groups in opposition of the project. Smith communicated that he had spoken with Doug Miller, Michael Braren, and Tom Ingram. Additionally, he stated that he had spoken with opposition groups, specifically Patricia Hamilton, Jane West, Sarah Owen, Neil Armingeon and George Jacunski.

Teresa Bishop, AICP, Growth Management Department, presented details on the request to rezone King's Grant from Open Rural to Planned Unit Development including the waivers, via PowerPoint. She stated that the Planning and Zoning Agency recommended denial of this request.

Discussion ensued regarding fire services, on-street parking and future reimbursement via impact fees.

(2:24 p.m.) Tom Ingram, Akerman, LLP, 50 North Laura Street, applicant, detailed the project location, the County's planning for this area, and the project benefits. He also clarified the proposal for a fire station.

(2:37 p.m.) Valerie Hubbard, 106 East College Avenue Suite 1200, Tallahassee, Certified Planner, discussed the urban sprawl analysis.

(2:46 p.m.) Doug Miller, England, Thims & Miller, 14775 Old St. Augustine Road, Jacksonville, planning and engineering consultant for King's Grant PUD, explained the water quality and utilities infrastructure issues associated with the King's Grant PUD. Additionally, he addressed fire services, transportation, and impact fees.

(3:00 p.m.) Dr. Hank Fishkind, Fishkind & Associates, Inc., 12051 Corporate Boulevard, Orlando, reviewed the fiscal impact analysis for the King's Grant project.

Discussion ensued regarding the operating impacts on the County and the proposed fire station. The applicant commented.

(3:13 p.m.) McCormack explained the proposed hearing template.

(3:15 p.m.) Sarah Owen Gledhill, Certified Planner for Florida Wildlife Federation, spoke in opposition to the King's Grant project, describing the comprehensive plan, non-residential existing entitlements, non-sequential phasing, residential density and compatibility.

(3:26 p.m.) Jane West, Jane West Law, on behalf of South Anastasia (SACA) and the Florida Wildlife Federation, stated that the Planning and Zoning Agency had recommended denial twice. She stated that this was not the time for this project, and that there was no demand in this area, and it constituted urban sprawl. She stated it

was the Board's discretion to deny and the legal question was whether or not the current zoning was reasonable. She spoke on fire services, transportation, and the economic analysis, referring to the Florida Economic Advisors review of the King's Grant PUD Fiscal Impact Analysis, *Exhibit A*.

Discussion ensued concerning the timing of this project.

(3:42 p.m.) Public Comment:

- Tom Reynolds, 880 A1A Beach Boulevard, reminded the Chair of the County's rules; stated that the impact fees had changed and disagreed with the King's Grant PUD, specifically the impact on schools.
- Kathleen Truitt, 20 Talavera Court, spoke on the contamination of waterways and stated the King's Grant PUD would be hazardous to the waterways. She read a prepared speech, *Exhibit B*.
- John Horan, 1701 Lakeside, commented that the project did not violate the Land Development Code or the Comprehensive Plan. He supported the King's Grant PUD and stated the project would provide employment opportunities.
- David Wiles, 8220 A1A South, spoke concerning the seven nodes of I-95, the County's Comprehensive Plan and the amendment revision in 2007. He spoke in opposition to the King's Grant PUD due to traffic concerns.
- Mark Refosco, Marcus Allen Homes, 11210 Phillips Industrial Boulevard East, Jacksonville, spoke in support of the King's Grant PUD and the need for housing. He stated the economy was rebounding and that this project was planned growth.
- Julie Coolidge, 6 Elizabeth Drive West, Palm Coast, believed that the Planning and Zoning recommendation should be followed and the Board should deny the King's Grant PUD.
- Susan Longo Cowperthwaite, 7001 Charles Street, stated that the type of growth, like the King's Grant PUD, came with a cost of quality of life and to the once abundant resources that made living in the County unique. She was against the King's Grant PUD due to the impact fees not covering the infrastructure. She spoke on water quality and referred to a picture of members of the St. Augustine Boating Club harvesting oysters, *Exhibit C*.
- Ellen Whitmer, 1178 Natures Hammock Road South, stated that the project was premature, urban sprawl and not cost efficient.
- Patrick Hamilton, Southern Realty, 201 Owens Avenue, stated the King's Grant homes would not sell for \$325,000 and presented comparable housing in the area, *Exhibit D*.
- Terry Bottom, 6916 Cypress Lake Court, spoke in opposition to the King's Grant PUD due to traffic concerns and future costs to the County.
- Jordan Whitmire, 676 Sundown Circle, stated that this project's short-term benefits would not outweigh the long-term negative impacts, which included a loss of the water recharge land, increased salinity in farm wells, and effect the water supply.
- Walter Coker, 37 Sylvan Drive, spoke in opposition to the rezoning of the King's Grant parcel due to the cost and loss of natural resources.
- Kathryn McCall Mosby, 905 Eagle Drive, spoke on the traffic from the high school, the bridge and the Flying J on State Road 206.
- Lorene Schober, President of the Hammock Conservation Coalition, 79 Mala Compra Road, Palm Coast, spoke in the support of the residents who were opposed to the project.
- Brian Paradise, 13 Arbor Club Drive, Ponte Vedra Beach, represented the Northeast Florida Group of the Sierra Club, opposed the project for the following reasons: a financial burden on the County's taxpayers, contribution to the crowding of schools and congestion of the roadways, and the negative impacts to the Matanzas River and Pellicer Creek.

- Adam Morley, 1205 East State Road 206, stated he was in opposition to this proposal.
- Fred Yonkman, 3960 A1A South, spoke on the human costs of the project, both physical and psychological.
- Neal Armingeon, Matanzas River Keeper, 201 Owens Avenue, presented the effects this project would have on the Matanzas River, Crescent Lake and Pellicer Creek, via PowerPoint, *Exhibit E*.
- Bill McCormick, 9224 July Lane, spoke on raising impact fees and hurricane evacuation routes. He discussed and displayed impact fee documentation, *Exhibit F*.
- Craig Thompson, 6 D Street, urged the Board to deny the request. He mentioned the quality of life.
- Eric Smith, 239 South Matanzas Boulevard, discussed the vision of St. Johns County and preservation of the County's uniqueness. He stated this project did not have adequate funding.
- George Jacunski, 5650 A1A South, President of South Anastasia Communities Association (SACA), stated that this project would repeat the same mistakes that were made at State Road 210.
- Jaylee Driscoll, 6014 Costanero Road, stated her concerns with traffic and environmental effects.
- Hunter Miller, 54 Smith Street, Environmental Youth Council of Saint Augustine, expressed his passion with preserving the County's natural, green spaces.
- John Metcalf, Vice President of Elkton Green, Inc., 1104 Mill Creek Drive, spoke in support of the King's Grant PUD. He stated that he was in the Comprehensive Plan meeting in 1990 and this area was designated by the County as appropriate for development by 2005. He questioned whether Open Rural zoning was appropriate for this area.
- Bill Hamilton, 7000 Charles Street, spoke on the effects of the water quality due to the King's Grant project.

The meeting recessed at 4:45 p.m. and reconvened at 4:55 p.m.

(4:56 p.m.) Tom Ingram, applicant, summarized the details of the King's Grant PUD and the allowable uses for mixed use, referring to the County's Comprehensive Plan. Discussion ensued on the wastewater system and the mixed use policies in the Comprehensive Plan.

(5:09 p.m.) Suzanne Konchan, Growth Management Director, responded to questions by the Board on rezoning policies, leap frog development and urban sprawl.

(5:18 p.m.) Smith questioned St. Johns County Fire Rescue Chief Carl Shank, concerning the fire service gap. Discussion ensued on the fire service gap, hurricane evacuation routes, fire station availability, and capital funding and personnel costs for gaps.

(5:30 p.m.) McClure questioned Phong Nguyen, Director Transportation Development Division, concerning the accountability of constrained roadway segments on state roads. Phong responded that the County utilized the concurrency measurement system and the development would have to mitigate. He explained that the King's Grant PUD had consumed all the available capacity.

(5:38 p.m.) Smith questioned Jesse Dunn, Office of Management and Budget (OMB) Analyst, in reference to the negative fiscal impact of King's Grant PUD, per the OMB fiscal impact analysis. Dunn responded by explaining the Fire & Transportation deficits and the OMB fiscal impact analysis, *Exhibit G*.

(5:45 p.m.) Morris restated Dunn's proposal that the King's Grant PUD project would not ever support the operation of a fire station, unlike Nocatee. Dunn responded that without the fire station, based on the projected \$325,000 homes, the King's Grant PUD would break even. Discussion ensued on funding the fire station.

Morris stated that he had requested OMB complete the fiscal impact analysis, and discussion ensued on the income approach.

(5:57 p.m.) Cindy Laquidara, Akerman LLP, 50 North Laura Street Suite 3100, Jacksonville, spoke in regards to the appraisal of commercial property.

(5:58 p.m.) Ingram spoke on the fire station and how this circumstance was not unique to the county. He stated that their fiscal analysis showed a net fiscal positive that would more than cover the per capital needs, as well as provide a surplus. He detailed the positives of the King's Grant PUD.

(6:08 p.m.) Morris defined urban sprawl as "the ineffective expansion of public infrastructure and services; a development pattern characterized by low density, automotive dependent development, with either a single-use or multiple uses that are not functionally related requiring the extension of public facilities and services in an inefficient manner and failing to provide a clear separation between urban and rural uses." He expressed that it was his opinion that this project was at the wrong time and in the wrong place.

(6:09 p.m.) Bennett spoke on the Comprehensive Plan, which reaffirmed that this PUD was in compliance and defined it as not being sprawl. She spoke on a free market economy and that the land owner had certain expectations of use. She continued that Open Rural was not compatible with the Comprehensive Plan; decisions were made by the land use laws and competent and substantial evidence.

(6:15 p.m.) McClure read a portion of the Comprehensive Plan on compatibility. He stated he did not believe the timing was right for District 3.

(6:19 p.m.) Ingram displayed and read Paragraph 10, Fire-Rescue Station, and 11, Non-Residential Infrastructure, of the proposed ordinance, with the modified and additional language, *Exhibit H*.

(6:24 p.m.) **Motion by McClure, seconded by Morris, carried 3/2, with Bennett and Johns dissenting, to deny PUD 2014-06, King's Grant PUD, adopting Findings of Fact 1-13, as presented.**

The meeting recessed at 6:27 p.m. and reconvened at 6:36 p.m.

(09/15/15 - 20 - 6:37 p.m.)

8. 2015 ANIMAL CODE ORDINANCE. THIS IS AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS CREATING THE ST. JOHNS COUNTY ANIMAL CODE. THIS IS THE FIRST HEARING OF THE ANIMAL CODE ORDINANCE WITH THE SECOND HEARING AND ENACTMENT OF SAID ORDINANCE TO BE SCHEDULED FOR THE FIRST MEETING IN OCTOBER. THE ANIMAL CODE WAS PREVIOUSLY BROUGHT TO THE BOARD IN DECEMBER 2014 AND IS BEING BROUGHT BACK FOR A FIRST READING. A STRIKETHROUGH AND UNDERLINE VERSION SHOWING THE CHANGES BETWEEN THE CURRENT VERSION AND THE 2014 VERSION IS ATTACHED AS IS A DOCUMENT OUTLINING THE CHANGES BEING MADE TO THE ORDINANCE AS A WHOLE

Rebecca Lavie, Assistant County Attorney, spoke on the revisions to the proposed St. Johns County Animal Code ordinance via PowerPoint.

Paul Studivant, Animal Control Manager, responded to questions by the Board concerning *unduly burdened* animals and feral cat colonies.

Bennett gave direction for the addition of specific language, regarding feral cat colonies, in Paragraph J of Section 16 of the red-lined draft. She additionally voiced that, from page 18, transporting an animal outside of a passenger vehicle, be prohibited.

Discussion ensued in regards to feral cat colonies and tethering.

(6:55 p.m.) Smith commented on page 18, transporting an animal outside of the passenger vehicle. He stated the community was very diverse and there was a very large difference in demographics. He was not in support of regulating everyone off of one set of ordinances. He explained that this would affect the way some people make a living.

Discussion ensued on transporting an animal outside of the passenger vehicle, registering with Animal Control, and other provisions to this proposed policy.

(7:03 p.m.) Suzanne Clulow, 502 Turnberry Lane, spoke on the changes to the ordinance, including the weight of the chain when tethering and feral cats. She asked about the next public hearing.

(7:06 p.m.) Vanessa Zeigler, 4625 Third Avenue, spoke about tethering and displayed an American Society for the Prevention of Cruelty to Animals (ASPCA) flyer, *Exhibit A*.

(7:09 p.m.) Suzanne Cardiff, 4024 Red Pine Lane, spoke in opposition to the changes and tethering. She agreed that provisions needed to be made for farm dogs.

(7:12 p.m.) Mike Merrill, 140 Ashton Oaks Drive, spoke in opposition to removing the gauge restriction on chains and allowing dogs in the back of pick-up trucks. He stated alternatives such as, riding in the cab, riding in a box, or using a four-point harness. He suggested bans on retail sales of pets unless they were rescues. He proposed recruiting some volunteers to assist with crafting the language for the animal code. He referenced a handout from the American Human Society concerning dogs in the back of trucks, *Exhibit B*.

(7:15 p.m.) Christine Rominger, 581 Columbus Street, spoke in opposition to tethering and suggested a limited time be added to the animal code.

(7:17 p.m.) Debbie Wiles, 976 Manati Avenue, stated that the Pet Center had worked on limited resources and proposed the Pet Center employees be involved with decisions. She agreed that regulations must be made and there must be compromise. She stated there needed to be clarity of the weight of the chain (tethering) and concerns with dogs in the back of trucks; and conversely asked, where the line was drawn in terms of what was considered acceptable.

Bennett suggested that the proposed Animal Code be brought back for a second meeting in November and at that hearing, the Board would receive multiple options for the following issues: weights of tether, time limits for tethering, dogs riding in the back of trucks and feral cats.

(09/15/15 - 22 - 7:25 p.m.)

9. ST. JOHNS COUNTY ILLEGAL DRUG DECONTAMINATION ORDINANCE. THIS IS THE FIRST READING OF THE PROPOSED ILLEGAL DRUG DECONTAMINATION ORDINANCE. THIS ORDINANCE WAS PREVIOUSLY PRESENTED TO THE BOARD AT ITS MAY 5 MEETING. THE ORDINANCE PRESENTLY BEFORE THE BOARD HAS BEEN REVISED IN ACCORDANCE WITH FEEDBACK FROM THE BOARD AND FROM THE CITY OF ST. AUGUSTINE. A STRIKETHROUGH AND UNDERLINE VERSION SHOWING CHANGES BETWEEN THE TWO VERSIONS IS ATTACHED. SECOND READING AND ENACTMENT OF THE PROPOSED ORDINANCE WILL BE HELD ON OCTOBER 6, 2015

Rebecca Lavie, Assistant County Attorney, spoke on the illegal drug decontamination proposed ordinance revisions, including penalties to violations.

(7:32 p.m.) Smith spoke on Section 14, Cleanup Levels, and the standards. He referred to standards being used in twenty-five states, including California, whose standard was fifteen times higher than what the County was currently recommending. He recommended that the levels used were on the high end of the analytical, quantitative standards. He recommended that the methamphetamine level be at 1.5 micrograms per 100 cm<sup>2</sup>, iodine have no standard, lead at 40 micrograms per square foot, and mercury vapor at 3 micrograms per meter cubed. He stated that he preferred a process-based clean-up guideline rather than the numbers.

(7:36 p.m.) Johns agreed that something objective and measureable was needed, in order to be legally enforceable. He asked about the equipment needed for clean-up.

(7:37 p.m.) James Acosta, Code Enforcement Supervisor, responded that the testing was sub-contracted out. He clarified the cleanup levels which determined if a property had been adequately decontaminated. He stated at .1 micrograms per 100 cm<sup>2</sup> methamphetamine could not be detected. He displayed the clean-up standards, *Exhibit A*.

Discussion ensued on the clean-up standards.

Bennett requested that Lavie bring this item back in November.

(09/15/15 - 22 - 7:45 p.m.)

#### COMMISSIONERS' REPORTS

##### Commissioner Smith

No report.

##### Commissioner Johns

No report.

##### Commissioner Bennett

Bennett spoke concerning the Board's support of scenic A1A beautification, requesting a grant deadline in Marineland. *There was consensus by the Board.*

She requested that the commissioners provide comments to Wanchick and mentioned that they would receive a year-to-date comparison from the Sunshine Bus.

Commissioner Morris

No report.

Commissioner McClure

McClure thanked Deputy Thomas Williams for his service. After the last meeting, Deputy Williams stopped on the side of the road and assisted individuals who had car trouble.

(09/15/15 - 23 - 7:48 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick stated that the final budget hearing would be held on September 24, 2015, at 5:30 p.m., and that there had been no changes since the initial hearing.

Locklear stated that the County Utilities Integrated Water Resource Plan's final stakeholders' meeting would be held on October 8th at 10:00 a.m. in the County Auditorium. The plan would come to the Board for final adoption in November.

(09/15/15 - 23 - 7:48 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

(09/15/15 - 23 - 7:48 p.m.)

CLERK OF COURT'S REPORT

No report.

(09/15/15 - 23 - 7:49 p.m.)

ADJOURN

With there being no further business to come before the Board, Bennett adjourned the meeting at 7:49 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 524234-524247, totaling \$226,816.14 (8/27/15)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 524248-524450, totaling \$907,996.03 and Voucher Register, Voucher Nos. 22001-22053, totaling \$911,109.54 (9/01/15)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 524451-524479, totaling \$47,454.66 and Voucher Register, Voucher Nos. 22054-22069, totaling \$30,701.95 (9/02/15)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 524480-524493, totaling \$5,250.33 and Voucher Register, Voucher No. 22070, totaling \$184.62 (9/04/15)
5. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 22071-22072, totaling \$11,434.42 (9/04/15)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 524494-524715, totaling \$1,928,339.31 and Voucher Register, Voucher Nos. 22073-22123, totaling \$1,006,579.24 (9/08/15)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 524716-524720, totaling \$5,108 and Voucher Register, Voucher Nos. 22124-22134, totaling \$12,560 (9/09/15)
8. St. Johns County Board of County Commissioners Check Register, Check No. 524721, totaling \$131.52 (9/09/15)

CORRESPONDENCE:

1. Letter dated August 27, 2015, regarding Resolution No. 2015-08, Fiscal Year 2015/2016 meeting schedule for the Southhaven Community Development district
2. Letter dated September 8, 2015, regarding the Glen St. Johns Community Development District Annual Financial Report 2014
3. Letter dated September 8, 2015, regarding the Glen St. Johns Community Development District Final Adopted Fiscal Year 2015/2016 Budget
4. Letter dated September 8, 2015, regarding the Madeira Community Development District Annual Financial Report 2014
5. Letter dated September 8, 2015, regarding the Madeira Community Development District Final Adopted Fiscal Year 2015/2016 Budget
6. Letter dated September 8, 2015, regarding the Sandy Creek Community Development district Final Adopted Fiscal Year 2015/2016 Budget

Approved \_\_\_\_\_ October 20\_\_\_\_\_, 2015

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: \_\_\_\_\_  
Priscilla L. Bennett, Chair

ATTEST: GEORGE LAREAU, CLERK

By: Sam Halterman  
Deputy Clerk

