

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JUNE 7, 2016
9:00 A.M.**

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

Present: Jeb Smith, District 2, Chair
 William A. McClure, District 3
 Jay Morris, District 4
 Rachael L. Bennett, District 5
 Michael Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Bonnie Putman, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; Joy Andrews, Assistant County Administrator; Paola Soria, Assistant County Attorney and Regina Ross, Senior Assistant County Attorney

(06/07/16 - 1 - 9:00 a.m.)
CALL TO ORDER

Smith called the meeting to order.

(06/07/16 - 1 - 9:00 a.m.)
ROLL CALL

The clerk called the roll: All Board members were present, with Commissioner James Johns, Vice Chair, absent.

(06/07/16 - 1 - 9:00 a.m.)
INVOCATION

Reverend Ron Rawls, St. Paul African Methodist Episcopal Church, gave the invocation.

(06/07/16 - 1 - 9:01 a.m.)
PLEDGE OF ALLEGIANCE

Smith led the Pledge of Allegiance.

(06/07/16 - 1 - 9:02 a.m.)
FIRE RESCUE CAPTAIN JOHN "JACK" W. MORGAN RETIREMENT RECOGNITION

Commissioner Smith introduced and welcomed Fire Chief Carl Shank.

(9:02 a.m.) Chief Shank spoke on Captain John "Jack" Morgan's time with Fire Rescue, his positive impact on St. Johns County and wished him all the best in his retirement. He was presented with a gift of appreciation for his service to the County.

(9:04 a.m.) Morgan spoke about his tenure with the County and thanked those involved.

(06/07/16 - 2 - 9:07 a.m.)

PROCLAMATION RECOGNIZING JUNE 6/10, 2016, AS CODE ENFORCEMENT OFFICERS' APPRECIATION WEEK

Commissioner Bennett introduced James Acosta and other representatives from the St. Johns County's Code Enforcement Division. She spoke on the importance and responsibilities of Code Enforcement.

(9:08 a.m.) Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record.

(9:10 a.m.) Acosta spoke highly of St. Johns County's Code Enforcement's staff and explained the intent of Code Enforcement Officers' Appreciation Week.

(06/07/16 - 2 - 9:12 a.m.)

ACCEPTANCE OF PROCLAMATION

Motion by Morris, seconded by McClure, carried 4/0, with Johns absent, to accept the proclamation.

(06/07/16 - 2 - 9:13 a.m.)

PUBLIC COMMENT

(9:13 a.m.) Deb Chapin, 531 N. Wilderness Trail, Founder of the Ponte Vedra Greenway and Preserve Initiative, spoke on the Greenway Committee's Vision. She stated there were no monies being requested from the County, that a feasibility study was being completed and described the location of the Greenway, via map, *Exhibit A*. She requested a letter of support, from the Board, to be submitted to the National Parks Services' River and Trail Conservation Assistance Program and stated that the application was due by June 30, 2016.

(9:18 a.m.) Pam Marrott, 499 Big Tree Road, a member of the Ponte Vedra Greenway and Preserve Initiative, and the Sidewalk Committee, spoke on the need for sidewalks and community connectivity. She requested a letter of support from the Board and reiterated that the committee was not requesting funding from the County.

McClure questioned the uses of the greenway and suggested the Florida Department of Transportation (FDOT), Off Highway Vehicles (OHV) website.

Rebecca Lavie, Assistant County Attorney entered the meeting at 9:21 a.m.

(9:22 a.m.) Heather Neville, P.O. Box 1718, thanked staff and spoke on the growing bicycle community, approved funding from the SUN Trail program and the St. Johns River-to-Sea (SJR2C) Loop. She invited all to Velo Fest's upcoming projects and events.

(9:24 a.m.) Gary Phillips, 161 South Roscoe Boulevard, Ponte Vedra Beach, Florida, Chairman of the Palm Valley/ Ponte Vedra Citizens Traffic Task Force (CTTP), spoke on the approval of a request for a traffic study, in NE St. Johns County, by the North Florida Transportation Planning Organization (TPO) and the Board approved matching funds to the TPO investment.

(9:28 a.m.) Maria Rivero, 17 Corunna Street, requested "No Parking" signs along Corunna Street and speed bumps on both Corunna Street and Ferrol Road. She submitted a petition, along with the request, *Exhibit B*. She also requested support and proactivity from the Sheriff's office, as well as better utilization of the County's Beach Patrol.

(9:32 a.m.) Eileen Norton, 54 Ferrol Road, spoke against the parking of beach-goers, speeding and commercial vehicles on Ferrol Road. She requested enforcement and support from the County deputies.

(9:35 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on the cancellation of the July 5, 2016, BCC meeting. He also spoke on acquiring a piece of property, located at the beach, to construct a public park. He aired his disapproval with how the Keith Fuller situation was handled.

(9:38 a.m.) James Bayer, 1955 US1 South, Lowes Store Manager, gave an update on the construction of the new store, including the employment of 180 individuals and the three entrances and exits; and stated that the grand opening was scheduled for August 18, 2016. He spoke on the company's support to charities, volunteerism, and the desire to form a partnership with the County.

(9:42 a.m.) BJ Kalaidi, 8 Newcomb Street, commented on the Council on Aging's bus routes, County and City property taxes and the costs for expanded routes; and a conflict of interest on the Mobility Taskforce for the City, former library hours, and displayed a list of St. Johns County School Board Citizen Advisory Committee, *Exhibit C*, including some individuals who were the head of organizations that were tax exempt.

(06/07/16 - 3 - 9:47 a.m.)

DELETIONS TO CONSENT AGENDA

McClure mentioned Consent Agenda Item 5 and the amount of savings to the County.

McCormack requested that Consent Agenda Item 13 be pulled and placed on the Regular Agenda. Smith placed the item on the Regular Agenda, as Item 10.

(06/07/16 - 3 - 9:49 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Bennett, seconded by Morris, carried 5/0, with Johns absent, to approve the Consent Agenda, as amended.

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2016-139**, amending the St. Johns County Fee Schedule for services provided by St. Johns County Departments, for Fiscal Year 2016, to include a fee of \$350.00 for "Domestic Hens, excluding the cost of public advertising," to coincide with other minor review special uses, such as mobile homes, home occupation, two family residential, household animal increases, etc.

RESOLUTION NO. 2016-139

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE AMENDED SCHEDULE OF FEES FOR CERTAIN COUNTY DEPARTMENTS; AND PROVIDING AN EFFECTIVE DATE.

3. 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.
4. Motion to adopt **Resolution No. 2016-140**, authorizing the county administrator, or his designee, to enter into negotiations with, and if negotiations are successful,

enter into contract with the top ranked firm, Bowmen Systems, LLC, for RFP 16 - 30, Case Management System

RESOLUTION NO. 2016-140

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 16-30, AND TO EXECUTE AGREEMENTS FOR A CASE MANAGEMENT SYSTEM.

5. Motion to adopt **Resolution No. 2016-141**, authorizing the County Administrator, or designee, to award task orders, to continuing contract holders, for completion of the proposed 2016 Pavement Management Program, at a total cost of \$3,204,820.97, based on established unit prices under Bid No. 12-66, and Bid No. 14-48

RESOLUTION NO. 2016-141

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD AND EXECUTE TASK ORDERS UNDER BID NO. 12-66, AND BID NO. 14-48, FOR THE FY 2016 PAVEMENT MANAGEMENT PROGRAM

6. Motion to adopt **Resolution No. 2016-142**, authorizing the county administrator, or his designee, to execute a Comprehensive Medical Services Agreement and Letter of Agreement, between St. Johns County and Flagler Hospital, to support health services provided to the uninsured, underinsured, and Medicaid populations of the County

RESOLUTION NO. 2016-142

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A COMPREHENSIVE MEDICAL SERVICES AGREEMENT AND A LETTER OF AGREEMENT, BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, AND FLAGLER HOSPITAL, INC., FOR THE PROVISION OF MEDICAL SERVICES TO UNINSURED, UNDERINSURED, AND MEDICALLY INDIGENT RESIDENTS, OF ST. JOHNS COUNTY; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT AND LETTER OF AGREEMENT, ON BEHALF OF THE COUNTY

7. Motion to adopt **Resolution No. 2016-143**, accepting an Easement for Utilities for an existing water and sewer line, off Ibis Cove Place in Ponte Vedra

RESOLUTION NO. 2016-143

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,

**ACCEPTING AN EASEMENT FOR UTILITIES FOR AN
EXISTING WATER AND SEWER LINE, OFF IBIS COVE
PLACE IN PONTE VEDRA**

8. Motion to adopt **Resolution No. 2016-144**, accepting a Bill of Sale and Scheduled of Values conveying all personal property, associated with the water and sewer lines, to serve Windward Ranch, Phase Two, off State Road 16

RESOLUTION NO. 2016-144

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
ACCEPTING A BILL OF SALE AND SCHEDULE OF
VALUES CONVEYING ALL PERSONAL PROPERTY,
ASSOCIATED WITH THE WATER AND SEWER LINES,
TO SERVE WINDWARD RANCH, PHASE TWO, OFF
STATE ROAD 16**

9. Motion to adopt **Resolution No. 2016-145**, accepting a Bill of Sale and Schedule of Values conveying all personal property, associated with the water and sewer lines, to serve Good News Church, off International Golf Parkway

RESOLUTION NO. 2016-145

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
ACCEPTING A BILL OF SALE AND SCHEDULE OF
VALUES CONVEYING ALL PERSONAL PROPERTY,
ASSOCIATED WITH THE WATER AND SEWER LINES,
TO SERVE GOOD NEWS CHURCH, OFF
INTERNATIONAL GOLF PARKWAY**

10. Motion to adopt **Resolution No. 2016-146**, approving the terms; and authorizing the Chair to execute three, Declaration of Joint-Use Pond Easements, for the improvements to Race Track Road, in the Bartram Park Impact Fee Credit Agreement

RESOLUTION NO. 2016-146

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING THE TERMS; AND AUTHORIZING THE
CHAIR TO EXECUTE THREE, DECLARATION OF
JOINT-USE POND EASEMENTS, FOR THE
IMPROVEMENTS TO RACE TRACK ROAD, IN THE
BARTRAM PARK IMPACT FEE CREDIT AGREEMENT**

11. Motion to adopt **Resolution No. 2016-147**, accepting a Special Warranty Deed conveying a lift station site, an Easement for Utilities, and a Bill of Sale, conveying all personal property, associated with the water service to serve Crescent Key, Phase One, located off US 1 South

RESOLUTION NO. 2016-147

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
ACCEPTING A SPECIAL WARRANTY DEED,
CONVEYING A LIFT STATION SITE, AN EASEMENT**

FOR UTILITIES, AND A BILL OF SALE, CONVEYING ALL PERSONAL PROPERTY, ASSOCIATED WITH THE WATER SERVICE, TO SERVE CRESCENT KEY, PHASE ONE, LOCATED OFF US 1 SOUTH

12. Motion to adopt **Resolution No. 2016-148**, approving the terms and conditions of a Purchase and Sale Agreement, for the purchase of reserved right-of-way, along County Road 208; and authorizing the county administrator, or designee, to execute the agreement, on behalf of the County

RESOLUTION NO. 2016-148

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT FOR THE PURCHASE OF RESERVED RIGHT-OF-WAY, ALONG COUNTY ROAD 208; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT, ON BEHALF OF THE COUNTY

(Consent Agenda Item 13 was pulled and placed on the Regular Agenda, as Item 10)

13. Motion to approve an exchange of real property, pursuant to Section 125.37, Florida Statutes, in connection with access to private property through County property
14. Motion to adopt **Resolution No. 2016-149**, approving the terms and conditions of a Joint Participation Agreement, Financial Project 418441-1-84-16, for receiving a State of Florida Public Transit Block Grant for \$396,338, to recognize the revenues for the St. Johns County Transit Revenue and Expenditure budget for FY 2017; and to authorize 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

RESOLUTION NO. 2016-149

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A JOINT PARTICIPATION AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA DEPARTMENT OF TRANSPORTATION, DESIGNATING ST. JOHNS COUNTY AS THE RECIPIENT OF A PUBLIC TRANSIT BLOCK GRANT, FINANCIAL PROJECT 41844-1-84-16, IN THE AMOUNT OF \$396,338; AND TO RECOGNIZE THESE REVENUES IN THE TRANSIT REVENUE AND EXPENDITURE BUDGET FOR FISCAL YEAR 2017; AND TO AUTHORIZE THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO EXECUTE THE JOINT PARTICIPATION AGREEMENT, ON BEHALF OF THE COUNTY; AND AUTHORIZE THEIR EXPENDITURE BY ST. JOHNS COUNTY

15. Motion to adopt **Resolution No. 2016-150**, approving the county administrator, or his designee, to submit and execute a Federal Transit Administration (FTA), Section 5307 Grant, to receive \$250,000 in Surface Transportation Program (STP) funding; and to recognize and appropriate within the Fiscal Year 2016 Transit System Fund

RESOLUTION NO. 2016-150

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO SUBMIT AND EXECUTE A FEDERAL TRANSIT ADMINISTRATION (FTA), SECTION 5307 GRANT, TO RECEIVE \$250,000 IN SURFACE TRANSPORTATION PROGRAM (STP) FUNDING; AND TO RECOGNIZE THE REVENUE, IN THE 2016 FISCAL YEAR BUDGET, FOR THE PURCHASE OF VEHICLES, TO BE USED IN THE ST. JOHNS COUNTY PUBLIC TRANSPORTATION SYSTEM

16. Motion to adopt **Resolution No. 2016-151**, authorizing the county administrator, to execute the Impact Fee Credit Agreement, with Eagle's Cove, LLC (IFA 2016-02), with a total road impact fee credit of \$20,500

RESOLUTION NO. 2016-151

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT WITH EAGLE'S COVE, LLC

17. Motion to adopt **Resolution No. 2016-152**, approving the final plat for Shearwater, Phase 1-3 (Replat)

RESOLUTION NO. 2016-152

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR SHEARWATER, PHASE 1-3, A REPLAT OF SHEARWATER, PHASE 1

18. Motion to adopt **Resolution No. 2016-153**, approving the final plat for Durbin Crossing, South Parcel Y, Phase Two

RESOLUTION NO. 2016-153

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR DURBIN CROSSING, SOUTH PARCEL Y, PHASE TWO

19. Motion to adopt **Resolution No. 2016-154**, approving the final plat for Eagle's Cove, but not accepting the road right-of-way offered for dedication to the County

RESOLUTION NO. 2016-154

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR EAGLE'S COVE

20. Motion to adopt **Resolution No. 2016-155**, approving the final plat for Gran Lake, Phase 1B

RESOLUTION NO. 2016-155

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR GRAN LAKE, PHASE 1B

21. Motion to adopt **Resolution No. 2016-156**, approving the final plat for Gran Lake, Phase 1C

RESOLUTION NO. 2016-156

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR GRAN LAKE, PHASE 1C

22. Motion to adopt **Resolution No. 2016-157**, approving the final plat for Gran Lake, Phase 1D

RESOLUTION NO. 2016-157

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR GRAN LAKE, PHASE 1D

23. Motion to adopt **Resolution No. 2016-158**, approving the final plat for Durbin Crossing Townhomes, Phase I

RESOLUTION NO. 2016-158

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR DURBIN CROSSING TOWNHOMES, PHASE I

24. Motion to adopt **Resolution No. 2016-159**, authorizing the Chair, or the county administrator, or designee, to execute a grant agreement, on behalf of the County, with the State of Florida Department of Transportation; and recognizing unanticipated revenue to increase the Race Track Road budget, in the amount of \$250,000; and to authorize expenditure of the funds, by the County Public Works Department

RESOLUTION NO. 2016-159

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A GRANT AGREEMENT, ON BEHALF OF THE COUNTY, WITH THE STATE OF

FLORIDA DEPARTMENT OF TRANSPORTATION, THROUGH THE COUNTY INCENTIVE GRANT PROGRAM, CIGP, FOR \$250,000; AND TO RECEIVE AS UNANTICIPATED REVENUE FOR INTERSECTION IMPROVEMENTS AT RACETRACK ROAD, FROM DURBIN CREEK 0.5 MILE EAST TO THE BEGINNING OF THE 4 LANE PROJECT; AND TO AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY PUBLIC WORKS DEPARTMENT

25. Motion to adopt **Resolution No. 2016-160**, recognizing an unanticipated donation in the amount of \$12,000; and appropriating such funds to the Library Services Department Fiscal Year 2016 expenditure

RESOLUTION NO. 2016-160

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2016 GENERAL FUND BUDGET, TO RECEIVE UNANTICIPATED REVENUE; AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY CONSTRUCTION SERVICES DEPARTMENT

26. Motion to adopt **Resolution No. 2016-161**, recognizing an unanticipated donation in the amount of \$40,000, and appropriating such funds to the Library Services Department Fiscal Year 2016 expenditure; and authorizing the county administrator to execute an amendment to the Memorandum of Understanding between the County and the Friends of the Library-Ponte Vedra Beach, substantially in the same form as the attached document

RESOLUTION NO. 2016-161

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2016 GENERAL FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE; AUTHORIZING ITS EXPENDITURE BY THE ST. JOHNS COUNTY CONSTRUCTION SERVICES DEPARTMENT; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND FRIENDS OF THE LIBRARY, PONTE VEDRA BEACH, INC.

27. Motion to adopt **Resolution No. 2016-162**, approving the terms, conditions and requirements of a Contract Extension Agreement between St. Johns County and the Children's Home Society, Inc.; and authorizing the county administrator, or designee, to execute a Contract Extension Agreement, substantially in the same form as the attached agreement, on behalf of the County

RESOLUTION NO. 2016-162

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN

AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE CHILDREN'S HOME SOCIETY, INC.; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE CONTRACT EXTENSION AGREEMENT, ON BEHALF OF THE COUNTY

28. Motion to adopt **Resolution No. 2016-163**, approving the terms, conditions and requirements between St. Johns County and the Children's Home Society, Inc.; and authorizing the county administrator, or designee, to execute the agreement, on behalf of the County

RESOLUTION NO. 2016-163

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE CHILDREN'S HOME SOCIETY, INC.; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

29. Motion to adopt **Resolution No. 2016-164**, approving the terms, conditions, and requirements of the Agreement between St. Johns County, Florida, and Department of Health (DOH); and authorizing the county administrator, or his designee, to execute an agreement, substantially in the same form as the Agreement, on behalf of the County

RESOLUTION NO. 2016-164

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONTRACT AMENDMENT, BETWEEN ST. JOHNS COUNTY AND FLORIDA DEPARTMENT OF HEALTH, (DOH), FUNDING A PUBLIC HEALTH NURSE CARE COORDINATOR POSITION; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENTS, ON BEHALF OF THE COUNTY

30. Motion to adopt **Resolution No. 2016-165**, authorizing the county administrator, or his designee, to award Bid No. 16-04, St. Johns County Public Works Facility, to Di Mare Construction Co., as the lowest responsive, responsible bidder; and to execute a contract, in substantially the same form and format, as the attached hereto, with Di Mare Construction Co., for completion of the project, for a Total Contract Price of \$9,949,554

RESOLUTION NO. 2016-165

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO AWARD BID NO. 16-04, TO DI MARE CONSTRUCTION CO.; AND TO EXECUTE AN AGREEMENT FOR CONSTRUCTION SERVICES

31. Motion to adopt **Resolution No. 2016-166**, authorizing the county administrator, or designee, to execute an Interlocal Agreement, on behalf of the County, with the City of St. Augustine, Florida, to provide for holiday shuttle bus parking

RESOLUTION NO. 2016-166

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN INTERLOCAL AGREEMENT, ON BEHALF OF THE COUNTY, WITH THE CITY OF ST. AUGUSTINE, FLORIDA, TO PROVIDE FOR HOLIDAY SHUTTLE BUS PARKING

32. Proofs:
- a. Proof: Notice to Bidders, Bid No. 16-38, Fruit Cove JEA, published April 1, 2016, and April 8, 2016, in *The St. Augustine Record*
 - b. Proof: Misc. Notice, RFQ No. 16-39, published April 22, 2016, and April 29, 2016, in *The St. Augustine Record*
 - c. Proof: Request for Bids, Bid No. 16-40, Notice to Bidders, published April 15, 2016, and April 22, 2016, in *The St. Augustine Record*
 - d. Proof: Misc. Notice, RFQ No. 16-41, Race Track Road, published April 21, 2016, and April 28, 2016, in *The St. Augustine Record*
 - e. Proof: Notice of Meeting, Cancelled Meeting, Meeting Cancelled May 4, 2016, published April 27, 2016, in *The St. Augustine Record*
 - f. Proof: Notice of Hearing, VACROA 2015-04, Escambia Street, published March 1, 2016, in *The St. Augustine Record*
 - g. Proof: Request for Proposals, RFQ No. 16-36, Stage Maintenance Labor, published March 14, 2016, and March 21, 2016, in *The St. Augustine Record*
 - h. Proof: Request for Bids, Bid No. 16-13R, Fire Sprinkler Systems, published March 9, 2016, and March 16, 2016, in *The St. Augustine Record*
 - i. Proof: Request for Bids, Bid No. 16-24, Lift Station/Osprey, Sawgrass, published January 11, 2016, and January 18, 2016, in *The St. Augustine Record*
 - j. Proof: Request for Bids, Bid No. 16-35, published March 23, 2016, and March 30, 2016, in *The St. Augustine Record*
 - k. Proof: Notice of Meeting, Joint Meeting of SJC BD, Meeting March 28, 2016, published March 21, 2016, in *The St. Augustine Record*
 - l. Proof: 2015 Notice of Tax Impact, published March 10, 2016, in *The St. Augustine Record*
 - m. Proof: Display AD, Notice of Public Disclosure for SJC Full Accounting for Solid Waste Management Services, published March 17, 2016, in *The St. Augustine Record*
 - n. Proof: Notice of Hearings, Establish Ordinance, published March 8, 2016, in *The St. Augustine Record*
 - o. Proof: Notice of Public Hearings, of the St. Johns County Board of County Commissioners and Planning and Zoning Agency, on Establishment of Ordinance/Regulations Affecting the Use of Land, published April 21, 2016, in *The St. Augustine Record*

(06/07/16 - 11 - 9:49 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

McClure requested an item be added to the Regular Agenda, in order to discuss the Treasure Beach Canal Dredging Project. Smith added an item, as Regular Agenda Item 11.

(06/07/16 - 12 - 9:50 a.m.)
APPROVAL OF REGULAR AGENDA

Motion by McClure, seconded by Morris, carried 4/0, with Johns absent, to approve the Regular Agenda, as amended.

(The meeting moved to Regular Agenda Item 10, formerly Consent Agenda Item 13.)

(06/07/16 - 12 - 9:55 a.m.)

1. 2016 ROADWAY AND TRANSPORTATION ALTERNATIVES LIST OF PRIORITY PROJECTS (LOPP). THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE NORTH FLORIDA TRANSPORTATION PLANNING ORGANIZATION (TPO) REQUEST FROM LOCAL GOVERNMENTS THEIR PROJECT PRIORITIES, FOR POTENTIAL FUNDING OF NEW TRANSPORTATION PROJECTS, TO BE CONSIDERED FOR INCLUSION IN THE NEW FISCAL YEAR (FY 2021/22) OF FDOT'S WORK PROGRAM. THIS IS AN ANNUAL RECURRING REQUEST TO LOCAL GOVERNMENTS

Phong T. Nguyen, Transportation Development Division Manager, presented details on the List of Priority Projects (LOPP) for transportation, via PowerPoint presentation.

(10:12 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, requested a crosswalk, to the piece of property located at the beach, where a public park was to be constructed, be added as a priority to the LOPP, due to safety concerns.

(10:14 a.m.) John Delaney, 240 Treasure Beach Road, questioned when the proposed sidewalk, on A1A, would be installed and suggested the need for a crosswalk from Treasure Beach Road to A1A.

(10:15 a.m.) Nguyen spoke on the Department of Transportation (DOT) policy, relating to crosswalks and stated that the proposed sidewalks or trails were part of the Sun Trail funding and completion would take place in the next 5 years.

(10:20 a.m.) McClure restated the questions, concerning crosswalks and requested clarification on the Wildwood Drive project, from US1 to SR207. Nguyen stated the project was not placed on the list of local high priorities, based collectively on the Advisory Board. McClure recommended the project to widen Wildwood Drive be added to No. 3, of the local LOPP, Intersection Improvement at US1 at Wildwood Drive.

(10:22 a.m.) Discussion ensued on the addition of the Wildwood Drive project, funding of local LOPP No. 3, Intersection Improvement at US1 at Wildwood Drive.

(10:24 a.m.) McClure requested adding the project to widen Wildwood Drive as No. 14 on the local LOPP.

(10:24 a.m.) Discussion ensued on the sidewalk project, from the Mickler Road roundabout to A1A, the First Coast Expressway, and the request for additional lanes on CR2209, from CR210 to International Golf Parkway (IGP). Nguyen clarified the two projects in Ponte Vedra, stated that investors were needed for the First Coast Expressway, and stated that if Silverleaf subdivision fulfills their commitment, there would be two additional lanes.

(10:30 a.m.) **Motion by Bennett, seconded by Morris, carried 4/0, with Johns absent, to approve the 2016 St. Johns County Roadway and Transportation Alternatives List of Priority Projects (LOPP) for transmittal to the Florida Department of Transportation and the North Florida Transportation Planning Organization (TPO), with the**

modification of adding an Item No. 14, to the Local List of Priority Projects (LOPP), Wildwood Road Expansion, from US 1 to County Road 207.

(06/07/16 - 13 - 10:31 a.m.)

2. PUBLIC HEARING, HUD CDBG CITIZEN PARTICIPATION PLAN. THE BCC DIRECTED STAFF TO PROCEED WITH THE NEXT STEPS FOR COMPLETION OF THE APPLICATION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM (CDBG). THE COUNTY MUST PREPARE AND APPROVE A CITIZEN PARTICIPATION PLAN, IN ACCORDANCE WITH 24 CFR SECTION 91.105, TO EXPLAIN THE OPPORTUNITY ALL CITIZENS HAVE TO PARTICIPATE IN THE PROCESS OF PREPARING THE CONSOLIDATED PLAN, ANNUAL ACTION PLANS, ANY SUBSTANTIAL AMENDMENTS TO THE CONSOLIDATED/ANNUAL ACTION PLANS, AND THE CONSOLIDATED ANNUAL PERFORMANCE REPORT (CAPER) FOR CDBG ACTIVITIES

Proof of publication of the notice of public hearing on HUD CDBG Citizen Participation Plan, was received, having been published in *The St. Augustine Record* on May 6, 2016.

Shawna Novak, Director, Health and Human Services, presented details on the Citizen Participation Plan, via PowerPoint presentation.

(10:36 a.m.) McClure questioned Novak, concerning the St. Johns County Continuum of Care. Novak explained that the Continuum of Care was made up of a group of community partners, who looked at ending homelessness, within the county; and stated that the group's monthly meetings were held at the Health and Human Services (HHS) building. McCormack clarified that the Continuum of Care was a program, sponsored by the Federal government, which the County participates in; however, the members were not appointed by the Board of County Commissioners.

(10:38 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, suggested not using the \$700,000 for West St. Augustine sewers, due to the veto by the Governor; and should be utilized for home repairs of the senior citizens and citizens with disabilities, living within the County limits.

(10:40 a.m.) **Motion by Morris, seconded by Bennett, carried 4/0, with Johns absent, to adopt Resolution No. 2016-168, authorizing the Chair to execute and deliver the Citizen Participation Plan, on behalf of the County.**

RESOLUTION NO. 2016- 168

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE ST. JOHNS COUNTY CITIZEN PARTICIPATION PLAN, TO PROVIDE PUBLIC COMMENT IN THE PROCESS OF PREPARING THE CONSOLIDATED PLAN, ANNUAL ACTION PLANS, ANY SUBSTANTIAL AMENDMENTS TO THE CONSOLIDATED/ANNUAL ACTION PLANS, AND THE CONSOLIDATED ANNUAL PERFORMANCE REPORT, FOR CDBG ACTIVITIES; AND AUTHORIZING THE CHAIR TO EXECUTE ALL REQUIRED DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE

The meeting recessed at 10:41 a.m. and reconvened at 10:51 a.m., with Lavie absent.

(06/07/16 - 14 - 10:51 a.m.)

3. PUBLIC HEARING, REZ 2015-24, MOBILE FOOD VENDING ESTABLISHMENT. REQUEST TO REZONE 0.59 ACRES FROM COMMERCIAL GENERAL (CG) TO COMMERCIAL INTENSIVE (CI), TO ALLOW THE DEVELOPMENT OF A MOBILE FOOD VENDING ESTABLISHMENT AND ASSOCIATED OUTDOOR SALES ACTIVITIES, SPECIFICALLY LOCATED AT 1480 OLD A1A SOUTH. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REZONING, WITH CONDITIONS, ON MAY 5, 2016, WITH A 6-0 VOTE. THE CONDITIONS RECOMMENDED: LIMIT THE PERMITTED USES, UNDER COMMERCIAL INTENSIVE, TO ONLY ADD THE USE OF MOBILE FOOD VENDING UNITS, AND CONTINUE TO ALLOW COMMERCIAL GENERAL ZONING USES, BY RIGHT AND SPECIAL USE

Proof of publication of the notice of public hearing on Mobile Food Vending, was received, having been published in *The St. Augustine Record* on April 20, 2016.

Bennett, Smith and Morris disclosed ex parte communication, stating they had met with the applicants. McClure stated he had a phone conversation with an involved party.

Beverly Frazier, Planner, presented details on the mobile food vending establishment rezoning request, including the additional correspondence she had received, *Exhibit A*, via PowerPoint presentation.

(10:57 a.m.) Brendan Schneck, 21 Sabor De Sal Road, applicant, owner of Big Island Bowls, gave a brief background of his history in the food truck industry and provided details on the open air mobile "food truck" vending establishment, including parking and zoning.

(11:04 a.m.) Jeremy Marquis, 179 Kings Street, Marcus Halback, Inc., landscape architect for the applicant, spoke on the location and the plans for the mobile food vending establishment, including a garden and required parking.

(11:06 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, urged the Board to approve the request; however, he expressed the need for a crosswalk.

(11:07 a.m.) David Mason, 7360 Fairway Oaks Court, Ponte Vedra Beach, Florida, spoke in support of the rezoning request, due to the healthy options provided by the mobile food vending establishment.

(11:09 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, Fruit Cove, Florida, spoke against the mobile food vending establishment, but was in support of food trucks being utilized on an occasional basis only.

(11:10 a.m.) Daryl Perritt, 5495 1st Street, President of Smoking Daryl's Bar-B-Que, Inc., recommended a postponement of the item, in order for staff to establish guidelines for all food vendors within in St. Johns County, specifically the number of restaurants per one common bathroom and the need to define "food truck". He submitted a petition, signed by those against the request, *Exhibit B*.

(11:14 a.m.) Matt Webb, 119 Argonaut Road, spoke in support of the project, due to healthy food options and stated the project would be a positive enhancement to the community.

(11:15 a.m.) Matt Strickland, 396 Riverside Boulevard, spoke against the project and believed that guidelines needed to be defined, as they had been for brick and mortar restaurants.

(11:17 a.m.) Peggy Stephens, 1303 Riviera Street, spoke in support of the project, due to the enhancement to the property and community. She disagreed that food trucks were in direct competition with brick and mortar restaurants.

(11:19 a.m.) Matt Tierney, 1204 Wild Palm Court, owner of Pele's Fire Pizza Food Truck, spoke in support of the mobile food vending establishment and stated that he was available to the Board, based on his expertise. He disagreed with the comments, concerning one bathroom per six restaurants, but believed the intent was for a rotation of food trucks.

(11:22 a.m.) Jordan John, 300 Boulevard Des Pins, spoke in support of the project and Cedar Tree Food Truck, due to the cleanliness of the applicant's current establishment and the need for a change in the food industry.

(11:23 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke on the need for restrictions and agreed with a postponement of the request.

(11:25 p.m.) Kelly Hazouri, 21 Sabor De Sal Road, Co-owner of Big Island Bowls, spoke on the business being featured on the cover of the magazine, "Social St Augustine" magazine, *Exhibit C*, as well as an article, concerning this project, which was published on *The St. Augustine Record's* website, which received positive comments and "likes. She reminded the Board of the request to rezone, with the special use. She spoke on the benefits of the property, versus a brick and mortar bar or restaurant.

(11:29 a.m.) Marquis responded to public comment, stating that during the planning process, the Land Development Code, dealing with a brick and mortar or mobile restaurant, had been followed, in terms of seating, impact fees, American's with Disabilities Act (ADA) accessible, bathrooms, in accordance to the Florida Building Code; and the regulation of the food trucks and the commissary kitchen were through the Florida Department of Business and Professional Regulation (BBPR) and the Department of Health, which were the exact same standards as restaurants.

(11:33 a.m.) Discussion ensued on limiting the number of food trucks, requirements and location of the proposed establishment, per Land Development Code Section 20407, the amount of seating and square footage; a definition of "mobile food truck", the number of parking spaces, and whether alcohol sales would be permitted.

(11:45 a.m.) Motion by Bennett, seconded by Morris, carried 4/0, with Johns absent, to enact Ordinance No. 2016-27, REZ 2015-24, Mobile Food Vending, adopting Findings of Fact 1-4, to support the motion.

ORDINANCE NUMBER: 2016-27

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS, AS DESCRIBED HEREINAFTER, FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL GENERAL (CG) TO COMMERCIAL INTENSIVE, WITH CONDITIONS (CI W/ CONDITIONS); MAKING FINDINGS OF ACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(06/07/16 - 15 - 11:45 a.m.)

4. PUBLIC HEARING, MAJMOD 2016-02, FLORA PARK. MAJMOD 2016-02, FLORA PARK, A REQUEST FOR A MAJOR MODIFICATION, TO THE FLORA BRANCH PLANNED UNIT DEVELOPMENT, TO ALLOW ONE

RESTAURANT WITH A DRIVE-THROUGH. THE SUBJECT PROPERTY IS APPROXIMATELY 9.36 ACRES IN AREA AND IS LOCATED SOUTH OF RACE TRACK ROAD AND WEST OF FLORA BRANCH BOULEVARD. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL ON APRIL 21, 2016, WITH A 5-0 VOTE

Proof of publication of the notice of public hearing on MAJMOD, Flora Park, was received, having been published in *The St. Augustine Record* on May 17, 2016.

Danielle Handy, AICP, Chief Planner, presented details on the request, via PowerPoint presentation.

(11:49 a.m.) Ellen Avery Smith, 100 Whetstone Place Suite 200, Rogers Towers, on behalf of Race Track Donuts, provided company details and statistics, and spoke on the request.

(11:52 a.m.) **Motion by Bennett, seconded by Morris, carried 4/0, with Johns absent, to enact Ordinance No. 2016-28, MAJMOD 2016-02, Flora Park, adopting Findings of Fact 1-6, to support the motion.**

ORDINANCE NO. 2016-28

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE FLORA BRANCH PLANNED UNIT DEVELOPMENT, ORDINANCE NO. 2007-92, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(The meeting moved to Regular Agenda Item 11.)

(06/07/16 - 16 - 1:16 p.m.)

5. RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A DESIGN BUILD CONTRACT WITH SUPERIOR CONSTRUCTION CO, AND TRANSFER FUNDS FROM THE TRANSPORTATION TRUST FUND (TTF) CAPITAL RESERVES, FOR THE CONSTRUCTION OF IMPROVEMENTS TO RACE TRACK ROAD, AND TO REIMBURSE THE TTF RESERVES FROM DEVELOPER CONTRIBUTIONS. IN 2015, THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) COMMENCED THE CONSTRUCTION OF THE SR 9B HIGHWAY PROJECT IN ST. JOHNS COUNTY. THE PROJECT WILL EXTEND THE EXISTING SR 9B INTERCHANGE FROM I-95 TO CR 2209 (ST. JOHNS PARKWAY), INCLUDING A CONNECTOR TO RACE TRACK ROAD. IN AN ATTEMPT TO LIMIT THE ANTICIPATED CONGESTION ALONG THIS ROADWAY, AND PROVIDE A SEAMLESS CONNECTION TO THE PROPOSED SR 9B HIGHWAY, THE COUNTY HAS PROPOSED TO WIDEN RACE TRACK ROAD AND PROVIDE THE NECESSARY INTERSECTION IMPROVEMENTS TO THIS ROADWAY, AT THE CONNECTOR (WEST PEYTON PARKWAY). THE PROJECT INCLUDES WIDENING THE TWO LANE SECTION, FROM EAST OF VETERAN'S PARKWAY TO BARTRAM PARK BOULEVARD, WITH A FOUR LANE SECTION. THE PROPOSED WIDENING OF RACE TRACK ROAD INCLUDES THREE SEGMENTS (SEE ATTACHED MAP A). THE TOTAL CONSTRUCTION COST FOR ALL THE SEGMENTS, INCLUDING CONTINGENCY AND INSPECTION SERVICES, IS ANTICIPATED TO BE \$17.7 MILLION

Neal Shinkre, P.E, Public Works Director, presented details on widening Race Track Road, via PowerPoint. He spoke on the change in traffic pattern, with the opening of SR 9B. He said the request was to allow the utilization of the same design build contractor, as the Department of Transportation (DOT) was using for the SR 9B connector, to widen the West Peyton Parkway/Race Track Road intersection. He stated this would tax payer dollars future improvements to the intersection. He continued stating the request would advance fund 5.2 million from the TTF reserves, for the shortfall of the project, which would be paid back, within the next 3-5 years.

(1:22 p.m.) Bennett spoke on the staging fee savings due to blending with an existing project.

(1:23 p.m.) McClure clarified that the only risk was if the development stopped or impact fees were not paid in a timely manner.

(1:25 p.m.) Motion by Bennett, seconded by McClure, carried 4/0, with Johns absent, to adopt Resolution No. 2016-169, authorizing the county administrator, or designee, to negotiate and execute a contract, on behalf of the County, with Superior Construction C. Southeast, LLC, for the design build of a section of Race Track Road, located between Lifespring Way and Bartram Park Boulevard; and transfer funds from the Transportation Trust Fund Capital Reserves; and direct Future Development Obligations Funds of Bartram Park DRI, and Julington Lakes Proportionate Fair Share Agreements, to reimburse the Transportation Trust Fund Reserve, for the portion used directly and solely for the widening of Race Track Road, between St. Johns Parkway and Bartram Park Boulevard.

RESOLUTION NO. 2016-169

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO NEGOTIATE AND EXECUTE A CONTRACT, ON BEHALF OF THE COUNTY, WITH SUPERIOR CONSTRUCTION CO. SOUTHEAST, LLC FOR THE DESIGN BUILD OF A SECTION OF RACE TRACK ROAD LOCATED BETWEEN LIFESPRING WAY AND BARTRAM PARK BOULEVARD; AND TRANSFER FUNDS FROM THE TRANSPORTATION TRUST FUND CAPITAL RESERVES AND DIRECT FUTURE DEVELOPMENT OBLIGATION FUNDS OF THE BARTRAM PARK DRI AND JULINGTON LAKES PROPORTIONATE FAIR SHARE AGREEMENTS TO REIMBURSE THE TRANSPORTATION TRUST FUND RESERVE, FOR THE PORTION USED DIRECTLY AND SOLELY FOR THE WIDENING OF RACE TRACK ROAD BETWEEN ST. JOHNS PARKWAY AND BARTRAM PARK BOULEVARD

(06/07/16 - 17 - 1:26 p.m.)

6. ORDINANCE ESTABLISHING FIRE CODE BOARD OF APPEALS- 2ND READING AND ENACTMENT. IN 2015, THE STATE FIRE MARSHAL ADOPTED CHANGES TO THE FLORIDA FIRE PREVENTION CODE, INCLUDING THE ADDITION OF NFPA SECTION 1.10, WHICH REQUIRES JURISDICTIONS TO ESTABLISH A FIRE CODE BOARD OF APPEALS. THE PURPOSE OF THE FIRE CODE BOARD OF APPEALS IS TO RULE ON MATTERS RELATING TO THE FIRE CODE AND ITS ENFORCEMENT. THIS ORDINANCE ESTABLISHES A FIRE CODE BOARD OF APPEALS IN

ACCORDANCE WITH NFPA SECTION 1.10. ADDITIONALLY, THE ORDINANCE CLARIFIES THE COUNTY FIRE MARSHAL'S ABILITY TO ISSUE CIVIL CITATIONS FOR FIRE CODE VIOLATIONS, AS AUTHORIZED BY SECTION 633.214, FLORIDA STATUTES. FIRST READING OF THIS ORDINANCE WAS HELD MAY 3, 2016. THIS IS THE ORDINANCE'S SECOND READING FOR ENACTMENT BY THE BOARD

Proof of publication of the notice of public hearing on Fire Code Board of Appeals, was received, having been published in *The St. Augustine Record* on May 24, 2016.

Rebecca C. Lavie, Assistant County Attorney, presented details on the Fire Code Board of Appeals, via PowerPoint. She reviewed the proposed fine amounts and the parameters of the proposed seven-member Fire Code Board of Appeals.

(1:31 p.m.) McClure asked for clarification on the requirement of jurisdiction to establish a Fire Code Board of Appeals. Lavie stated that there was nothing in the code that established an enforcement mechanism by the State; however, the recommendation was to comply with the most recent directives presented in the State Florida Fire Prevention Code.

(1:33 p.m.) McCormack elaborated that without an appeal board, a property owner could claim a due process issue that they didn't have a clear mechanism to appeal.

(1:34 p.m.) **Motion by Bennett, seconded by Morris, carried 4/0, with Johns absent, to enact Ordinance No. 2016- 29, establishing a Fire Code Board of Appeals.**

ORDINANCE NO. 2016-29

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS FOR ST. JOHNS COUNTY, FLORIDA, PROVIDING DEFINITIONS; PROVIDING FOR ENFORCEMENT OF THE FLORIDA FIRE PREVENTION CODE; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE ARE CIVIL INFRACTIONS; PROVIDING PENALTIES; ESTABLISHING A FIRE CODE BOARD OF APPEALS; PROVIDING FOR BOARD OF APPEALS RULES AND REGULATIONS; ESTABLISHING AUTHORITY OF BOARD OF APPEALS; PROVIDING FOR MEANS OF APPEALS; PROVIDING FOR MEETINGS OF THE BOARD OF APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR VENUE; AND PROVIDING AN EFFECTIVE DATE

(06/07/16 - 18 - 1:35 p.m.)

7. CONSIDER AN APPOINTMENT TO THE NORTH FLORIDA TRANSPORTATION PLANNING ORGANIZATION (TPO) CITIZEN ADVISORY COMMITTEE. THE TPO CITIZEN ADVISORY COMMITTEE HAS FOUR POSITIONS DESIGNATED FOR ST. JOHNS COUNTY REPRESENTATIVES. THREE OF THOSE POSITIONS ARE AT-LARGE AND ONE IS THAT OF A REPRESENTATIVE FROM THE CITY OF ST. AUGUSTINE. CURRENTLY HEATHER NEVILLE HOLDS THE CITY OF ST. AUGUSTINE POSITION AND MR. WARREN BUTLER AND MR. BRADLEY GORDON HOLD TWO OF THE AT-LARGE POSITIONS. THIS LEAVES ONE AT-LARGE POSITION VACANT, DUE TO THE RESIGNATION OF MR. BRIAN ALLEY. THE TPO HAS FORWARDED THE APPLICATION OF MR. RAYMOND

GREEN, FOR REVIEW AND CONSIDERATION, FOR A NOMINATION TO THE VACANT POSITION

Melissa Lundquist, Assistant to the Board of County Commissioners, presented details on the vacant position.

McCormack left the meeting at 1:35.

(1:36 p.m.) Motion by McClure, seconded by Bennett, carried 4/0, with Johns absent, to nominate Mr. Raymond Green to the North Florida Transportation Planning Organization (TPO) Citizen Advisory Committee, as an at-large St. Johns County representative, for a four-year term, scheduled to expire in June 2020.

(06/07/16 - 19 - 1:36 p.m.)

8. LDC DISCUSSION OF POTENTIAL AMENDMENTS TO ARTICLE V "DEVELOPMENT OPTIONS" AND ARTICLE VI "DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS". THIS IS A DISCUSSION ITEM ON POTENTIAL AMENDMENTS TO THE LAND DEVELOPMENT CODE (LDC). THIS ITEM WOULD DISCUSS MODIFYING ACCESS STANDARDS TO REQUIRE ENHANCED EMERGENCY VEHICLE ACCESS MITIGATION, FOR SUBDIVISIONS OF TWO-HUNDRED OR MORE RESIDENTIAL UNITS. THE PROPOSED MODIFICATION WOULD PROVIDE SEVERAL EMERGENCY ACCESS OPTIONS FOR THE DEVELOPER/APPLICANT TO INCORPORATE INTO THE DESIGN OF A PROJECT. IN THOSE INSTANCES, WHERE NONE OF THE LISTED ACCESS OPTIONS ARE POSSIBLE, THE APPLICANT MAY SUGGEST AN ALTERNATIVE MEANS OF MITIGATION, SO LONG AS IT IS DESIGNED TO SUPPORT ACCESS AND USE BY EMERGENCY VEHICLES; AND IS AN EQUIVALENT OR GREATER IMPROVEMENT IN FUNCTION, QUALITY, AND CONSTRUCTION. STAFF IS SEEKING DIRECTION AS TO WHETHER TO PURSUE THESE LAND DEVELOPMENT CODE AMENDMENTS, AND IF YES, WITH WHICH OPTIONS

Joseph Cearley, Special Projects Manager, presented details on the potential amendments to the Land Development Code, via PowerPoint. He reviewed the vehicular access standards to other communities, noting that Volusia County also factored in the number of daily trips. McClure questioned the allowed trips per single family home. Discussion ensued on the daily trip/unit dwelling ratio and the access standards. Cearley reviewed the secondary access options and three implementation options, should an ordinance be created: 1) new standards would apply to all previously approved Planned Unit Development (PUD), if construction plans had not been submitted as of the effective date of the ordinance; 2) all new PUD's would be required to comply with the new standards; and 3) whether the new standards would apply to incremental Master Development Plan (MDP); and referenced some incremental MDP maps, *Exhibit A*. Discussion ensued on the complexity of an incremental MDP and the type of required modification.

(1:50 p.m.) Soria spoke on when the changes should apply.

(1:53 p.m.) Bennett spoke on the feasibility to provide a second entrance, when wetlands were a factor. Discussion ensued on the secondary access options and public safety.

(1:58 p.m.) Jeff Prevatt, Assistant Fire Chief, spoke on the alternatives that would best accommodate fire rescue access.

(2:01 p.m.) Smith inquired whether all of the 12 foot-wide, multi-use paths were able to accommodate a fire truck. Chief Prevatt explained that they were able to identify the paths that would accommodate the fire trucks, by noting them in the dispatch system

and on the iMap system, used by fire rescue. Discussion ensued on emergency access alternatives.

(2:02 p.m.) Bob Porter, DR Horton, 4420 Race Track Road, voiced his concerns with requiring a previously approved PUD to incorporate the new standards in future phases.

(2:06 p.m.) Catherine Whittington, 24 Cathedral Place, Suite 400, noted the capital invested in approved PUD's and suggested an option of being exempt of the new standards upon PUD approval.

(2:08 p.m.) Beth Breeding, 10175 Fortune Parkway, requested the Board be considerate of the additional cost to new projects causing unaffordable homes.

(2:09 p.m.) Bennett questioned the cost invested between the point of PUD approval and construction plan submittal. Discussion ensued on invested cost.

(2:19 p.m.) John Metcalf, 1104 Mill Creek Drive, concurred with Breeding.

(2:20 p.m.) Discussion ensued on the necessity of the new secondary access requirements.

(2:27 p.m.) John Burnham, Growth Management, explained that staff reviewed and made recommendations to the Board, on a case-by-case basis, but there were no guidelines in the Land Development Code (LDC).

(2:29 p.m.) Bennett said that the Board reviewed staff's recommendations and relied on their expertise. She said there were too many variables to amend the LDC.

(2:33 p.m.) Soria noted that with no formal policy decision by the Board, a builder could refuse staff's requirement for a secondary access. Bennett stated that staff could require a builder to add a secondary access, for the consideration of health, safety, and welfare, and then the builder had the option to appeal to the Board.

(2:35 p.m.) **Motion by Bennett, second by McClure, carried 4/0, with Johns absent, to remain with the current regulations.**

McCormack returned to the meeting at 2:37 p.m.

(06/07/16 - 20 - 2:37 p.m.)

9. DISCUSSION OF PRIVATE/PUBLIC ROAD DEDICATIONS. AT A RECENT ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS (BCC) GROWTH MANAGEMENT WORKSHOP, THE COMMISSION DISCUSSED VARIOUS ELEMENTS, RELATED TO THE LOCAL ROAD DEDICATION PROCESS. THE DISCUSSION PRESSED THE QUESTION AS TO WHETHER THE COUNTY SHOULD ACCEPT OWNERSHIP (OPERATION AND MAINTENANCE) OF NEW ROADS, FROM NEW DEVELOPMENTS CONSIDERING THE FACT THAT IN PRIOR YEARS, THE COUNTY HAS FACED FUNDING CHALLENGES, TO MEET ITS EXISTING PAVEMENT MANAGEMENT NEEDS

Neal Shinkre, Public Works Director, presented details on new local road dedications, via PowerPoint. He said that 44% of the local roads in the County were privately owned. He spoke on the funding, pavement management, expenses, cost avoidance and cost shortfalls. He reviewed the proposed options for new local road dedications: 1) maintain the current status; 2) accept no new roads; 3) accept no new roads, with the exception of a contiguous road in a subdivision, previously owned by the County; the

County would accept the remainder portion; 4) accept no new roads, with the exception of a collector road that served a public purpose; and 5) accept no new roads, with the exception a Municipal Service Business Unit (MSBU).

(2:51 p.m.) McClure spoke on the recurring revenue and questioned the shortfall. Shinkre explained that the annual need was \$12 million; however the \$6 million received would leave a deficit of \$6 million.

(2:55 p.m.) Smith spoke on the number of privately owned roads. He suggested offering incentives for local ownership of roads.

(2:57 p.m.) Morris spoke on finding a funding source for the shortfall.

(3:02 p.m.) Bennett concurred with Morris and said that not accepting new roads was a minimal savings to the County and a huge impact on residents. She also noted that residents living on a private road paid the same taxes as a resident living on a public road; however, their taxes did not pay for maintenance of their road. She said the issue was a funding source. Smith commented that if the County couldn't afford the roads, then we couldn't afford development.

(3:07 p.m.) McClure spoke on the capped funding source.

(3:11 p.m.) Smith suggested providing incentives, instead of mandating private roads and identifying the dedication of roads earlier in the process. Discussion ensued.

(3:18 p.m.) Bennet requested consensus to have staff review methods of incentivizing and implementing, instead of requiring privatization of the roads.

(3:19 p.m.) Locklear added, to make certain that the incentives make it to the homeowner, as they would be the owners of the road. Discussion ensued.

(3:22 p.m.) Shinkre clarified that the private and public standards would be the same.

(3:22 p.m.) Wanchick suggested postponing a decision until further into this year's budget.

(3:25 p.m.) Soria added that the formal acceptance of a road, for County maintenance, was done at plat, though the incentive-based determination could be made earlier in the process.

(3:26 p.m.) Ellen Whitmer, 1178 Natures Hammock Road South, said that most people prefer private roads, due to the quick determination of road issues and repairs.

(3:29 p.m.) Beth Breeding, 10175 Fortune Parkway, Jacksonville, agreed with an incentive-based option and requested a workshop, for participation from developers and citizens.

(3:31 p.m.) Tom Ingram, 50 North Laura Street, Suite 3100, Jacksonville, on behalf of The Enclave at Town Center, explained that Enclave had privately owned streets; however, the adjacent identical subdivisions, Sienna and Addison Park's streets, were dedicated to the County.

(3:36 p.m.) John Metcalf, 1104 Mill Creek Drive, suggested utilizing the gas tax to take care of the roads.

(3:37 p.m.) Catherine Whittington, 24 Cathedral Place, Suite 400, stated her concerns with the County not accepting any new roads and said in some cases, residents living on a private road that interconnected with other public roads would be responsible for maintaining a road that was also used by the public.

(3:39 p.m.) Discussion ensued on directing staff to review ways to incentivize private road dedications.

(3:43 p.m.) McCormack reminded that there would be plats on the agenda, prior to receiving results from staff.

The meeting moved to Commissioner's Reports.

(06/07/16 - 22 - 9:50 a.m.)

10. RESOLUTION APPROVING AN EXCHANGE OF REAL PROPERTY, PURSUANT TO SECTION 125.37, FLORIDA STATUTES, IN CONNECTION WITH ACCESS TO PRIVATE PROPERTY THROUGH COUNTY PROPERTY

McCormack presented information on the language changes, in Section 2, of the proposed resolution, *Exhibit A*; and introduced James Whitehouse, representative of the applicant subject to the property exchange.

(9:50 a.m.) James Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, agreed on the language changes to the proposed resolution.

(9:51 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on equity when items were heard.

(9:52 a.m.) Discussion ensued on the proposed language, including the exchange of property of equal or greater value.

(9:54 a.m.) **Motion by McClure, seconded by Bennett, carried 4/0, with Johns absent, to adopt Resolution No. 2016-167, approving an exchange of real property, pursuant to Section 125.37, Florida Statutes, in connection with access to private property through County property, as amended.**

RESOLUTION NO. 2016-167

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AN EXCHANGE OF REAL ESTATE PROPERTY, PURSUANT TO SECTION 125.37, FLORIDA STATUTES, IN CONNECTION WITH ACCESS TO PRIVATE PROPERTY THROUGH COUNTY PROPERTY

(The meeting moved to Regular Agenda Item 1.)

(06/07/16 - 22 - 11:53 a.m.)

11. TREASURE BEACH DREDGING REPORT

McClure presented the project overview, via PowerPoint presentation including the discrepancy between the contractor and the County's findings versus the Municipal Service Benefit Unit (MSBU) taxpayers, the contractor's time extension, and the project timeline details, *Exhibit A*; and requested an appropriation of funds for spot dredging in the Treasure Beach Canals.

(12:07 p.m.) Discussion ensued on the \$180,000 estimated cost, ownership of the canals and the option to transfer ownership to the Homeowners Association (HOA).

(12:11 p.m.) Morris suggested the original contractor finish the project, with a discount, and asked McClure to find out at what price the County, the HOA, and the original contractor would need to contribute to have the project completed. Smith stated that more discussion would be needed with Gator Dredging and McClure suggested an alternative, to team up with the Butler Boat Ramp Dredging project.

(12:17 p.m.) Locklear stated that the alternative was available, if the Board was willing to add more funding.

(12:20 p.m.) McCormack suggested that the County's professional staff interact with Gator Dredging, due to the potential of a purchasing contract.

Regina Ross, Senior Assistant Attorney left the meeting at 12:22 p.m.

(12:21 p.m.) John Delaney, 240 Treasure Beach Road, spoke on the surveyor, the contract by Gator Dredging, and the denial of the extension.

(12:24 p.m.) Douglas Martin, 253 Treasure Beach Road, Chairman of the Canal Committee for the Treasure Beach Property Owner's Association, spoke on the warranty period of the contract, changes in the elevation, and failure in project management.

(12:29 p.m.) Stephen Abbott, 211 Majorca Road, stated the dredge was non-compliant and spoke on the process of transferring the ownership of the canals.

(12:30 p.m.) Jim Allmond, 239 Treasure Beach Road, clarified the red dot map, which depicts deficient depths at low tide. McClure stated he had Allmond's backup information, concerning the map.

(12:31 p.m.) Smith stated that the direction of the Board was to investigate more, get specific costs, and possibly bundling with the Butler Ramp.

(12:32 p.m.) Wanchick stated that Gator Dredging, the County, and the residents had differing opinions. He recommended that County staff provide alternatives for both a short-term solution for the residents, specifically the project completion, and a long-term solution for the County.

(12:36 p.m.) Smith directed County staff to provide specific costs, for the completion of the dredging project, at the July BCC meeting.

(12:36 p.m.) The meeting recessed for lunch and reconvened at 1:15 p.m., with Deputy Wiseman in attendance.

(The meeting moved to Regular Agenda Item 5.)

(06/07/16 - 23 - 3:44 p.m.)
COMMISSIONERS' REPORTS

Commissioner McClure

McClure asked if they could comment on the University of Florida Memorandum of Understanding (UFMOU) and Smith stated that they were prohibited from talking about it due to the pending law suit. He invited everyone to attend the upcoming Florida Association of Counties meeting.

Commissioner Morris

Morris had no report.

Commissioner Bennett

(3:47 p.m.) Bennett commented on the City of St. Augustine's addition to their transit group. She reported that the Sunshine Bus rides were 10% over what they were last year and as of May they had provided 121,147 rides. She reported on Habitat for Humanity's concept and participation. She spoke on the Regional Transportation Commission and the burden on the community from the additional gas tax versus a one cent sales tax increase. *Consensus was given to send a letter of support to the "Support Ponte Vedra Greenway" in their endeavors.* She reminded everyone to remember their fathers this Father's Day.

Commissioner Smith

(3:54 p.m.) Smith spoke on the response letter from Timothy Burchfield, Assistant City Manager, regarding the Sunshine Bus Letter of Support, *Exhibit A*. He also reported on the local growers.

(06/07/16 - 24 - 3:57 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick commended staff on their efforts, concerning the tropical storm.

(06/07/16 - 24 - 3:57 a.m.)

COUNTY ATTORNEY'S REPORT

McCormack requested reporting on the options for the HOA/Building Permit issues at the June 21, 2016, meeting.

(3:58 p.m.) Smith clarified that the paperwork concerning the lawsuit with the UFMOU, had been filed but not served.

(06/07/16 - 24 - 3:58 a.m.)

CLERK OF COURT'S REPORT

No report.

(06/07/16 - 24 - 3:58 a.m.)

ADJOURN

With there being no further business to come before the Board, Smith adjourned the meeting at 3:58 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 532053-533082, totaling \$1,764,881.19 and Voucher Register, Voucher Nos. 24699-24730, totaling \$419,255.63 (5/17/16)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 533083-533141, totaling \$35,117 and Voucher Register, Voucher Nos. 24731-24814, totaling \$55,570.80 (5/18/16)
3. St. Johns County Board of County Commissioners Check Register, Check No. 533142, totaling \$49 (5/18/16)
4. St. Johns County Board of County Commissioners Check Register, Check No. 533143, totaling \$1,341.43 (5/20/16)

5. St. Johns County Board of County Commissioners Check Register, Check Nos. 533144-533367, totaling \$1,726,879.59 and Voucher Nos. 24815-24868, totaling \$598,147.95 (5/24/16)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 533368-533381, totaling \$256,328.07 (5/25/16)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 533382-533401, totaling \$37,119.57 (5/26/16)
8. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 24869-24870, totaling \$10,423.70 (5/26/16)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 533402-533622, totaling \$832,650.10 and Voucher Nos. 24871-24913, totaling \$807,695.92 (5/31/16)
10. St. Johns County Board of County Commissioners Check Register, Check No. 533623, totaling \$585 (5/31/16)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 533624-533651, totaling \$34,559.74 and Voucher Nos. 24914-24930, totaling \$28,868.08 (6/01/16)
12. St. Johns County Board of County Commissioners Check Register, Check No. 533652, totaling \$173.80 (6/03/16)

CORRESPONDENCE:

1. Letter dated May 27, 2016, regarding Sandy Creek Community Development District's proposed Fiscal Year 2016/2017 budget
2. Letter dated May 27, 2016, regarding Heritage Landing Community Development District's proposed Fiscal Year 2016/2017 budget
3. Letter dated May 27, 2016, regarding Madeira Community Development District's proposed Fiscal Year 2016/2017 budget

Approved _____ July 19 _____, 2016

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____

Jeb S. Smith, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: _____

Deputy Clerk

