

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JULY 19, 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
 James K. Johns, District 1, Vice Chair
 William A. McClure, District 3
 Jay Morris, District 4
 Rachael L. Bennett, District 5
 Michael Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Bonnie A. Putman, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; Paola Soria, Assistant County Attorney; Rebecca Lavie, Assistant County Attorney

(07/19/16 - 1 - 9:00 a.m.)
CALL TO ORDER

Smith called the meeting to order.

(07/19/16 - 1 - 9:00 a.m.)
ROLL CALL

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

(07/19/16 - 1 - 9:00 a.m.)
INVOCATION

Rabbi Nochum Kurinski, Chabad at the Beaches, gave the invocation.

(07/19/16 - 1 - 9:04 a.m.)
PLEDGE OF ALLEGIANCE

Smith led the Pledge of Allegiance.

(07/19/16 - 1 - 9:04 a.m.)
PUBLIC COMMENT

(9:05 a.m.) Wendy Jo Williams, 10460 Turpin Avenue, Hastings, Florida, President of the Hastings Branch Friends of the Library, invited the commissioners to attend the Hastings Back-to-School Supply Giveaway and thanked those on the list of community partners for their support, *Exhibit A*.

(9:07 a.m.) Linda Oakley, 701 Pinehurst Place, spoke in opposition of the Board's recent action, which rescinded the required permitting notification to the Architectural Review Board (ARC) due to the protection the ARC and Homeowners Association (HOA) provided for homeowners who lived in these communities. She requested that the Board reconsider two of the other options provided at the previous BCC meeting, recommended additional options, *Exhibit B*.

(9:10 a.m.) Mary Kohnke, 29 South Roscoe Boulevard, Ponte Vedra Beach, Florida, spoke on the history of Sawgrass' HOA bylaws, concerning permitting, and in opposition of the proposed elimination of the permitting notification.

(9:13 a.m.) Kirk Dougal, 30 Desoto Place, spoke on the Zika Virus and the need for a plan in St. Johns County.

(9:14 a.m.) Dr. Michel Pawlowski, 216 10th Street, Saint Augustine Beach, made a formal motion to amend the Consent Agenda; requested that the St. Augustine Farmers Market's designated free speech areas were eliminated and to allow a voter registration tent in the main thoroughfare.

(9:18 a.m.) Ed Ronsman, Partner at Jackson Law Group, 1301 Plantation Island Drive, Suite 304, on behalf of Marsh Creek and Heritage Landing, stated that the Board's action to eliminate the provision of the Land Development Code (LDC), concerning permit notification through the HOA and/or ARC, could result in tremendous time and expense; and requested the Board to reconsider.

(9:20 a.m.) McCormack clarified that the Registered Architect Review Associations (RARA) language was currently in the code and had not been rescinded. He specified that direction was given by the Board for staff to bring back revisions to the code, which would be presented at two, future hearings.

(9:21 a.m.) Daniel McDonald, 1003 York Road, Ponte Vedra Beach, Florida, a member of the Sawgrass Players Club Board, spoke in favor of the HOA/ARB maintaining control and requested participation in a workshop, concerning options to the permit notification process, for residents living within a HOA community.

(9:23 a.m.) Erin Hires, Marsh Landing Management, 4200 Marsh Landing Boulevard, Suite 200, Jacksonville Beach, Florida, requested that the Board give the decision on permitting notification further consideration before rescinding what was currently in place.

(9:24 a.m.) Dan Bushnell, 2516 Oleander Street, builder, biologist and property manager, spoke on his concern with wetland building and structural integrity, to include foundations.

(9:28 a.m.) Gail Pizzano, 1960 County Road 214, questioned the business name associated with Regular Agenda Items 10 and 11. Smith clarified that public comment was for concerns that were not on the agenda.

(9:29 a.m.) Theron Colbert, 1232 Matengo Circle, St. Johns, Florida, Retired Navy Commander and a Licensed Professional Engineer, spoke on his home-based, engineering consulting business being ineligible for the Jacksonville Small and Emerging Business program (JSEB), sponsored by the Jacksonville Electric Authority (JEA), as his residency was in St. Johns County, despite receiving his utilities from JEA. He requested the Board consider a program equivalent to JSEB program.

(9:33 a.m.) Tessa Clark, 12276 San Jose Boulevard, Suite 530, Jacksonville, Florida, President of Interlaced Property Solutions, LLC, as well as the property manager for Julington Creek Plantation, on behalf of Julington Creek Planation, spoke in opposition of the Board's action concerning Section 532 of the LDC. She requested that the Board authorize County staff to hold a workshop with representatives from the Planning and Zoning Agency (PZA), County Attorney, and representatives of the affected community associations in attendance.

(9:33 a.m.) Rick Lofgren, 421 Salt Wind Court, Ponte Vedra Beach, Florida, Chair of St. Johns Civic Roundtable, spoke in opposition to the Board's action regarding the process change for issuing building permits, which would not require approval of ARB. He requested the Board reconsider their decision.

(9:35 a.m.) Ed Slavin, PO Box 3084, agreed with the comments on the wetlands, the first amendment rights, and the RARA/ HOA. He spoke on the need for compassion and healing; requested an explanation of Sheriff Shoar's YouTube video, as well as a press conference held by Shoar, concerning Michelle O'Connell's death; and he disclosed details on his failed attempt to gather public documents.

(9:38 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on the need for senior citizen housing.

(9:39 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke on the push for an increased sales tax, special elections, development in the County, untelevised County meetings, and taxes from internet cafes.

(9:42 a.m.) Morris agreed that the process for issuing building permits needed to be revisited and that there was a need for a workshop. Bennett supported Morris.

(9:44 a.m.) McClure clarified the County's compliance with State law and the procedures for permitting notification, stating that there was a directive for staff to bring recommendations to the Board.

(07/19/16 - 3 - 9:45 a.m.)
DELETIONS TO CONSENT AGENDA

There were none.

(07/19/16 - 3 - 9:45 a.m.)
APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement Report
2. Motion to accept and approve the Recapitulation 2015 Balanced Tax Roll and Error and Insolvencies Report
3. Motion to adopt **Resolution No. 2016-195**, authorizing the Sheriff of St. Johns County, Florida, or designee, to submit an application, seeking funding assistance, through the Florida Department of Law Enforcement Federal FY16, Edward Byrne Memorial Justice Assistance Grant (JAG); and authorizing the chair to execute the attached Certificate of Participation on behalf of the County

RESOLUTION NO. 2016-195

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE SHERIFF, OR DESIGNEE, TO SUBMIT AN APPLICATION SEEKING FUNDING ASSISTANCE, THROUGH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT FEDERAL FISCAL YEAR 2015, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG), STATE

SOLICITATION; AND AUTHORIZING THE CHAIR TO EXECUTE A CERTIFICATE OF PARTICIPATION, ON BEHALF OF THE COUNTY

4. Motion to approve the Wards Creek School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2016-05)
5. Motion to approve the Tomoka Pines School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2016-06)
6. Motion to approve PFS AGREE 2015-05 and authorize the county administrator to execute the Arbor Mill 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. 2016-196**, approving the final plat for Riverwood by Del Webb, Phase 3D, Unit 1

RESOLUTION NO. 2016-196

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RIVERWOOD BY DEL WEBB, PHASE 3D, UNIT 1

8. Motion to adopt **Resolution No. 2016-197**, approving the final plat for Northridge Lakes, Unit 3

RESOLUTION NO. 2016-197

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR NORTHRIDGE LAKES, UNIT 3

9. Motion to adopt **Resolution No. 2016-198**, setting a public hearing date of August 16, 2016, at 9:00am, or at a date and time as soon thereafter as possible, to hear a request for the vacation of a portion of an easement, near Sunset Boulevard, within the Venetian Isles subdivision

RESOLUTION NO. 2016-198

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SETTING A PUBLIC HEARING DATE OF AUGUST 16, 2016, AT 9:00 A.M., TO HEAR A REQUEST FOR THE VACATION OF A PORTION OF AN EASEMENT, NEAR SUNSET BOULEVARD, WITHIN THE VENETIAN ISLES SUBDIVISION

10. Motion to adopt **Resolution No. 2016-199**, setting a public hearing date of September 6, 2016, at 9:00am , or at a date and time as soon thereafter as possible, to hear a request for the vacation of roadways, within the Orange Cove subdivision

RESOLUTION NO. 2016-199

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SETTING A PUBLIC HEARING DATE OF SEPTEMBER 6, 2016, AT 9:00 A.M., TO HEAR A REQUEST FOR THE VACATION OF ROADWAYS, WITHIN THE ORANGE COVE SUBDIVISION

11. Motion to adopt **Resolution No. 2016-200**, accepting an Easement for Utilities, to provide water service within Legacy Trail subdivision, located off South Legacy Trail; and accepting a Bill of Sale, conveying all personal property associated with the water system

RESOLUTION NO. 2016-200

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES TO PROVIDE WATER SERVICE, WITHIN LEGACY TRAIL SUBDIVISION, LOCATED OFF SOUTH LEGACY TRAIL; AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER SYSTEM

12. Motion to adopt **Resolution No. 2016-201**, accepting two Easements for Utilities, to provide water and sewer service to Palencia, Unit 9A, off San Cristobal Court; and accepting a Bill of Sale, conveying all personal property associated with the water and sewer system

RESOLUTION NO. 2016-201

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO EASEMENTS FOR UTILITIES TO PROVIDE WATER AND SEWER SERVICE TO PALENCIA, UNIT 9A, OFF SAN CRISTOBAL COURT; AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

13. Motion to adopt **Resolution No. 2016-202**, accepting two Grant of Easements for drainage improvements, in St. Augustine South subdivision, Unit 11

RESOLUTION NO. 2016-202

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO GRANT OF EASEMENTS FOR DRAINAGE IMPROVEMENTS, IN ST. AUGUSTINE SOUTH SUBDIVISION, UNIT 11

14. Motion to adopt **Resolution No. 2016-203**, accepting a Special Warranty Deed, from World Commerce Center, LLP, to St. Johns County, conveying additional right-of-way, along International Golf Parkway

RESOLUTION NO. 2016-203

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED FROM WORLD COMMERCE CENTER, LLP, TO ST. JOHNS COUNTY, CONVEYING ADDITIONAL RIGHT-OF-WAY, ALONG INTERNATIONAL GOLF PARKWAY

15. Motion to adopt **Resolution No. 2016-204**, accepting a Bill of Sale and Schedule of Values, conveying all personal property associated with the water and sewer lines, to serve Courtyard by Marriott, located off Old A1A Beach Boulevard

RESOLUTION NO. 2016-204

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 COURTYARD BY MARRIOTT, LOCATED OFF OLD A1A BEACH BOULEVARD

16. Motion to adopt **Resolution No. 2016-205**, approving the terms and conditions of a Purchase and Sale Agreement for road improvements, along Race Track Road, and authorizing the county administrator, or designee, to execute the agreement on behalf of the County

RESOLUTION NO. 2016-205

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 ROAD IMPROVEMENTS ALONG RACE TRACK ROAD; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT, ON BEHALF OF THE COUNTY

17. Motion to adopt **Resolution No. 2016-206**, approving the terms of and authorizing the county administrator, or designee, to execute a Maintenance and Hold Harmless Agreement associated with construction of pavers and landscaping, within certain County right-of-way at Nocatee

RESOLUTION NO. 2016-206

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A MAINTENANCE AND HOLD HARMLESS AGREEMENT, ASSOCIATED WITH CONSTRUCTION OF PAVERS AND LANDSCAPING, WITHIN CERTAIN COUNTY RIGHT-OF-WAY AT NOCATEE

18. Motion to adopt **Resolution No. 2016-207**, authorizing the Chair of the Board to execute a County Deed, to release a reversion clause in connection with Pinehurst and Saint Sebastian Cemeteries

RESOLUTION NO. 2016-207

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE A COUNTY DEED, TO RELEASE A REVERSION CLAUSE, IN CONNECTION WITH PINEHURST AND SAINT SEBASTIAN CEMETERIES

19. Motion to adopt **Resolution No. 2016-208**, approving the terms, provisions, conditions, and requirements of the agreement, allowing for the construction and maintenance of the installation of the safety features including, without limitation, certain signage and pavement markings throughout the County, Project ID: 433519-2-52-01; and authorizing the county administrator, or designee, to execute the Agreement, along with any supplemental documentation, on behalf of the County

RESOLUTION NO. 2016-208

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND ST. JOHNS COUNTY, FLORIDA, REGARDING THE CONSTRUCTION AND MAINTENANCE OF SAFETY FEATURES INCLUDING, WITHOUT LIMITATION, CERTAIN SIGNAGE AND PAVEMENT MARKINGS IN NUMEROUS LOCATIONS THROUGHOUT THE COUNTY; PROVIDING FOR THE EFFECT OF RECITALS; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT AND SUPPLEMENTAL DOCUMENTATION; PROVIDING FOR CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE

20. Motion to adopt **Resolution No. 2016-209**, authorizing the county administrator, or designee, to execute a non-binding Memorandum of Understanding between St. Johns County and North Florida Clean Fuels Coalition, the purpose of which is to formalize the agreements, respective responsibilities and procedures, to reduce the consumption of petroleum in the transportation sector

RESOLUTION NO. 2016-209

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN AGREEMENT BETWEEN ST. JOHNS COUNTY AND NORTH FLORIDA CLEAN FUELS COALITION, TO FORMALIZE THE AGREEMENTS, RESPECTIVE RESPONSIBILITIES AND PROCEDURES, TO REDUCE THE CONSUMPTION OF PETROLEUM IN THE TRANSPORTATION SECTOR

21. Motion to adopt **Resolution No. 2016-210**, recognizing unanticipated revenue for Utility System - Meter Installations (4444-34365), in the amount of \$130,000; and appropriating to Water Transmission & Distribution - Operating Supplies (4413-55200) for FY2016

RESOLUTION NO. 2016-210

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

22. Motion to adopt **Resolution No. 2016-211**, approving the terms, provisions, conditions, and requirements of an Interlocal Agreement between St. Johns County, Florida, and the City of St. Augustine, to provide for a secured public safety docking facility; and authorizing the county administrator to execute an Interlocal Agreement, in substantially the same form and format, as attached hereto, on behalf of St. Johns County

RESOLUTION NO. 2016-211

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE CITY OF ST. AUGUSTINE, FLORIDA, FOR A SECURE PUBLIC SAFETY DOCKING FACILITY

23. Motion to adopt **Resolution No. 2016-212**, approving the terms, conditions, and requirements of the Emergency Management Preparedness & Assistance Grant Agreement, with the Florida Division of Emergency Management; authorizing the county administrator, or his designee, to execute the grant agreement on behalf of the County; and recognizing and appropriating grant funds in the amount of \$105,806, in the FY 2016 General Fund Emergency Management Department

RESOLUTION NO. 2016-212

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, AND REQUIREMENTS OF AN EMERGENCY MANAGEMENT PREPAREDNESS & ASSISTANCE STATE GRANT (EMPA); AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE GRANT CONTRACT ON BEHALF OF ST. JOHNS COUNTY, FLORIDA, AND THE ST. JOHNS COUNTY EMERGENCY MANAGEMENT; AND TO RECOGNIZE AND APPROPRIATE WITHIN THE FISCAL YEAR 2016, GENERAL FUND EMERGENCY MANAGEMENT BUDGET

24. Motion to adopt **Resolution No. 2016-213**, approving the terms, conditions and requirements of the Emergency Management Performance Federal Grant Agreement, with the Florida Division of Emergency Management; authorizing the county administrator, or his designee, to execute the grant agreement on behalf of the County; and recognizing and appropriating grant funds in the

amount of \$83,687, within the FY 2016 General Fund Emergency Management Department

RESOLUTION NO. 2016-213

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, AND REQUIREMENTS OF AN EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG); AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE GRANT CONTRACT, ON BEHALF OF ST. JOHNS COUNTY, FLORIDA, AND ST. JOHNS COUNTY EMERGENCY MANAGEMENT; AND TO RECOGNIZE AND APPROPRIATE WITHIN THE FISCAL YEAR 2016, GENERAL FUND EMERGENCY MANAGEMENT BUDGET

25. Motion to adopt **Resolution No. 2016-214**, authorizing the county administrator, or designee, to award Bid No 16-38, Fruit Cove Jacksonville Electric Authority (JEA) Water Main Interconnect, to TB Landmark Construction, Inc.; and to execute a contract in substantially the same form and format, as attached hereto, for completion of the County portions of the scope of work, at a contract price not to exceed \$210,500

RESOLUTION NO. 2016-214

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 16-38; AND TO EXECUTE AGREEMENTS FOR FRUIT COVE JACKSONVILLE ELECTRIC AUTHORITY (JEA) WATER MAIN INTERCONNECT

26. 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
27. Motion to declare the 2003 Freightliner Ambulance, CV 27, SJC 10509, VIN 1FVABPAL04DM17850, as surplus; and authorize the county administrator, or his designee, to donate the same to First Coast Technical College (FCTC)
28. Motion to declare two 2008 Ford F150, CV 1187, SJC 12750, VIN 1FTRX14W68FB59251 and CV 1188, SJC 12751, VIN 1FTRX14WX8FB59253, as surplus; and authorize the county administrator, or his designee, to donate the same to First Coast Technical College (FCTC)
29. Motion to adopt **Resolution No. 2016-215**, 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, Tetra Tech., for Disaster Debris Management Services, in the event of a natural or man-made disaster occurrence in St. Johns County

RESOLUTION NO. 2016-215

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ NO. 16-42; AND TO EXECUTE AGREEMENTS FOR DISASTER DEBRIS MANAGEMENT SERVICES

30. Motion to adopt **Resolution No. 2016-216**, authorizing the county administrator, or designee, to award Bid No 16-43, Fire and/or Burglar Alarm Systems Installation, Service, Inspection, and Monitoring to Village Key and Alarm Inc.; and to execute a contract in substantially the same form and format, as the attached hereto, for comprehensive installation services, repairs, maintenance, inspections, and monitoring of Fire and/or Burglar Alarm systems at various locations throughout St. Johns County

RESOLUTION NO. 2016-216

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 16-43; AND TO EXECUTE AGREEMENTS FOR FIRE AND/OR BURGLAR ALARM SYSTEMS INSTALLATION, SERVICE, INSPECTION, AND MONITORING

31. Motion to appoint Ms. Tracy Dillon, Social Services Manager, as the St Johns County representative, on the Board of Directors of the Northeast Florida Community Action Agency, for a term of five years
32. Motion to adopt **Resolution No. 2016-217**, approving the 2016 Inventory List of Lands Available, for Use as Affordable Housing, pursuant to Section 125.379, Florida Statutes

RESOLUTION NO. 2016-217

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2016 INVENTORY LIST OF LAND, AVAILABLE FOR USE AS AFFORDABLE HOUSING, PURSUANT TO FLORIDA STATUTE REQUIREMENTS

33. Motion to adopt **Resolution No. 2016-218**, authorizing the Chair to execute Local Government Certifications for FY 12/13, FY 13/14, SHIP annual reports

RESOLUTION NO. 2016-218

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING LOCAL GOVERNMENT CERTIFICATIONS FOR FY 12/13, FY 13/14 SHIP ANNUAL REPORTS, AS REQUIRED BY STATE STATUTE

34. Motion to adopt **Resolution No. 2016-219**, approving the terms, provisions, and conditions of the contract between the Early Learning Coalition of North East

Florida and St. Johns County; and authorizing the county administrator, or designee, to execute a contract in substantially the same form and format, as attached hereto, on behalf of St. Johns County

RESOLUTION NO. 2016-219

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE EARLY LEARNING COALITION OF NORTHEAST FLORIDA, FOR REIMBURSEMENT OF PROGRAM FEES, FOR ELIGIBLE CHILDREN REGISTERED IN PROGRAMS WITH THE PARKS AND RECREATION DEPARTMENT

35. Motion to adopt **Resolution No. 2016-220**, amending the fiscal year 2016 County Pier Fund budget to recognize and allocate unanticipated revenue in the amount of \$50,000, for expenditure by the St. Johns County Pier Department

RESOLUTION NO. 2016-220

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

36. Motion to adopt **Resolution No. 2016-221**, approving the form and format of the attached template for use to enter into Recreation Facilities and Athletic Field Use Agreements, with local youth sports providers, and subject to legal review; authorizing the county administrator, or designee, to execute the agreements approving use of such facilities, on behalf of the County

RESOLUTION NO. 2016-221

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE USE OF A TEMPLATE FOR DRAFTING RECREATION FACILITIES AND ATHLETIC FIELD USE AGREEMENTS; AND, SUBJECT TO LEGAL REVIEW, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE SUCH AGREEMENTS, ON BEHALF OF THE COUNTY

37. Motion to adopt **Resolution No. 2016-222**, recognizing unanticipated revenue in the amount of \$1,900,000, increasing the revenue budget of the Cultural Events Fund; and appropriating to the Cultural Events Department Expenditure Budget

RESOLUTION NO. 2016-222

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2016 COUNTY CULTURAL CENTER FUND BUDGET, TO RECEIVE UNANTICIPATED REVENUE; AND AUTHORIZE ITS

**EXPENDITURE BY THE ST. JOHNS COUNTY
CULTURAL EVENTS DIVISION**

38. Approval of Minutes:

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39. Proofs:

- a) Proof: St. Johns County Fiscal Year 2017 Admin Budget Hearings, published May 9, 2016, in *The St. Augustine Record*.
- b) Proof: Request for Bids, RFP No. 16-43, for Fire and Burglar Alarm System Installation, Service, Inspection, and Monitoring, published May 11, 2016, and May 18, 2016, in *The St. Augustine Record*.
- c) Proof: Request for Bids, RFP No. 16-16, for Armstrong Park Trailhead, published on May 18, 2016, and May 25, 2016, in *The St. Augustine Record*.
- d) Proof: Notice of Hearing for the Fire Prevention Code-Hearing held on June 7, 2016, published May 24, 2016, in *The St. Augustine Record*.
- e) Proof: Request for Bids, RFP No. 16-48, for Golf Ball Retrieval, published May 26, 2016, in *The St. Augustine Record*.

(07/19/16 - 12 - 9:45 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick stated that Administration had received a request to withdraw Regular Agenda Item No. 15.

(9:45 a.m.) McCormack stated that he had a conversation with the representative for Regular Agenda Item 15, and it was requested to withdraw this item. He clarified that if the item was withdrawn, it would not appear back on a 2016 agenda.

(9:46 a.m.) Ellen Avery Smith, Rogers Towers, 100 Whetstone Place, stated that the request was correct. McCormack informed the Board that revising the agenda was considered ministerial; therefore, public comment was not required.

(07/19/16 - 12 - 9:47 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Smith, seconded by Bennett, carried 5/0, to approve the Regular Agenda, as amended.

(9:48 a.m.) Ed Slavin, PO Box 3084, thanked the Board for withdrawing Regular Agenda Item No. 15. He commented that the item was not properly vetted and stated that slot machines, in St. Johns County, were illegal under current law.

(9:51 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke against slot machines in St. Johns County.

(9:52 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in support of the slot machines.

(9:54 a.m.) Dr. Michel Pawlowski, 216 10th Street, Saint Augustine Beach, supported gambling in St. Johns County, but was opposed to the 1.5% of the profit share offered by the applicant. He stated the Board should request 12.5% of the gross profit.

(9:56 a.m.) Dan Bushnell, 2516 Oleander Street, spoke against slot machines in St. Johns County, due to less money being spent in downtown St. Augustine and gambling's connection to crime.

(9:59 a.m.) McClure thanked all who came out to speak on Regular Agenda Item No. 15 and questioned how the item was submitted.

(10:00 a.m.) Smith stated there was not a legislative sponsor and that the item came to the Chair, through the legal department, as an application. He stated he would never agree to gambling, but it needed to be heard by the entire Board; that he would not withhold something that needed to be discussed publically and that he had confidence that the Board would not yield.

(07/19/16 - 13 - 10:02 a.m.)

1. PUBLIC HEARING, APPROVAL OF THE PUBLIC TRANSPORTATION PROGRAM OF PROJECTS, THE SUBMITTAL OF THE FY 2017 SECTION 5307 URBANIZED AREA GRANT BASED ON THE PROGRAM OF PROJECTS, EXECUTION OF THE AWARDED GRANT AND RECOGNITION OF THE FUNDS. EACH YEAR THE FEDERAL TRANSIT ADMINISTRATION APPORTIONS FUNDING FOR URBANIZED AREA PUBLIC TRANSPORTATION ASSISTANCE. ST. JOHNS COUNTY'S APPORTIONMENT FOR FY 2017 IS \$956,055. ONCE THIS APPORTIONMENT IS DETERMINED, A PROGRAM OF PROJECTS IS DEVELOPED AND USED AS THE BASIS FOR THE SECTION 5307 URBANIZED AREA GRANT SUBMITTAL. PRIOR TO GRANT SUBMITTAL, FEDERAL GUIDELINES REQUIRE A PUBLIC HEARING FOR THE APPROVAL OF THE PROGRAM OF PROJECTS. THE MATCH REQUIREMENT FOR THIS GRANT WILL BE 50% FOR OPERATING AND 20% FOR CAPITAL AND PLANNING. OPERATING COSTS FOR THIS YEAR'S GRANT IS \$500,000, COMPRISED OF MONIES FROM ST. JOHNS COUNTY, THROUGH THE ADOPTED ANNUAL BUDGET FOR TRANSIT (\$276,489), AND FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) BLOCK GRANT FUNDING (\$223,511). THE 20% MATCH FOR \$451,055 IN CAPITAL WILL COME FROM A SOFT MATCH OF TOLL REVENUE CREDITS, PROVIDED BY THE STATE OF FLORIDA. THE 20% MATCH OF \$1,250 FOR \$5,000 IN PLANNING WILL ALSO COME FROM FDOT BLOCK GRANT FUNDING. THE PURPOSE OF THIS AGENDA ITEM IS FOR THE APPROVAL OF THE FY 2017 PROGRAM OF PROJECTS, THE SUBMITTAL OF THE FY 2017 SECTION 5307 URBANIZED AREA GRANT, BASED ON THE APPROVED PROGRAM OF PROJECTS, APPROVAL TO EXECUTE THE AWARDED GRANT AND TO RECOGNIZE THE FUNDS IN THE COUNTY'S FISCAL YEAR 2017 BUDGET

Proof of publication of the notice of public hearing on Section 5307 Grant, was received, having been published in *The St. Augustine Record* on June 15, 2016.

Gary L. Mackey, Transit Grant Specialist, presented details of the program projects and the grant request.

(10:07 a.m.) Bennett questioned the rolling stock for the replacement of two para-transit and an increase in cost; additional signage and miscellaneous equipment, specifically security cameras. Mackey responded that security cameras were a need, based on several incidents. Bennett questioned electronic fare systems. Mackey remarked that with growth, those systems may be considered in the future.

(10:10 a.m.) McClure questioned the \$1.5 million budget, with the only tax payer's requirement was \$276,489, and the remainder funding through grants for the County's match. Mackey stated that was correct.

(10:11 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, reiterated from comments made at previous meetings, that the Council on Aging (COA) misappropriated funds. He

expressed the need for separation of buses; informed the Board that the Sunshine Bus Company advertised internally only and had unqualified people in positions; and stated the requested \$75 thousand storage facility was unnecessary. He questioned why an audit had not been completed by the County.

(10:13 a.m.) McCormack clarified the Rules of Decorum for public comment.

(10:14 a.m.) Ed Slavin, PO Box 3084, agreed with the previous comment and stated there was a need to reform government contracting. He spoke on the need for audits, competitive bidding, and COA's non-compliance with safety regulations, including pre-trip inspections.

(10:17 a.m.) Wanchick mentioned that the Sunshine Bus Company had won the national award for the best small transit system in the United States and that the Company was highly regarded. Additionally, he stated that all federal and state funds were audited last year and the bidding process was just completed, with the COA prevailing.

(10:18 a.m.) McClure stated that the COA was the only respondent in the bidding process, but restated that bidding and audits had been completed. He questioned the funding. Mackey responded that all funding was distributed through the COA to the Sunshine Bus and para-transit.

(10:20 a.m.) Motion by Bennett, seconded by Morris, carried 5/0, to adopt Res. 2016-223, approving the proposed Program of Projects, approving submission of the FY 2017 Section 5307 Urbanized Area Grant, based on the approved Program of Projects, authorizing the county administrator, or designee, to execute the grant agreement and any supplemental documentation upon approval of the application and to recognize the funds in the County's Fiscal Year 2017 Budget.

RESOLUTION NO. 2016-223

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING SUBMISSION OF A SECTION 5307 URBANIZED AREA GRANT APPLICATION FOR \$956,055 IN FUNDING; APPROVING THE PROPOSED PROGRAM OF PROJECTS AS PART OF THE APPLICATION; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE TO EXECUTE THE GRANT AGREEMENT UPON APPROVAL OF THE APPLICATION BY THE FEDERAL TRANSIT ADMINISTRATION AND TO RECOGNIZE THE FUNDING IN THE BUDGET

Regular Agenda Item 2 was continued to August 2, 2016.

(07/19/16 - 14 - 10:21 a.m.)

2. PUBLIC HEARING, REZ 2014-11, MOULTRIE OAKS RETIREMENT COMMUNITY - PHASE VI - CONTINUANCE. AFTER DISCUSSIONS WITH THE APPLICANT'S REPRESENTATIVE, THIS ITEM IS PROPOSED TO BE CONTINUED TO A LATER HEARING DATE. CONTINUANCE FOR REQUEST TO REZONE APPROXIMATELY EIGHT (8) ACRES FROM OPEN RURAL (OR) TO RESIDENTIAL, MANUFACTURED/MOBILE HOME (RMH) TO ALLOW EXPANSION OF THE EXISTING MOBILE HOME COMMUNITY FOR TWENTY (20) ADDITIONAL LOTS, SPECIFICALLY LOCATED AT 245 WILDWOOD DRIVE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REZONING WITH DEVELOPMENT LIMITATIONS AND ENHANCED BUFFER CRITERIA. THE CONDITIONS

PROPOSED LIMIT THE NUMBER TO TWENTY (20) MOBILE/MANUFACTURED HOME LOTS FOR PHASE VI AND A TOTAL OF TWO HUNDRED AND FORTY (240) UNITS FOR THE RETIREMENT COMMUNITY

Proof of publication of the notice of public hearing on REZ 2014-11, Moultrie Oaks Retirement Community, Phase VI, was received, having been published in *The St. Augustine Record* on June 30, 2016.

Soria requested a continuance of Regular Agenda Item No. 2 to August 2, 2016.

(10:21 a.m.) Motion by Bennett, seconded by Johns, carried 5/0, to approve a continuance of REZ 2014-11, Moultrie Oaks Retirement Community, Phase VI, to the August 2, 2016 BCC meeting.

Regular Agenda Items 3 and 4 were heard together.

(07/19/16 - 15 - 10:22 a.m.)

3. PUBLIC HEARING, REZ 2015-23, 9471 A1A SOUTH. THIS IS A REQUEST TO REZONE APPROXIMATELY 0.83 ACRES OF LAND FROM COMMERCIAL HIGHWAY TOURIST (CHT) TO RESIDENTIAL, SINGLE-FAMILY (RS-2). THE SUBJECT PROPERTY IS LOCATED ON THE WEST SIDE OF A1A SOUTH, JUST NORTH OF THE FLAGLER COUNTY BOUNDARY. THE APPLICANT IS SEEKING THIS REZONING IN ORDER TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON THE SUBJECT PROPERTY. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REZONING REQUEST, WITH A VOTE OF 4-1, AT THE JUNE 2, 2016 HEARING

Proof of publication of the notice of public hearing on REZ 2015-23, 9471 A1A South, was received, having been published in *The St. Augustine Record* on May 18, 2016.

Bennett, Smith, and Johns disclosed ex parte communication, having met with Lara Diettrich, the applicant's agent. Morris disclosed that he had received an email from the applicant, and McClure disclosed that he had visited the site.

Danielle Handy, AICP, Chief Planner, presented details of the request to rezone.

(10:28 a.m.) Lara Diettrich, Diettrich Planning, 1332 Avondale Avenue, Jacksonville, Florida, representing the applicant, spoke on the property and referring to a timeline, detailed the history of land use and zoning for this property. She noted the applicant's flood insurance and a dry swale, which would be constructed by the applicant, for stormwater run-off, *Exhibit A*.

(10:39 a.m.) Handy spoke on the applicant's request for a zoning variance to reduce the front yard requirements, as the property tapers off due to wetlands. She reviewed the requirements for a zoning variance.

(10:41 a.m.) Bennett questioned Locklear concerning stormwater requirements for single family homes. Locklear responded that the County would defer to the Water Management District for water quality requirements and answered that State regulations excluded single family homes, in needing to manage stormwater. Diettrich responded, noting the agreement the applicant had made for an addition of a dry swale, even though it was not a State requirement.

(10:43 a.m.) Discussion ensued on the purchase, without a contingency on the property; the National Flood Insurance Program (NFIP); the zoning variance footprint and square footage.

(10:48 a.m.) Steve Schuyler, Architect, 7 Inlet Place, stated the footprint of the house was 1400 square feet and the difficulty in building the home any smaller, due to the setback requirements.

(10:50 a.m.) McClure questioned the compatibility of surrounding areas. Diettrich responded that the zoning was a presumption and that land use trumps the zoning of Residential A.

(10:54 a.m.) George Jacunski, 5650 A1A South, President of South Anastasia's Community Association, spoke in opposition to the rezoning due to the property's protection by the Coastal Barrier Resources Act, lack of infrastructure, lack of water and sewer, incompatibility and the possibility of other rezoning requests by those who bought inexpensive, CHT zoned land.

(10:58 a.m.) Leslie Babonis, 9507 North Ocean Shore Boulevard, Mayor of Marineland, spoke in opposition of the rezoning, due to the potential negative impacts to the Town of Marineland.

(11:00 a.m.) Bennett questioned the lack of sewer systems in Marineland. Babonis responded that the Whitney Lab utilized a water treatment plant; however, one of Marineland's goals was to get the water treatment plant off the barrier islands. She mentioned that Marineland received potable water from Palm Coast and that the town was working towards creating a sustainable water system.

(11:02 a.m.) Thad Crowe, 3670 Eloise Street, Jacksonville, Florida, Planner for the Town of Marineland, spoke on the incompatibility of surrounding land uses.

(11:06 a.m.) McClure made the argument that a single-family residence would be less intense than commercial. Discussion ensued on commercial versus residential impacts to the environment and the possibility of septic tank failure.

(11:07 a.m.) Michael Sullivan, 7579 A1A South, Crescent Beach, Florida, owner and operator of The Commanders Shellfish Camp, LLC, spoke on the preservation and repopulation of shellfish and was opposed to the rezoning request due to significant negative impacts to watersheds, supporting documents, *Exhibit A*.

(11:10 a.m.) Bennett questioned the location of the shellfish harvesting areas. Sullivan stated the areas stopped at the Flagler County border.

(11:12 a.m.) Anne Taylor, 1365 SR 206, spoke in opposition of the rezoning and variance, due to the lack of hardship.

(11:13 a.m.) John Hankinson, 9150 Mellon Court, spoke in opposition to the requests, due to the need for protection of the land.

(11:17 a.m.) Neil Armingeon, 291 Cubbedge Road, Matanzas River Keeper, spoke in opposition to the requests, due to the impacts of septic systems to the Matanzas River, supporting documents, *Exhibit B*.

(11:20 a.m.) Bill McCormick, 9224 July Lane, questioned the applicant's purchase of a lot which would require a variance and stated that the most fiscally responsible thing to do would be for the County to purchase the property for what it was worth.

(11:23 a.m.) Ed Slavin, PO Box 3084, spoke in opposition to the requests, based on the arguments made by previous speakers and requested that support for a National Park and Seashore be placed on a future agenda.

(11:26 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in opposition to the requests, due to the applicant being aware of zoning for the property, prior to its purchase. He read from The National Association of Counties' Code of Ethics for County Officials, *Exhibit C*.

(11:28 a.m.) Dan Bushnell, 2516 Oleander Street, questioned the approval by Planning and Zoning.

(11:29 a.m.) Smith questioned Sullivan, concerning his letter, specifically the water quality spikes, which Sullivan stated led to shellfish mortality. Smith questioned Sullivan about shellfish mortalities, specifically from a septic, bacterial issue. Smith recounted his participation in disaster payments and stated he had never seen an issue with septic or fertilizer. He expressed that accusations and claims made by Sullivan, may be the truth; however, were not linked to what was being decided upon; therefore, came across as deceptive.

(11:34 a.m.) Diettrich spoke in rebuttal to public comments, including spot zoning, Jacoby Development, run-off, utilization of native coastal plants, quality of septic tanks, businesses on A1A on septic systems, including the Matanzas River Keeper, who spoke in opposition of the request due to septic systems; and provided numbers for a hypothetical business versus a single family residence.

(11:39 a.m.) McClure questioned Hankinson concerning the acquisition of property around this area. Hankinson responded that the Water Management District purchased the property for protection purposes. He questioned legal issues associated with an approval of this request, due to it being environmentally sensitive. McCormack responded that the subject property was off of a State Road, not a County Road; therefore, there would be no County liability. Discussion ensued on the zoning of adjacent CHT zoned lots, residential accessory to a commercial use zoning, and land use classification dictating what types of uses were allowed on the property, which carried more weight than the zoning, but still taking into account the compatibility with the surrounding area. Handy mentioned the forthcoming requests for rezoning.

(11:47 a.m.) John Burnham, Growth Management, spoke on the differences in commercial versus single family residential and the compliance of requirements, including stormwater control, site restraints were driven by square footage, potential for traffic and turn lane issues; basically, stricter requirements for commercial.

(11:50 a.m.) Johns questioned what could be built on the property, based on the current land use and zoning, without modifications. Handy stated that by right, a convenient store would be allowed. Johns alleged that nothing of a commercial use, with site requirements for stormwater, parking, etc., would fit on the property, based on the current zoning and land use. Handy concurred. Johns questioned the proposed total heated square footage. Discussion ensued on specifics of the proposed residential plan, the retaining wall, and the engineering and compliance of the dry swale.

(11:56 a.m.) Smith questioned Handy on any developable property on the west side of A1A. Handy responded that there were none.

(11:57 a.m.) Bennett appreciated applicant concerning stormwater treatment system. She was disturbed that those speaking the loudest about the dangers of septic tanks, they themselves had them and stated there was a sewer line within distance of the Matanzas River Keeper's office. She stated she was opposed to septic systems and understood that many property owners do not know the zoning or land use of his/her property.

(12:00 p.m.) Soria stated the proffered conditions as: 1) limited to one, single-family dwelling unit; and 2) the owner will construct a dry swale to capture stormwater run-offs. The applicant confirmed the conditions.

(12:02 p.m.) **Motion by McClure, seconded by Bennett, carried 3/2, with Smith and Johns dissenting, to deny REZ 2015-23, 9471 A1A South, based upon four Findings of Fact, to support the motion.**

Regular Agenda Item 4 was heard with Regular Agenda Item 3.

Regular Agenda Item 4 was withdrawn by the applicant.

(07/19/16 - 18 - 10:22 a.m.)

4. PUBLIC HEARING, ZVAR 2015-22, 9471 A1A SOUTH. THIS IS A REQUEST FOR A ZONING VARIANCE TO LAND DEVELOPMENT CODE, TABLE 6.01 TO REDUCE THE REQUIRED FRONT YARD SETBACK, FROM 25 FEET TO 15 FEET, TO ALLOW FOR THE CONSTRUCTION OF A SINGLE-FAMILY HOME. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE ZONING VARIANCE REQUEST, WITH A VOTE OF 4-1, AT THE JUNE 2, 2016 HEARING

Proof of publication of the notice of public hearing on ZVAR 2015-22, 9471 A1A South, was received, having been published in *The St. Augustine Record* on May 18, 2016.

(12:04 p.m.) Soria explained the next steps for the applicant. The applicant decided to withdraw the variance, Regular Agenda No. 4.

The meeting recessed for lunch at 12:05 p.m. and reconvened at 1:15 p.m., with all five commissioners, Wanchick, Locklear, McCormack, Soria, and Deputy Clerk Sindy Wiseman present.

(07/19/16 - 18 - 1:15 p.m.)

5. PUBLIC HEARING, NZVAR 2015-14, LIGHTSEY ROAD. THIS NON-ZONING VARIANCE SEEKS RELIEF TO SECTION 6.04.07.B.1, SECTION 6.04.07.B.2.A AND 6.04.07.B.2.B., OF THE LAND DEVELOPMENT CODE TO ALLOW A 15' EASEMENT (10' PAVED) TO SERVE THREE RESIDENTIAL UNITS. LAND DEVELOPMENT CODE STANDARDS REQUIRE THE EASEMENT WIDTH TO BE A MINIMUM OF 30' IN WIDTH; WITH PAVING A MINIMUM OF 20' IN WIDTH. THE EASEMENT AND PAVEMENT CURRENTLY EXIST AND SERVES TWO RESIDENTIAL PARCELS. ONE OF THESE PARCELS IS SEEKING TO SUBDIVIDE THEIR LOT FOR A FAMILY MEMBER. THE SUBJECT PROPERTY IS LOCATED OFF THE SOUTH SIDE OF LIGHTSEY ROAD, WEST OF HOLMES BOULEVARD, ON SR 207

Proof of publication of the notice of public hearing on NZVAR 2015000014, Lightsey Road, was received, having been published in *The St. Augustine Record* on June 30, 2016.

Eric Clark, Engineer, presented details of the non-zoning variance, via PowerPoint. He stated that the applicant sought relief to use an easement to serve more than two dwelling units; relief to use a 15-foot wide easement for the home, at the rear of the property; and relief for continued use of the existing 10-foot wide stabilized surface, currently servicing two of the homes. He reported that staff recommended approval to allow the use of the easement, the use of the 15-foot wide easement to the rear, and the continued use of the current 10-foot wide stabilized surface.

(1:21 p.m.) Mariah Jones presented her reasons for the request and was available for questions.

(1:22 p.m.) McClure questioned the houses near the subject property. Jones identified the surrounding homes and the access roads they used.

(1:24 p.m.) Johns questioned the requirements for emergency access. Clark stated that Fire Rescue reviewed and approved the easement.

(1:24 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, suggested the Board approve the variance.

(1:25 p.m.) Motion by McClure, seconded by Morris, carried 5/0, to approve Non-Zoning Variance, NZVAR 2015-14, Lightsey Road, based upon Findings of Fact 1-6, and subject to suggested conditions 1-4.

(07/19/16 - 19 - 1:27 p.m.)

6. PUBLIC HEARING, VACROA 2015-11, PUBLIC HEARING REGARDING VACATING A PORTION OF OAK STREET. THE APPLICANT REQUESTS THE VACATION OF AN UNOPENED, UNIMPROVED PORTION OF OAK STREET, WHICH IS LOCATED IN BETWEEN THIRD STREET AND FOURTH STREET OF THE NORTH BEACH SUBDIVISION. BASED ON STAFF'S REVIEW, TRAFFIC PATTERNS WILL NOT BE NEGATIVELY IMPACTED, AND NO PARTY WILL BE UNREASONABLY AFFECTED BY THE REQUESTED VACATION. STAFF HAS RECEIVED NO OBJECTIONS

Proof of publication of the notice of public hearing on VACROA 2015-11, Public Hearing regarding vacation a portion of Oak Street, was received, having been published in *The St. Augustine Record* on June 29, 2016.

Eric Clark, Engineer, presented details of the request to vacate the portion of Oak Street, via PowerPoint.

(1:30 p.m.) Bennett stated that a concern with vacating roads in this area was the lack of alternate perpendicular routes for vehicular traffic and access speeders. Discussion ensued on the loss of access when vacating any interest in a road, for public use.

(1:35 p.m.) Leo Dougherty, 304 Fourth Street, spoke on the age of the plat and becoming the custodians of the property.

(1:37 p.m.) Bennett articulated that the homeowners would not be permitted to build a fence on the easement.

(1:38 p.m.) Smith questioned who owned the property. Discussion ensued on the ownership, liability, and accountability of the property.

(1:50 p.m.) Leondarda Carrow, 216 Fifth Street, commented that the liability on the previous vacations fell on the homeowners.

(1:53 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, stated that he supported the vacation.

(1:54 p.m.) Debbie Krantz, 121 Third Street, requested the approval of the vacation.

(1:55 p.m.) Bennett asked Locklear if he was agreed with having an easement for drainage only. Locklear stated the County had no interest for utilities and Soria stated that North Beach Utilities was notified and they had no plans for the property.

(1:57 p.m.) Motion by Bennett, seconded by McClure, carried 5/0, to adopt Resolution No. 2016-224, approving VACROA, 2015-11, Oak Street, petition to vacate a portion of

Oak Street, within the North Beach Subdivision, as further described in the Resolution.

RESOLUTION NO. 2016-224

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, VACATING A PORTION OF THE 50 FOOT RIGHT-OF-WAY, KNOWN AS OAK STREET

(07/19/16 - 20 - 1:58 p.m.)

7. PUBLIC HEARING, REZ 2015-16, MILLS RESIDENCE. THIS IS A REQUEST TO REZONE APPROXIMATELY ONE ACRE OF LAND FROM OPEN RURAL (OR) TO RESIDENTIAL, SINGLE FAMILY (RS-1), SPECIFICALLY LOCATED AT 519 MOONSHINE DRIVE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REZONING REQUEST AT ITS MAY 19, 2016, MEETING, WITH A 5-0 VOTE

Proof of publication of the notice of public hearing on REZ-2015000016, Mills Residence, was received, having been published in *The St. Augustine Record* on May 4, 2016.

Valerie Stukes, Planner, presented the details of the Mills Residence rezoning, via PowerPoint.

(2:01 p.m.) McClure questioned the use of septic. Stukes stated that the applicant would be connecting to sewer and water, if approved.

(2:02 p.m.) Bennett questioned the conformance of the property, as it did not appear to meet the intent of the Land Development Code (LDC).

(2:07 p.m.) Danielle Handy, Chief Planner, explained that the LDC allowed for a certain number of units accessing off of an easement before bring the roads up to County standards. Discussion ensued on the rezoning requirements and minimum standards a property must meet. McCormack offered that the Board had the option to continue the item, in order to do more research. Discussion continued on the requirements of a Legal, Non-Conforming, property when altered by the removal of a dwelling.

(2:18 p.m.) Suzanne Konchan, Director of Growth Management, stated that the criterion for a rezoning was whether the access point was off of a public road, street frontage, or a private easement.

(2:22 p.m.) Judy & Don Mills, 519 Moonshine Drive, spoke on the ownership of the Mill's property and the action they had taken to date.

(2:24 p.m.) Johns asked if a public right-of-way could be constructed on the Moonshine Drive property. Discussion ensued on the property.

(2:31 p.m.) Motion by Morris, seconded by McClure, carried 4/1, with Bennett dissenting, to enact Ordinance No. 2016-33, REZ 2015-16, Mills Residence, based upon four Findings of Fact.

ORDINANCE NO. 2016-33

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

**RESIDENTIAL, SINGLE FAMILY (RS-1); MAKING
FINDINGS OF FACT; REQUIRING RECORDATION;
AND PROVIDING AN EFFECTIVE DATE**

(07/19/16 - 21 - 2:32 p.m.)

8. PUBLIC HEARING, MAJMOD 2016-07, MARSH LANDING. THIS IS A PUBLIC HEARING FOR MAJMOD 2016-07, KNOWN AS MARSH LANDING, REVISING THE MASTER DEVELOPMENT PLAN MAP, TO PROVIDE VEHICULAR ACCESS TO ONE SINGLE-FAMILY RESIDENTIAL PARCEL OF LAND, LOCATED OUTSIDE OF THE EXISTING MARSH LANDING PLANNED UNIT DEVELOPMENT (PUD), SPECIFICALLY LOCATED AT 616 IBIS COVE PLACE (UNIT 32, LOT 42). STAFF RECOMMENDS APPROVAL OF THE REQUEST, BASED ON THE PROPOSAL'S CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF CABALLOS DEL MAR DEVELOPMENT OF REGIONAL IMPACT AND COMPATIBILITY WITH THE SURROUNDING AREA. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL BY A 5-0 VOTE, DURING THE MAY 19, 2016, MEETING

Proof of publication of the notice of public hearing on MAJMOD 2016-07, Marsh Landing, Unit 32, Lot 42, was received, having been published in *The St. Augustine Record* on May 4, 2016.

Bennett disclosed that every commissioner received email communication from an attorney.

Valerie Stukes, Planner, presented the details of Marsh Landing, MAJMOD 2016-07, via PowerPoint. She stated that Planning and Zoning recommended approval, with a 5/0 vote.

(2:36 p.m.) McClure asked for clarification of the property. Stukes identified the property and said the driveway access would come off of lot 42.

(2:38 p.m.) Gary Davenport, 5378 Fourth Street, believed that the concerns from the adjoining PUD's association were resolved. Discussion ensued on the requirements of the property to the Home Owners Association (HOA).

(2:41 p.m.) Bret Abner, 8203 Ashworth Court, reported that the concern had been addressed.

(2:44 p.m.) **Motion by Morris, seconded by Johns, carried 5/0, to enact Ordinance No. 2016-34 , MAJMOD 2016-07, Marsh Landing, adopting Findings of Fact 1-6, to support the motion.**

ORDINANCE NO. 2016-34

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, APPROVING A MAJOR
MODIFICATION TO THE MARSH LANDING, UNIT 32,
LOT 42, PLANNED UNIT DEVELOPMENT,
ORDINANCE NO. 1975- 15, AS AMENDED; MAKING
FINDINGS OF FACT; PROVIDING A SAVINGS
CLAUSE; REQUIRING RECORDATION AND
PROVIDING AN EFFECTIVE DATE**

Regular Agenda Items 9-12 were heard together.

(07/19/16 - 22 - 2:45 p.m.)

9. PUBLIC HEARING, COMPAMD 2014-09, INDIANHEAD BIOMASS SERVICES, ADOPTION HEARING. THIS IS A REQUEST TO ADOPT A COMPREHENSIVE PLAN AMENDMENT, TO AMEND THE FUTURE LAND USE MAP FROM RESIDENTIAL-B (RES-B) TO RURAL/SILVICULTURE (R/S), FOR APPROXIMATELY 110 ACRES. THE SUBJECT PROPERTY IS LOCATED EAST OF I-95 AND NORTH OF COUNTY ROAD 214, ALONG ADAM ACRES ROAD. THE PLANNING AND ZONING AGENCY RECOMMENDED ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENT, WITH A VOTE OF 6-0, AT THE JUNE 16, 2016, HEARING

Proof of publication of the notice of public hearing on COMPAMD 2014-09, Indianhead Biomass Services, was received, having been published in *The St. Augustine Record* on May 31, 2016.

Smith disclosed that he had spoken with Colonel Mickey Duren, attorney James Whitehouse, Matt Lahti, Gail Pizzano, and had visited the site. Bennett disclosed that she had attended a portion of the Planning and Zoning (PZA) meeting; Johns spoke with the correspondent; Morris watched the PZA meeting; and McClure received a message from Whitehouse.

(2:46 p.m.) Danielle Handy, AICP, Chief Planner, presented the details of the COMPAMD, which included a zoning variance, non-zoning variance, and Special Use Permit-Major (SUPMAJ) for Indianhead Biomass, via PowerPoint. She stated the applicant was seeking six variances within the applications: 1) to allow a solid waste facility within 1,000 feet of a dwelling unit or potable water well; 2) to allow a solid waste facility within the 100 year floodplain; 3) to allow a solid waste facility within five miles of the County landfill; 4) to allow a non-office type building and uses associated with composting facilities and material recovery facilities within 500-feet of residentially zoned property; and 6) to allow the use of a 4-foot tall cattle fence, in lieu of the six-foot, opaque fence requirement.

(3:00 p.m.) John Burnham, Chief Engineer, presented the details of the non-zoning variance for Indianhead Biomass, via PowerPoint.

(3:02 p.m.) Matt Lahti, 906 Anastasia Boulevard, applicant, provided details of the progress made in order to bring the site into compliance.

(3:04 p.m.) James Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, addressed an additional condition to the special use permit: *An ecologist trained in identification of Florida Exotic Pest Plant Council (FLEPPC), invasive plant identification, will visit the Indianhead Biomass Yard Waste Field, a minimum of once per month during the growing season, April through September, to assess for recruitment of any plant species listed as invasive, exotic, or noxious, by FLEPPC. All areas identified as containing invasive, exotic, or noxious species will be treated with appropriate herbicides, by an applicator with a Florida Department of Agriculture and Consumer Services (FDACS) commercial pesticide license, Exhibit A, [not submitted to clerk].* Smith stated that it was not necessary to insert "commercial pesticide license", as there may be other applicable licenses and suggested using "with a valid license". Smith also asked Lahti to describe the cattle fence. Johns requested that an Ecological Analysis report be submitted to the County, on a monthly basis, to demonstrate that the assessment had been performed. Johns also noted that the aerial map showed that the entry road crossed the wetlands. Lahti presented a flood study that showed that the existing ground was above the flood stages, *Exhibit B, [not submitted to clerk].*

(3:12 p.m.) McClure questioned the total acreage owned by the applicant. Lahti stated there was a bit over 1000 acres and there was a maintenance agreement with Florida Power & Light.

(3:15 p.m.) Smith indicated an adjoining property owner's concern of the maintenance being completed to large vehicles near her property. Lahti stated the items in question were being removed.

(3:17 p.m.) Gail Pizzano, 1940 CR 214, voiced the lack of transparency with the project; and interference with the aquifer and wetlands.

(3:21 p.m.) Smith asked Lahti to explain the mining activities on the property. Lahti explained there was no mining on the subject property. He said the mining took place on another property that the applicant owned. He assured that there were no pollutant sources on the site and explained the type of solid waste being processed on the site.

(3:26 p.m.) Whitehouse offered another condition for assurance that *the large vehicles would be moved from their current site*. Discussion ensued on a condition to move the vehicles; and in the previous suggested condition, removing the language: *with a Florida Department of Agricultural Commercial Pesticide License and add by a Licensed applicator*.

(3:30 p.m.) Morris commented on transparency and asked if all proper permitting had been done. Whitehouse stated that the applicant had a team of experts to assist in sticking to the timeline. Discussion ensued on permitting and the consequences of deferring from the set timelines.

(3:43 p.m.) McClure asked about safeguards to prevent continued, unapproved expansion. Whitehouse restated that there was a team of experts that would be overseeing the project.

(3:51 p.m.) Bennett requested that the special-use permit was made non-transferable. Discussion ensued. Locklear said that a special use permit was deemed non-transferable, unless the Board specifically added verbiage that it was transferable. Whitehouse suggested a condition that: *the transferability shall be allowable pursuant to approval of the county administrator, or his designee*.

(4:05 p.m.) Motion by Smith, seconded by Bennett, carried 5/0, to enact Ordinance No. 2016-35, COMPAMD 2014-09, Indianhead Biomass, adopting Findings of Fact 1-3, to support the motion.

ORDINANCE NO. 2016-35

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL-B (RES-B) TO RURAL/SILVACULTURE (R/S) FOR APPROXIMATELY 110 ACRES OF LAND, LOCATED OFF COUNTY ROAD 214; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(07/19/16 - 23 - 2:45 p.m.)

10. PUBLIC HEARING, NZVAR 2015-05, INDIANHEAD BIOMASS. THE SUBJECT PROPERTY IS LOCATED OFF POWER LINE ROAD, WHICH IS A PRIVATE EASEMENT. POWER LINE ROAD CONNECTS TO COUNTY ROAD 214,

APPROXIMATELY 1.25 MILES WEST OF N. HOLMES BOULEVARD. THE SUBJECT PROPERTY IS LOCATED WITHIN COMMISSIONER DISTRICT 2. THIS IS A COMPANION APPLICATION TO OTHER ITEMS RELATED TO THE SAME FACILITY. REQUESTED CHANGE: THIS NON-ZONING VARIANCE REQUEST IS TO SECTION 6.04.07.B.1 AND 6.05.02.H.1

Proof of publication of the notice of public hearing on NZVAR 2015-05, Indianhead Biomass, was received, having been published in *The St. Augustine Record* on June 30, 2016.

Discussion occurred with Item 9.

(4:05 p.m.) Motion by Smith, seconded by Bennett, carried 5/0, to approve NZVAR 2015-05, Non-Zoning Variance to the Land Development Code, Section 6.04.07.B.1 and 6.05.02.H.1, subject to Findings of Fact 1-6 and conditions 1-3.

(07/19/16 - 24 - 2:45 p.m.)

11. PUBLIC HEARING, ZVAR 2015-17, INDIANHEAD BIOMASS SERVICES. THIS IS A REQUEST FOR A ZONING VARIANCE TO THE LAND DEVELOPMENT CODE (LDC), SECTION 2.03.11.A.2.B, TO ALLOW A SOLID WASTE FACILITY WITHIN 1,000 FEET OF A DWELLING UNIT OR PRIVATE POTABLE WATER WELL; SECTION 2.03.11.A.4, TO ALLOW THE FACILITY WITHIN THE ONE HUNDRED YEAR FLOOD PLAIN; SECTION 2.03.11.A.4.H, TO ALLOW A SOLID WASTE FACILITY WITHIN FIVE MILES OF THE ST. JOHNS COUNTY LANDFILL; SECTION 6.08.34.A.1, TO ALLOW COMPOSTING FACILITIES WITHIN 500 FEET OF RESIDENTIALLY ZONED PROPERTIES; SECTION 6.08.34.A.2, TO ALLOW MATERIAL RECOVERY FACILITIES WITHIN 500 FEET OF RESIDENTIALLY ZONED PROPERTIES, AND SECTION 6.08.34.D, REGARDING FENCING. THE SUBJECT PROPERTY IS LOCATED EAST OF I-95 AND NORTH OF COUNTY ROAD 214, ALONG ADAM ACRES ROAD. THIS APPLICATION IS A COMPANION TO OTHER RELATED ITEMS. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE ZONING VARIANCE REQUEST, WITH A VOTE OF 4-2, AT THE JUNE 16, 2016, HEARING

Proof of publication of the notice of public hearing on ZVAR 2015-17, Indianhead Biomass, was received, having been published in *The St. Augustine Record* on May 31, 2016.

Discussion occurred with Item 9.

(4:06 p.m.) Motion by Smith, seconded by McClure, carried 5/0, to approve ZVAR 2015-17, Indianhead Biomass Services, based on six conditions and five Findings of Fact.

(07/19/16 - 24 - 2:45 p.m.)

12. PUBLIC HEARING, SUPMAJ 2015-17, INDIANHEAD BIOMASS SERVICES. THIS IS A REQUEST FOR A SPECIAL-USE PERMIT, TO ALLOW THE EXPANSION OF A SOLID WASTE COLLECTION AND PROCESSING FACILITY WITHIN THE OPEN RURAL (OR) ZONING DISTRICT. THE SUBJECT PROPERTY IS LOCATED EAST OF I-95 AND NORTH OF COUNTY ROAD 214, ALONG ADAM ACRES ROAD. THIS APPLICATION IS A COMPANION TO OTHER ITEMS. THE PLANNING AND ZONING AGENCY RECOMMENDED DENIAL OF THE SPECIAL USE PERMIT REQUEST, WITH A VOTE OF 6-0, AT THE JUNE 16, 2016, HEARING

Proof of publication of the notice of public hearing on SUPMAJ 2015-17, Indianhead Biomass Services, was received, having been published in *The St. Augustine Record* on May 31, 2016.

Discussion occurred with Item 9.

(4:06 p.m.) Motion by Smith, to approve SUPMAJ 2015-17, Indianhead Biomass Services, Special-Use Permit, for solid waste collection and processing facility, with uses limited to the composing of yard waste and concrete collection, chipping, processing, and manufacturing of wood materials into refined products, such as compressed pellets and waste products, based on the 21 conditions and the eight Findings of Fact, as identified in the staff report and as amended by the commission; and transferability shall be allowable pursuant to approval of the county administrator, or his designee.

(4:08 p.m.) McCormack offered language on the invasive plan identification condition, based on the Boards comments: *An ecologist trained in identification of Florida Exotic Pest Plant Council (FLEPPC), invasive plan identification, will inspect the Indianhead Biomass yard waste field, a minimum of once per month during the growing season (April - September), to assess for recruitment of any plant species listed as invasive/exotic/toxic, by FLEPPC. All areas identified, containing said species, will be treated with appropriate herbicides, by a properly licensed applicator. Monthly inspection reports for the subject area shall be timely submitted to the St. Johns County Growth Management Department.*

(4:09 p.m.) Motion by Smith, seconded by, Bennett, carried 5/0, to include the amendments.

The meeting recessed at 4:10 p.m. and reconvened at 4:25 p.m.

(07/19/16 - 25 - 4:25 p.m.)

13. PUBLIC HEARING, LAND DEVELOPMENT CODE AMENDMENTS- ARTICLE II "ZONING DISTRICTS AND SPECIAL USES", ARTICLE VI, PART 6.03.00 "FIRE PROTECTION REGULATIONS" AND ARTICLE XII "DEFINITIONS": DOGS IN OUTDOOR PORTIONS OF RESTAURANTS; APIARIES; FIRING RANGES; FIRE REGULATION; DATA SUBMITTALS; ZONING VARIANCE DEFINITION. THIS IS THE FINAL HEARING TO CONSIDER AMENDMENTS TO ARTICLE II "ZONING DISTRICTS AND SPECIAL USES", ARTICLE VI, PART 6.03.00 FIRE PROTECTION REGULATIONS AND ARTICLE XII "DEFINITIONS". THIS SERIES OF CHANGES WOULD BRING THE CURRENT LAND DEVELOPMENT CODE STANDARDS FOR DOGGY DINING INTO COMPLIANCE WITH FLORIDA STATUTES AND WOULD CREATE SUPPLEMENTAL PROVISIONS FOR RESTAURANTS WHOM WISH TO ALLOW DOGS WITHIN A SPECIFIED OUTDOOR AREA; EXEMPTS THE KEEPING OF HONEY BEES FROM REQUIREMENTS OF A SPECIAL-USE PERMIT, PER FLORIDA STATUTE; UPDATES FIRING RANGE SPECIAL-USE PERMIT, IN ACCORDANCE WITH FLORIDA STATUTE 790.15; BRINGS CURRENT PROVISIONS FOR FIRE REGULATIONS TO BE IN ACCORD WITH F.S. 633 (FIRE PREVENTION AND CONTROL) AND THE FLORIDA FIRE PREVENTION CODE; AND CLARIFY THE DEFINITION OF ZONING VARIANCE. THESE CHANGES WERE CONSIDERED BEFORE THE PLANNING AND ZONING AGENCY ON JUNE 02, 2016, WHERE THE AGENCY HAD VOTED UNANIMOUSLY 6-0, TO RECOMMEND APPROVAL OF THESE AMENDMENTS

Proof of publication of the notice of public hearing on Land Development Code Amendments, was received, having been published in *The St. Augustine Record* on April 21, 2016.

Joseph Cearley, Special Projects Manager, presented an overview of the Land Development Code Amendments, via PowerPoint.

(4:30 p.m.) Motion by Bennett, seconded by McClure, carried 5/0, to enact Ordinance No. 2016-36, amending Articles II, VI, and XII, to the Land Development Code, finding the modifications consistent with Florida Law and the St. Johns County Comprehensive Plan.

ORDINANCE NO. 2016-36

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, ORDINANCE 99-51, AS AMENDED; AMENDING ARTICLE II, ZONING DISTRICTS AND SPECIAL USES TO INCLUDE, AS AN ACCESSORY USE, DOGS IN DESIGNATED OUTDOOR PORTIONS OF RESTAURANTS; AMENDING ARTICLE II, PART 2.03.00, SPECIAL USES FOR APIARIES AND COMMERCIAL OUTDOOR FIRING RANGES; ARTICLE VI, PART 6.03.00, FIRE PROTECTION REGULATIONS; ARTICLE VII, PART 6.04.00, ROADWAYS, DRAINAGE AND UTILITIES STANDARDS; AND ARTICLE XII, DEFINITIONS FOR ZONING VARIANCE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INCLUSION AND CODIFICATION AND SCRIVENERS ERRORS, INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

(07/19/16 - 26 - 4:31 p.m.)

14. FY 2017 RECOMMENDED COUNTY BUDGET PRESENTATION. THE ANNUAL COUNTY BUDGET PROCESS REQUIRES A NUMBER OF STEPS, RANGING FROM ITS PREPARATION THROUGH ADOPTION. FLORIDA STATUTES F.S. 129.03(3) AND F.S. 200.065, TRUTH IN MILLAGE ("TRIM") REQUIREMENTS SPECIFY THAT A TENTATIVE BALANCED COUNTY BUDGET MUST BE SUBMITTED TO THE BOARD OF COUNTY COMMISSIONERS AS THE NEXT STEP IN THE BUDGET PROCESS. AT THIS POINT IN TIME, THE FY 2017 RECOMMENDED COUNTY BUDGET HAS BEEN BALANCED WITH EXPENDITURES AND ADEQUATE RESERVES WITHIN EACH COUNTY FUND EQUAL TO PROJECTED FUND REVENUES. COUNTY ADMINISTRATION BELIEVES THE RECOMMENDED COUNTY BUDGET REPRESENTS A FUNDING LEVEL THAT CAN REASONABLY ASSURE THE ACHIEVEMENT OF ST. JOHNS COUNTY'S OPERATIONAL NEEDS, WHILE MINIMIZING THE TAX IMPACT ON ITS CITIZENRY. A FOLLOW-UP BOARD WORKSHOP ON THE FY 2017 RECOMMENDED COUNTY BUDGET WILL BE SCHEDULED TENTATIVELY FOR JULY 26, 2016. AT THAT TIME, FOLLOWING THE WORKSHOP, THE BOARD WILL BE ASKED TO SET THE TENTATIVE FY 2017 COUNTY MILLAGE RATES IN ORDER TO ACCOMPLISH THE REQUIRED MAILING OF NOTICES OF PROPOSED PROPERTY TAXES UNDER TRIM. FOR PRACTICAL PURPOSES, ONCE THE TENTATIVE MILLAGE RATES ARE SET, THEY CAN STILL BE DECREASED BY THE BOARD, BUT NOT INCREASED

Michael Wanchick, County Administrator, presented the proposed budget for Office of Management and Budget (OMB). He noted that the tax collector reported an 8.9 percent ad valorem growth, which gave the County an additional 3.9 million dollars of additional funding. He recommended that the additional funding be dispersed to pavement management; transferring from the General Fund \$100,000 for Fire Rescue; and \$200,000 for the Transportation Trust Fund (TTF). He said that the County used reserve funds to balance the budget; however, in 2021, the County would no longer have those funds to utilize.

(4:47 p.m.) McClure questioned the amount needed from reserved funds in order to balance the budget.

(4:49 p.m.) Doug Timms, Director, Office of Management & Budget, explained that the full amount requested from the reserves may not be used; however, the reserve balance had continued to decrease.

(4:52 p.m.) McClure also asked Timms to explain the requested eight percent in Pavement Management. Timms explained that \$14 million was required \$6 million was secured, and \$8 million was still needed. McClure also questioned the Sheriffs' budget increase of \$15 million. Timms stated that the Sheriff had reduced his budget \$11.1 million between 2009 and 2012 and he was requesting to add it back in FY 2017.

(5:02 p.m.) Smith noted the scheduled workshop on July 26, 2016, at 9:00 a.m. in the St. Johns County Auditorium.

The meeting moved to Item 16.

(07/19/16 - 27 - 5:03 p.m.)

16. CONSIDER TWO APPOINTMENTS TO THE ARTS, CULTURE, AND HERITAGE FUNDING PANEL. CURRENTLY THERE ARE TWO RECENT VACANCIES ON THE ARTS, CULTURE, AND HERITAGE FUNDING PANEL (AKA FUNDING PANEL), DUE TO RESIGNATIONS. SHORTLY WITHIN LEARNING OF THESE RESIGNATIONS, THE TWO VACANCIES WERE ADVERTISED FOR A FOUR-WEEK SPAN WITH AN APPLICATION SUBMISSION DEADLINE OF JULY 5, 2016. SINCE THE FUNDING PANEL IS SCHEDULED TO MEET AUGUST 10, 2016 FOR THE SCORING OF CATEGORY II APPLICATIONS, THIS ITEM HAS BEEN FAST-TRACKED TO ACCOMMODATE HAVING AN APPROPRIATE NUMBER OF FUNDING PANEL MEMBERS PARTICIPATE IN THE SCORING PROCESS. FOURTEEN APPLICATIONS HAVE BEEN RECEIVED. FIVE APPLICATIONS WERE SUBMITTED ON THE TDC ARTS, CULTURE HERITAGE FUNDING PANEL APPLICATION FORM AND NINE WERE SUBMITTED ON THE STANDARD APPLICATION FORM. DUE TO THE NEED TO FAST-TRACK THIS ITEM AND MEET AGENDA SUBMISSION DEADLINES, THE APPLICATIONS IN THIS PACKET ARE AS ORIGINALLY SUBMITTED; HOWEVER, ALL ATTEMPTS WILL BE MADE TO OBTAIN COMPLETED TDC ARTS, CULTURE, HERITAGE FUNDING PANEL APPLICATION FORMS FROM THE NINE SUBMITTED ON THE STANDARD APPLICATION FORM AND PROVIDED VIA RED FOLDER IN ADVANCE OF THE JULY 19TH BCC MEETING. ADDITIONALLY, A RECOMMENDATION FROM THE TOURIST DEVELOPMENT COUNCIL IS EXPECTED FROM THEIR JULY 18TH MEETING AND WILL BE PROVIDED TO THE BCC DURING THIS ITEM

Tera Meeks, Tourist Development Council (TDC) Director, spoke on the TDC's recommendations for the appointments to the Arts, Culture and Heritage Funding Panel and stated the first meeting was scheduled for August 10, 2016.

(5:06 p.m.) Motion by Morris, seconded by Bennett, carried 5/0, to appoint Danny Berenberg to the Arts, Culture, and Heritage Funding Panel, for a partial term, scheduled to expire September 6, 2016.

(5:06 p.m.) Motion by Morris, seconded by Bennett, carried 5/0, to appoint Karen Watts to the Arts, Culture, and Heritage Funding Panel, for a partial term, scheduled to expire September 6, 2016.

(07/19/16 - 28 - 5:07 p.m.)
COMMISSIONERS' REPORTS

Commissioner McClure

McClure had nothing to report.

Commissioner Morris

(5:07 p.m.) Morris recommended that the Board retain the original process for permit notification to the HOA/ARB and agreed on the need for a staff-level workshop.

(5:09 p.m.) McCormack stated that Registered Architect Review Associations (RARA) language was in the Land Development Code (LDC) and the Board directed staff to take it out of the LDC; however, options were: 1.) Staff would bring suggestions on removing the permitting notification to the ARB; 2.) Leave the notification process as is; 3.) Hold a staff-level workshop and bring forth suggestions from that meeting.

(5:11 p.m.) Smith stated there was a significant issue and that holding a workshop was wise. Bennett agreed. McClure clarified the current Board's direction, concerning compliance with State statutes. Morris questioned the County's compliance with State statute and McCormack responded.

There was a consensus by the Board for a staff level workshop to be held, concerning the permitting notification process to the HOA/ARC.

Commissioner Johns

(5:19 p.m.) Johns reported that he toured The Good Samaritan Health Centers, Wildflower Clinic and expressed their need for volunteers.

Commissioner Bennett

(5:20 p.m.) Bennett reported on the Hastings Branch Library's Back-to-School Supply Giveaway and encouraged the Board members to attend. She spoke on being thankful for first responders, who gamble with their life to save ours daily.

Commissioner Smith

(5:23 p.m.) Smith reported on specific facts concerning St. Johns County's parks and recreational facilities, including the 100 year anniversary of our national parks; the opening of the Family Dollar, located at 840 West King Street, on July 21, 2016 at 7:00 a.m.; and the Southern Pine Beetle infestation within St. Johns County. He explained the Supervisor of Election's letter concerning the County Canvassing Board. According to the membership requirements, all Commissioners were ineligible. McCormack stated he would contact the Supervisor of Elections with the information. Smith announced that the Hastings branch tax collector's office would close in August. He asked Ross to explain the UF/IFAS audit, which was intended to monitor their compliance per the County contract.

(07/19/16 - 29 - 5:35 p.m.)
COUNTY ADMINISTRATOR'S REPORT

Wanchick reminded the Board of the Special Budget Workshop scheduled for July 26, 2016 at 9:00 a.m., which would include a presentation on the beach parking survey and details of the Tourist Development Council's fund allocation.

(07/19/16 - 29 - 5:37 p.m.)
COUNTY ATTORNEY'S REPORT

McCormack stated that Regular Agenda Item 5 had a discrepancy on the number of conditions printed in the proposed motion. He questioned whether these ministerial changes were agreed upon by the maker of the motion; all Commissioners agreed. He revisited the information provided during public comment regarding the St. Augustine Farmer's Market providing an area for voter registration. He stated staff would manage the request.

(07/19/16 - 29 - 5:40 p.m.)
CLERK OF COURT'S REPORT

No report.

(07/19/16 - 29 - 5:40 p.m.)
ADJOURN

With there being no further business to come before the Board, Smith adjourned the meeting at 5:40 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 534080-534081, totaling \$10,162.12 (6/17/16)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 534082-534304, totaling \$1,185,659.44 and Voucher Register, Voucher Nos. 25026-25076, totaling \$707,337.91 (6/21/16)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 534305-534365, totaling \$37,502.42 and Voucher Register, Voucher Nos. 25077-25160, totaling \$55,489.43 (6/22/16)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 534366-534367, totaling \$28,783.51 and Voucher Register, Voucher No. 25161, totaling \$239,319.35 (6/22/16)
5. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 25162-25163 totaling \$10,505.13 (6/23/16)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 534368-534386, totaling \$37,098.16 (6/23/16)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 534387-534389, totaling \$246,969.35 (6/23/16)
8. St. Johns County Board of County Commissioners Check Register, Check No. 534390, totaling \$353.18 (6/27/16)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 534391-534404, totaling \$238,485.34 (6/27/16)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 534405-534625, totaling \$737,837.30 and Voucher Register, Voucher Nos. 25164-25225, totaling \$519,222.50 (6/28/16)

11. St. Johns County Board of County Commissioners Check Register, Check Nos. 534626-534869, totaling \$1,172,033.90 and Voucher Register, Voucher Nos. 25226-25275, totaling \$1,654,090.61 (7/05/16)
12. St. Johns County Board of County Commissioners Check Register, Check Nos. 534870-534899, totaling \$36,526.04 and Voucher Register, Voucher Nos. 25276-25292, totaling \$25,689.83 (7/06/16)
13. St. Johns County Board of County Commissioners Check Register, Check Nos. 934900-934910, totaling \$3,872.47 (7/07/16)
14. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 25293-25294 totaling \$10,535.60 (7/07/16)
15. St. Johns County Board of County Commissioners Check Register, Check Nos. 534900-534903, totaling \$198,456.28 (7/08/16)
16. St. Johns County Board of County Commissioners Check Register, Check No. 534904, totaling \$2,840 (7/08/16)
17. St. Johns County Board of County Commissioners Check Register, Check Nos. 534911-534914, totaling \$6,108.49 (7/08/16)
18. St. Johns County Board of County Commissioners Check Register, Check Nos. 534915-535084, totaling \$1,018,267.64 and Voucher Register, Voucher Nos. 25295-25336, totaling \$465,120.35 (7/12/16)
19. St. Johns County Board of County Commissioners Check Register, Check No. 535085, totaling \$2,840 (7/12/16)
20. St. Johns County Board of County Commissioners Check Register, Check Nos. 535086-535089, totaling \$198,456.28 (7/12/16)
21. St. Johns County Board of County Commissioners Check Register, Check Nos. 535090-535091, totaling \$1,596 and Voucher Register, Voucher Nos. 25337-25347, totaling \$7,359 (7/13/16)
22. St. Johns County Board of County Commissioners Check Register, Check No. 535092, totaling \$200 (7/15/16)
23. St. Johns County Board of County Commissioners Check Register, Check Nos. 535093-535309, totaling \$1,373,020.08 and Voucher Register, Voucher Nos. 25348-25394, totaling \$894,957.47 (7/19/16)

CORRESPONDENCE:

There was none.

Approved ____September 20____, 2016

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____

Jeb S. Smith
Jeb S. Smith, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: _____

Pam Halterman
Deputy Clerk

